HOUSE OF ASSEMBLY.

Tuesday, November 24, 1959.

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

ABSENCE OF CLERK-ASSISTANT.

The SPEAKER—I have to inform the House that in accordance with Standing Order No. 31 I have appointed Mr. J. W. Hull, Clerk of Papers and Records, to act as Clerk-Assistant and Sergeant-at-Arms during the temporary absence on account of illness of Mr. A. F. R. Dodd, Clerk-Assistant and Sergeant-at-Arms.

QUESTIONS.

COUNTRY MEAT WORKS.

Mr. O'HALLORAN—I was pleased to note in the press towards the end of last week that arrangements have been finalized with an American packing company to establish meat works at Naracoorte. Can the Treasurer say whether there is any prospect of similar action being taken in some northern centres where, I believe, the stock potential is sufficient to warrant such establishments being developed; whether the Government will grant the same financial guarantee to anyone interested in establishing meat works in places like Wallaroo, Gladstone, Peterborough or Port Pirie, as it has done in the case of Naracoorte; and whether steps are taken by the Government to interest people in the establishment of works of this nature?

The Hon. Sir THOMAS PLAYFORD—The honourable member said that he was pleased that arrangements had been finalized in connection with Naracoorte, but that is not correct. The position is that a proposition was put to the Government by an American meat packing firm and submitted to the Industries Development Committee, which recommended certain action, which was approved by the Government and the approval sent forward to the firm concerned. We have not had any acceptance from the firm concerned, although I understand there has been some verbal discussion with the member for the district in connection with it. I do not mean by that that the firm is not coming, but merely say that the matter has not been finalized. With regard to the question generally, the Government has made its policy on country abattoirs known for a considerable time. The conditions that apply to the Naracoorte undertaking will apply to any similar undertaking elsewhere in the State. It is not something for Naracoorte but something for any district. It is almost completely on all fours with the proposition put to a firm and accepted by it in connection with Kadina, but the firm ultimately withdrew. So that there will be a record of the assistance the Government gives in these cases, I set out the general lines of the assistance. Firstly, the Government will give a meat quota in order that a country abattoirs may supply meat to the metropolitan area. The quota it will be able to sell in the metropolitan area will be 50 per cent of the poundage killed, subject to an overall figure not exceeding one-seventh of the total meat supplied in the metropolitan area. That is not in accordance with an article I saw in the press only last week, when mention was made of a niggardly quota. This most generous quota refers to 50 per cent of the total meat killed at the country abattoirs. Secondly, we will arrange for housing to be provided for the employees. We will help in connection with the installation of any treatment plant that may be necessary for the disposal of waste material, and advance money and amortize the repayment over 30 years at 5 per cent, subject to the approval of the Industries Development Committee. We will give financial support to the establishment of an enterprise up to a considerable portion of the total cost, something exceeding 75 per cent.

Mr. Riches—In this case everything but the working capital.

The Hon. Sir THOMAS PLAYFORD—Yes. We do not intend to supply the know-how in connection with the plant. These are the general terms in connection with the establishment of country abattoirs; they have been stated publicly on at least 20 occasions and printed, and I state them publicly again today. These are the terms on which the Government will assist any worthwhile industry. Of course, the financial support of the Government must be contingent upon a favourable report being received from the Industries Development Committee because a project of this description must be examined as so much of the expenditure will fall on the Government in the initial stages.

TELEVISION SET SERVICING.

Mr. DUNNAGE—Can the Premier say whether the Government has any control over the servicing of television sets? It has been reported to me that a firm was asked to come out and look at a television set. It did so and altered the plant and equipment. That was all right but, although the men worked for only 25 minutes doing the job, the cost of

the servicing was £2 5s. If there is no control of the price of servicing of television equipment, will the Premier get a report from the Prices Commissioner on the matter?

The Hon. Sir THOMAS PLAYFORD—I think we must look at this matter from a longer point of view than a quotation of £2 5s. for 25 minutes' work. The charge is for maintaining a servicing organization and for transportation to the work of the people concerned. The Prices Department has no control over this servicing. The usual practice is for a person purchasing a television set to pay an annual insurance fee that not only insures the set but provides for replacement parts and servicing of the equipment from time to time when necessary. I understand that the rates for insurance in South Australia are precisely those applying in other States. I examined some of these items, and it appeared to me from the records I had in my possession that the insurance rates were quite justified on the amount of work involved. In fact, I believe insurance companies do not continue to insure a set beyond four or five years at the limit. I am not sure whether it would be desirable to bring this matter under control, but I will ask the Prices Commissioner for a report.

MITCHELL PARK HOUSING SUBDIVISION.

Mr. FRANK WALSH—The Housing Trust has built homes at Mitchell Park in my electorate. In one group are 320 homes and, in another, 90 homes, divided by a private subdivision. Some homes are being built on the private subdivision, but there is no water supply and no sewerage, whereas the trust homes have these services. Will the Minister of Works investigate this matter with a view to providing water and sewerage services in this area, particularly in Bradley Grove, so that it can be developed more rapidly than at present?

The Hon. G. G. PEARSON—As I think the honourable member is aware, under the present arrangements a private subdivision is not approved by the Town Planner until a certificate has been issued by the Engineer-in-Chief. After the Engineer-in-Chief gives a certificate that he can economically water and sewer a subdivision, it is approved to proceed. When building commences applications are made by the various landowners for water and sewerage services. The Engineer-in-Chief examines these from the point of view he always adopts, namely, the conditions, the development that takes place in a given area, and whether the development at the time of the application justifies the provision of services. If building activity is sparse and scattered, obviously there are other places where development has been more intensive, and they are therefore justified in receiving prior consideration. If, on the other hand, he feels that development is proceeding actively and rapidly, he may assess the position as being that, although it does not at the moment justify a service, in a short time it may be built up and then a service will be justified. In such cases he would probably seek authority to start with the work at the time of application. I will bring this specific matter before the notice of the Engineer-in-Chief and ask him to state the position.

BARMERA COURTHOUSE AND POLICE STATION.

Mr. KING—Has the Minister of Works a reply to my question regarding the Barmera courthouse and police station?

The Hon. G. G. PEARSON—Working drawings are being prepared for the Barmera courthouse, and it is expected that tenders will be called in March, 1960.

TEACHERS OF RETARDED CHILDREN.

Mr. HUTCHENS—In this State we have, I believe, some excellent teachers of retarded children. I am thinking particularly of Mr. Pearce, who has been a teacher of hard-of-hearing children at the Croydon Technical School. Mr. Pearce has not spoken to me, but the parents have. I believe he is transferring to another position in the department because he, like other teachers who have been employed in a similar capacity, believes that it is detrimental to his progress to stay with these classes. Will the Minister of Education say whether that is so? I have also been told that in New South Wales these teachers have special consideration and opportunities for promotion when they have proved they are capable of doing this work. Will the Minister investigate the practice in that State to see if there is something in it that may be of advantage to South Australia?

The Hon. B. PATTINSON—I do not know the particular instance to which the honourable member referred, but I know from one or two similar instances that special provision has been made so that a teacher doing essential work of a special character has not lost status or seniority. I was interested in one such case during the last year. I shall be pleased to take up this matter because the education

of retarded children is, in my opinion, immensely important, and it is a matter in which I am personally interested.

NURSES' ENTRANCE QUALIFICATIONS.

Mr. HAMBOUR—Recently an amendment to the Nurses Registration Act was passed by this House to enable nurses, not qualified to become registered trained nurses, to be registered as nurse aides. I believe that the Government intended to ease the nursing situation in hospitals, but the position is just the opposite. The Nurses' Board has ruled that girls shall have had two years' secondary education or shall pass an examination set by the board to be entitled to train to become a registered nurse. I have an examination paper with me and I cannot see any relationship between it and the qualifications of a good nurse. In the past we have allowed girls to go on and train as nurses regardless of academic qualifications, but this ruling will tighten up the field and make it more difficult to get trained nurses. Can the Premier get the Minister of Education to examine this paper and inform the House whether the Government considers it is a fair questionnaire to put to girls who wish to become trained nurses? I believe some of the questions are of Intermediate standard, whereas the alternative qualifications necessary in order to become trained nurses are two years only of Intermediate education—not as high as are demanded in this examination paper. Will the Government analyse the whole question with a view to easing the situation for intending nurses instead of making it harder?

The Hon. Sir THOMAS PLAYFORD—The legislation the honourable member mentioned does not deal with the matter he is now raising. It deals, not with registered nurses, but with nursing aides. The honourable member is incorrect when he says that an examination system is now being introduced, for to my knowledge an examination system has been in operation for at least 40 years. I have two sisters who did the nursing course, and they had to take an examination at least 40 years ago.

Mr. Hambour—Of a kind.

The Hon. Sir THOMAS PLAYFORD—I am not sure of the standard of the examination the honourable member desires to be informed about. If he will hand me the papers I will have them examined and obtain a report from the Nurses' Board, which is the authority to which this matter was entrusted by Parliament.

PURCHASE OF TRUST HOME.

Mr. CLARK—I recently received a letter from a constituent who wrote on behalf of his late friend's widow. The friend, who was accidentally killed, had been purchasing a Housing Trust home at Salisbury North. The widow now finds she cannot possibly continue with the purchase of this home because she has insufficient means, and is seeking to be released, if possible, from her purchase agreement and to obtain in its stead the tenancy of a rental home. This is not the first case of this nature to be brought to my attention. I understand that Queensland has legislation covering the death of a purchaser in similar circumstances and making the widow's position secure, and I have often wondered whether it would be possible for some such legislative provision to be made in this State. If I hand the details of this case to the Premier, will he consult the Housing Trust to see whether this widow can be helped in her difficulty?

The Hon. Sir THOMAS PLAYFORD—If the honourable member will give me the person's name I will take the matter up with the Chairman of the Housing Trust to see whether he can assist. It is possible for an insurance policy to be obtained for the protection of dependants, but this would involve additional weekly payments for the purchaser.

ADVERTISING OF FILMS.

Mrs. STEELE—Several weeks ago the member for Mitcham (Mr. Millhouse) asked a question on social evil films. In the last week I have received three or four letters from mothers of young children drawing my attention to the rather lurid advertisements appearing in the newspapers. I have taken the trouble to go back over the last few weeks to study them for myself, and find that even though the films may not be all the advertisements suggest, at least the wording of the advertisements and the illustrations are very suggestive. Can the Premier ensure that some control is exercised over advertisements of this kind so that they will not present a temptation to young children?

The Hon. Sir THOMAS PLAYFORD—As I stated in reply to the earlier question, the Chief Secretary took this matter up with the people concerned and told them that unless they were prepared to modify some of the undesirable advertisements that were appearing almost daily and which placed an overemphasis upon the seamy side of life in an endeavour to attract people to a film, he would

place before Parliament a Bill to give him complete censorship control over advertisements. Following on that warning, there was a noticeable improvement for some time. I will bring the honourable member's question to the Chief Secretary's notice, and I am sure he will take appropriate action.

SEATON RAIL CROSSING.

Mr. FRED WALSH—Has the Minister of Works a reply to the question I asked several weeks ago concerning safety devices at the railway crossing on Tapley's Hill Road, Seaton?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, advises that he has now received a further report from the Railways Commissioner as follows:—

The honourable member's previous question is recorded in *Hansard* dated 6/8/59, and was the subject of my report to the honourable the Minister in memorandum of 12/8/59, which it will be observed does not state that the warnings are totally adequate. Subsequently, the Woodville Corporation wrote to me, recommending that drop-gates be installed at this level crossing and I replied to the corporation. In his report, the Commissioner points out that the most careful consideration was given to all the representations, including those of the honourable member and the corporation, and the Commissioner feels that these considerations have been quite adequate. However, should the corporation or any other interested parties submit fresh evidence, the Commissioner will have such new matters carefully examined.

EYRE PENINSULA WATER MAINS.

Mr. BOCKELBERG—Can the Minister of Works inform me what progress has been made in the installation of booster pumps at Lock and whether any action is to be taken to repair the main above Minnipa?

The Hon. G. G. PEARSON—I understand from the Engineer-in-Chief that the new booster pumps for the Lock area on the Tod River trunk main should be in operation now, and that if they are not they will come into operation in a few days. Regarding the repair of the main north of Minnipa, as the honourable member will recall, I visited that area some time ago. I subsequently had discussions with the Engineer for Water Supply and the Engineer-in-Chief, and a certain programme of works was outlined which I understand was put in hand. I have not received an up-to-date report as to how much of that work has been done or what the results of the investigations have been, but I will make inquiries and let the honourable member know the result.

VISUAL EDUCATION BOOKS.

Mr. LOVEDAY—I understand the Minister of Education has a reply to my question regarding books for sale by Australian Visual Education Pty. Ltd.

The Hon. B. PATTINSON—The Deputy Director of Education (Mr. Griggs) has supplied me with the following report:—

1. That the books are, most likely, edited by a teacher or someone who has had experience in teaching Australian history. The name of the author of the books is not given.

2. This department has no control over the sales of these books which Mr. Loveday states are being made by approaching women in their homes while the husbands are at work.

3. A certificate stating that the purchaser is entitled to certain benefits and privileges is issued to the purchaser in the name of the Australian Visual Education Pty. Ltd.

4. The statement that the material contained in the booklets is of a sufficiently high standard to cover a student's work up to Leaving standard is ridiculous. All that can be claimed for these books is that—"No doubt children would pick up a lot of information by browsing through them." It is my opinion that the books themselves are cheaply produced, and are very poor value. They may have an attraction for some students because the technique of the comic strip has been used, but this, to me, even lessens their value for educational purposes. The books have not been recommended for use in departmental schools, and the decision to purchase them is one that must be made by individual parents. Statements have been issued in the press warning parents about the danger of signing contracts with itinerant booksellers. Head teachers have been instructed through the *Education Gazette* not to give any statements concerning publications such as these.

HILLS SUBDIVISIONS.

Mr. SHANNON—Last Thursday Lady DeCrespigny rang and asked me to meet her and Mr. Murrell, of the Engineering and Water Supply Department—who is also a member of the Town Planning Appeal Board—at her old home on the Mount Lofty summit road to examine a recent subdivision of what is virtually the crest of the Mount Lofty Ranges and which extends along that rather beautiful scenic road leading to the summit itself. Bulldozers were knocking down some beautiful old trees. Obviously this is to be a housing estate area in the near future. Mr. Murrell explained that the Town Planner, Mr. Hart, had no authority to interfere because this subdivision was outside the metropolitan area and that although he felt something should be done the Town Planner was powerless. Can the Premier say whether it is the Government's intention to widen the ambit of the Town Planner's authority so that the near hills

will not be completely denuded of their natural beauty, particularly on the skyline, to the detriment of our tourist trade?

The Hon. Sir THOMAS PLAYFORD—The powers contained in the Town Planning Act relate only to the metropolitan area and enable a subdivision to be refused if a certificate is not available from the Chief Engineer to the effect that it is possible to provide water and sewers economically to the particular area. Quite obviously that could not be made a general power because the bulk of the State is not sewered and building subdivisions would be held up over almost the whole State, with the exception of the metropolitan area, because it is only now that sewers are being considered for outside areas. The Town Planner has ample power to refuse any application on any qualified ground. He can and does refuse many applications if he thinks that the land is not suitable or that the subdivision is undesirable. He would not want to give a wrong reason for a decision, as was given, I believe, in respect of the Skye Estate where it was stated that the area was not suitable for sewerage and water supplies when it was outside the metropolitan area. If his decision is on a proper basis there is no reason why the Town Planner cannot refuse any subdivision on the grounds either that it interferes with the natural beauty of the country or that it is an undesirable subdivision.

ASSISTANCE TO CHILDREN'S HOMES.

Mr. BYWATERS—In yesterday's *Advertiser* under the heading "Morialta Fete Raised £400" the following appeared:—

Opening the fete, Sir Frank Perry, M.L.C., said the Government was prepared to subsidize such homes on the basis of money given for their upkeep. The chairman of the board (Mr. A. C. Tillett) said that the home now costs about £400 a week to operate.

I have been closely associated with the Morialta Children's Home and this information is new to me and is different from what I have understood in the past. Can the Treasurer say whether this is something new: that the Government intends to subsidize such homes and, if so, what procedure must be followed to gain a subsidy?

The Hon. Sir THOMAS PLAYFORD—Sir Frank Perry's statement is not strictly correct. This year the Government received a deputation from a number of organizations conducting homes for neglected children asking for some assistance. The Government agreed to pay towards the upkeep of those children that were declared wards of the State by a court order. As wards of the State it would be the State's responsibility to maintain them. That was accepted by the organizations concerned who agreed that it would be a good proposition from their point of view. In some institutions not every child would be covered by a court order. On the other hand certain of the institutions considered it was advisable to have a court order because it enabled children who were looked after by the institution not to be claimed by their parents when they were older and able to work. Sir Frank Perry's statement is not strictly correct, but the Government is prepared to provide assistance for the sustenance of those children that are declared wards of the State.

MENTAL HEALTH.

Mr. COUMBE—Much interest has been aroused in the subject of mental health and, in fact, there is a move for the establishment of a Chair of Mental Health at the Adelaide University. Did the Treasurer see an article in the press last week referring to the alarmingly high incidence of psychiatric cases in the United States of America and is he in a position to compare those figures with the South Australian position?

The Hon. Sir THOMAS PLAYFORD—I saw the article and, as a matter of interest, obtained some information from the Chief Secretary. In the United States of America the number of psychiatric cases in mental hospitals is 4.75 per 1,000 of the population, whereas in South Australia it is 2.81, which indicates that we have either a lower incidence of psychiatric cases or that our Hospitals Department is doing quite a good job in this respect.

EARTH EXCAVATIONS: SAFETY MEASURES.

Mr. LAWN—Has the Minister of Education a reply to my recent question concerning the provision of safety measures during earth excavations?

The Hon. B. PATTINSON—There is no Act under which regulations can be made concerning this matter. The need for timbering of trenches depends on many things, including the nature of the ground, the type of work, the depth of the excavations and the proximity to buildings. The Minister of Industry and Employment has asked for a report to be prepared on the request and consideration will be given to it when the report is received.

LONDON WINE DISTRIBUTING FLOOR.

