

**HOUSE OF ASSEMBLY.**

Tuesday, August 30, 1960.

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

**QUESTIONS.****BIRDSVILLE TRACK.**

Mr. O'HALLORAN—Has the Premier further information about proposals to improve the Birdsville track?

The Hon. Sir THOMAS PLAYFORD—I have now had an opportunity to discuss this matter with Mr. Jackman, the Highways Commissioner. It is proposed to do some work this year. The Engineering and Water Supply Department has advised that it will be able to undertake additional work this financial year, and £15,000 has been allocated for this work.

**GOOLWA PUMPING STATION.**

Mr. JENKINS—My question is prompted by a deputation from the Goolwa District Council and the fire-fighting services in that town. It appears that the booster pumping station that supplies water to the town is not always in operation and when not in operation the shed is locked and the caretaker goes away. It is found that there is no pressure in the mains during these periods and no possibility of being able to fight a fire effectively. Will the Minister of Works consider allowing a key to be in the hands of a responsible person so that, if a fire should break out, it could be used to start the pumping plant to boost the pressure?

The Hon. G. G. PEARSON—I will have that matter inquired into and report to the honourable member.

**MITCHELL PARK BOYS TECHNICAL HIGH SCHOOL.**

Mr. FRANK WALSH—A company known as Ex-Service Fibrous Plaster Works submitted a subcontract price with the successful contractor for the Mitchell Park boys technical high school, and the contractor informed me that he had to have one price for plaster sheeting and another for gyprock. Gyprock, I understand, comes from another State—mostly from New South Wales—and there is a difference in cost. With a view to using local materials for this work, is the Minister of Works prepared to reconsider the matter and use local materials to keep people in employment, as was done in the Mitchell Park primary school?

The Hon. G. G. PEARSON—I will ask the Director of Public Buildings to let me have the

docket. I will look into the matter again and see what the possibilities are.

**THEVENARD FISHING FACILITIES.**

Mr. BOCKELBERG—Until recently fishermen at Thevenard were able to land their fish on the jetty but since it was altered for bulk handling they have been unable to do this and have to clamber over the rocks below the freezing works. This practice is not safe and there is a serious risk of accidents, possibly fatal. Will the Minister look into the matter with a view to building a concrete landing at the place where the fishermen now have to land their fish?

The Hon. D. N. BROOKMAN—This matter has been discussed already and at the last discussion I had with the Director of Fisheries and Game I told him that I would get in touch with the honourable member in order to get a little more information. I ask the honourable member to give me a little more local information, and particularly a diagram of what is required, so that we may be able to help these fishermen. Whether this can be done early or not depends to a large extent, of course, on the expenditure involved.

**DECIMAL COINAGE.**

Mr. HUTCHENS—I have noticed in the daily press that a report has been made by a committee of the Commonwealth Parliament recommending decimal currency and that the Premiers of Victoria and Tasmania have expressed views in favour of decimal currency, saying that it is urgent to introduce it. Will the Premier say whether the introduction of decimal coinage would be of advantage to this State, whether it would be costly to the State, and whether he considers the matter to be urgent?

The Hon. Sir THOMAS PLAYFORD—The Commonwealth Government, as far as I know, has not supplied any State with a copy of the report on this matter, so that anything I say is from what has been reported in the press. I point out to the honourable member that several important decisions must be made by the Commonwealth Government before it would be wise to embark on much speculation on what to do. In other countries where there has been a change to decimal currency, the change has been brought about by an Act and at the cost of the superior Parliament. The cost of alteration will be very high, as many machines and documents will have to be altered. It will involve heavy expenditure in the Education Department particularly, as the

text books at present available will need altering. The cost will also be high to businesses, particularly those with accounting machines that will need to be radically altered to meet the circumstances. I presume that the Commonwealth Government will follow what has happened in other places and will meet the cost of what will be a change in policy by the Commonwealth authorities. If that is the case, I believe that the sooner the change is made the better because, although the expenditure will be high now, it will increase rapidly as the country develops. I believe that it should be done as soon as practicable, because the cost of changing, particularly with automation coming, will be increased every day by any delay. I believe that a decision should be made promptly, but it would be grossly unfair to every commercial activity if this radical change in Commonwealth policy were to be made at the expense of the community as a whole or at the expense of State or local governments. When all the ramifications are examined the cost of the change will be found to be very great indeed. This cost has been estimated at £7,000,000. I have not seen a report on this matter so I do not know whether that amount has been mentioned, but I believe the cost of the change would be nearer £40,000,000. In another country where the currency was changed, the cost in Australian money was, I think, about £42,000,000, and I do not believe the change here would cost much less than £40,000,000. However, I believe the overall benefit will be very substantial and I therefore support the change under the conditions I have mentioned.

#### BUILDING HEIGHT LIMITS.

Mr. CUMBE—An alteration of building height limits under the Building Act has been suggested. In view of the Government's intention to erect several buildings that are likely to exceed the present height limit, and the announced intention of several companies to erect buildings of 11 storeys in North Adelaide, has the Government considered raising the present height limit and, if so, can the Premier, as Acting Minister of Local Government, say when this alteration is likely to be effected?

The Hon. Sir THOMAS PLAYFORD—The Government has had a recommendation for an alteration increasing the building height limit very substantially under certain circumstances. I believe it is desirable that building heights should be increased. However, some new conditions attached to the recommendation would

impose on property owners conditions different from those at present contained in their freehold titles, and this matter has therefore been held up pending consideration of whether the Government should, by regulation, impose a condition upon a title to enable a person to use that area for building in accordance with the general provisions of the Act. Some limitations have always been imposed in this matter. For example, I think there has been for a long time a limitation that the height of a building should not exceed three times the width of the road or street in front of it. One or two fancy suggestions in the new regulations appeared to the Government to require further consideration before they could be accepted. For instance, one of the new suggestions was that to enable a building to go to a certain height the ground floor would have to be given over to a parking station, but that would introduce a new element into the regulations which I think were originally designed for safety purposes and the control of heights. Here we have something entirely new which appears to the Government to require much consideration before acceptance. Another provision was that if the owner wanted to go to the ultimate height he would have to abandon the use of certain of his land by putting back his building alignment a certain distance from the street. That appeared to the Government to impose on a freehold title a new restriction and that was another reason for the delay in the matter. I assure honourable members that this matter will be dealt with rapidly, as it is intended that important buildings planned soon will go beyond the present limit. I believe the Reserve Bank in Victoria Square is to be at least three storeys higher than any building previously built in the city of Adelaide and as the highest existing buildings are up to the present regulation height, that will involve fairly early consideration of the problem.