Mr. HARDING—In today's *Advertiser* there is good news because mention is made of the fact that the wine people will establish a London distributing floor so that Australian wine can be sold under its own name and label. This is an excellent idea. In the past many other Australian products have been forwarded to London through the Overseas Farmers, which is an Empire organization and a consignment house. The goods are purchased through the Overseas Farmers and blended as Empire blends. The Australian products, which are as good as anything in the world, lose their identity and are sold as Empire blends. Will the Minister of Agriculture obtain more information about this proposed setting up of a new floor in London for the distribution of Australian wines?

The Hon. D. N. BROOKMAN—I did not interpret the news in the same way as did the honourable member. I understand that an office will be established so that people may get the brand of Australian wine they want. I will examine the full question and get a report for the honourable member as soon as possible.

MILFORD CROUCH INQUIRY.

Mr. RYAN—Has the Minister of Marine any further information respecting the inquiry into the loss of the *Milford Crouch*?

The Hon. G. G. PEARSON—The Acting General Manager of the Harbors Board informed me this morning that yesterday the board considered the recommendation from the Harbor Master that the matter of the *Milford Crouch* be submitted to a court of marine inquiry. The board endorsed that view, so steps are being taken to refer the matter in the terms of the Marine Act to a court of marine inquiry.

HOUSING AT MILLICENT.

Mr. CORCORAN—Last week I asked the Premier whether he would take up with the Housing Trust the matter of the trust's building programme at Millicent. I understand the trust confines its building to houses for purchase. In saying that I do not overlook the fact that a number of its houses are built for rental purposes, but they are made available to employees of Cellulose and the other recently established companies. I do not want to discourage that, but other people in Millicent need rented homes. Has the Premier any information on the matter?

The Hon. Sir THOMAS PLAYFORD—I have taken up this matter, but I will see that the honourable member's further statement is covered by the trust's report.

Mr. CORCORAN—I may have misunderstood the Premier's reply, but I am not happy about it. At least 40 people at Millicent are awaiting rental homes. I do not know whether it is the trust's intention to build rental homes at Millicent for persons other than employees of Apcel and Cellulose, but will the Premier ascertain the position?

The Hon. Sir THOMAS PLAYFORD—I regret that the honourable member did not understand my reply. So far as Apcel is concerned, under an Indenture Act we are obliged to provide certain houses for its employees, but I did not refer to that in my reply. I said I would inquire from the Housing Trust for the honourable member, and will do so.

LOXTON SOLDIER SETTLEMENT.

Mr. STOTT—Can the Minister of Lands say how many appeals against valuations have been received from Loxton soldier settlers, whether a start has been made on their consideration, when answers are likely to be given, and what is the general position regarding the matter?

The Hon. C. S. HINCKS—Offhand I cannot give the number of appeals but there was a considerable number. A start has been made in dealing with them, and when they have all been dealt with I will let the honourable member know the position.

RAILWAY FREIGHT LOSSES.

Mr. O'HALLORAN—Has the Minister of Works obtained a reply from the Minister of Railways to the question I asked recently about whether the Railways Commissioner could indicate the proportion of the £1,200,000 worth of freight lost by the Railways to road transport that was due to interstate and intrastate traffic?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, advises that he has received a report from the Railways Commissioner to the effect that, of the merchandise traffic lost by the railways to road transport, it is estimated that 30 per cent of the loss can be attributed to interstate road hauliers and 70 per cent to intrastate ancillary vehicles. The most important items of intrastate traffic diverted to road comprise building materials, farming materials of all descriptions, fruit and vegetables (fresh), groceries, petroleum products, superphosphates, timber, wine, wool and livestock.

BLACKWOOD ESTATE BUS SERVICE.

Mr. MILLHOUSE—Has the Minister of Works obtained a reply to the question I asked some weeks ago about the Blackwood Estate bus service?

The Hon. G. G. PEARSON—I have received the following statement dated November 19 from the General Manager, Municipal Tramways Trust:

A conference has taken place this week between the Assistant Traffic Manager of the South Australian Railways, the Manager of Henstridge Bus Service Ltd., and the Traffic Manager of The Municipal Tramways Trust. The Manager of Henstridge Bus Services Ltd. is now making a more detailed investigation of the proposal and we expect his reply at an early date.

RAIL SERVICE TO EDEN HILLS.

Mr. FRANK WALSH—A constituent of mine, living at Eden Hills, has indicated to me by letter that he has been a constant traveller by the train service from Adelaide over the past 20 years and that he protests against the alteration of the timetable which eliminated the 5.27 p.m. express train to Mitcham. He says that, following on the recent increase in fares, it is unreasonable to expect loyal patrons of the railways to put up with this reduced service. Will the Minister of Works take up with the Minister of Railways the matter of the restoration of the 5.27 p.m. express train to assist people who have made their homes in the hills?

The Hon. G. G. PEARSON—I will refer the matter to my colleague.

PARINGA CAUSEWAY

Mr. KING—On August 13, in reply to a question I asked relating to the Paringa causeway, the Minister of Works said that a survey had been completed and designs of various alternatives investigated to ascertain the most economical. He also said that the investigations were well forward, that it was expected that it would be possible to complete the designs soon, and that contracts would be let some time this year. Will the Minister obtain a report on the present state of those negotiations?

The Hon. G. G. PEARSON—Yes.

POLICE MAGISTRATE'S STATEMENT.

Mr. DUNSTAN—Will the Premier state whether, before the Chief Secretary last week attacked the Police Magistrate for allegedly issuing a warrant illegally, the Government had had a report from the Police Magistrate? If not, will he state whether a report has been given to the Government since and, if so, will he table it in the House?

The Hon. Sir THOMAS PLAYFORD—It is not the general purpose of the Government to table reports coming from officers to Ministers. The honourable member would see that that would not be in accordance with good administration. I have before me the report dealing with the other question the honourable member asked about this matter last week, which I have been examining. In connection with that, incidentally, I cannot find any ground for the honourable member's observation last week that there was perjury or untruthfulness on the part either of the Justice of the Peace or police officers. I find no inconsistency between the two statements which, I think, could both be true. Coming back to the second part of the question, it is not the purpose of the Government to table documents between officers and Ministers, but I assure members that any point of view put forward by any officer is always examined by a Minister and, if it is necessary to make any correction, that will be done.

Mr. DUNSTAN—The Premier has said that he finds no inconsistency between the sworn evidence of Mr. Dicker and the report of Inspector Lenton. Will he table those two documents so that honourable members might satisfy themselves on that score? Further, I ask again, did the Government have a report from the Police Magistrate before the Chief Secretary publicly said that the Police Magistrate had illegally issued a warrant, and does the Government still allege that the Police Magistrate on this occasion illegally issued a warrant?

The Hon. Sir THOMAS PLAYFORD—I do not think the honourable member included the word "before" in his previous question. I do not know whether the Chief Secretary had a report from the Police Magistrate before he made his statement. There is certainly a report in the docket at present. The Chief Secretary replied on a report he had obtained from the Crown Law Office about the whole matter. I have a report from the Crown Law Office setting out the position as it knew it and relating to the procedure that is normally carried out in these matters. I have also tried to ascertain what are the rights and wrongs of this matter, and I believe that there was a misunderstanding in the first place between the Police Magistrate and the police.

I think the Police Magistrate criticized the particular officer rather unfairly and that the Chief Secretary, as would be expected, took sides to ensure that the officer was not publicly criticized for something that was probably not his fault. It appears to me that the Police Magistrate was fairly critical about the execution of the warrant, but I believe that his chief concern was that the offender should not have a longer sentence than he intended him to have. That particular matter will receive my personal attention and I will advise the honourable member upon it after I have consulted the Crown Law Office. As far as I can see, the magistrate intended that certain sentences should be served concurrently, but as the warrants were not served concurrently it would probably result in the man's serving a longer term of imprisonment than was intended by the magistrate. If that is the case, I will see whether the position can be rectified.

Mr. Dunstan—The magistrate has already withdrawn that warrant and quashed the sentence on it.

The Hon. Sir THOMAS PLAYFORD—I will examine that aspect to see whether there is anything to be cleaned up. I believe that initially there was a misunderstanding between the magistrate and the police as to the procedure to be followed. I cannot see that the officer who was criticized was in any way to blame, because, as far as I can ascertain, it was not his duty to take any action and, under those circumstances, he should not be publicly criticized. However, I believe the Police Magistrate was probably quite sincere in thinking that there had been an attempt to override his decision. I do not know whether that helps the honourable member, but if it does, I give him the information for nothing.

WATERVALE WATER SUPPLY.

Mr. HAMBOUR—Has the Minister of Works a reply to my recent question regarding the proposed water supply at Watervale?

The Hon. G. G. PEARSON—I saw the docket relating to this matter last week. The Engineer-in-Chief has decided that before a request is made to the Director of Mines to sink a bore for the proposed water supply the correct procedure is to detail the scheme and work out its cost so that the rating potential is known and the matter considered, possibly by the ratepayers concerned, and, if the economics of the scheme are favourable or reasonably satisfactory, the further step of asking the Mines Department to sink the necessary bore will be taken.

BURDETT, ETTRICK AND SEYMOUR WATER SCHEME.

Mr. BYWATERS—Some time ago the Public Works Committee approved of a scheme to supply the hundreds of Burdett, Ettrick and Seymour. Subsequently a scheme was put forward for the supply to go to Tailem Bend and Keith, and the other scheme was to be linked up in the overall examination of the two schemes. During the debate on the Estimates I said that it would be impracticable to bring water to the northern part of the Burdett scheme, which is within a couple of miles of Murray Bridge. This area is only three or four miles from the existing Murray Bridge scheme which serves near this area. Will the Minister of Works state whether anything further has been done in relation to the Burdett, Ettrick and Seymour scheme or whether there is any change in that scheme to enable people in the hundred of Burdett to receive water from Murray Bridge?

The Hon. G. G. PEARSON—That matter was considered and last week, following on a recommendation from the Engineer-in-Chief that the scheme be divided, Cabinet approved the construction of a short main running, I think, northwards along the boundary of the hundred of Burdett to serve people who had been awaiting a supply for some time. If the honourable member has not been advised of that officially, I regret that that has not been done, as it was my purpose to advise him. If I have not done so, I will write to the honourable member giving him the information.

NORTHERN ROADS.

Mr. RICHES—My question relates to the condition of the bitumen roads from Port Augusta to Whyalla and from Port Augusta to Wilmington. In each case the Highways Department or the Engineering and Water Supply Department has undertaken repairs and the roads have been in a state of disrepair for a considerable period. The present state of the Wilmington road I consider to be dangerous. Will the Minister of Works ask for a report from his colleague, the Minister of Roads, on the possibility of having this re-instated soon and asking when the work is likely to commence?

The Hon. G. G. PEARSON—As far as I know, the work is done by the Highways Department. The road from Port Augusta to Whyalla, with which I am familiar, has been

troublesome for some years, apparently through foundation difficulties. The last time I traversed it the road had been dug up and a foundation laid. I then presumed, without having any detailed knowledge, that the department was allowing it to consolidate thoroughly before taking the next step. I will obtain information from the Minister of Roads regarding the two roads mentioned.

CHARRA WELL REPAIRS.

Mr. BOCKELBERG—Can the Minister of Works give any information regarding repairs to the Charra Well?

The Hon. G. G. PEARSON—The honourable member asked a week or so ago whether repairs could be carried out to the Charra Well, which was being heavily drawn on for supplies by people who desired to cart from it to serve their farms and adjacent areas. I inquired and found there were two schools of thought. Although I believe the lessee of the well desired it to be repaired urgently, others dependent on it for supplies were concerned lest their supplies should be interrupted at this critical time. I think the department is satisfied that repairs are necessary and, possibly, to an extent urgent, but it is considered that the supply should not be cut off from those needing it. My latest information is that the matter will be considered by the Water Conservation Committee, under whose control this well resides, and that the committee at a meeting that it will hold this week or early next week will consider the possibility of making immediate repairs. In the meantime, although the timber in the well is in a state of disrepair, reports that have reached me are not such as to suggest that it is likely to collapse soon. That being so, it may be desirable to wait for a little while. However, this matter will be considered by the committee when it meets.

COMMUNITY HOTEL EMPLOYEES.

Mr. FRED WALSH—A few weeks ago I asked the Premier a question relating to persons employed in community hotels being excluded from the provisions of the Industrial Code by virtue of a ruling of the Crown Law office, and I requested the Premier to consider this matter with a view to bringing down a motion in this House, which the Crown Solicitor suggested could be done. Will the Premier state whether a motion of this nature will be introduced this session?

The Hon. Sir THOMAS PLAYFORD—A submission has been prepared for Cabinet in this matter. I think the report I read to the House came as rather a surprise, and I personally feel that Cabinet will probably support the motion. I will advise the honourable member soon.

POLICE QUESTIONING OF LABOR PARTY SPEAKER.

Mr. LAWN—I ask the indulgence of the House to make a longer than usual explanation prior to asking my question. On Sunday last I was subjected to an interrogation or "third degree" by a police officer. Members on this side of the House attend many meetings over the year, and have a permit to speak at the Botanic Gardens on Sunday afternoons. The Board of Trustees has granted the Labor Party a rostrum, provided it is used only by the speakers who have a permit. Police officers usually come and take the names and addresses of the speakers to see that those particulars conform with the permit. Some time ago objection was taken to the attitudes of some police officers and the fact that they were taking notes, although that in itself does not worry me. That matter was discussed between the Police Commissioner and the State Executive of the Labor Party, and it was agreed that in future no notes would be taken, merely the name and address of the speakers. On Sunday I was the first of the three speakers. Mr. Ryan, the member for Port Adelaide, was our chairman, and I had understood beforehand that Mr. Makin and Mr. O'Connor were to attend the meeting. However, subsequently I found that neither of those gentlemen attended, and that Mr. Sexton, M.H.R., came instead. When the police noticed I was there one of them came over and said, "Are you speaking here?" and I said "Yes." He said, "What are the names of the speakers?" and I said, "See the chairman; he can give them to you."

I told the police officer that Mr. Ryan was the chairman. He took out a pencil and paper and asked me Mr. Ryan's full name. I said, "J. P., I think." Actually his initials are J. R. The Police officer said, "John?" and I said, "I suppose that is right. See Mr. Ryan. He persisted, and I said, "You see Mr. Ryan. I don't know his name. You ask him and he will tell you." He then said, "Are you speaking" and I said, "Yes." He asked me my name and I said "S. J. Lawn." I then told him my full name and address. He said, "What is your occupation?" and I said, "M.P." He then said, "But what is your occupation" and I said, "Legislator." He repeated the question: "What is your occupation?" I said "I am a b—— legislator."

He said, "What occupation would you follow if you were not a member of Parliament?" and I said, "That is a stupid question. How would I know?" If I lost my position as a member of Parliament I suppose I would take the best job I could get. I said, "I might even become a bookmaker." He said, "S.P.?" and I said "How the h—— would I know. If I were unemployed I would take the best job I could get." He said, "What is the subject of your address?", and I said, "Politics." He said, "What district do you represent?" and I said, "Adelaide." He then asked, "What is your age?" I said, "Look, you go and get your inspector. If he tells me he wants my age I will give it. If you want any more information get your inspector and I will tell him. You have subjected me to more questions than any police officer has ever done." He said, "It has to be done; it is the usual thing," to which I replied "It isn't."

I explained the arrangement with the Board of Trustees of the Botanic Gardens. I told him that on other occasions I had only been asked for my name and address, and perhaps on a few occasions the subject of my address. I said to the police officer, "You have asked a lot more than that, and I am objecting." He said, "Are you afraid to give your age?" I said, "No, but I am objecting." He said, "I am 29. I am an Englishman and I have been in Australia nine months. I am not afraid." He started to give me a lecture about not co-operating with the police. Records at headquarters will show whether I co-operate with the police. I resented his attitude, particularly in telling me that I did not co-operate with the police. He said that these questions were necessary because they go back to security days. I then explained to him that that had all been cleared up by the negotiations between the Labor Party Executive and the Police Commissioner. When I left the gardens I went home and could not get into my home because of another parked car. There were two police officers down at the park subjecting me to this "third degree," yet they cannot stop breaches of the law that occur every day and night in front of my home.

Will the Premier inquire into this matter, because neither Mr. Ryan nor Mr. Sexton was subjected to this questioning and it appears that some specific direction was given to question me, because the officer said he had to ask me these questions. I resent the attitude of the police officer. I was not offensive to him, unless it could be said that my telling him it was a stupid question to ask what occupation I would have if I were not a member of Parliament was being offensive. Will the Premier obtain a report on why I was subjected to this interrogation to which other speakers were not?

The Hon. Sir THOMAS PLAYFORD—I have no knowledge of the circumstances mentioned by the honourable member. I did not even know that the police took the trouble to ascertain who the speakers were who were addressing meetings. I assure the honourable member that the questioning does not arise out of any political motive of the Government, and I personally apologize to him for the unpleasantness that has been caused. I will obtain a report in this matter. I would welcome the honourable member's speaking as often as he could, because in a country of free speech it is necessary that everybody have an opportunity of stating his views.

Mr. Lawn—I am going up in the Gumeracha district.

The Hon. Sir THOMAS PLAYFORD—If the honourable member will come I will subsidize his travelling expenses.

Mr. Lawn—You can subsidize my salary for a start.

The Hon. Sir THOMAS PLAYFORD—I will take up the matter with the Chief Secretary to ensure that any verification of approved speakers is cut down to the absolute minimum.

FIRE PRECAUTIONS AT ELIZABETH.

Mr. CLARK—The lack of fire precautions at Elizabeth has been causing concern for some time. A letter written by the Clerk of the Salisbury District Council to Mr. Williams, Secretary of the Elizabeth sub-branch of the Australian Labor Party, reads:—

I refer to previous letters of your sub-branch in relation to fire alarms in Elizabeth, and as your sub-branch has been keenly interested in this matter I can inform you of the following.

Further investigations have been made with the responsible organizations concerned and the provision of suitable communication is being examined. However, the difficulty of underground cables, etc. has once again made the issue rather confusing. I have been informed that the Fire Brigades Board has been requested to examine the position in relation to the establishment of a station in Elizabeth and that this matter is before the Honourable the Premier. However, no more is known at this stage.

An offer of land in Elizabeth has been made to the board and consequently you can understand that the present position should be clarified in order to have the necessary cables terminating at the correct position. At the

present time all control would be through to the fire station in Salisbury, and this could be most economical if it was envisaged that the Fire Brigades Board would establish headquarters in Elizabeth at an early date. You may rest assured that the matter is being investigated thoroughly by the council and you will be informed of the situation from time to time.

Will the Premier obtain a report on future fire precautions at Elizabeth, particularly regarding the establishment of a fire station with adequate fire alarms?

The Hon. Sir THOMAS PLAYFORD—The Metropolitan Fire Brigades Board is financed from three sources, the insurance companies, the local government authority, and the Government each paying a certain percentage. The Government is quite prepared to carry on with the arrangement as far as Elizabeth is concerned. Some discussion has taken place regarding the fact that many of the houses at Elizabeth are owned by the Housing Trust. The insurance companies are not very anxious to incur any additional expense in that instance, as they have not a very large premium coming in from that area. The Government believes this matter should be dealt with on a wide interpretation. There are plenty of suburbs in South Australia where the Government has paid its percentage of the upkeep although it has no direct interest as far as the owning of any substantial amount of property is concerned. The Government is not prepared to break down at Elizabeth the long-established percentage basis. It is prepared to meet its normal percentage of expenditure there, as it does in other areas where the fire brigade protection has been given. I think that is the only point in issue at this stage. I will endeavour to see whether some agreement can be reached in this matter, and I fancy that is possible.

COOBER PEDY WATER SUPPLY.

Mr. LOVEDAY—I understand there remains about two weeks' supply of water fit for human consumption in Coober Pedy underground tanks. Some steps have been taken to place Stuart's Range bore No. 2 in satisfactory working order. Can the Minister of Works say whether the work is proceeding satisfactorily, whether a new pump is required, and whether the available supply there will be sufficient to meet the needs of the field? If not, can he obtain a report?

The Hon. G. G. PEARSON—I am not able to give the precise position offhand, but I will obtain the information for the honourable member tomorrow.

HAWTHORNDENE PRIMARY SCHOOL.

Mr. MILLHOUSE—On several occasions during the last few months I have made representations to the Minister of Education concerning a site for a new primary school at Hawthorndene. Has he any information on that matter?

The Hon. B. PATTINSON—Officers of the Education Department have investigated suitable sites, and early last month Cabinet authorized me to negotiate for the purchase of about eight acres of land at a price in accordance with the valuation of the Land Board. Accordingly, an offer was made in writing to the owners of the land, and, although they have not given any written reply, they have indicated by telephone that the price is not acceptable. There the position rests at the moment, but I shall be making another submission to Cabinet soon.

RAILWAY LEVEL CROSSINGS.

Mr. RYAN—The Australian Railways Union has recently considered the number of serious accidents that have taken place at metropolitan level crossings and feels that if gates were installed there would not be so many accidents. The union has particularly in mind the crossings at Cheltenham and Albert Park. Whilst there have not been many accidents at Cheltenham, there have been many near misses. Will the Minister of Works ascertain from the Minister of Railways the future policy of the Railways Department on the installation of level crossing gates at Cheltenham and Albert Park?

The Hon. G. G. PEARSON—Yes.

DENTAL FUND OF AUSTRALIA.

Mr. FRANK WALSH—In reply to a question I asked on October 13 regarding the Dental Fund of Australia, the Premier said:—

> The returns are now being examined and it will be necessary to obtain additional information from the records of the company. The present indication is that remedial action is very necessary.

Has the Premier any further report from the Public Actuary and, if not, will be endeavour to ascertain the position?

The Hon. Sir THOMAS PLAYFORD—I made some verbal inquiries and was informed that Mr. Bowden had given some instructions to be carried out. I have not checked on their effectiveness but will do so and inform the honourable member.

FRUIT CANNING INDUSTRY INQUIRY.

Mr. BYWATERS—In about February an inquiry was instituted into the fruit canning

industry. Can the Premier say whether producers' representatives have been called before the committee and, if so, is the inquiry nearing completion and will its report be tabled this year?

The Hon. Sir THOMAS PLAYFORD—The committee has presented an interim report on one aspect of the matter. I understand that steps were being taken by the fruitgrowing interests to prepare some submissions for the committee, but I do not know whether that evidence has been heard yet. I will find out and advise the honourable member.

GAWLER WHOLESALE MILK DELIVERIES.

Mr. BYWATERS (on notice)—

1. Is Gawler outside the metropolitan milk district?

2. Are there any semi-wholesale or wholesale delivery men, other than treatment plant operators, operating in Gawler?

3. If so, does the Prices Commissioner fix a margin for their service?

4. If so, what is the margin?

The Hon. Sir THOMAS PLAYFORD—The Prices Commissioner reports:—

1. Yes, but there are producers in and around Gawler who are licensed by the Metropolitan Milk Board to produce milk for the metropolitan area.

2. There is no treatment plant at Gawler. There is only one wholesaler who obtains pasteurized milk from Adelaide and resells to retail vendors. No semi-wholesalers are operating.

3. Yes.

4. Eight pence per gallon out of which the wholesaler has to meet the cost of cartage from Adelaide to Gawler and other incidental costs.

PETROL RESELLER SITES.

Mr. FRANK WALSH (on notice)—

1. How many storekeeper reseller sites were allotted by petroleum companies in South Australia for the following periods:—

(*a*) January 1, 1952 to March 28, 1958;

(*b*) August 29, 1958 to March 12, 1959; and

(*c*) March 13, 1959 to August 31, 1959?

2. If any were allotted during these periods, how many were allotted by each petroleum marketing organization, and where are they situated?

The Hon. Sir THOMAS PLAYFORD—The Secretary for Labour and Industry reports:—

Resellers of petroleum products are required to obtain a licence to store inflammable oils from the Chief Inspector of Inflammable Oils and to register their premises as a shop with the Chief Inspector of Shops. In applying for the licence and registration an applicant is not required to inform the Chief Inspector whether he owns the shop, rents or leases it, nor the brand of petroleum products he proposes to handle. Consequently the information requested is not available at this office.

RAILWAY SLEEPING CARS.

Mr. RALSTON (on notice)—

1. How many sleeping cars (5ft. 3in. gauge) are owned by the South Australian Railways Department?

2. How many of these sleeping cars are jointly owned by the South Australian Railways and the Victorian Railways?

3. In what ratio are the joint stock sleeping cars owned by Victoria and South Australia?

4. How many of the joint stock sleeping cars would be in regular service and how many in reserve?

5. During the Christmas holiday period what is the number of reserve joint stock sleeping cars allotted to (*a*) the Adelaide-Melbourne service, (*b*) the Victorian Railways Department and (*c*) the South Australian Railways Department?

The Hon. G. G. PEARSON—The Railways Commissioner reports:—

1. Two solely owned by South Australian Railways.

2. Eight roomettes, eight twinettes, 12 old type.

3. Victorian Railways own 285/481 parts and South Australian Railways own 196/481 parts, *i.e.*, ownership is on a mileage basis.

4. Sixteen are in regular service and 12 in reserve, including those undergoing servicing.

5. (*a*) Twenty-eight, (*b*) nil, (*c*) nil.

As far as practicable the servicing of sleeping cars is arranged so that all are available during holiday periods.

INDUSTRIAL INSPECTORS.

Mr. RALSTON (on notice)—

1. Is it the intention of the Government to appoint additional inspectors to the Department of Labour and Industry?

2. If so, how many will be appointed and to what districts will they be appointed?

The Hon. B. PATTINSON—The Secretary for Labour and Industry reports:—

1. Cabinet has approved of two new factory inspectors and an additional lift inspector being appointed to the Department of Labour and Industry and applications have closed for these positions. Appointments will be made shortly.

2. The headquarters of the additional inspectors will be in Adelaide, but they will work in country areas as required.

EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) BILL.

The Hon. C. S. HINCKS (Minister of Lands) moved—

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution:—That it is desirable to introduce a Bill for an Act to provide for the maintenance and upkeep of the drainage system serving an area comprising portions of the Hundreds of MacDonnell and Caroline, for works necessary for the protection and efficiency of that system, for contribution by landholders in the area towards such maintenance, upkeep and works, and for purposes incidental thereto.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

HIRE-PURCHASE AGREEMENTS BILL.

Second reading.

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

That this Bill be now read a second time.

Introduction.—In introducing this Bill I desire to outline as briefly as possible the extent to which hire-purchase finance has grown and to comment on legislation which attempted to deal with this problem when hire-purchase was more or less in its infancy. I would also like to explain the reasons which led to my Government's decision to bring in a new Bill covering hire-purchase transactions, and which will be, in effect, a uniform Bill for all States including the Australian Capital Territory.

History.—In the 1920's the idea of selling furniture on terms was first conceived, although there were isolated instances prior to this time. The early form of hire-purchase was merely the legal means of getting around the difficulties of possession by the hirer with ownership retained by the vendor who was able to exercise some control over the goods. In the event of his not being able to maintain instalments, the hirer had few rights. As a consequence of the depression which began in 1930, repossession of goods and chattels under hire-purchase took place to some extent.

Current Hire-Purchase Act.—An Act, dealing mainly with repossessions, giving the hirer some rights, was passed in South Australia in December, 1931. The Act to which I refer is called the Hire-Purchase Agreements Act, 1931, and is a product of the period during which it was passed. Economic conditions are essentially different now and the provisions are inadequate in terms of the volume and scope of present day hire-purchase business. Under today's conditions the 1931 Act which is still current does not meet the position for the following main reasons:—

(*a*) The hirer has insufficient legal rights under the present form of hire-purchase contract which, in a number of cases, is loaded in the owner's favour so far as legal liability is concerned.

(*b*) There is no statutory requirement that the hirer be informed of details of hiring and other charges or of the number and amount of instalments involved before he enters into the contract.

(*c*) There is no statutory provision for a rebate which may be due to the hirer in the event of early repayment of the amount owed.

(*d*) The 1931 Act deals mainly with repossessions and does not cover widely enough the terms of the contract itself.

(*e*) It allows the hirer's premises to be forcibly entered for the purpose of repossessing goods, which is not desirable in the absence of very special circumstances.

Position in other States.—Legislation somewhat similar to the Hire-Purchase Act, 1931, has been operating in other States and the Australian Capital Territory for a number of years, but more recently all Governments have reached the conclusion that the older Acts do not meet the position in view of the proportions and magnitude which hire-purchase transactions have assumed in the trading community today.

Advantages of Hire-purchase.—The hire-purchase system has much to commend it. It gives the wage earner the opportunity to buy essentials and to make life more comfortable thereby improving the standard of living. It allows the primary producer to buy implements and equipment which will help him increase production and assist in protecting him against seasonal fluctuations. It enables manufacturers and other operators (particularly the smaller ones) to obtain the necessary plant to extend their operations and to progress at a rate which they would be unable to attain otherwise. It stimulates demand for consumer goods and so assists commerce and industry to achieve a higher rate of output with a resultant reduction in the unit cost of these goods which are eventually purchased by the community.

Growth of Hire-purchase.—Hire-purchase has, however, grown to such proportions

that the Governments of all States and the Commonwealth, whilst conceding its advantages, have also become concerned with its repercussions. It has now established itself as playing such an important part in the economy of the nation that its ramifications call for some form of governmental action.

In order to appreciate better the extent of the growth of hire-purchase in the community, I will outline some figures recently made available. At June 30, 1945, the total hire-purchase debt outstanding (for Australia) was approximately £5.5 million. The debt rose to about £100 million by June 30, 1952, and today stands at over £350 million. At September 30, 1959, £366.8 million was owed to finance companies alone. The value of hire-purchase under new agreements made with finance companies in 1959 for the year ending June 30 was just on £260 million. A detailed analysis of the growth of hire-purchase (Australia-wide) during these years shows the following:—

Year (as at June 30).	Amounts owing to finance companies.	Amounts owing to retailers.	Total outstanding H.P. debt.	Annual increase in total debt.
	£m.	£m.	£m.	£m.
1944-45	3.6	2.0	5.6	—
1945-46	6.6	3.2	9.8	4.2
1946-47	13.1	6.0	19.1	9.3
1947-48	21.8	10.3	32.1	13.0
1948-49	33.7	14.4	48.1	16.0
1949-50	52.1	18.2	70.3	22.2
1950-51	69.7	22.9	92.6	22.3
1951-52	78.3	23.8	102.1	9.5
1952-53	88.8	24.2	113.0	10.9
1953-54	132.4	33.0	165.4	52.4
1954-55	182.9	42.9	225.8	60.4
1955-56	213.0	46.7	259.7	33.9
1956-57	236.5	48.3	284.8	25.1
1957-58	296.6	56.4	353.0	68.2

Reasons for Uniformity.—The eastern States were the first to experience difficulty under their earlier legislation on hire-purchase. New South Wales particularly, with the largest and most cosmopolitan population, found that the position called for some action. Victoria was the next State to feel repercussions which resulted from various new practices which were creeping into hire-purchase transactions. In due course these problems extended to all other States and it becomes not uncommon at various conferences of State Premiers and other Ministers to find that all concerned were in accord that the necessity was becoming apparent for a uniform and more realistic type of legislation to govern hire-purchase transactions. In the last two years particularly, at the instigation of all Governments, State and Commonwealth authorities have kept hire-purchase finance under close scrutiny. A number of investigations have been carried out and comprehensive reports have been submitted and, in some cases, exchanged among the States. The advent of television, coupled with the huge increase in motor vehicle transactions—particularly covering secondhand motor vehicles—brought about additional problems. All States by now had become aware of the malpractices being introduced by other than reputable companies and realized that the position could further deteriorate unless some action were taken to protect the public against "hidden charges" and other matters associated with hire-purchase agreements.

Interstate Conferences.—On January 14 this year at Sydney a Premiers' Conference was held at which all States and the Commonwealth were represented. The Commonwealth representatives were there as observers. It was unanimously agreed that a uniform code governing hire-purchase transactions should be drawn up. Since then, two further conferences of State and Federal Ministers have been held to consider draft legislation drawn up and to ensure that uniformity in principle was maintained. While some States preferred not to interfere with interest rates and deposits, others were of the opinion that there should be some control exercised over these also. As regards these two somewhat controversial matters, it was agreed that the manner in which they would be treated by the individual States would not affect the uniformity of the legislation proposed. All Ministers were unanimous that control on interest rates and deposits could adversely affect some of the smaller States.

S.A. Preparation.—The State has been particularly active over a lengthy period as regards the legislation now being proposed. Government officers have continued to investigate all phases of hire-purchase activities and have interviewed as many interested parties as possible including hirers, potential hirers and trade organizations, for the purpose of meeting the requirements of all concerned where practicable.

Submissions made by interested parties have in all cases been gone into in great detail and given the greatest consideration. Wherever possible, matters raised have been conceded and incorporated in the proposed legislation provided that they have not cut across the intentions of the legislation or detracted from its general uniformity as agreed to by Ministers. Precautions have been taken to ensure that the primary producer who for various reasons, including poor seasonal conditions, may not be able to keep up his payments, does not have his implements or other equipment repossessed when such action would curtail seeding or harvesting operations thereby seriously affecting his future ability to meet his commitments. Other States that had not given particular consideration to this phase of hire-purchase transactions agreed with the South Australian contention, and promised to make their Bills agree with the provision contained in this Bill. They have provided for uniformity in this matter, which was not a feature of agreements in other States at any previous time.

Difficulties.—I desire to point out at this stage that a certain amount of uniformity with other States on this legislation is an absolute necessity. In view of this basic consideration it is not possible for a Bill of this nature to meet the requirements of all interested parties. It has been found impossible, for instance, to avoid a certain amount of documentation covering hire-purchase transactions if the hirer is to be protected against "hidden charges" in hire-purchase agreements and also if he is to be made aware of the nature of his obligations before he enters into any agreement. The legislation is essentially designed to perform this very function.

Effect on Economy of State.—Particular attention has had to be given to the question whether the proposed legislation is likely to disrupt the economic stability of the State and also to the likelihood of the State's industrial expansion being retarded in any way. For these reasons, after a great deal of consideration, it has been decided that it would be unwise for this State to attempt to exercise control over both interest rates and deposits. Any action which might reduce the volume of business would be decidedly detrimental to our cost structure and economy.

Demand for Hire-purchase.—At the same time, the Government is convinced that the alleged evils of hire-purchase have in some cases been greatly exaggerated. The majority of hire-purchase finance companies do not in themselves initiate hire-purchase business. Generally speaking, they do not come into the picture until members of the public have already selected an article and have signed an agreement with the dealer or retailer, as the case may be. They do, however, meet a demand which they do not create. The position of the retail trader, who in many cases provides the finance for his own hire-purchase scheme, is somewhat different. The retailer in these cases may initiate the hire-purchase business but it must be remembered that in such cases the person entering into any agreement also has the choice of purchasing the goods concerned at the same store for cash, or on account, if he or she so desires and is in a position to do so.

Recognition of Need for Legislation.—It is indeed gratifying to know that apart from members of the public, the reputable hire-purchase finance companies, insurance companies, retail stores, and dealers, together with many other organizations have accepted the fact that new legislation governing hire-purchase transaction is warranted. There are a few isolated cases where perhaps some disappointment may be genuine. In these cases it has not been possible to meet the situation as regards some essential clauses in the Bill, if uniformity with other States is to be maintained. Generally speaking, I should imagine that any individual or organization who strongly objects to this Bill would be more likely to belong to the minority category who in some respects have contributed to the necessity for the introduction of such a Bill.

Provisions of Bill.—I come now to the Bill itself. It follows almost in its entirety the text of the Bill as agreed among the various States, and I shall explain in general terms what it seeks to do. Part II, which relates to the formation and contents of hire-purchase agreements, requires an owner to give to a prospective hirer a summary of the proposed transaction in writing before any hire-purchase agreement is made. Every hire-purchase agreement must not only be in writing but also set out in clear terms certain necessary details concerning the transaction. In particular, the agreement must contain precise particulars in

tabular form of the various amounts required to be paid under the agreement with an indication in each case as to what those respective amounts are for (clause 3). As a further protection to hirers, clause 4 provides that an owner must serve on the hirer within 21 days after the agreement is made a written copy of the agreement, a notice advising the hirer of his general rights and a copy or details of any insurance policy.

Part III is entituled "Protection of Hirers." I shall not go into detail on the several matters set out in all of the clauses but, again, will describe them in general terms. Clause 5 sets out certain warranties and conditions which are by law implied as part of hire-purchase agreements. They cover such matters as title to the goods, quality of the goods, fitness and the like. Clause 6 confers upon hirers certain statutory rights in relation to representations made by owners or dealers.