#### ASSISTANCE IN SCHOOLS.

Mrs. STEELE—Two resolutions were made at the recent conference of the State Association of School Welfare Clubs held in Adelaide. The first was a decision to recommend to the Education Department that clerical assistants be placed in the larger schools to relieve head teachers of much clerical work. The other decision was that the department should be asked to appoint caretaker-janitors in class I and II schools so that children would not have to do such jobs as cutting wood and cleaning gutters and lavatories. Can the Minister of

Education say whether action along those lines is proposed?

The Hon. B. PATTINSON—Provision of clerical assistants in departmental schools is made on the recommendation of the Public Service Board. This matter has been under consideration on a number of occasions over a period of years. Requests have been made by individual schools and the South Australian Public Schools Committees Association as well as the State Association of School Welfare Clubs. In addition, honourable members from time to time have raised questions in this House. There is a difference of opinion between the Education Department and the Public Service Board as to the basis that should be adopted in the provision of such assistants. The board is having an exhaustive examination made, but in the meantime it is recommending on the basis that one clerical assistant should be provided in technical high schools when the average enrolment reaches 600 and in other high schools when the enrolment reaches 1,000. The reason given for the difference in the bases in technical high schools and high schools is that at present all the large technical high schools in the metropolitan area have night classes as well as day classes and the materials handled involve considerably more clerical work than the high schools of a comparable size.

Regarding the second question, I have given much consideration to the matter and have had long discussions with representatives of the Teachers Institute and the School Committees Association and the Director of Education and departmental officers. The cost of instituting such a system on a widespread scale would be prohibitive at present, and the department simply could not afford it. However, Cabinet has decided to approve of the appointment of a full-time caretaker at the Forbes, Woodville, and Paringa Park primary schools. These appointments are on an entirely experimental basis and are not to be regarded as any departure from the established policy. We will try them out at these schools to see how they work from the point of view of protection and efficiency and to ascertain how the costs compare with the present costs of cleaners at schools.

#### GLENALTA STATION.

Mr. MILLHOUSE—During the last 12 to 18 months I have made representations several times to the Minister of Railways about the construction of a solid platform at Glenalta station on the main hills railway line.

On March 1 I received a letter from the Minister, part of which is as follows:—

With further reference to your letter of the 3rd ultimo—

that was, February 3—

regarding the replacement of the present step-down platform at the Glenalta station, I have to advise that I have now been informed by the Railways Commissioner that under a schedule of priorities, which naturally must have minor variations from time to time, depending on fluctuations in traffic, it is anticipated that such a platform as is requested will be provided at Glenalta prior to the end of the current financial year.

The platform has not yet been provided and we are now into the next financial year. Will the Acting Minister of Railways ascertain for me when this work is likely to be done?

The Hon. Sir THOMAS PLAYFORD—Yes.

#### “LEARN TO SWIM” CAMPAIGN.

Mr. TAPPING—Is the Minister of Education able to announce his department's plans for the conduct of the “Learn to Swim” campaign in the forthcoming season for scholars of all schools in South Australia?

The Hon. B. PATTINSON—Yes. Arrangements for the Education Department's “Learn to Swim” campaign for the coming season are already well in hand. It is expected that more than 20,000 boys and girls will attend weekly swimming lessons in school time and that over 20,000 will attend the special vacation classes. Lessons in term-time will commence as soon as weather permits after October 1, and vacation classes will be held from January 9 to January 20, inclusive. Vacation classes will be held at 94 centres—72 in the country and 22 in the metropolitan area. New country centres are expected to be established this year at Elizabeth, Ororoo, Penola and Lucky Bay (near Cowell). Centres in the metropolitan area will be at Seacliff, Brighton South, Brighton North, Somerton, Glenelg South, Glenelg North, Henley South, Henley North, Grange, Largs Bay, Semaphore South, Semaphore North, City baths, Kensington and Norwood pool, Barton Vale, Henley pool, Kent Town Salvation Army Boys Home pool, and at school pools at Adelaide girls high school, Burnside, Highgate, Linden Park, and Westbourne Park.

Instruction will be given by nearly 400 swimming instructors, most of whom will be teachers or Teachers College students. These classes will be open to children attending independent schools and colleges as well as the departmental schools. Since I announced the department's “Learn to Swim” campaign five years ago, enrolments in these swimming classes

reached the total of 156,000. With over 40,000 expected this year, the total enrolled for instruction over a six-year period should be 200,000. During the same time, it is expected that over 100,000 departmental swimming certificates and over 30,000 Royal Life Saving Society awards will have been gained by girls and boys throughout the State.

#### PROCESSED CHICKEN IMPORTATIONS.

Mr. LAUCKE—I have been advised that processed chicken is being imported into Sydney from America. The chicken is packed in 3½ lb. tins and selling for 17s. 4d. a tin. The landed price, I understand, is 13s. In this I see a major threat to our local chicken-raising industry and usage on the home market of wheat, oats, barley and so on. Will the Minister of Agriculture inquire into these importations and recommend suitable action to prevent what appears to be a dumping of this chicken in Australia?

The Hon. D. N. BROOKMAN—Yes; I will inquire.

#### PORT PIRIE TO BROKEN HILL LINE.

Mr. McKEE—I understand that the Commonwealth last year made available £50,000 for surveying the route of the proposed standardization of the Port Pirie to Broken Hill line. Is the State responsible for spending any of this money, or is the work being carried out entirely by the Commonwealth? Apart from an aerial survey, there appears to have been little activity. Can the Treasurer say how much of this money has been spent? If the £50,000 has not been spent, can he give some reason for the delay?

The Hon. Sir THOMAS PLAYFORD—The Commonwealth made available to the States £50,000 for survey work, and I believe a small amount of work has been completed in the South-East. The amount has been wholly expended; in fact, £51,000 was spent, so we overspent by £1,000. This year, the Commonwealth has made available another £10,000 for survey work, which will be spent by the South Australian Railways upon the Peterborough to Port Pirie line.

#### DRIVING LESSONS IN SCHOOLS.

Mr. HARDING—In today's *Advertiser* and the *News*, much prominence is given to the unnecessary loss of life caused through bad driving. In the two articles, mention is made of this by Mr. G. F. Webster. The article in the *Advertiser* states:—

Mr. Webster, who is assistant secretary of the National Roads and Motorists' Association,

said that this figure was based on results in the United States.

Mr. Webster said that the road accident rate could be cut by half if driving were introduced as a subject in schools. He goes on to say that in the United States schools driving was taught as part of the curriculum. The article continues:—

It was estimated that this system had saved 14,000 lives, prevented 140,000 injuries, and saved 457m. dollars in property damage in the past 25 years.

Will the Minister of Education obtain a report on this matter?

The Hon. B. PATTINSON—I have not read the article to which the honourable member refers, but nearly every other day I read or hear of some proposal by very earnest people that still another subject be taught in our schools. It seems to me that many people consider that a panacea for all ills in the world is for an infinite variety of subjects to be included in our school curriculum, and for the school teachers to shoulder more and more of the responsibility of the parents. In my opinion, our school curriculum is already overcrowded, and too few people are endeavouring to teach too many subjects to too many students. As a result the Education Department has not the staff, the equipment, or the finance to teach motor driving as a subject in our schools. However, the Director of Education has co-operated with the Commissioner of Police in the vacation driving classes that the police have been conducting, and he is prepared to co-operate with the National Safety Council in its proposal to establish a separate school to teach motor driving to young people. Beyond that, I feel that we cannot go. I shall be pleased to refer the honourable member's question to the department for a report, but I have discussed it with senior officers so frequently that I do not think any good purpose could be served at present, because it is beyond the realm of possibility that we could include this as a subject in our school curriculum.

#### ACCOUNTS OF ADULT EDUCATION CENTRES.

Mr. RYAN—Has the Minister of Education a reply to my recent question about the financial accounts of adult education centres?

The Hon. B. PATTINSON—Separate accounts are kept of receipts and expenditure at adult education centres in the country. However, no separate expenditure record is kept to make any allowance for the use of

secondary education buildings and other facilities which are used at Whyalla technical high school and to a lesser extent at other country secondary schools. Subject to this modification the figures for country adult education centres for 1959-60 are receipts, £32,512, expenditure, £120,657.

With regard to evening classes held at boys and girls technical high schools in the metropolitan area, records of receipts are kept separately, but the only record of expenditure kept separately is for the salaries of instructors. The 1959-60 figures for these metropolitan classes are receipts, £18,170, salaries of instructors, £19,609.

#### FRUIT CANNING INQUIRY.

Mr. KING—Can the Premier make a further report on the fruit canning industry inquiry?

The Hon. Sir THOMAS PLAYFORD—I answered a question about this matter a few days ago, but the information I gave was not quite correct. I thought the evidence had been concluded and that the report was in an advanced stage. However, Sir Kingsley Paine has reported as follows:—

Although a few gaps in the evidence sought remain to be filled (probably in a few weeks), the committee has commenced the preliminary drafting of the report.

#### MAIN NORTH ROAD.

Mr. CLARK—Has the Premier a reply to the question I asked on August 9 about the cutting up of the Main North Road?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highways reports:—

The holes which developed in the Main North Road near Smithfield were on the newly constructed eastern roadway. This pavement was compacted by rolling but needed some traffic to effect full compaction. It was not deemed desirable, however, to permit traffic on the raw base prior to laying the bituminous wearing surface, because the crushed stone pavement would have unravelled due to the high intensity of traffic in this locality. The first coat of asphaltic concrete was laid as a wearing coat on to which traffic was routed. This has permitted further compaction by traffic, but owing to an early winter a certain amount of moisture penetrated into the base causing a few patches to develop. These have been repaired and, following the laying of the final asphaltic concrete wearing surface, no further trouble should be experienced.

#### SCHOOL TELEVISION PROGRAMMES.

Mr. RALSTON—In the *Sunday Mail* of August 27, on page 76, appeared an article concerning the use of television in schools, wherein it was claimed by the Australian Broadcasting Commission's Supervisor of Youth

Education, Mr. Ivor Francis, that television school lessons in South Australia were now reaching 1,000 children in grades II and VII. In view of that can the Minister of Education inform the House whether it is the department's intention to provide television sets for schools and, if not, what is its attitude on the matter; and, secondly, whether any arrangements have been made between the Education Department and the A.B.C. to televise programmes for educational purposes?

The Hon. B. PATTINSON—I read the article to which the honourable member referred. I think it indicates an extremely creditable performance on the part of the A.B.C., for which I am personally much indebted. Of course, 1,000 students are only a small minority of the 171,000 children attending our departmental schools. At present television programmes are not regarded as an essential or even important part of what the school provides for the child. Under these circumstances television receiving sets are not provided by the Education Department, nor are subsidies paid on them. In fact, the use of television in our schools is restricted. Approval is only given to schools to take television school programmes under certain conditions, one of which is that the school concerned is able to obtain a receiving set or sets on loan or hire or by gift or by purchase. The department does not accept any financial responsibility for them at all. This is in line with the policy of the Education Departments in New South Wales and Victoria where no subsidy or other assistance is given to schools in obtaining television sets. I point out that that is after three years' experience in New South Wales and Victoria.