Clauses 7 to 10 confer further statutory rights upon hirers, the first being the right of the hirer at any time to obtain a copy of the agreement and statement of his position and the second the right to appropriate payments where there are two or more agreements. Clause 9 entitles a hirer to assign his rights with the consent of the owner who, however, may not unreasonably withhold such consent. Clause 11 confers upon a hirer the right to finalise his agreement at any time by paying or tendering to the owner what is described as the net balance due. This amount is defined as the balance payable under the agreement, less what has already been paid and less what are defined in the Bill as the statutory rebates. These rebates are defined by reference to a formula which was very carefully worked out during the conferences. They may, however, be described as rebates in respect of terms, charges, insurance and maintenance allowable to a hirer who completes his agreement at an earlier date than the completion date in the agreement.

Clause 12 entitles a hirer to terminate the hiring at any time by voluntarily returning the goods, in which event he is liable at the most for the amount that he would have had to pay if the goods had been repossessed. Clauses 13 to 17 regulate the rights of the parties in respect of repossession. Clause 13 prevents an owner from repossessing goods for non-payment of instalments until at least seven days after notice to the hirer. I should perhaps mention that the period of the notice in the case of farmers and farm implements is 30 days under clause 25. Within 21 days after exercising the right to repossession an owner is required to serve the hirer with a notice advising him of his rights.

Clause 14 requires the owner to retain the goods for that period of 21 days. Clause 15 entitles a hirer not only to regain the repossessed goods or to require the owner to sell the goods to a cash purchaser, but also to recover from the owner the difference between the value of the goods and the net balance due from the hirer. At the same time this clause places a limitation upon any amounts that an owner can recover from a hirer after the owner has repossessed the goods.

Clause 16 entitles a hirer to regain possession of his goods upon certain conditions which, shortly stated, are payment of all amounts due, together with reasonable costs of the repossession and the remedying of other breaches of the agreement. Clauses 18 and 19 deal with guarantees, the former preserving certain normal rights of guarantors and the latter avoiding certain undesirable features found in some guarantees. Clause 19 also renders an owner concerned with any such unlawful conditions guilty of an offence unless the guarantor has had independent legal advice.

Clauses 20 to 23 cover the question of insurance. An owner may not require a hirer to insure with any particular insurer, hirers are entitled to any insurance rebates, and contracts of insurance must contain certain details. An important provision of clause 22 is that in subsection (2), which avoids any requirement that disputes under an insurance contract must be referred to arbitration. Clause 24 confers a wide jurisdiction on a court to re-open hire-purchase transactions where the court considers them to be harsh or unconscionable.

Clause 25 is largely based on section 5 of the old Act. It is designed to meet the special needs of the primary producer as to the seasonable employment of his plant and equipment. Where an agricultural implement or a motor truck owned by a farmer is the subject of a notice that repossession is about to take place, the period of notice has been increased from a minimum of seven to at least 30 days.

During this period of 30 days the primary producer may apply to the court for an order restraining the owner from repossessing. Members will appreciate the position of the primary producer who, faced with repossession of some vital unit of his plant, might otherwise be forced to curtail his seeding or harvesting operations. Without this provision

premature repossession at a critical period would have the effect of not only curtailing production but seriously damaging the future ability of the farmer to meet any commitments. The important point to note is that the farmer is given the opportunity to take action before actual repossession takes place. If the court is satisfied that the farmer has a reasonable chance of meeting his payments within 12 months, the court may make an order restraining the owner from taking possession for a period not exceeding 12 months. I might mention that this State was responsible for the inclusion in the uniform Bill of clause 25, which appealed to the representatives of the other States at the conferences.

Clauses 26 and 27 deal with liens and fixtures. The first, while giving a workman a lien, provides that this shall not apply where the hire-purchase agreement contains a clause prohibiting creation of a lien and the workman had knowledge of that provision. Clause 27 precludes hire-purchase goods from becoming fixtures except as against a *bona fide* purchaser of an interest in land without notice.

Clause 28 makes void any provision which excludes the hirer's right to determine the agreement, imposes on him greater liabilities than those permitted by the Bill, requires him to pay interest on overdue instalments at more than 8 per cent simple interest, relieves owners from liability for dealers' defaults or generally avoids or limits the operation of the Bill. A particular provision in this clause makes void any provision authorizing an owner to enter premises to repossess goods.

Clauses 29, 30, 31 and 32 prohibit a number of undesirable transactions, while clauses 33 and 34 require hirers to state where goods are and penalize fraudulent disposal of them. Clause 35 empowers a court to extend times. Clause 36 empowers a court of summary jurisdiction to order the delivery up of goods to the owner after service of notice of demand and non-compliance with such an order is made an offence.

Clauses 37, 39, 40 and 41 deal with miscellaneous matters, while clause 42 exempts hire-purchase goods from distress for rent and clause 43 empowers the making of regulations, including regulations altering the forms in the schedules. Clause 44 makes the Bill binding upon the Crown, as was the 1931 Act. One important provision of the Bill is that of clause 38, which requires hire-purchase agreements and specified documents to be in clear handwriting or in ten-point Times type.

I have not referred to every clause in detail, but have endeavoured to give members a general indication of what the Bill seeks to do.

Legislation of this sort is necessarily always controversial on some particular issue. I know from the conferences I have attended that there can be much genuine difference of opinion as to how far control of this kind should go. As honourable members will see, on two matters the States were not able to reach agreement. One was interest rates.

Mr. O'Halloran—Could you amplify the reason?

The Hon. Sir THOMAS PLAYFORD—There are a number of reasons. Probably the most effective is that the interest rates charged in this State are lower than where there is a statutory limitation. I believe that if we were to follow the lead of some other States in fixing interest rates we would only be legalizing rates in excess of what is the present practice of the industry, and in fact giving an invitation to increase the rates. It could easily tend, as it has done in other States, to make those rates the accepted rates for the various transactions. That is one reason we did not accept the fixing of interest rates in South Australia. We have not accepted the other controversial matter—the stipulation of a fixed deposit. It may be said that a fixed deposit would, to a certain extent, prevent people from entering into a commitment which they cannot afford, but I believe the other provisions of the Bill meet that position because they set out in the clearest possible terms the obligations of a purchaser. I do not believe that the necessity to pay a deposit does, in fact, protect a person.

Mr. Lawn—It is too easy to get things without a deposit.

The Hon. Sir THOMAS PLAYFORD—The honourable member will see when he examines the Bill that a person cannot enter into an agreement without having the terms of the agreement and everything regarding it set out very fully for him. If a person under those circumstances is going to enter into a commitment he cannot afford, I believe that obliging him to pay a deposit would not materially alter his point of view. Such a provision could quite often take away the right to obtain a hire-purchase commodity from the very person who needs it most.

Mr. Hambour—Is this, in the main, a uniform Bill throughout Australia?

The Hon. Sir THOMAS PLAYFORD—Yes, in every respect except the two I have mentioned. When the States met it became

obvious from the start that the views held on those two matters were so strong that there was no possibility of getting uniformity. Some smaller States believed that the inclusion of these two items would be detrimental to them. On the other hand, even two big States were not unanimously in favour of them. New South Wales stated that it would not have a Bill without these two provisions in it.

Mr. O'Halloran—They have had those provisions for years.

The Hon. Sir THOMAS PLAYFORD—On the other hand, Victoria said that if these two matters were to be a part of the uniform Bill, such a Bill would not be acceptable to it. We therefore started off with a very strong difference of opinion, and I believe that those opinions were conscientiously held. I hope honourable members will give this legislation a speedy passage. There can be differences of opinion as to whether some provisions should go a little further or not so far. I suggest that we accept this Bill, which is identical in its effect with the legislation in other States. I feel quite sure that the States would, in due course, have another conference if any amendments were considered necessary.

Mr. Hambour—Isn't it a fact that the majority of the States either have provided for a deposit or are providing for it?

The Hon. Sir THOMAS PLAYFORD—I do not think so.

Mr. O'Halloran—Victoria has not provided for it.

Mr. Hambour—Tasmania and Queensland have provided for it, and New South Wales and Western Australia are going to.

The Hon. Sir THOMAS PLAYFORD—The Western Australian Government has expressed that view, but I have heard another view expressed by a member of the Legislative Council in Western Australia, and until the legislation is passed I would venture to suggest that it is controversial. As far as I know, the only State that has actually done it is New South Wales. I personally hope that we shall not jeopardize the Bill by going into the two controversial subjects at this stage.

Mr. Hutchens—Has any check been made whether there is a greater reclaim of purchases under deposit hire than where no deposit has been paid?

The Hon. Sir THOMAS PLAYFORD—There are certain classes of goods which seem to be almost immune to repossession because people will pay up to the absolute limit to retain them. Once certain classes of goods are in the house they seem to be the last things that will be parted with, and whether a deposit has been paid upon them or not they will be sacrificed only at the last extremity.

Mr. O'Halloran—When they are down to bread and jam.

The Hon. Sir THOMAS PLAYFORD—I think that in some instances even the bread and jam would be jeopardized first. I do not think any real evidence can be produced in answer to the honourable member's question.

Mr. Hutchens—I am led to believe there are not many reclaims on no deposit.

The Hon. Sir THOMAS PLAYFORD—I will obtain that information for the honourable member after I have had an opportunity of getting the figures from another State where deposits are demanded and comparing them. Incidentally, that would not give the complete picture, because such things as unemployment and other factors come into it. I hope honourable members will give the Bill a speedy passage in this House rather than try to make what in their opinion is a perfect Bill at this stage. It would be much more to the advantage of the community to have it passed than to jeopardize its passage by going into the two controversial questions.

Mr. Ryan—Will any future amendment only be made by agreement between all States?

The Hon. Sir THOMAS PLAYFORD—No, I do not think any Government or Parliament could accept that. In bringing this Bill forward as a uniform Bill, I do not for one moment say that honourable members should not bring forward any amendment that they desire, because this Parliament must exercise its rights and duties irrespective of other Parliaments. It has the right to consider all the legislation. These two particular points I have mentioned are extremely controversial, and I know from experience at conferences that they can be argued for days and days without solution. In those circumstances I suggest that we give this Bill a quick passage. The Bill could not come into operation until about four months after it had been passed, because the hire-purchase companies and the people associated with the industry would have to be given sufficient time to have their various documents approved and printed. I believe that if this Bill is passed this session, by next session we shall have had it in operation long enough to enable any defects that become obvious to be considered then.

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

SUCCESSION DUTIES ACT AMENDMENT BILL.

Committee's report adopted. Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL.

In Committee.

(Continued from November 11. Page 1562.)

Clause 6—"Penalty for Overloading"—to which Mr. Dunstan had moved the following amendment:—

Before "Where" to insert "(*a*)"; and to add the following subclause:—

(*b*) Where an offence committed against sections 86, 87, 88 or 89 of this Act consists of causing or permitting a vehicle to be driven in contravention of one of those sections—

(i) proof that the vehicle was driven in contravention of the section shall be *prima facie* proof of the offence, and the onus shall be on the defendant to satisfy the court that he did not cause or permit the vehicle to be so driven.

(ii) in addition to any other penalty provided by this Part the court may, for a first offence, impose a fine not exceeding £100, and for a second offence impose a fine not exceeding £500.

Mr. DUNSTAN—I ask leave to withdraw my amendment with a view to moving another amendment.

Leave granted; amendment withdrawn.

Mr. DUNSTAN—I move—

Before "Where" to insert "(*a*)"; and to add the following subclause:—

(*b*) Where an offence committed against sections 88 or 89 of this Act consists of causing or permitting a vehicle to be driven in contravention of one of those sections—

(i) proof that the vehicle was driven in contravention of the section and that the defendant was at the time of the offence—

(*a*) the owner or hirer of the vehicle;

(*b*) not the driver thereof,

shall be prima facie evidence of the offence;

(ii) in addition to any other penalty provided by this Part the court for a first offence may impose a fine not exceeding £100 and for a second or subsequent offence where all such offences occurred after the passing of the Road Traffic Act Amendment Act, 1959, may impose a fine not exceeding £500 provided that the court shall not impose fines as provided by this subsection if the court is satisfied that the defendant did not know and could not reasonably have been expected to know that the vehicle was overloaded.

I believe this meets the objections raised by honourable members to my former amendment. The amendment does not mean that the onus of proving his innocence is on the defendant. It simply means that the defendant, at no time, will have to do more than raise a reasonable doubt in the mind of the court. The Crown is not obliged to prove something which is essentially within the knowledge of the defendant, and the defendant has only to raise a reasonable doubt and that is all there is to it. He is not required to satisfy the court as to his innocence. The objection to shifting the onus on the defendant is avoided. The Crown will be required to show that there was a breach of section 88 or 89, that the defendant was the owner or hirer of the vehicle at the time, and that he was not driving it. The implication is that he has authorized the contravention unless he says to the court that he has not authorized it and shows that he did not know anything about what was going on. If he raises a doubt as to that, he is not guilty. I do not think any unfair burden is placed on a defendant, but we will be able to get over the difficulty outlined by the Treasurer of proving these offences where, in fact, the ingredient of the offence was something that was within the knowledge of the defendant only.

In the latter part of paragraph (ii) I have dealt with two objections. Firstly, that this is not an appropriate offence for imprisonment. I think that objection is fair enough and I have met it in this amendment. The second objection—raised not merely by members but by people who have made representations on behalf of carriers (people shifting gravel and articles of that nature)—was that a man might not be in a position to know that his vehicle was overloaded. There are many cases where a load that might not vary in size might vary in weight and it is difficult for a man to know where a variation has taken place. For instance, it may be due to the moisture content of the load. In these circumstances, if a man can show that he could not reasonably have known that he or his employee was committing a contravention of the Act it would be unfair to impose a penalty on him. I do not think there can be any case where a man could be unjustly con-

demned to a heavy penalty under the amendment. The people at whom all members wish to aim are those who are seeking to take a considerable profit from overloading interstate transports on our roads. The interstate man will be caught.

The member for Mitcham (Mr. Millhouse) questioned whether we would be able to enforce these penalties. I have known of the enforcement of penalties imposed in another State on drivers in this State. I have previously dealt with the question of whether we were involving ourselves in extra-territorial legislation. I do not think we are. It may be, as suggested by the honourable member, that this would have to go before the High Court for final determination, but that is no reason for refusing to have a go at trying to do something effective in this sphere of legislation.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I think all members are in accord with the general view that overloading is a serious offence and that in the interests of safety and of maintaining our roads we should take steps to ensure that flagrant abuses of our roads are stopped. When a weighbridge is almost burnt down and then later burnt down I do not think it is a coincidence, and it clearly illustrates that we are dealing with people who can be a little bit tough. Under those circumstances I think we have to act to ensure that our law is upheld. I am prepared to accept the amendment subject to the qualification that I should like Sir Edgar Bean to examine one or two of its legal implications. I have not had an opportunity, since this matter was last discussed, of conferring with Sir Edgar. If members accept the amendment I will see that it is examined by Sir Edgar before it goes through another place so that features associated with its administration can be checked. I know the member for Norwood realizes that I am not criticizing his drafting. I point out that the amendment provides an additional penalty to the penalty provided in the principal Act. I am not sure how this works out.

Mr. Hambour—It is a club sandwich.

Mr. Hall—A lawyer's harvest.

The Hon. Sir THOMAS PLAYFORD—I would not know that, but Sir Edgar Bean will be able to tell me when he has checked the position. In the principal Act if any person is guilty of an offence against sections 86, 87, 88, and 89 he shall be liable to a penalty calculated at the rate of not less than 5s. and not more than £2 for each hundredweight or part of a hundredweight carried in excess of the weight allowed by the Act. That is a sliding penalty to fit the crime. If it is a flagrant abuse a higher penalty a hundredweight is imposed than for a lesser offence. In addition to that penalty, under this amendment he shall be liable to another penalty of not more than £100. I am not sure which penalty takes precedence. For instance, I would think that it would work out that a man could be fined, under section 91, at the rate of, say, £1 a hundredweight for his excess load and, in addition, £10 under the amendment.

Mr. Hambour—And he could lose his licence.

Mr. Dunstan—No. That is only for the driver, not this man.

Mr. Hambour—But the owner-driver could lose his licence.

Mr. Dunstan—He cannot be accused under this amendment. Examine it. This only applies to the man who is not the driver.

The Hon. Sir THOMAS PLAYFORD—If it were proved that the owner-driver were guilty of a flagrant abuse of the Act he would lose his licence.

Mr. Dunstan—He is excluded from this amendment.

The Hon. Sir THOMAS PLAYFORD—Yes, but he is liable to a penalty either as a driver or as an owner. As things stand, as an owner he is subject to two penalties. Subject to Sir Edgar Bean's investigation, I accept the amendment.

Mr. HAMBOUR—These amendments will provide a picnic for lawyers. Many amendments are foreshadowed and it will not reflect credit on members if they pass a Bill that must be confusing to laymen. Even the legal members here cannot set out the position clearly. Doubt after doubt has been raised in this debate. I will not accept a clause where there is a chance of a driver losing his licence. The clause should be deleted and the penalty in section 91 increased. I appreciate what Mr. Dunstan has tried to do, but when I moved a similar amendment it was said that it would apply to the wrong people. Mr. Dunstan has tried to make it apply to the owner, but if the owner is absent from the State how can it apply to him? When I proposed it I was told that it could not be done. A truck is weighed and the cartnote shows whether or not there is an overloading. If there is overloading the driver will see that he is guilty of an offence and wonder how he can overcome the position. A driver with an ordinary education would find it difficult to prove his innocence in court. The weighbridge note proves

overloading and the penalty should be imposed on the owner. I oppose the clause in its entirety.

Mr. BYWATERS—I, too, oppose the clause. Although much attention has been given to it there is still much confusion in the minds of members. After further consideration it could be submitted again. The owner of vehicles may live in New South Wales and have his drivers bring them to this State. Under the proposal he would be liable to lose his licence if an offence occurred, but that would not affect him as he had no intention of coming here. It looks as if we are catching a callop and letting the big Murray cod get away.

Mr. HALL—It appears that we are not catching the people who overload their vehicles and apparently the present law is not sufficient deterrent. It should be easy to weigh every semi-trailer that crosses our borders and if there were an increased penalty for any offence it would be a deterrent. I know of a case where a carrier from my district bought bricks in Adelaide and loaded them on to his vehicle, just keeping within the maximum weight allowed. Unknown to him the vendor put on several hundred more bricks as a bonus. Later when the vehicle was on the road it was found to be overloaded, yet the driver was allowed to continue to the West Coast with the overload. That is not the way to enforce the law. I oppose the clause. The monetary penalties could be increased but it is too severe to cancel the licence.