The present programme of telecasts to schools is regarded by the A.B.C. and the Education Department as experimental only. At present the A.B.C. is providing only three telecasts of 20 minutes a week for about 33 weeks. These are not live telecasts originated in this State, but telerecordings selected from those made in New South Wales and Victoria. An additional service which the A.B.C. has provided, and which is greatly appreciated, is three demonstration lessons to be given this year as live telecasts to students in training to be teachers. One of these lessons has already been given and the dates arranged for the other two are Wednesday, September 7, and Wednesday, September 28. The lesson that was given was a great success and much credit is due to the A.B.C. and to the officers of the department who took part in it. In view of

the restricted time available, television school programmes are at present confined to grades II and VII in our primary schools.

#### DEBT COLLECTION VAN.

Mr. LOVEDAY—I understand the Premier has a reply to my question about the operations of a debt collection van.

The Hon. Sir THOMAS PLAYFORD—I have referred this matter to the Crown Solicitor and I have a report from him which the honourable member may see. In addition to that report, he has furnished the following reply:—

The conduct described by the honourable member has already come to the notice of the police in this State. I have been advised that the criminal law of South Australia is quite able to cope, rapidly and effectively, with anything of the kind. I have been further advised that any individual harmed by such tactics (if, as was suggested, the wrong house was picked) would be able to bring a civil action in the courts and could recover heavy damages. In the result, therefore, it is felt that no amendment of the law is necessary to cope with the clearly vicious and unlawful behaviour described.

#### MILLICENT SCHOOLS.

Mr. CORCORAN—Has the Minister of Works a reply to a question I asked during the debate on the Loan Estimates regarding major additions to the high school and primary school at Millicent?

The Hon. G. G. PEARSON—Major additions proposed at Millicent comprise a new primary school building at an estimated cost of £148,000 and a new high school building at an estimated cost of £333,000. The new primary school will contain 12 main classrooms of Mount Gambier stone and the high school 15 main classrooms and two craft centres similar to the Marion high school.

#### MYPOLONGA PLANTINGS.

Mr. BYWATERS—Has the Minister of Irrigation a reply to a question I asked last week regarding additional plantings in the Mypolonga area?

The Hon. Sir CECIL HINCKS—The Secretary for Irrigation reports that in response to the department's circular to lessees of irrigation holdings at Mypolonga applications have been received for approval to irrigate approximately 250 acres. Estimates of the cost of providing the new installations that would be necessary to irrigate the additional area have been obtained. The Agriculture Department is now being asked for a report on the

suitability of the soils in the areas which the settlers desire to irrigate and, when this report has been received and considered, a decision will be made on the proposal.

#### NORTH-EASTERN ROADS.

Mr. O'HALLORAN—Has the Minister of Works information in reply to a question raised by a deputation from the North-Eastern Stock-owners' Association recently?

The Hon. G. G. PEARSON—The Leader introduced a deputation regarding the road works programme in the north-eastern part of the State, and I have a report that commences by indicating that £154,223 was spent last year and was split up amongst various roads, including those in the north-west as well as the north-east. The Commissioner of Highways has advised that this year £160,000 has been allotted to the Engineering and Water Supply Department for road works outside council areas. For the purposes of comparing with last year's expenditure, the £160,000 must be added to the amount that the Commonwealth makes available for the Port Augusta to Woomera road and for the Commonwealth contribution for the road from Penong to Eucla. Of the £160,000 made available by the Commissioner of Highways, £70,000 is allotted for district roads and £43,000 for main roads in the northern district. Last year, in addition to the £154,000, the department purchased plant for roadmaking purposes in the far north of the State at a cost of about £50,000. An estimate is being prepared of the probable cost of placing the Birdsville-Marree track in better condition and later additional funds will be provided for this work and for the additional plant that will be required to set up a new road gang to carry out the work.

#### WOODCHESTER BRIDGE.

Mr. JENKINS—Has the Premier a reply to a question I asked on August 16 relating to the building of a new bridge over the creek adjacent to Woodchester?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highways advises that the bridge referred to is that over the Rodwell Creek near Woodchester on the Woodchester-Callington main road No. 237. Re-alignment of the road at this bridge site will be necessary and will require the construction of a new bridge downstream from the existing structure. It is planned to construct the new bridge during 1961-62.

## SEWERAGE REGULATIONS.

Mr. HUTCHENS—In the *Government Gazette* of August 18 appear amendments to the regulations under the Sewers Act, 1929-1955, extending over about 50 pages and dealing with variations and amendments to the Act that plumbers are supposed to observe. As they are not tabled in the House, I feel there is no opportunity for the people concerned to lodge protests. Will the Minister of Works state whether master plumbers or registered plumbers are advised of these regulations in any way other than by gazettal? As these regulations monetarily affect householders and others, will the Minister take up with Cabinet the advisability of amending the Act in order that these regulations will be tabled like others for consideration and approval or otherwise by Parliament?

The Hon. G. G. PEARSON—The investigations into suggested amendments to the sewerage regulations were undertaken by a departmental committee which made the proposed new regulations available to the Master Plumbers Association. That association studied the regulations for some time, and suggested certain alterations. It had ample opportunity to consider the new regulations. I understand the practice of submitting the regulations to that association follows a long-standing practice observed by my predecessors, and it ensures that changes are discussed with the plumbers before they are gazetted. The Master Plumbers Association is therefore aware of the contents of the new regulations. Generally speaking, the regulations do not make any sweeping changes in plumbing practice. They provide in the main for two things, firstly, that new materials, new devices, and new methods of plumbing which constantly arise with the progress of time have been incorporated, and better materials and better methods now available are accepted in the regulations as being proper practice. Secondly, as sewerage is extended to country towns it becomes necessary under the Sewerage Act for country plumbers to be qualified and to be registered before they legally can make a connection between country premises and a Government sewer. Provision is therefore made in the regulations for people practising as plumbers in country towns to continue practising and to be entitled to provisional registration during the period in which they may qualify for examination as registered plumbers. The regulations provide for that objective. They have been revised to bring them up to date, which, of course, is necessary from time

to time. I had been under the impression that the regulations had been tabled in this House. They are, in fact, in the hands of the Government Printer now, and, as soon as they can be supplied, they will be available to plumbers to enable them to ascertain what the changes are.

## NORTH ADELAIDE RAILWAY CROSSING.

Mr. COUMBE—I recently asked a question regarding the provision of automatic crossing gates at the North Adelaide railway crossing. Much congestion has been caused at that crossing during the past week, and I was nearly involved in an accident that could have been fatal to me or to someone else. Has the Premier, as Acting Minister of Railways, a reply in this matter, and can he say whether action can be expedited?

The Hon. Sir THOMAS PLAYFORD—The position may have altered slightly during the past week, but a report of the Commissioner of Railways dated August 22 states:—

The conference between departmental officers and officers of the Adelaide City Council, referred to by Mr. Coumbe, has been held, and I understand that general agreement has been reached on the technical aspects of the problem. However, the decision of the Adelaide City Council is awaited.

## RECREATION RESERVES.

Mr. FRED WALSH—I understand the Premier has a reply to the question I asked recently concerning the powers of councils regarding the closure of recreation reserves. Can the Premier indicate the terms of the negotiations between the Woodville Corporation and a local football club regarding the leasing of the area that I have concerned myself with?

The Hon. Sir THOMAS PLAYFORD—I have a letter from the Town Clerk of the Woodville Corporation which sets out the reply. In reply to the general question, the Director of Local Government states:—

Part section 482, Hundred of Yatala, comprising an area of approximately 5½ acres, was purchased by the Corporation of the City of Woodville in 1951. In the attached letter dated August 22 the Council states that the area was originally enclosed with a 3ft. 6in. cyclone wire fence, but due to vandalism to buildings this has been replaced with a 6ft. cyclone wire fence topped with two barbed wires. It is suggested that the honourable member for West Torrens be informed, in reply to his inquiry of August 9, that any council is empowered to take such action as it deems necessary to protect its freehold property, and that it may let any such property for any term up to 50 years.

The letter from the Corporation of the City of Woodville is available for the honourable member, and he may peruse it and take copies of it if he so desires.

#### PERPETUAL LEASE LAND.

Mr. LAUCKE—I understand that when lands held under perpetual leasehold conditions are put up for auction, the consent of the Minister of Lands is necessary before such land is transferred to a new lessee. I seek information from the Minister on the following two points: firstly, before consenting to transfer, is consideration given to the extent of current holdings of the intending purchaser and, secondly, is preference given to an intending purchaser whose present landholding is limited and who requires extra land to build up an economic unit?

The Hon. Sir CECIL HINCKS—The honourable member indicated to me on Friday that he would ask this question today, and I have the information he requires. Actually, I think there are three questions, and the answers are as follows:—

1. The consent of the Minister of Lands is required to any sale of perpetual leasehold, whether the land is sold by auction or private contract. When offering leasehold for sale by auction, it is customary for the agents to stipulate that any sale is subject to the consent of the Minister, and that settlement cannot take place until after consent is obtained.

2. In dealing with any application to transfer leasehold, all holdings of the proposed purchaser must be taken into account. A transfer which would increase the purchaser's holding beyond the limitations which are permitted under the Crown Lands Act cannot be approved. The department has no control over the sale of freehold land.

3. The department can only deal with an application to transfer as lodged. The question of preference to an intending purchaser therefore does not arise, as it is the lessee's prerogative to decide to whom he sells, except that a transfer to a person who is ineligible under the Act could not be approved.

#### MURRAY BRIDGE ROAD BRIDGE.

Mr. BYWATERS—Has the Premier, as Acting Minister of Roads, a reply to my question relating to the painting of the Murray Bridge road bridge?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highways reports that investigations in connection with the painting of a

structure of this size to decide the best method and type of paint to be used are necessarily lengthy, and have not yet been completed. It is still planned to commence this work during this financial year.

#### GLENCOE-KALANGADOO ROAD.

Mr. HARDING—Prior to the closing of the narrow gauge railway, an assurance was given, and since then many questions have been asked in this House, with reference to this proposed new main road, the southern portion of which is in the Tantanoola council area. Will the Treasurer obtain information on the following points:—(1) Has the re-alignment of this road been agreed upon and, if so, has sufficient land been purchased for this purpose? (2) Will sufficient money be made available to the councils concerned to complete the new formation during the current year? (3) Has the Highways Department commenced crushing and stockpiling suitable metal and screenings for the sealing of this road? (4) Is it anticipated that any portion (particularly that in the Tantanoola area, which has been formed for 12 months or more) will be sealed during the current year?

The Hon. Sir THOMAS PLAYFORD—I will get the information for the honourable member.

#### LYRUP ELECTRICITY.

Mr. STOTT—At present the Renmark Irrigation Trust controls the electric power supplied to the Lyrup irrigation area, and the power-line constructed by the Renmark Irrigation Trust many years ago is now becoming obsolete and worn out. Many residents at Lyrup are finding that the power-lines are totally inadequate to carry the electricity necessary to meet the requirements of that area. Negotiations have been entered into by the Electricity Trust of South Australia to take over the Renmark Irrigation Trust supply in order to provide a more modern service. So far, the opinion of the Electricity Trust is, I understand, that the Renmark Irrigation Trust is asking too high a price for the take-over by the Electricity Trust. The Renmark Irrigation Trust is loath to put in new power-lines because, if the Electricity Trust takes over, it would not warrant the expenditure. In the meantime a deadlock has been reached. Will the Treasurer undertake to make representations to both the Renmark Irrigation Trust and the Electricity Trust of South Australia to overcome the deadlock so that the people of Lyrup may get an adequate electricity supply?