Mr. LAWN—There appears to be some misunderstanding on the part of the members for Gouger and Light. In the second reading debate I supported Mr. Hambour in connection with drivers' licences but the provision has been altered following on the acceptance of amendments by Messrs. Millhouse and Dunstan. Some amendments are to be moved to this clause. We are to consider the addition of a proviso which says:—

Provided that the court shall not order that the defendant be so disqualified if the court is satisfied that the defendant did not know and could not reasonably have been expected to know that he was committing an offence.

Then there is an amendment to include the words "or was acting under an order of his employer" and another referring to a second or subsequent offence.

Mr. Hambour—You are a member of Parliament, yet you are confused over this matter.

Mr. LAWN—No. The amendments proposed meet the objection I had and I thought they would meet Mr. Hambour's objection. I would not object to the £100 penalty being increased. It would be an additional penalty. Summing up, a driver cannot lose his licence for a first offence, and if he cannot be expected to know the weight of his vehicle or was acting under the instructions of his employer he cannot lose his licence. Also, the fine is to be increased to £100 in addition to the present penalty for the first offence, and it is to be £500 for any second or subsequent offence. Surely that is satisfactory.

Mr. SHANNON—The member for Norwood (Mr. Dunstan) has removed any doubts I had about the amendment, which I now think meets the position. We are after the people who either hire or own these vehicles and employ drivers. We need not worry about the suggestion made by the member for Light (Mr. Hambour) that we would not be able to pin anything on these people.

Mr. Hambour—I did not say that: I repeated it.

Mr. SHANNON—The member for Norwood has made it clear that if an offence is clearly shown by the officers concerned the defendant has to appear in court or the court can find him guilty in his absence.

Mr. FRED WALSH—Although I admit that certain objections I had about the onus of proof have been removed, I do not subscribe to the explanation made by the member for Onkaparinga (Mr. Shannon) about the definition of a prima facie case. He said that the court could find the defendant guilty in his absence, but would that not happen in any case? Although we desire to catch interstate hauliers, this legislation will apply to all carriers in South Australia, and the proposed fine levied against people carrying, say, bricks is out of all proportion to the nature of the offence. For this reason, I do not support the amendment. In any case, section 92 of the Commonwealth Constitution would deal with any discrimination between interstate and intrastate hauliers. Disqualification of licence, even for a second or subsequent offence, would make the penalty under this section as severe as that for some charges of drunken driving. On a recent trip to Naracoorte I noticed many trucks and I should be surprised if most were not overloaded. As this provision would apply to all these vehicles, I think it would unduly penalize local people.

Mr. LAUCKE—I oppose the amendment. I see a viciousness entering into the penalty for overloading. We certainly need a deterrent, as I realize overloading is an evil that is costly to the State, but I oppose any penalty that

has the colour of viciousness. Many honest truck drivers could easily break the law unknowingly.

Mr. Shannon—The member for Mitcham (Mr. Millhouse) has dealt with that.

Mr. LAUCKE—I realize that, but I still do not like this. It is basic British justice that it is objectionable to charge a person *in absentia*. We on this side of the House have opposed workmen's compensation legislation covering employees travelling to and from work on the grounds that the employer has no control over them on such journeys. Similarly in this legislation, it is contrary to British justice to penalize an owner who could be breaking the law innocently through an agent.

The Hon. C. S. HINCKS—I ask that progress be reported.

Progress reported; Committee to sit again.

HOSPITALS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 19, Page 1737.)

Mr. O'HALLORAN (Leader of the Opposition)—I have some sympathy with the proposals in this Bill, but I have not had an opportunity to look into certain matters that I desire to investigate, and I do not feel disposed to give my blessing to the second reading without doing so. I therefore ask leave to continue.

Leave granted; debate adjourned.

MENTAL HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 12. Page 1606.)

Mr. MILLHOUSE (Mitcham)—I am not a devotee of the game of bridge, but I understand a phrase used by players is that they will pass. That is what I intend to do on this debate. I support the second reading.

Mr. HUGHES (Wallaroo)—In supporting this Bill, I should like to compliment those responsible for the good work done in connection with our mental institutions and those committed to them. I compliment Dr. Birch and his helpers on the magnificent work they do for mental health in South Australia. I have always strongly advocated that mental breakdowns should be regarded as a sickness to be cured, and strong emphasis should be placed on the recovery of patients with the one aim being to restore them back in society.

Through the generosity of Dr. Dibden I was privileged to study a copy of a lecture delivered earlier this year by Professor Trethowen, Professor of Psychiatry at Sydney University, entitled "Man's Progress towards the Goal of Mental Health." One of the important things mentioned was that the greater need in Australia was not more mental institutions, but more trained staff. "If we could treat these patients in the early stages we could cure them before they became chronically ill," the Professor said. He pointed out that this can only be effectively brought about by the establishment of a Chair of Psychiatry at the University. He went on to say that in order to cope with the growing problem of mental ill-health there should be a substantial increase in the number of students studying psychiatry.

Mr. Speaker, up to now it has been necessary for students in this field to go interstate or overseas to do their training, and in doing this there is always a danger of them being lost to other States. I was pleased to read in the *Advertiser* of July 15 of this year that Sir Barton Pope, who had recently returned from overseas, stressed the need for a Chair of Psychiatry at the University of Adelaide. He stated that vast sums of money were spent on psychiatric research in the U.S.A., and few hospitals did not have a psychiatrist attached to them. In view of the research made in other parts of the world in the field of psychoanalysis, surely the people of South Australia are entitled to the benefits of such knowledge. But where are the psycho-therapists here, and where are the clinics that should exist for the help of all who need treatment?

Apart from the heart-breaks that occur in normal homes, I understand there are a number of prisoners who come within the walls of our gaols who could become reasonably good citizens if psychiatric treatment were more readily available. This was borne out by a recent statement from the Reverend Reglar, Chaplain of Yatala Labor Prison, who praised the good work of the Gaols and Prisons Department, ably led by the Comptroller (Mr. Allen). He said they had made and are making many excellent advances in the treatment and conditions of the prison population in this State, but one of the most serious gaps was the lack of adequate and readily available psychiatric advice and treatment. He said that the staffs of our mental institutions had more than enough to do already, and yet it was obvious that a proportion, at any rate, of those persons committed to prison should be given proper psychiatric examinations and treatment.

We have between 2,600 and 2,700 patients in our mental institutions, many compelled to

go there because they cannot receive treatment elsewhere. I think most of us at some time or another have known someone who through some worry or trouble has had a mental breakdown and nothing could be done other than treatment at a mental institution. I have known people suffering from emotional disturbances who were too sick to be treated by a general practitioner. These people, I am led to believe, would respond under the supervision of a skilled psychiatrist, away from the environment of a mental institution. These people are fully aware of what is going on, but as soon as they know that arrangements are being made for them to receive treatment at a mental institution their condition deteriorates—and three recent cases come to my mind—because they cannot face the stigma attached to mental institutions. Two attempted suicide and the other became violent.

However, at last a step has been taken in the right direction. Every encouragement should be given to speed up the provision for the mentally sick. The recent announcement that appeared in the press that the Mental Health Association of South Australia was to establish a Chair of Psychiatry at the University will be hailed as a progressive move to enable social experiments to be carried out.

The Bill before the House proposes three amendments. The first in my opinion is a very good move and one which will go a long way in helping patients who are having their first experience in a receiving house to retain confidence in their relatives and a growing trust in the staff that ministers to them. As the law stands, the Public Trustee, on the admission of a person to Enfield, automatically takes control of that patient's affairs irrespective of whether he is capable of continuing to manage his own affairs, and in so doing destroys the vital link so necessary to the treatment of his condition.

Under the proposed amendment, those who are capable of managing their affairs will continue to do so, and I feel sure that will clear a barrier to patients volunteering to enter Enfield Receiving House. The second proposed amendment, one that should have been in operation long before this, will empower the Public Trustee to further the financial interests of a patient confined to a mental institution. The third proposed amendment is only a tidying up after a patient has left the institution, with a proviso that the Public Trustee shall pay to the Treasurer any unclaimed moneys after death or discharge of a patient at the expiration of six years. I have much pleasure in supporting the Bill.

Mr. LAWN (Adelaide)—I support the Bill. Under clause 3 a discretion is allowed the Public Trustee as to whether he takes over the affairs of a patient at Enfield. I compliment those responsible on this amendment, having in mind the case of a patient who inadvertently went to Enfield. The psychiatrist from whom she was receiving treatment had suggested that she should have a full coma insulin course extending over about 13 weeks, but the patient's parents were not altogether happy about it and suggested that perhaps she could have that treatment at Enfield. Upon her admittance to Enfield it was found that such treatment was not provided there. That patient should never have been sent to Enfield in the first instance. The doctors there were helpful and courteous, and at the end of three weeks there was nothing that they could do for this person. Actually, she did not need insulin treatment, but needed psychoanalysis. Under the Act the Public Trustee was obliged to take over and manage her affairs for a period of six months after she left Enfield. That is mandatory, whereas under the proposed amendment he would have discretionary powers about managing her affairs.

Arising from that case, I have ascertained that there are no psychoanalysts in our Government hospitals and there are only two practising in Adelaide. I agree with Mr. Hughes that the patients who go to Enfield and our other mental hospitals should receive the best treatment to restore them to health to enable them to take their place in our community. In that regard I pay a tribute to the work being done by the Commonwealth Department of Rehabilitation for mental and physically handicapped people. I wrote to the Premier about the lack of psychoanalysts in our Government hospitals, but have been surprised to receive his reply that they are not warranted because they only see patients for about an hour a week. We could apply that comment to other sections of the medical profession. Because I see my general practitioner or a specialist for a period of 15 minutes he might suggest that they are not necessary. Whilst psychoanalysis may only occupy an hour for each patient, psychoanalysts in our Government hospitals would probably treat eight patients a day and I cannot understand the Premier's reply. However, I support the Bill.

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

LIMITATION OF ACTIONS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 22. Page 819.)

Mr. DUNSTAN (Norwood)—I support this Bill and, although I am a little distressed that it does not go further, I suppose half a loaf is better than none at all. I am opposed generally to the placing of unreasonable limitations upon the power of people to bring actions before the court for the recovery of damages, for breaches of contract, or for other courses of action, and I have been distressed at the extraordinary difficulties that have been placed in the way of people in bringing actions against the Crown and officers of the Crown. For instance, under the Railways Commissioner's Act it is necessary to bring any action of any kind against the Railways Commissioner within six months, and, before the six months' period expires, one month's notice must have been given to the Commissioner of the intention to bring the action, the nature of the action, the name of the person who is bringing it and the court in which it is to be commenced.

I have known of cases—and other practitioners have complained bitterly to me from time to time—where the Commissioner's officers have made suggestions for settlement that have not been finalized until such time as the day after five months from the rising of the cause of action has elapsed and then they have refused to settle at all and by that stage, of course, there is no time to give the necessary notice to the Commissioner under the Act and a statutory limitation applies. That sort of thing is unreasonable. I point out that where a man has been injured in an accident and desires to bring action it is often difficult to know what sort of damages he is to seek until some time after the accident has occurred. In some cases, because he has been incapacitated and does not know that these extraordinary limitations are imposed on the bringing of action against public bodies and public officers, he does not go to a lawyer for some months after the accident.

The Bill provides that the six months' period or lesser period be now extended to a 12 months' period provided that a notice is given within six months, and even then, if there has been some good cause for the notice not being given within the six months, or the public officer or public body has not been prejudiced by the want of the notice, action may still be brought within the 12 months. I consider that it is desirable that that period of limitation should be extended to the ordinary period of limitation that exists under the Limitation of Actions Act—a three years' period and not a 12 months' period. As the Crown has been prepared to go this far—

The Hon. Sir Thomas Playford—It is a good advance on what we have been doing.

Mr. DUNSTAN—It is a considerable improvement on what has existed and I am in the circumstances prepared to support the Bill. When the limitation of actions legislation was last debated in this House it was promised that there would be a comprehensive review of the position. The review we now have refers only to actions against public officers, public bodies and the like. It does not deal with the general matter of limitation of actions, and particularly the matters raised previously. I refer to the matter of the limitation of actions where there is a concealed cause of action. There are cases where a man cannot discover that he has a cause of action until the limitation period has expired. He is then prevented from bringing an action in the circumstances. Let me give an example of what the courts have decided. There was the case of a man who bought a series of expensive trees for an orchard and they would not come into bearing until seven years from the time of planting. When they did come into bearing they were not the kind of trees he had contracted to buy, but he had no action because the six-year period had expired. I do not believe that a man should be limited in circumstances of this kind.

The Hon. Sir Thomas Playford—I think you would have found that in that case there was a document to show that there was no warranty as to the correct varieties. I have often seen such a document.

Mr. DUNSTAN—In that case I do not think there was a warranty, and the man could not establish his action. I know of cases where a man could not by any exercise of reasonable diligence discover that he had a cause of action for damages for innocent misrepresentation, but it was this representation which caused him grave damage indeed. The period of action had expired before he discovered the damage that had been done to him, and then he had no cause for action. I believe that where there are concealed causes of action we ought to provide that the limitation should not run except from the time when the man, by exercise of reasonable diligence, could have discovered that he had a cause of action. That would be a fair provision in these circum-

stances. There are other alterations we ought to make in regard to the limitations of action as they exist now, and I hope that the Government will do what it promised earlier and give members the opportunity of getting a comprehensive review of limitation of actions generally in South Australia. With these reservations I support the Bill.

Mr. MILLHOUSE (Mitcham)—I support the Bill and, like Mr. Dunstan, wish it went a little farther. I suggest that we should not look a gift horse in the mouth and we should not complain about the advance that we have in this Bill. It brings up-to-date about 40 different Acts which provide various limitations in which action can be commenced. The provision of one rule to supersede 40 individual rules is certainly a great step forward. I do not intend to say anything about the drafting of the Bill, except to compliment the draftsman on the way it has been prepared and to express the hope that it will stand the scrutiny of the courts when it comes before them. Actually, I modestly regard this Bill as a victory, because on October 18, 1956, I drew attention to the problem the Bill now remedies. It has taken more than three years to come to fruition, but we must be thankful to the Government for being prepared to do something in that time. This is the second such modest victory that I have had this year, because it falls into the same category as the amendment to the Electoral Act that was passed some months ago. I commend the Government for introducing the measure, and hope that it will do what we all hope it will do. I support the second reading.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 28. Page 1301.)

Mr. LOVEDAY (Whyalla)—This Bill is somewhat similar to the one presented last session. In the main it is a Committee measure and there is nothing very controversial about it. Its provisions will greatly help local government bodies. The clauses in this measure are similar to those in the previous Bill, with three or four exceptions. Clause 3 gives district councils the power to appoint a deputy chairman if they so desire. In Committee I will move an amendment to provide that local governing bodies may also provide themselves with a deputy mayor if they so desire. I believe clause 4 will be acceptable to local governing authorities, as it will permit them to fix a minimum rate for a particular area. Minimum rates have been fixed at 10s. for municipal councils and 5s. for district councils and naturally, with the fall in the value of money over the years, these amounts have become unrealistic. All local governing bodies must provide a minimum amount of services for the whole of their areas and these minimum rates are insufficient to meet the cost of providing them. Some have found that the rates received from some parts of an area have been insufficient to meet the cost of the minimum services that must be provided. This clause will empower a local governing body to fix whatever minimum rate it desires.

Clause 5 permits councils to contribute towards life-saving clubs outside their respective areas. I understand this clause has come forward as a result of a request made by the Municipal Association. Clause 6 permits councils to deal with revenue derived from the sale of timber and provides for the setting up of a fund that must be used on tree planting. This appears to be a desirable provision. Clause 7 deals with the total contributions that may be required of a ratepayer for road work, and defines the amount more clearly than in the Act. This provision will prevent what has been a virtual overcharging in the past. Clause 8 deals with the right of the public to use a road to which the owner of the land adjoining has contributed, and provides that any existing rights will be preserved. Clause 10 extends the powers of a council in connection with septic tanks. It enables them to require "all purpose" septic tanks to be installed with the approval of the Central Board of Health. In view of the need for such septic tanks in many instances, this is a desirable provision.

Clause 11 extends the power to remove abandoned vehicles left in streets and to dispose of them as the council thinks fit. Clause 13 deals with provisions in relation to councillors who may be members of other organizations, such as local fire-fighting organizations or similar bodies, when having to vote on a proposal affecting those organizations. The clause provides that a councillor shall not be deemed to be financially interested in a transaction between the council and a non-profiting-making organization of which he is a member. One or two points relating to this matter deserve our attention. This clause refers to section 52, section 147 and section 755. Paragraph (*d*) of section 52 (1) provides that a person who directly or indirectly participates or is inter-

ested in a contract with or employment under the council is disqualified from acting as an alderman or councillor. Paragraph VIII of section 147 provides:—

No member shall take part in any discussion before the council or vote on any question—

(*a*) relating to a contract or dealing in which he is directly or indirectly interested as principal or agent, or a contract or dealing with any company of which he is a member, director, manager, or servant; or

(*b*) relating to any matter in which he is personally interested, whether as principal or agent.

Section 755, which is also affected by this clause, imposes a penalty on a councillor who takes part in a discussion on a particular matter in which he is personally interested or is a shareholder. The effect of this clause on sections 147 and 755 deserves special discussion, as its effect on these sections is different from that on section 52.

Clause 14 increases the penalty for vandalism from £20 to £50, which appears to be more realistic than the existing penalty. Clause 15 extends the list of things that can be classified as rubbish, and increases the penalty for permitting rubbish to fall from a vehicle on to a roadway. This is a valuable provision, as the practice of permitting rubbish to fall from trucks is becoming increasingly prevalent. Clause 16 increases the penalty from £10 to £50 for damaging a fence or gate erected across a road subject to lease or as an extension of a vermin-proof fence, and clause 17 remedies an omission that was made during last session regarding applications for postal votes. When the Bill is in Committee I intend to move two amendments; one in relation to hours of polling in the metropolitan and country areas and the other in relation to polls for land values rating. I support the Bill.