The Hon. Sir THOMAS PLAYFORD—I will obtain a report from the chairman of the trust on this matter. I point out to the honourable member that, so far as I know, the Electricity Trust has no power to extend its operations into any district unless the local government authority gives it a charter so to do. In many places the Electricity Trust is selling electricity in bulk and the local authority is retailing it to its customers, and I think it will in some instances continue to do so because it makes a handsome profit on the sale. The practice of the local authority is to hang on to this scheme. The Electricity Trust is obviously not prepared to pay high prices for obsolete equipment, nor does it consider, as it goes into any district on a non-profit-earning basis, that that is advisable because if it does pay a considerable sum for assets of no real value, the consumer ultimately has to pay for it, as no-one else does.

#### MOUNT GAMBIER STONE FOR SCHOOL.

Mr. RALSTON—Has the Minister of Works a reply to the query I raised on the Loan Estimates regarding the use of Mount Gambier stone for the Mount Gambier technical high school?

The Hon. G. G. PEARSON—The information is as I expected, namely, that the time factor does not permit of the erection of a solid construction school to keep pace with the required intake. The first stage of the Mount Gambier technical high school is required for school opening in February, 1961, and will be a timber construction, as this is the only type of construction that will allow this target to be achieved. A solid construction school will follow later.

#### BROKEN HILL ROAD.

Mr. O'HALLORAN—I understand the Premier, as Acting Minister of Roads, has some information to give the House on the improvement of the Broken Hill road from Mingary to Cockburn and of the narrow bridges on that road?

The Hon. Sir THOMAS PLAYFORD—Yes. The Commissioner of Highways reports that funds have been provided in the programme for 1960-61 to commence widening of the narrow bridges and construction of the road between Mingary and Cockburn. It is expected that both these projects will be commenced early in 1961.

#### LADY GOWRIE DRIVE.

Mr. TAPPING—Has the Premier a reply to my question of last week concerning the Lady Gowrie Drive?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highways states:—

A road reserve has been opened in front of Fort Largs, and funds have been provided by this department to the Corporation of the City of Port Adelaide to construct a road in front of the fort during 1960-61.

#### BULK HANDLING INSTALLATIONS

Mr. McKEE—Has the Minister of Works any information regarding a question I asked on the Loan Estimates about the expenditure of £17,000 for bulk handling installations and additional shipping accommodation?

The Hon. G. G. PEARSON—The sum of £17,000 in question relates to the completion of outstanding commitments at Port Lincoln in connection with the bulk handling installation and new shipping accommodation at that port. It is not provided for at Port Pirie.

#### MILANG WATER SCHEME.

Mr. JENKINS—Has the Minister of Works a reply to my question about the Milang water scheme that I asked during the debate on the Loan Estimates?

The Hon. G. G. PEARSON—The item of £4,000 for the Milang water supply in the Loan programme for 1960-61 is for the completion of the secondary pumping station for chlorination purposes.

#### APPRENTICES' STATIONERY.

Mr. BYWATERS—Has the Minister of Education a reply to my question regarding the provision of stationery for country apprentices?

The Hon. B. PATTINSON—As there was some doubt as to whether the Apprentices Act empowered me to supply country apprentices with stationery and stamped addressed envelopes as suggested by the honourable member, I referred the matter to the Crown Solicitor for his opinion. He has now advised me that the Act does not permit the provision of stamps or stationery out of public funds for the apprentices referred to.

#### DRIVING TESTS.

Mr. STOTT—Will the Premier consider introducing legislation this coming session to provide for driving tests under the Road Traffic Act?

The Hon. Sir THOMAS PLAYFORD—An amendment to the Road Traffic Act will be before the House in due course and I think it would be rather difficult to deal with its various provisions at this stage. It is a very

big Act. The question of driving licences has been examined many times, and at present it is not intended to alter the Act in that respect.

Mr. STOTT—Can the Premier say whether Cabinet has considered the Police Commissioner's recommendation about compulsory tests; has it considered the fact that people over 70 years of age must undergo tests before their licences are renewed; has it considered the fact that at present teenagers, without any knowledge of how to drive, can obtain driving licences; and has it considered that part of the Police Commissioner's report which states that teenagers are responsible for many of the accidents in this State?

The Hon. Sir THOMAS PLAYFORD—Cabinet has considered all aspects of this matter. It has also examined legislation which has operated in other States and the results that have accrued therefrom. Some of the other States provide for various types of tests, including an examination of vehicles before they are permitted on the roads. This is a debatable question, but information reveals that accidents occur, not through inexperience, but because drivers drive too fast, do not give way at intersections to vehicles on their right, and do not pay attention to their driving or keep the necessary look-out at all times. Careful statistics have been made, and these tend to reveal that learners are probably the safest drivers on our roads.

Mr. Stott—Don't you realize you can cancel their driving licences—

The SPEAKER—Order!

The Hon. Sir THOMAS PLAYFORD—I pointed out in my earlier reply that it was not desirable at present to debate this matter. A Bill will be introduced soon and it can be thoroughly debated in Committee.

Mr. Stott—Are you prepared to listen to the debate?

The SPEAKER—Order!

The Hon. Sir THOMAS PLAYFORD—If the honourable member wants this matter considered by Parliament when the Road Traffic Act Amendment Bill is before the House, he may move an amendment in Committee.

Mr. Stott—Will you consider it?

The Hon. Sir THOMAS PLAYFORD—This question has been discussed by Cabinet, and it has been considered by Parliament on a number of occasions, but Parliament has not given

effect to the honourable member's suggestion. I point out that his suggestion, if adopted, would have serious consequences in country areas.

#### MAIN NORTH ROAD DRAINAGE.

Mr. LAUCKE—Has the Premier a reply to my recent question regarding the drainage of the Main North Road south of Templers?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highways reports that the raising of the road and the construction of adequate flood openings on the Main North Road at Templers are being investigated with a view to removing the hazard as soon as funds can be made available.

#### RAILWAY CROSSINGS.

Mr. HUTCHENS—Has the Premier a reply to my question of August 16 concerning railway crossings, when he suggested it might be advisable to draw a line across the road to warn people that they must not approach within 10ft. of a railway crossing?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highway reports:—

The department does not paint any transverse stop lines on roadways adjacent to stop signs erected at road intersections. Any line or studs which do exist at these locations have been installed by local government authorities in an attempt to define the point at which vehicles should stop where special conditions prevail, i.e., lack of visibility or large pedestrian crossing volumes. The South Australian Railways Commissioner and the Commonwealth Railways Commissioner have the power to erect stop signs at level crossings without reference to any road authority and without gazettal. No accurate records are held departmentally but, as far as can be ascertained, stop signs have been erected by the South Australian Railways at at least 93 level crossings throughout South Australia. It is not known how many stop signs the Commonwealth Railways Commissioner has erected.

The roads upon which these stop signs are erected are not necessarily main roads under the control of the Highways Department. In some cases the pavement would not be bituminized. Some of the stop signs are erected at level crossings already protected by flashing lights (wig-wags). Although there would be some advantage in putting stop lines at all level crossings, no specific steps have been taken by this department to do so as:—

- (1) The department does not control the erection of stop signs at level crossings and has no accurate records where such installations exist.
- (2) Some of the approach roads are not maintained departmentally and hence uniformity of any special line system would be difficult to achieve.

- (3) Transverse lines require frequent maintenance and personnel are not available for frequent repainting, especially in rural areas.
- (4) A study would need to be made of all sites in order to determine a standard practice most suitable for line marking.
- (5) Records available to the department do not show that any accidents have occurred because vehicles have approached too close to the lines before stopping.
- (6) It has therefore been considered that the benefits gained from marking such lines would not warrant the cost involved.

#### KANGAROO MEAT.

Mr. FRED WALSH—Has the Premier a reply to the question I asked on August 16 about the preparation of kangaroo meat at Fulham Gardens?

The Hon. Sir THOMAS PLAYFORD—The Director-General of Public Health reports:—

The premises at Westminster Avenue, Fulham Gardens, are conducted by Avitraders Limited of Gay's Arcade, Adelaide, and are used for the purpose of preparing kangaroo carcasses for pet food and for human consumption. Existing legislation states that any person receiving carcasses other than for the purpose of obtaining flesh for human consumption is conducting a noxious trade, and is required to conduct such a business within the defined noxious trades area. Any premises in which a noxious trade is being carried out would not be regarded as suitable for the preparation of flesh for human consumption. In the circumstances the two trades cannot be carried out simultaneously in the same premises in the metropolitan area.

An inspection of the property by an officer of this department, accompanied by officers of the Metropolitan County Board and the Woodville Local Board, has revealed that the standard of cleanliness and the general conditions of handling the carcasses are unsatisfactory for preparation of flesh for human consumption. As the premises are situated within the area under the control of the Woodville Local Board of Health, the Central Board has referred the case to that board for necessary action along the following lines:—

- (1) If carcasses are being received at the premises for the purpose of preparing them for pet food the company is conducting a noxious trade within the meaning of the Noxious Trades Act, and should discontinue the business or move to the defined noxious trades area;
- (2) While the business is conducted outside of the noxious trades area all carcasses received must be considered as being for preparation for human consumption and the premises must be conducted accordingly.

#### UNIMPROVED LAND VALUES.

Mr. NANKIVELL—In view of the higher land values now prevailing throughout South Australia, has the Minister of Lands contemplated amending the Crown Lands Act this session to increase the value of unimproved land that can be held under the leasehold by any one person? The present limit is £7,000.

The Hon. Sir CECIL HINCKS—This matter is being considered.

#### ELECTRICITY POLES.

Mr. BYWATERS—Has the Premier a reply to my question of August 10 concerning the erection of electricity poles on private property?

The Hon. Sir THOMAS PLAYFORD—The General Manager of the Electricity Trust reports:—

Concerning electricity poles on private property, as indicated in my reply to the question raised by the honourable member for Murray, the Electricity Trust did alter its procedures and introduced an allowance, which I am now informed is £200 a dwelling, in estimating the capital cost which is to be used for calculation of standing charge on new extensions to groups of residents in rural areas. This places the country consumer on the same basis as the average metropolitan consumer in respect of the amount of work the trust will do before any special charge is made.

In the case quoted by the honourable member, it appears that the owner of the property concerned already had a supply of electricity at one point, and in order to save the cost of extending this supply to a second point, had requested the trust to give supply at the second point. In such circumstances, the trust makes a charge for the second service. The trust also makes a charge in cases where more than two poles are required for an extension, such charges being refundable in accordance with a set schedule for connection of additional consumers on the line within 10 years.

#### LEFEVRE BOYS TECHNICAL HIGH SCHOOL.

Mr. TAPPING—Has the Minister of Education a progress report on the building of the LeFevre boys technical high school?

The Hon. B. PATTINSON—I have been advised by the Director of the Public Buildings Department that tenders for the LeFevre boys technical high school will be called on September 1, and that it is expected that a contract will be let for the work early in October.

#### HILES LAGOON.

Mr. O'HALLORAN—Has the Premier a reply to my question of August 10 about the salt content of Hiles Lagoon?

The Hon. Sir THOMAS PLAYFORD—The lagoon, known as Hiles Lagoon, about three miles south-east of Terowie has not been examined by the Mines Department and no analyses of salts from the lake floor are on record. An investigation of the salt deposits in this lagoon will be made soon.

#### MAN IN BLUE.

Mr. HUTCHENS—Has the Premier a reply to the question I asked on May 3 about an extension of the *Man in Blue* services?