Mr. COUMBE (Torrens)—I support the second reading of this Bill, which contains clauses that have been eagerly awaited by local governing bodies throughout the State, and particularly by the Municipal Association and Local Government Association. Some of the clauses are the direct result of their recommendations and submissions to Cabinet. Provision is also made to replace certain sections deleted on previous occasions, notably in 1957 and 1958, particularly last year when the Bill lapsed. In my view, the most important provision is that dealing with road-making moieties or the collections that can be made by councils toward the cost of constructing roadways. The effect of the deletion of this clause in 1957 was that certain councils restricted road-making in certain cases. As a result they suffered and, more important, the ratepayers in many areas suffered, because the councils were not in a position financially to construct roads. The moiety provision, which was in the Act for many years, is an important one, and it is now to be reinstated in such a way that there can be no doubt whatever that the total contribution of a ratepayer for road-making under all circumstances will be a maximum of 10s. a lineal foot. That is an important provision, and the reason for its inclusion being delayed was that there was some misunderstanding about the total amount payable. The Bill now sets out quite plainly that the maximum contribution shall be 10s. a lineal foot. That, of course, is separate from the footpath moiety, which is dealt with in another section. I welcome the Bill, if only for that provision, which will be a great boon to councils and ratepayers, because during the last couple of years many roads that could have been made had this provision been in the Act have not been made.

Another interesting provision is that of a minimum rate, the one previously applying to municipal councils being 10s. and to district councils 5s. In many cases 10s. as a minimum rate for a property or even a vacant block of land is a ridiculous amount because that block has to contribute to the cost of street lighting, to mention only one item. Councils in years gone by have found to their cost that these minimum rates do not contribute enough to adequately provide for the services of the area concerned, and other ratepayers have had to be loaded in consequence.

Mr. Shannon—The cost of collecting that rate almost absorbed it.

Mr. COUMBE—That is so. Clause 5 is rather interesting. In the past, council auditors have objected that a council has contributed to the upkeep of some charitable body or sporting organization outside the council area, and the auditor in such cases has refused to give a certificate to the Town Clerk, but under this provision a council, in certain circumstances, may contribute to such an activity within its area or outside it, because the words "directly or indirectly" are included in the clause. For instance, there may be a lifesaving club in one area which serves many adjacent areas. Under the old provision the surrounding areas would not have been able to contribute to that body, and this new

provision will be welcomed by many organizations.

Many objections have been raised since the alteration in 1957 to sections 833 and 834 regarding voting powers at elections. Prior to that time an authorized witness could witness certain postal vote applications, but when the alteration was made—I feel through some misunderstanding—many anomalies arose. For instance, a ratepayer living, say, in Port Pirie and entitled to a vote in Adelaide, may have wished to apply for a postal vote rather than come down to Adelaide. The peculiar position arose that he had to have that vote witnessed by a voter in the area in which the election was being held. The term "authorized witness" was deleted in 1957, for some peculiar reason, and many votes were lost in consequence. This new clause reinstates the words "authorized witness," and I feel that is a forward move. One objection in local government is the apathy of ratepayers at council elections. We see the anomalous and rather disgraceful position of only 15 per cent of ratepayers in a ward recording a vote. We should do everything possible to encourage people to take an interest in local government, to cast their votes, and to enjoy their franchise, and I therefore welcome the reinstatement of this provision.

Notice of several amendments has been given. I intend to speak on the Bill in Committee, and will confine my remarks to supporting the second reading.

Bill read a second time.

Mr. LOVEDAY moved—

That it be an instruction to the Committee of the Whole House on the Bill that it has power to consider amendments relating to adoption and reversion polls in respect of land values rating and hours of voting.

The House divided on the motion:—

Ayes (17).—Messrs. Bywaters, Clark, Corcoran, Dunstan, Hughes, Hutchens, Jennings, Lawn, Loveday (teller), McKee, O'Halloran, Quirke, Ralston, Riches, Ryan, Frank Walsh, and Fred Walsh.

Noes (18).—Messrs. Bockelberg, Brookman, Coumbe, Dunnage, Hall, Hambour, Harding, Heaslip, Hincks, Jenkins, King, Laucke, Millhouse, Nankivell, Pattinson, and Pearson, Sir Thomas Playford (teller), and Mr. Shannon.

Pair.—Aye—Mr. Tapping. No—Mrs. Steele.

Majority of 1 for the Noes.

Motion thus negatived.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Appointment of deputy chairman."

Mr. LOVEDAY—I move—

In new subsection (5), to delete "district"; after "to be" to insert "the deputy mayor or, as the case may be"; after "the office of" to insert "deputy mayor or"; and after "the election of" to insert "deputy mayor or."

New subsection (5) would then read:—

A council may at any meeting thereof choose one of the members to be deputy mayor or, as the case may be, the deputy chairman. If more than one member is nominated for the office of deputy mayor or deputy chairman, a ballot of the members present shall thereupon be held for the election of deputy mayor or deputy chairman.

The amendment does not propose that the deputy mayor shall in any way supersede the mayor, as was contended in the Legislative Council, but it does provide for someone to carry on when the mayor is not available. It is not obligatory for a council or corporation to appoint a deputy mayor, but it will have the right to do so if it desires. The Act already provides that in the absence of the mayor a council may appoint one of its members to be chairman of a meeting but there are several occasions, in a mayor's absence, when someone is needed to accept the responsibility of decisions that do not entail calling the council together. That is important because it has been suggested that the only occasion when a deputy mayor is needed is when a meeting is being held, but that is not so. There are many instances when the presence of the deputy mayor is necessary, yet it is not essential to call a meeting of the council. By giving councils the opportunity to decide if their particular local circumstances and needs are best served by the appointment of a deputy mayor or deputy chairman, as the case may be, we are acting entirely in accordance with the best principles of local government—that is to say, local people making a decision best fitted for their particular circumstances. Surely it should be left to the council to decide if it needs a deputy chairman or a deputy mayor?

The position of deputy mayor has already been accepted in many places and the Commonwealth Government accepts the fact that there are deputy mayors in various councils because it provides for naturalization ceremonies to be performed either by the mayor or the deputy mayor. A number of South Australian councils have deputy mayors and have had for many years, including Port Pirie, Wallaroo, Victor Harbour and Port Augusta. It has been contended that the creation of a deputy mayor

would present many difficulties and produce many undesirable circumstances where a deputy mayor worked in an area where there was already a mayor, but we have had no complaints about an undesirable situation arising in any of those councils and, after all, the proof of the pudding is in the eating. Although much was said in the Legislative Council about the undesirable circumstances and the unhappy relations that might develop as the result of an appointment of a deputy mayor, the facts are that deputy mayors have existed happily and have performed a good job for those towns that have them and I do not think there is any need to fear the consequences that have been outlined.

The Adelaide City Council has recommended, through the association, to the Minister that deputy mayors be appointed. There was strenuous opposition to this proposal last year in the Legislative Council and when this Bill was first introduced there this year it contained provision for a deputy mayor. Some speakers devoted almost all their time to enlarging on the many adverse effects they claimed would result from the acceptance of this part of the clause. In practice, however, it has worked particularly well and, so far as I have been able to ascertain, no speaker who opposed the provision was able to give actual evidence of the supposed ill effects of the appointment of a deputy mayor. If it has worked satisfactorily for so many years it seems that it is desirable and that local people should be given the opportunity of making the decision.

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

Mr. LOVEDAY—The principle has worked particularly well in those districts where a deputy mayor has been appointed, even though not sanctioned by the Act, and therefore I am sure that the proposal will meet with the approval of honourable members.

Mr. JENKINS—I oppose the amendment, although last year I spoke in favour of the appointment of deputy mayors. On previous occasions my council has appointed a deputy mayor whether it was in accordance with the Act or not, but during the last two years it has not had one. A similar amendment submitted last year was the reason for the Bill being thrown out, and I do not consider the amendment of sufficient importance for that to be done again this year. In the first instance a mayor is elected by the ratepayers, but the amendment provides for the election of a deputy mayor by the council. Frequently a delegation visits a town and a deputy mayor who has been appointed may not be the one best suited to represent the mayor or the town. For instance, he may not have the slightest clue as to the game of bowls, whereas if another councillor could be appointed he could meet the visitors on their own ground.

The Hon. G. G. PEARSON (Minister of Works)—I oppose the amendment for several reasons. In moving his amendment Mr. Loveday centred his argument on the fact that some corporations had been in the habit of appointing deputy mayors. In fact, they were not deputy mayors, but acting mayors. I agree that there is not a parallel between the appointment of a deputy chairman of a council and of a deputy mayor of a corporation. Those reasons were argued last year, and again this year. The chairman of a council is appointed by his council on the first day of sitting after the new council is constituted. In the election of a mayor the circumstances are entirely different, as he is elected by all the constituents. Actually, he is elected at a separate poll for that office. There is a marked difference in the selection of a member of a corporation, who is elected by a ward. If such a person were appointed deputy mayor, he would have all the powers, privileges and responsibilities of the mayor, who is elected by the whole constituency. After all, one is only the representative of a ward, and it would not be proper to appoint such a person as deputy mayor, who could assume the responsibilities of the mayor when he was absent. Mr. Loveday pointed out that the system apparently had worked satisfactorily in the past. That may be so. There is nothing to prevent a corporation continuing in substance the practice it has been in the habit of carrying out and appointing an acting mayor. Such a person is frequently selected not as a permanent acting mayor; the mayor in his wisdom may select various members of the corporation in rotation to act in his stead.

Mr. O'Halloran—You would rather he did it than the whole council?

The Hon. G. G. PEARSON—The whole council can do it if it so desires. One corporation I know has adopted the practice of appointing various members of the corporation in rotation. It may be that a man may be an aspirant for the office of mayor, and therefore it is an advantage to gain experience.

Mr. O'Halloran—I think that is the real basis for the opposition to this amendment.

The Hon. G. G. PEARSON—The matter is in the hands of the corporation. The fact that the appointment of an acting mayor has

worked well in the past means it can still work well in the future. We are not to arrogate for a councillor elected to a ward the responsibilities and privileges which accrue to the mayor by virtue of his appointment by the whole of the constituency. I see some objections to the proposal in principle and some in practice. As there is no reason for it, I ask the Committee not to accept the amendment.

Mr. FRANK WALSH—The Minister has been referring to a principle. I should like to compare a recent vote taken in this Chamber on the question of principles and free speech. Let us apply the Minister's principles. Firstly, he said that ratepayers have the right to select a mayor at election. Most corporations have aldermen as well as councillors, but how are aldermen selected, for there is very seldom an election for them?

Mr. Coumbe—They still have to nominate.

Mr. FRANK WALSH—Yes, but they usually go unchallenged. They must qualify with at least 12 months' service on the council and must be ratepayers. The council itself elects the chairman and deputy-chairman. The Minister said an acting mayor could be appointed; but he would be appointed by the mayor and not by the council, as would a deputy-mayor. The member for Stirling (Mr. Jenkins) is mayor of Victor Harbour, but what right has he to say who should be the acting mayor during his absence?

Mr. Jenkins—He can recommend to the council.

Mr. FRANK WALSH—This amendment enables the council to elect a deputy-mayor, yet the honourable member for Stirling denies the rest of his council the opportunity to select the deputy-chairman. The honourable member has changed his mind since last year, when he said:—

I agree with the amendments because there is a need for them; I do not agree with Mr. Hambour that no corporations have had deputy-mayors. My council has always appointed a deputy-mayor either at the elections or immediately after.

Mr. Jenkins—They have not since.

Mr. FRANK WALSH—So at last the member for Stirling has consulted the Local Government Act and found he could not constitutionally appoint a deputy-mayor. Why does he vote against the amendment this year? True, the mayor is selected by the ratepayers, as are the aldermen, but the council should have the right to select a deputy-mayor.

Mr. HAMBOUR—I opposed this provision last year and my arguments then will be proved right. In the absence of a mayor there is an acting mayor, not a deputy-mayor, no matter what he chooses to call himself.

Mr. HUTCHENS—I support the amendment. The function of a mayor has been far more important of recent years than ever before. As the Minister of Works has said, it is customary for a mayor to suggest that someone act in his absence. A mayor has to be unbiased towards the members of the council and in the selection of an acting mayor that principle must be followed. In one municipality, owing to the unfortunate absence of the mayor, an acting mayor was appointed for a naturalization ceremony, a most important function. The councillor appointed was hopeless as an acting mayor and he did a great injustice to the Commonwealth at the ceremony. In the metropolitan area are many municipalities, and some mayors carry on longer than they desire because councillors are not sufficiently capable of taking their places. Every councillor and alderman is elected because of the interest he shows in municipal affairs. In the selection of the deputy-mayor the council would elect the man who in the event of the retirement of the mayor would be most suitable for appointment as his successor. The deputy-mayor would prepare himself for the carrying out of the duties of mayor, which would make him capable of rendering a better service to local government. When a Government takes office a Deputy-Premier is always selected, and if it is wrong for corporations to appoint deputies it is wrong for Governments. In the interests of local government this matter should be considered seriously. No-one can say that it is easy to find a capable man to occupy the position of mayor, and the acceptance of this amendment will provide an opportunity for someone to be trained for the job.

Mr. CORCORAN—I see no objection to the amendment, which simply gives a local government body the right to appoint a deputy-mayor. There is nothing compulsory about it. We agreed to the principle last year, and consequently we are now supporting something that was previously agreed to.

Mr. RICHES—I do not know that this is a nation-rocking matter but it is essential to carry the amendment. I had similar thoughts

last year. I believe in local government and, as Mr. Coumbe explained in the second reading debate, most of the provisions have been sought by people who have worked under the Act for many years. There has always been the right to appoint a chairman and an acting chairman, but as the results of experience the Local Government Association asked for the right to appoint a deputy chairman. Apparently the Government thought last year that it was a reasonable request because the principle of a deputy was accepted in another place, but in this place it was thought that if there was a need for a deputy in a council there was the same need in a corporation. In such places at Port Pirie there is a corporation for the town and a district council for the area outside. The district council can have an acting or deputy-chairman yet the corporation cannot have a deputy mayor, whom we feel it should have the right to appoint if it so desires. If the mayor were absent from a meeting I imagine there would be no difficulty in appointing an acting mayor, but the corporations wish to be able to appoint a deputy-mayor. I have served on a corporation with a deputy-mayor; Port Augusta has been well served by such men. If this amendment had come from the other side of the House it would have become law; the House was happy to vote for a similar provision last year, but there was opposition to it in another place by personalities associated with the Adelaide City Council, although the opposition had nothing to do with the merits of the matter. At that time the Municipal Association had a request before it from the Adelaide City Council for an amendment to provide for a deputy-mayor, but this apparently did not suit the members of the Adelaide City Council in the Legislative Council. If councils want to appoint a deputy-mayor Parliament should entrust them with such authority, which would legalize what has been going on. As district councils have the right to appoint a deputy-chairman, municipalities should have the right to appoint deputy-mayors. All the arguments used against this amendment would apply equally to district councils.

Mr. LAWN—I was intrigued at the attitude adopted by the Minister of Works, who said there was a difference between the appointment of a deputy mayor and that of a deputy-chairman, as the mayor was elected by all ratepayers but the deputy mayor would be elected by a restricted number of people if this amendment were carried. I cannot reconcile his attitude on this matter with his attitude on the election of members of Parliament. A mayor carries out his duties for and on behalf of the ratepayers. Both Houses of Parliament are supposed to make laws for and on behalf of the people. If it is not right for a deputy mayor to be appointed by members of a council, how can it be right for members of the Legislative Council to be elected on a restricted franchise? The only thing in which the Government is consistent is its inconsistency.

The Committee divided on the amendments:

Ayes (16).—Messrs. Bywaters, Clark, Corcoran, Dunstan, Hughes, Hutchens, Jennings, Lawn, Loveday (teller), McKee, O'Halloran, Ralston, Riches, Ryan, Frank Walsh, and Fred Walsh.

Noes (19).—Messrs. Bockelberg, Brookman, Coumbe, Hall, Hambour, Harding, Heaslip, Hincks, Jenkins, King, Laucke, Nankivell, Pattinson, Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

Pair.—Aye—Mr. Tapping. No—Mr. Millhouse.

Majority of 3 for the Noes.

Amendments thus negatived; clause passed.

Clauses 4 to 6 passed.

Clause 7—"Contributions to roads."

Mr. FRANK WALSH—I rise because of certain statements made by the member for Torrens (Mr. Coumbe) in the second reading debate. Two years ago when this provision was deleted from the Act, I made certain statements and members opposite, particularly the member for Mitcham (Mr. Millhouse) criticized me for it. However, despite their forecasts, councils have received certain road moieties. This provision will enable councils to charge up to 10s. a lineal foot, but there is still no provision for kerbing and water tables. At one time this provision contained a limitation for a moiety for roadmaking and for kerbing and footpaths, and I consider the ratepayer should benefit from every possible advantage of this provision.

I told my critics two years ago that roads could be widened provided there was a provision for a moiety on kerbing. This clause will not mean the provision of kerbing as well as a roadway. Only last week I learned that a firm on a main highway in my district had arranged for 40ft. of kerbing to be taken up to make the premises more accessible. Should kerbing be ripped up without the permission of the council, when many councils desire to construct kerbing and water tables?

This clause will not guarantee the provision of kerbing and water tables even if councils impose the maximum charge.

Clause passed.

Remaining clauses (8 to 18) and title passed.

Bill read a third time and passed.

WRONGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 17. Page 1639.)

Mr. DUNSTAN (Norwood)—I support the second reading of this Bill which provides for the taking of action against third parties in accident cases where, through some limitation of action or some agreement, the defendant who is sued in an action is not in a position to bring the third party in the accident in. I entirely agree with the Bill's purpose, which remedies a grave lack in our present legislation in which people can find themselves unable to recover their contributions from other people who were partly or even wholly to blame for accidents in which they had been involved. I find some difficulty in one section of the Act. In explaining the Bill the Minister of Education said:—

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.

The object is that one can get at the nominal defendant or at the insurer even if the nominal defendant or insurer has not been properly sued under the Road Traffic Act, but a difficulty which I do not think is coped with in this amendment is that under the Road Traffic Act procedure is laid down for the appointment of a nominal defendant. Honourable members will remember that this matter has been before the House during this session and, indeed, is currently under consideration—the question of the appointment of a nominal defendant under another Bill.

Mr. Bywaters—Mr. Miller, is it?

Mr. DUNSTAN—Yes. Members will recall that the way in which one gets a nominal defendant appointed is that immediately one is in an accident and cannot find out who the other person involved in the accident was he must make due inquiry and search. That, in some cases, according to some decisions of courts, has meant that even though one does not know where the defendant is and the police cannot find out where or who he is, one must advertise in the paper in the vain hope that someone will come forward and pot himself. This is one of the decisions held by courts in Australia. It is a most extraordinary situation. After due inquiry and search one may make application to the Premier to appoint the nominal defendant; he is then duly appointed, but if one had not done this quickly enough, he could say, "You have not done this immediately after the accident." If one were in hospital and did not realize he had to do this quickly, he would be in the soup. Although it is provided under this clause of the Bill that one may get at the nominal defendant if he has not been properly sued, there is no substitute provision I can see in the Bill providing for his appointment in circumstances such as this. It can be seen it has not been done as soon as possible after an accident; one did not know one was going to be sued. One can get to the nominal defendant three years after the accident, but there is nothing providing for the nominal defendant being appointed in those circumstances. This seems to me to be something to be dealt with.

The Hon. Sir Thomas Playford—When we get into Committee progress will be reported so that honourable members can study the position.

Mr. DUNSTAN—I appreciate that. I laud the intentions of the Bill and believe it will do much good in South Australia and relieve a position where people have found themselves in great difficulty and have been dealt with unjustly because the proposal had not been on our Statute Book before. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

UNDERGROUND WATERS PRESERVATION BILL.

Second reading.

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

That this Bill be now read a second time.

Its purpose is to enact provisions to prevent the contamination and deterioration of underground waters within the State. A Bill along somewhat similar lines was introduced in this Chamber in 1957 when, however, it was discharged. The present Bill differs from the earlier one in that its purpose is restricted to the prevention of contamination and deterioration.

Members will appreciate the necessity for this legislation. We have, unfortunately, a low annual rainfall and in many areas we are almost completely dependent on the supply of underground water. It is essential that proper steps be taken to ensure that the fresh water supplies that are known to exist should not become contaminated or polluted or be allowed to suffer deterioration so far as it is possible to take preventive measures. Not only has there been a great increase in the use of underground water for farming, industrial and ordinary purposes, but the introduction and widespread use of septic tanks has added to the demand. Problems of effluent disposal have also grown from this factor as well as the discharge of industrial waste.

The general scheme of the Bill is, therefore, to provide in critical areas for control of the sinking, deepening and maintenance of wells and the amount of underground water that may be taken from wells, with a view to prevention of contamination of the source of supply. Fresh water is very often found in a basin underlying salt water, or above it. In either case, if the work of sinking a well is not carried out under proper conditions, or if too much water is drawn from the well, salt water is drawn into the fresh water supply or percolates into it, with resultant contamination. The process of being drawn in or of percolating can be accelerated if too much water is drawn from one or more wells in the same area. This fact is of considerable importance in relation to the northern Adelaide plains where good underground water is available for market gardens in the metropolitan area. The fresh water zone is, however, surrounded by a zone of saline water with consequential danger of the latter being drawn into the fresh water zone, seriously affecting the supplies available for market gardens. The system of controls is set forth in Part II of the Bill.

Clause 5 empowers the definition by regulation of areas to which the other provisions of Part II will apply. Clause 6 requires occupiers of existing wells or wells in course of construction to notify the Minister of their existence, while clause 7 provides that wells may not be sunk or deepened or used for drainage purposes if they have not been previously so used, nor may the casing of wells be altered or repaired in any way, without a permit, application for which is to be made to the Minister under clause 8. The Minister may, under clause 9, refuse or revoke a permit if he has reasonable cause to believe that the work or use of the well would be likely to cause contamination or deterioration of any underground water. The Minister may, under clause 11, include in a permit any terms and conditions, including terms and conditions restricting the amount of water that may be taken from a well which he deems necessary to prevent contamination or deterioration of underground water.

Clause 12 provides for the transfer and variation of permits and clause 13 for appeals against any decision by the Minister. Clause 15 empowers the making of emergency repairs. Clauses 16, 17 and 18 provide generally for the maintenance of wells and for the Minister to direct owners or occupiers to take proper steps to ensure the prevention of contamination or deterioration of underground water.

Clause 19 requires permit holders to submit returns as to wells to the Minister. In connection with the system of controls provided for in the Bill, I would draw the attention of honourable members to the definition of "well" in clause 4. Wells used exclusively for the drainage of roof or pavement run-off from private dwellings and soakage pits used in connection with septic tanks or waste water from private dwellings are excluded. Furthermore, clause 5 (*c*) of the Bill empowers exemption by regulation of particular wells of less than depths to be prescribed. This provision is designed to eliminate unnecessary work by landowners as well as the department where circumstances will permit. Clause 20 requires the approval of the Minister of Lands

in respect of wells on land leased under the Pastoral Act.

Part III of the Bill establishes an Advisory Committee to advise the Minister upon any questions relating to contamination or deterioration of underground waters or arising in connection with the administration of the Act. The committee will consist not only of certain departmental technical officers, but also of a private well-drilling contractor and a person having local knowledge. The Minister may add such other persons as he considers necessary.

Part IV of the Bill sets up an Appeal Board to hear appeals by persons aggrieved by any decision of the Minister on application for permits or renewals. The board has power to affirm, vary or quash any decision or direction appealed against, or to make any other or additional decision or direction as it thinks just.

Part V of the Bill contains general provisions complementary to the main theme of the Bill and which are self-explanatory. I believe that there has been considerable misunderstanding of the purpose of this Bill and I propose to take this opportunity to clear the minds of members, so that it can be properly and objectively considered. The whole of this State depends in some degree or other on underground waters—even here in the metropolitan area in years such as this, we are forced to draw heavily on underground water to supplement our sorely taxed surface supplies.

Honourable members are also aware that the rapid development of this State over the last decade or so necessitates an increasing usage of our limited water supplies, and every effort is being made to fully develop all sources of supply, both above and below ground.

It is, therefore, in the interests of the whole State to ensure that underground waters are properly looked after, and the sole purpose of this Bill is to try and ensure that if the underground water supply of a district—let me emphasize "district"—becomes seriously affected in quality, effective remedial action can be taken to restore the quality of that water. It is, in effect, an insurance policy.

Honourable members are aware of the several ways by which a supply of good underground water can become contaminated and often useless. These include:—

(1) The direct entry of salt water from above into the fresh water beneath, by careless or incorrect construction of a well—this can be called "vertical contamination";

(2) The second method is another form of "vertical contamination" where a noxious effluent is disposed underground into a well, and thence makes its way into the underground water which it contaminates;

(3) The removal of fresh water by pumping at a rate faster than its replenishment and its consequential replacement by salt water from surrounding areas. This could be called "horizontal contamination."

Instances of all these types of contamination are known in South Australia, but we do not propose any action under this Bill until the Minister is satisfied that a state of emergency exists which affects not an individual, but a district water supply, which is either contaminated, or is seriously threatened by contamination.

The way I see this Bill operating in practice is this:—

(1) The first step would be a thorough technical examination of the problem areas by the Mines Department—such areas already exist unfortunately, and their condition could be aggravated by this drought year—and if a serious contamination threat on a district basis exists, the department reports accordingly to its Minister.

(2) The Minister may then refer the matter to the Advisory Committee which would thoroughly sift the evidence, and if it concluded there is a serious contamination risk, would recommend to the Minister that the affected area should be prescribed, and certain remedial action taken, to restore the underground waters to their original quality as quickly as possible. With regard to size of any area to be prescribed, whilst it is obviously essential to include sufficient ground to remedy the situation effectively, it is considered that in general these areas would be quite limited, of the order of a few square miles only and not vast areas of the State piece-meal, as some people appear to imagine. In

this respect it is somewhat akin to the regulations gazetted in connection with fruit fly eradication, where only a sufficient area is proclaimed to deal with each particular infestation as it occurs.

(3) The Minister would have to satisfy Executive Council that the regulation was necessary, and Parliament would have the right to disallow any regulation in the ordinary way.

(4) Much has been said about interference with private rights. When an area has been prescribed by regulation, any person in the area who considers himself adversely affected by any action taken by the Minister, can appeal and his appeal will be dealt with expeditiously by a competent and impartial Appeal Board.

No-one questions the right of landowners to utilize the underground waters on their properties and the whole purpose of this Bill is to ensure that these waters are preserved from contamination and will continue to be available for the benefit of the landholder and the community indefinitely.

Let us suppose for a moment that this legislation was not proceeded with, and salt water contamination developed in underground water, say on the Adelaide Plains. What use are the "inherent rights" to the underground water when it is no longer fit to use, and who would be asked to rectify the position as a matter of extreme urgency? The Government of this State, of course, and without legislation of this nature the Government could not take any useful action. I commend the Bill to honourable members as a means of preserving the quality of one of our most valuable natural assets—unpolluted underground water.

I believe that this matter will assume more and more importance with the passing of the years. In the first place, concern has been expressed in some towns that underground waters are being contaminated by the use of septic tanks and deep bores for the disposal of effluent. That is a practice that has to be watched very closely.

Mr. Quirke—Wells have been sealed off in some towns.

The Hon. Sir THOMAS PLAYFORD—Secondly, this matter will probably assume more than ordinary importance this year. As honourable members know, last winter underground water catchments generally did not receive any replenishment, and I should be surprised if some of our underground water sources did not feel the heavy pull upon the water this year because there was no replenishment of underground waters in this State anywhere last year. Where saline water is fairly close to fresh water and the fresh water is pulled out, the natural and almost invariable result is that the saline water will take its place.

Mr. O'Halloran—And become permanent.

The Hon. Sir THOMAS PLAYFORD—Yes, obviously. This Bill is of considerable importance, from the point of view of not only health but also a permanent deterioration of some of our important water basins. Incidentally, the Bill has received much discussion in another place and some minor amendments have been made but, as far as I can see, its general purposes have not been altered and it is substantially the legislation that was introduced there.

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

MOTOR VEHICLES BILL.

In Committee.

(Continued from November 18. Page 1714.)

Clause 12—"Exemption of farmers' tractors and implements"—which Mr. Shannon had moved to amend by striking out "or insurance."

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I asked the Committee to report progress to enable me to get up-to-date information upon what was involved in this amendment. For many years farm implements have been able to go across a road from one part of a property to another for repair, and tractors have been able to pull those vehicles without any registration or insurance. This proposal is that in future they would still be able to go unregistered but would have to be insured against accident. I wanted to appreciate the implications and what grounds there were for placing this additional obligation upon the primary producers concerned.

As far as motor vehicles registered in the ordinary way under the Road Traffic Act are concerned, we are able to police the provision that requires that the vehicle shall be insured adequately because, when an application is made for re-registration, the applicant has to produce an insurance certificate showing that the vehicle is insured before he can get the re-registration.

Mr. Lawn—Clause 17 would cover the whole position.

The Hon. Sir THOMAS PLAYFORD—This amendment does not compel farm implement vehicles to be registered, so there will be no check as far as the applicant is concerned to see that he is insured; but, if he is not insured and he drives one of these vehicles on the road, he is subject to disqualification from driving without any option. Therefore, to be found uninsured upon the road is a serious matter. Before the ordinary motor vehicle can be registered the owner has to produce an insurance certificate, but in this instance the vehicle is not being registered and the department will not have that check. Even after the compulsory insurance provisions have operated for so long, in a great many cases a registration has to be held up pending insurance being effected.

Mr. Lawn—Clause 17 would cover all that with a minimum fee of 5s.

The Hon. Sir THOMAS PLAYFORD—That is another matter altogether. This is placing an obligation to insure upon the primary producer; that is all that is involved here. If he drives on a road uninsured, he becomes de-registered if he is caught.

Mr. Lawn—But, if there were the minimum fee as provided in clause 17—

The Hon. Sir THOMAS PLAYFORD—I am coming to fees in a moment. The amendment will create the possibility of a serious offence. From my experience of motor registration I know that although it has been necessary to insure for a long time a large number of people still try to register their vehicles without insuring them. The Acts Interpretation Act says that as a basic principle all legislation shall be remedial, and we do not pass legislation here just for the sake of passing it. I asked the Commissioner of Police for statistics showing the number of vehicles of this description that had been involved in accidents and as a result of a check made at every police station in the State over a period of one year he reported that there had been only two accidents involving this type of vehicle, and they were in the district represented by Mr. Jenkins. In one case a man fell off a tractor and suffered a slight injury, and in the other the motor vehicle backed into the rear of another vehicle and caused minor damage that did not warrant reporting. The Police Commissioner said that an exhaustive check in 1955 had not revealed one such accident. I have consulted insurance companies to ascertain the cost of insurance in this matter. For every tractor in my district inside the 20-mile area the cost of insurance per annum would be £5 10s.

Mr. O'Halloran—That indicates a considerable risk.

The Hon. Sir THOMAS PLAYFORD—Statistics do not show that there is much risk. Outside the 20-mile area the cost is 12s. 6d. To show how haywire the whole thing is, I point out that a person living at Birdwood would pay £5 10s. and at Mount Pleasant, several miles farther from Adelaide, the cost would be 12s. 6d. The insurance on farm implements in the main would cost 10s. One registration would not cover all the vehicles towed by a tractor. Each vehicle would need a separate registration. I can see no reason for the proposed amendment.

Mr. SHANNON—I think the Treasurer is unduly apprehensive about the amounts charged by the insurance companies. We have an Insurance Premiums Committee and if the insurance companies suggested a rate for this type of risk that was out of proportion to the possible repercussions to the companies the matter could be dealt with by that committee. I challenge the Treasurer to get any insurance company to produce figures and say that it is happy with the third party insurance risk that it now carries. I am a director of an insurance company and I know something of this problem. Despite what the Treasurer said, in each year more registered vehicles are on the roads. Under the Bill the farmer would be able to take a vehicle along the Gawler Road or the Mount Barker Road, but the risk that he would run was not mentioned by the Treasurer. If one of these farm implements were involved in an accident when being taken somewhere for servicing and a third party were maimed for life, resulting in his being unable to earn a livelihood, do members know what the award would be?

Mr. Bywaters—It would be £10,000.

Mr. SHANNON—That is a modest estimate. In the eastern States it is not unknown for £30,000 to be awarded. How would the unfortunate farmer feel if he were liable to pay even £5,000 and he did not have an insurance policy? I shall not attempt to assess what insurance fee would be payable, as there is a Premiums Committee to undertake this work,

but I do not think it would be a large amount. The Treasurer suggested it would be 12s. 6d. for places outside a 20-mile radius of Adelaide. I point out that there is a much greater movement of dangerous equipment outside the 20-mile radius than within it, and greater risks will be run by men taking unregistered and uninsured vehicles from big establishments outside this area, whereas fat lambs are the order of the day in the hills area. Because of their size, the accident risk created by these vehicles is great. The Premier mentioned Mount Pleasant and Birdwood, but I do not think the Premiums Committee would be foolish enough to permit an insurance company to charge £5 10s. to people in my district whereas people in the Victor Harbour district, for instance, would pay only 12s. 6d. We have rightly provided that fire-fighting implements need not be registered, but they have to be covered by a third party insurance policy although they operate only during the summer. There are more insurance agents to each square mile in this State than one can count, every one of whom would point out to farmers that it is necessary to insure their vehicles.

Mr. Hall—I asked my insurance agent how much it would cost to insure a tractor, but he did not know.

Mr. SHANNON—The honourable member was not dealing with the right company. There is no profit in this business for insurance companies; they are protecting the fool against his folly.

Mr. Hambour—When did you start doing that?

Mr. SHANNON—I am even protecting the member for Light, who is a possible starter. Insurance companies firstly protect the owner against any risk of serious penalty and, secondly, and more important, make provision for the injured third party who in some cases can ill-afford what happens to him. If the person from whom he has to seek relief is a man of straw, the insurance companies seek to protect the injured person. I am sure that on reflection members will appreciate that there is some merit in providing this protection. If the farmer feels he will be slugged, he is worrying about something that will not happen. He is already paying third party insurance on cars and trucks, and he should have similar protection when using another vehicle that he does not have to register.

The Hon. Sir THOMAS PLAYFORD—I would not have risen again but that, when I was speaking from memory a moment ago, I made one or two statements that were not strictly accurate. The distance of the circle around Adelaide is 20 miles; it is in red, and well it should be. I quoted Birdwood as being just inside the circle and Mount Pleasant as being just outside, whereas Gumeracha is just inside, and Birdwood outside and subject to the lower amount. I will now read the actual report obtained from the Commissioner of Police about this matter. I am not quite sure what it means; it could mean one of two things, but I will quote it so that members will have it before them. The following is the report:—

The Commissioner of Police reports that 3,000 country accident reports checked for 12 months ended October 31, 1959, in which damage to the extent of £50 or over was incurred reveal no record of accidents in any district in connection with tractors or farm implements. The only two known cases of any accidents in connection with farm implements were in the Victor Harbour district (and I have described those to honourable members)—(1) a passenger fell off a tractor and sustained slight head injuries. (2) A truck ran into a tractor pulling a trailer, but the damage was less than £50.

That is signed by Mr. L. King, Secretary to the Premier. I do not accept the statement of the member for Onkaparinga that third party insurance is unprofitable to insurance companies in South Australia. This matter has recently been closely investigated by my Treasury officers, who have found that the premiums paid in South Australia on third party insurance are much more liberal than those paid in any other State in the Commonwealth. When the Insurance Premiums Committee meets again to consider this matter we propose tendering evidence regarding it. My investigating officers have given me a very adverse report on the amount South Australians are being charged for third party insurance, and I therefore do not accept the member for Onkaparinga's statement. The report is to the effect that the insurance companies are doing very much better in South Australia in this regard than any other State in the Commonwealth.

Mr. O'Halloran—So your arguments about the premium fall to the ground if we carry this amendment?

The Hon. Sir THOMAS PLAYFORD—All I know is that if this amendment becomes law the premium of £5 10s. will be payable forthwith and it will be compulsory, and that amount will not be altered until the next period of review, whenever that may be.

Mr. HEASLIP—I oppose this amendment. I am a primary producer: I am not interested in insurance, nor am I an insurance agent. Recently, when travelling through my electorate I sounded out some primary producers on this amendment, and I found that they were up in arms against it. Those people can look after themselves; they are taking risks all the time and are prepared to take those risks, with their eyes open and without wishing to insure against mishaps. They insure their employees, but they themselves are not insured.

Actually, there is very little risk of running into anything with a tractor. A tractor is often pulling an implement that is 20ft. wide, yet no suggestion has been made that that vehicle be insured, merely the tractor. A farmer can take a tractor on the road at present and unless somebody can prove that he is negligent in driving it he will not be called upon to meet these large amounts that have been mentioned, but once it is made compulsory to insure that tractor he becomes liable whether he is negligent or not, and that is wrong. Finally, it would be necessary to amend the other clauses dealing with insurance, because otherwise the amendment would not be effective. I strongly oppose the amendment.

Mr. STOTT—The member for Onkaparinga wants tractors to be insured for the purposes of being delivered to the farm and for the various other restricted occasions mentioned in the clause. It is obvious from the Treasurer's very lucid report from the Police Commissioner that accidents with tractors do not happen. It is suggested that we compel a farmer to insure an unregistered tractor, for this clause merely relates to tractors. I was rather interested in the member for Onkaparinga's remarks and the Treasurer's reply regarding the premiums committee and the difference between the premium in the 20 mile zone the Treasurer indicated to the Committee and the area beyond that 20 mile radius.

In determining the rate of premium to apply in any zone regard is had for the accident risk therein, so it is obvious that the insurance companies assess the area within the 20-mile radius as having a much greater accident risk and consequently impose higher premiums there. The possibility of an accident occurring to tractors in the categories mentioned in the clause is remote, but the amendment will make it compulsory for farmers to insure them. If this amendment is carried the honourable member proposes to provide that farm implements drawn upon roads must be insured. I point out that farmers own many implements, including spray machines, harrows, small unregistered trailers, combines, seeding implements, drills and possibly small disc harrows. All these implements would have to be insured and the amount involved would be considerable. I accept the Police Department's assessment of the situation and support the clause as drafted.

Mr. CORCORAN—I wholeheartedly support the amendment and could not conscientiously do otherwise because whilst a danger exists we would be doing the farmer an injustice, and possibly involving him in considerable expense, if we did not oblige him to insure his tractor. The premium of about £6 a year shrinks into insignificance when compared with possible damages that might be awarded against him.

Mr. MILLHOUSE—I support the amendment. I may be over-cautious, but I believe in insurance. In the past we have compelled every motor car to be covered by third party insurance.

Mr. Hambour—You have always opposed compulsion, but now you advocate it.

Mr. MILLHOUSE—I believe we should try to provide protection against risk or danger on the road and that is the principle behind all our third party insurance provisions. If we accept that principle we must also accept that any vehicle that goes on the road presents a possible danger.

Mr. Hambour—Well, insure push bikes too.

Mr. MILLHOUSE—I do not know whether that interjection is a denial or an illustration of the principle I am putting. It does not qualify it. Any vehicle on the road, no matter what type, is an inherent danger. The Treasurer has quoted police statistics to show that there are few accidents on the roads involving farm implements. I have not checked these statistics but I know that on November 13, 1956, an accident occurred on the Lochiel to Port Wakefield Road near Lochiel. A 1952 Massey Harris tractor, unregistered, was being driven along the road and was pulling implements which had no lights. According to the police reports the tractor's lights were all right. The tractor and farm implements were hit by a 1951 Holden motor car, which was being driven by a commercial traveller returning to Adelaide on a Friday evening. He came around a bend in the road and ran straight into the tractor and farm implements.

The estimated total damage to all vehicles and implements involved was set out in the report at £350. Even on the police estimate, this would qualify for one of the types of accidents that the Treasurer said did not often happen. When the whole damage was assessed, the Holden was a total write-off, so the estimate of £350 should have been more than doubled to be accurate. There is more to it than that. That is only an estimate of the property damage. The driver of the Holden was severely injured and took proceedings in the Supreme Court, obtaining judgment for about £1,750 against the tractor driver.

The Hon. Sir Thomas Playford—Was he paid?

Mr. MILLHOUSE—Yes.

The Hon. Sir Thomas Playford—That is the whole point.

Mr. MILLHOUSE—No, it is not. I quote that case to show that serious accidents of this kind can and do happen.

Mr. Heaslip—Will this amendment prevent such accidents happening?

Mr. MILLHOUSE—Of course not, but it will relieve the farmer of the personal responsibility, which in this case was the satisfying of a court judgment. What if he had been unable to face up to it because he was on the rocks? And what if the judgment had been for £5,000 or £10,000? That is not beyond the realms of possibility. He may have been able to meet it by crippling himself financially for life; on the other hand, he may not have been able to do it at all, and then an innocent party, guilty of no negligence, would have been whistling for his money.

Mr. Clark—The amendment will cover both parties.

Mr. MILLHOUSE—Yes, and it will protect the man who is drawing implements and any road users that may be injured by his negligence, and that for the expenditure of a few pounds. That is why I support the amendment. Let us remember that as a Committee we have already approved of clause 2 (3) which provides that the Governor may fix different days for the coming into force of different parts or provisions of this Act. So, if the amendment is passed the Governor may fix a time for its coming into force and that surely will give the Insurance Premiums Committee time to fix the premium.

The Hon. Sir Thomas Playford—I am wondering what members would say if the Government deliberately shelved it.

Mr. MILLHOUSE—It is wrong to say that this provision must automatically come into force when the Act is assented to. It need not happen at all. However, if the amendment were carried I am sure the Government would honour it. The fact is that these accidents can and do happen and can in certain cases be financially crippling either to the plaintiff or the defendant. Those are the reasons why I strongly support the amendment.

Mr. HAMBOUR—The Treasurer quoted records showing that there had been only two accidents, which involved £50 or less, in a period of two years, and then Mr. Millhouse brought up another one out of the archives involving some £1,750. In one year, on the minimum schedule, there would be 27,000 tractors at 12s. 6d. each. That would be a nice sum for the insurance companies. I do not know who represents big business in this Chamber, but it is certainly not I. I believe that my constituents are intelligent people who know the risks they take and are well aware of their responsibility in an accident. It is their liability, and I do not want Mr. Shannon or Mr. Millhouse to take care of my constituents. They know what they have to do if they want to insure and they know the cost of the premium. Mr. Shannon says there are more insurance agents than flies around a honey pot. There is no question about producers not knowing they are liable if their vehicle causes any damage. If they want to insure, it is their responsibility and I do not believe that Parliament should compel them to insure.

Mr. Dunstan—Don't you believe in third party insurance?

Mr. HAMBOUR—Yes, but I draw a distinction.

The Hon. Sir Thomas Playford—More accidents are caused by bicycles than by tractors. Are you going to make insurance compulsory for them?

Mr. HAMBOUR—I am not prepared to place any greater liability on the primary producer. Comparing the figures of damage caused in the last four years or so with the amount of revenue reaped by the insurance companies, I know which shows a profit. There are 27,000 tractors in South Australia, some of which will be paying £5 10s., some of which will be paying 12s. 6d.

Mr. Lawn—You are talking about present premiums?

Mr. HAMBOUR—I oppose the amendment.

Mr. LAUCKE—I believe in insurance against any possible contingency for I do not like taking unnecessary risks or speculation. Insurance is vital at all times. Compulsory third party (bodily injury) insurance was originally brought in to cover any possible claim against a motorist with no means of meeting a heavy commitment occasioned by injury to a third party. I support that as an excellent provision. Here, we are dealing with a section of the community that should be responsible enough to determine whether it can carry its own insurance. In the interpretation clause, a tractor is defined as a motor vehicle subject to all the conditions attachable to a motor vehicle in respect of penalties in certain circumstances. Clause 103 covers the insurance of a motor vehicle and provides certain penalties. A primary producer with a farm in two sections divided by a road could be driving his tractor across that road and, not having taken out insurance, as would be necessary under this amendment, could be guilty of a serious breach of the law and possibly lose his licence.

The Hon. Sir Thomas Playford—He would have to lose his licence.

Mr. Dunstan—What about the rest of clause 103?

Mr. LAUCKE—I am referring to the impact of this amendment on many of the farming community who are sufficiently responsible to realize the risks they take when driving vehicles on the roads. I do not believe in compulsion for anybody. It has been said that we must guard a fool from his own folly, but where do we stop? We are going too far to include all farm implements.

The Hon. Sir Thomas Playford—The person driving may well be an employee of the farmer. I do not know whether the honourable member realizes that. It is not the owner who will be liable for the de-registration; it is the driver of the tractor. We were talking just now about losing a licence; it is the driver of the tractor who loses his licence.

Mr. LAUCKE—I will not support this amendment.

Mr. HALL—Insurance is good in principle but its application under the conditions outlined in clause 103 is not practicable at present, although it will be essential in the long run. I once nearly ran into a car with my tractor. I was not specially careless, but an accident could have happened.

Mr. Heaslip—Being insured would not have helped you.

Mr. HALL—The people in that car would have got very little out of it. The member for Light by saying that the insurance companies would make a handsome profit at 12s. 6d. on each of 27,000 units is defeating his own object because the accidents in this State can easily be covered at 12s. 6d. each. An insurance man tells me that many farmers would not realize that they were required to insure their tractors because there would be no re-registration form to remind them. Before I can support this amendment, I stipulate, first, a nominal penalty of about £2 5s. for a few years until the system is working and, secondly, that there must be some reduction of the rate of £5 10s. or £5 12s. within a 20-mile radius. I must vote against this amendment. If it could be put right, I should vote for it.

Mr. SHANNON—The Treasurer suggested that the premiums here compared favourably with those in other States. I do not know whether he has talked to officials in New South Wales recently. If he has, he will know that third party insurance has been such a headache there that they have doubled their premiums. I was interested to hear my farmer colleagues suggest that farmers could carry their own insurance risks. Mr. Heaslip told us that the farmers should not be compelled to insure. If not, is it fair to compel a businessman to insure his fleet of motor vehicles? I am not impressed by the argument put forward by the members who plead for the unfortunate man on the land who is struggling and who might be compelled to take out insurance to cover not only himself but third party risks.

The Committee should delete the delicensing penalty. I am prepared to leave the amount of the fine to the court. If this amendment is accepted I will move to delete the provision dealing with the delicensing of a driver in these circumstances. I do not think it is required because we are dealing with a responsible section. The Treasurer referred to the costs of insurance to farmers but I assure him that despite my move in this matter I shall have more people on my side for protecting them as I shall against me for compelling them to take out insurance at a small cost.

Mr. HARDING—Many people do not realize that more implements are trailed now than ever before, and it is done not only by tractors but by motor cars. Once implements

used to be trailed on the side of the road at about four miles an hour, but now they are trailed in the centre of the road at about 25 miles an hour. This matter requires much thought and I have not yet decided how I shall vote.

Mr. HEASLIP—I want members who support the amendment to realize what insurance will cost the primary producer. The man within the 25 miles radius with 20 vehicles will pay up to £100 per year for third party cover, whereas outside it he would pay £12 10s.

Mr. DUNSTAN—The Treasurer said the other night when speaking on this matter that, if this amendment were passed and a tractor was on the road without being covered by insurance, it would be there unlawfully, which would put the driver in the wrong in connection with any accident and automatically make him liable for damages, but that is not the case. The statutory liability for negligence arises only out of statutory requirements involving duty of care. The lack of insurance would in no way affect the question of whether or not a man was liable for negligence. The court would decide whether he was negligent or not, and it would not matter whether or not a man had a driving licence or had his vehicle registered. There is a penalty in section 103. Section 70b (1) provides that a person shall not drive a motor vehicle on a road unless a policy of insurance complying with the Act is in force. It provides a penalty of 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. It goes on to provide:—

> Notwithstanding any other Act the minimum amount of any fine and the minimum period of disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—
>
> In the case of a first offence, if the court for special reasons thinks fit to do so, it may impose a fine of less than twenty pounds and order disqualification for a period less than three months.

It is true that if the court convicts it must disqualify but, of course, if the offence is completely trivial the court need not convict, in which case the penalty sections would not apply. That is under the Justices Act despite anything contained here. If the offence is of a trivial nature—and the Chief Justice has laid down that a trivial offence is something that occurs as a result of inadvertence—the court need not proceed to conviction and the penalty does not then apply. If the court decided that the circumstances were not trivial but that the matter was a mere case of inadvertence, it could say that it found that there was a special reason why it should not impose the minimum penalty. If it found it necessary to impose some penalty and proceed to a conviction the disqualification could be until the rising of the court, which would be, in effect, no disqualification.

It is a serious thing for a person to drive an uninsured vehicle on a road. Even if the Treasurer opposes an amendment to this clause, I think it is perfectly safe to leave the Act as it now stands. I do not think vehicles should be permitted on the roads without insurance. I am concerned for the unfortunate people who may be involved in accidents in these circumstances. I cannot concede that every farmer is in a position to pay £10,000 or more as damages. Farmers should not be silly enough to run the risk, but if they are why should the unfortunate person who cannot get damages or his widow have to suffer?

Mr. Corcoran—I suppose a number of owners would have no reason to take their tractors off their properties.

Mr. DUNSTAN—In those circumstances there is no necessity to insure but, if they are going to go on to the roads, they should have the same protection as other road users.

Mr. QUIRKE—I refuse to believe that all the farmers in South Australia are like the member for Rocky River (Mr. Heaslip). I do not think they will be troubled by the few shillings a year this amendment will cost them. The suggestion made by the honourable member that it will be necessary to have a separate policy for each vehicle is nonsense. It would be possible to have cover for any instrument drawn behind a tractor for 10s. or 12s. 6d. for the whole lot. Surely a comprehensive policy to cover every implement towed by a trailer could be drawn up.

The Hon. G. G. Pearson—For 12s. 6d.?

Mr. QUIRKE—Why not? That is the logical way to do this, particularly if it is put into an Act. There are machine shops at Clare for repairing heavy equipment and machinery, and machines can be drawn at 25 miles an hour from Spalding or Brinkworth under the 25-mile radius provision without being subject to registration or insurance.

Mr. Heaslip—You could not hold them at 25 miles an hour; you would pull them to pieces.

Mr. QUIRKE—The honourable member must still have the old iron-tyred implements. Modern implements are mounted on rubber tyres, and the honourable member could not catch them in his car, yet he is a fairly fast driver. Even if they travel at only 15 miles an hour they are still dangerous. I do not think any farmer wants to be relieved of his responsibility in this matter, and I am prepared to argue this matter with farmers in my district.

Mr. Bywaters—Farmers insure everything else.

Mr. QUIRKE—Of course they do. Third party insurance is to protect innocent third parties, who could be innocent children. I do not think many farmers now would agree that £10,000 does not mean much. I heard of one case in which paying a claim cost a man his farm. What is the difference between taking a tractor drawing an implement on the road and driving a truck at the same speed, if the third party has to get a guarantee that he will receive compensation? Is there any material difference between a tractor with a header behind it and a truck on the road travelling at the same speed? If anything, a truck may be safer. Provision could be made for appropriate penalties, and I cannot see any argument about this matter at all.

Mr. Harding—I cannot see any difference between a farm implement and a farm trailer, yet a trailer has to be registered.

Mr. QUIRKE—I do not think it makes any difference whether it is a trailer or a combine. I have heard no valid argument why these vehicles should not carry insurance. We compel the ordinary motorist to carry insurance to safeguard his own interests and the interests of people who may be injured. If the proposed penalties are too severe and a man is going to be delicensed under them, a different penalty can be prescribed. However, my main point concerns insurance, and I foresee that even though there have not been accidents in the past, that is no guarantee that they are not going to happen in the future, and when people travel over the hills roads around Clare with fast tractors drawing implements such as have been described an accident of this type could happen any time.

Mr. SHANNON—The member for Burra has raised an interesting point. A home owner has the opportunity of taking out what is known as a householder's policy which provides cover against all possible types of damage. I am certain the company in which I am interested, being mainly supported by farmers, will be the first in the field, if I have any say in it, to offer the farmer a comprehensive policy on all his machinery, including third party cover on such of his plant as requires it. That is not a difficult thing to do at all. One can get a cover on any mortal thing today. The Leader, when discussing this question with me outside the Chamber, said that this field of third party insurance should be from horizon to horizon, and I thoroughly approve of that policy in this field.

The Hon. Sir THOMAS PLAYFORD—I should like to correct one statement made by the member for Onkaparniga. The honourable member has two amendments on the file, and if this present amendment is carried I cannot for the life of me see why the second should not also be carried, because the implements dealt with in the second amendment are much more dangerous than the tractors, as they are frequently much wider and probably intrude more on the road. I should like to point out that if his amendments are carried it will definitely be necessary for every vehicle to be insured individually. Let me make that point quite clear. I have checked on that particular matter.

The Committee divided on Mr. Shannon's amendment:—

Ayes (20).—Messrs. Bywaters, Clark, Corcoran, Dunstan, Harding, Hughes, Hutchens, Jennings, Lawn, Loveday, McKee, Millhouse, O'Halloran, Quirke, Ralston, Riches, Ryan, Shannon (teller), Frank Walsh and Fred Walsh.

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Hall, Hambour, Heaslip, Hincks, Jenkins, King, Laucke, Nankivell, Pattinson, and Pearson, Sir Thomas Playford (teller), Mrs. Steele, and Mr. Stott.

Majority of 4 for the Ayes.

Amendment thus carried.

Mr. STOTT—I move—

In subclause (3) after "implement" to insert "or a trailer."

In the upper Murray districts, and elsewhere, many orchardists use small trailers when

harvesting oranges and grapes. Buckets are filled with produce and placed on a trailer which is hooked to a tractor and driven to the shed. In the meantime another trailer is being loaded and when the tractor returns with the empty trailer the newly laden trailer is hooked on and taken away; thus the chain is kept running. The tractor drawing these trailers is registered and would naturally be insured because the tractors in the upper Murray district are used for hauling big loads to stations, and the orchardist should be permitted to hook a small trailer behind the registered tractor for the purposes I have described. Many orchardists at Waikerie and Moorook, who, incidentally, have three or four trailers each, have requested this amendment. I cannot see the necessity for forcing people to register and insure these trailers, which they will have to do if the amendment is rejected. I can see no harm in permitting a trailer to be drawn behind a registered tractor when taking produce to a processing shed.

Mr. O'Halloran—Why the 25 miles?

Mr. STOTT—That would cover the orchardists I am referring to in the upper Murray district and in non-irrigated areas who use small trailers behind tractors in transporting their produce to processing sheds. In 99 per cent of the cases the 25 mile provision would apply.

The Hon. Sir THOMAS PLAYFORD—The honourable member kept saying that these trailers would be drawn behind registered tractors, but in this clause there is no suggestion that tractors would be registered at all: they obviously would not be registered. Whatever the honourable member is trying to do, this is not the clause where his amendment should be inserted. I therefore suggest that it be not accepted.

Amendment negatived.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 10.33 p.m. the House adjourned until Wednesday, November 25, at 2 p.m.