The Hon. Sir THOMAS PLAYFORD—The Deputy Railways Commissioner reports that under present working additional expense would be involved if the announcer were rostered regularly for weekend duty. However, he is in attendance during holiday periods and for Gawler race meetings. This matter is being kept under constant review and should weekend passenger patronage eventually justify it, consideration will be given to the request.

#### VICTORIA ROAD, BIRKENHEAD.

Mr. TAPPING—Has the Premier a reply to the question I asked on August 10 about the need to duplicate Victoria Road, Birkenhead?

The Hon. Sir THOMAS PLAYFORD—The Commissioner of Highways reports:—

It is understood that the accident referred to by Mr. Tapping occurred opposite Walker Street on the section of the roadway that has already been duplicated, and approximately 200 yards from the section where it converges to a single carriageway, so it is unlikely that the accident was due to the fact that the roadway had not been extended further north. It is proposed to extend the duplication as soon as funds can be made available.

#### STUART COMMISSION COSTS.

Mr. RICHES (on notice)—

1. What was the cost to the State of the Stuart Royal Commission?

2. What was the cost to the State of defence counsel at this Royal Commission?

3. What payments were made to—(a) Mr. Starke; (b) Mr. O'Sullivan; (c) Miss Devaney; and (d) Mr. Villeneuve Smith?

The Hon. Sir THOMAS PLAYFORD—The replies are:—

1. £10,900.

2. £4,484 ls.

3. The foregoing £4,484 ls. was paid to the firm of J. D. O'Sullivan and Helen Devaney, for costs in respect of the services of Mr. J. E. Starke, Q.C., £3,119 ls.; Mr. O'Sullivan, nil; Miss Devaney, £682 10s.; and Mr. Villeneuve Smith, £682 10s.

#### PENSIONERS' HOSPITAL CHARGES.

Mr. RICHES (on notice)—

1. Is the Hospitals Department accepting as full settlement of accounts, payments received from health insurance associations by pensioners paying nine pence per week?

2. Does this apply only to pensioners in receipt of the full pension and with no other income?

3. Is any review of this policy contemplated as a result of the new formula for determining eligibility for the pension?

The Hon. Sir THOMAS PLAYFORD—The replies are:—

1. Not in all cases. The actual amount to be paid is dependent upon what income other than the pension the pensioner receives and what assets, other than personal assets (i.e., house and furniture, etc.) which the pensioner owns.

2. No. Pensioners may be in receipt of a small supplementary income in addition to the pension without being required to pay anything more than the payment received from the hospital insurance organization.

3. It is not intended that the scale of remissions should necessarily be adjusted upwards with each increase in the basic wage or pension standards, but the matter will be reviewed on its merits when appropriate. The officers of the Hospitals Department will study the proposed new formula for determining the eligibility for the pension and, if it is considered appropriate, will make a recommendation with regard to the scale of remissions.

#### PORT AUGUSTA HOSPITAL.

Mr. RICHES (on notice)—

1. When is it proposed to commence work on construction of new "backs" of the women's ward at the Port Augusta hospital?

2. What has been the cause of the delay in commencing this work?

The Hon. G. G. PEARSON—The replies are:—

1. In approximately three weeks' time.

2. It has been necessary for the contract to be carried out in stages to enable the normal functions of the hospital to be continued.

#### KIDNAPPING BILL.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer) obtained leave and introduced a Bill for an Act to make provision for the punishment of kidnapping and for other purposes. Read a first time.

The Hon. Sir THOMAS PLAYFORD—I move—

*That this Bill be now read a second time.*

The object of this Bill, as its long title indicates, is to make provision for the punishment of kidnapping. In view of recent events with which all members are familiar I need not stress the desirability of a measure of this kind. It is enough to say that the Government and people of this State, no less than those in other parts of Australia, were shocked and disgusted with recent happenings in New South Wales and the Government has accordingly decided that adequate legislative provision should be made in case any person in this State should feel tempted to embark on similar activities. Although, happily, kidnapping and similar offences have not been frequent, or even usual, in British communities and, indeed, have been practically unknown in this country, it is necessary that adequate steps should be taken to ensure that the law is not found wanting. The fact that this offence has been so rare is the reason why legislation in all States has probably not taken any particular notice of it. Nearly every State has, however, now followed the lead of New South Wales in introducing legislation to deal with this offence.

The common law does, of course, make some provision for the offence of kidnapping, that is, the carrying off of a person against his will or against the will of his parents, and the offence is punishable by fine and imprisonment. Our own Criminal Law Consolidation Act also provides by section 80 for the punishment of child stealing which carries a term of imprisonment for up to seven years. It is felt that neither the common law nor the provision to which I have just referred goes far enough either by way of definition or by way of punishment to meet what is universally regarded as an extremely serious offence.

Accordingly, clause 2 is designed to cover any form of enticement, abduction, seizure or carrying off of any person whether for ransom or reward or for any other purpose, to the intent or whereby such a person may be held, confined, imprisoned, or prevented from returning to his home, or removed from the State. The maximum penalty is imprisonment for life and a whipping may be ordered. The clause is drawn in the widest possible terms and is designed to avoid as far as possible any loopholes. Subclause (2) provides that a person under the age of eighteen shall be incapable of consenting to being carried off.

I believe that clause 2 is self-explanatory. Clause 3, which is in two parts, covers demands of money or property with menaces or threats in relation to life or safety either of the person or of property. The clause is in two parts. Subclause (1) relates to the demand of money or property, while subclause (2) covers threats whether accompanied by demands of money or property or not. It is considered desirable to have both subclauses, so that two separate offences are created and proceedings appropriate to the circumstances may be taken under either one. The demand or threats, it will be observed, may be made by any means whether by writing, by word of mouth or otherwise. The Criminal Law Consolidation Act does provide for the demand of money with menaces (section 195) but this provision is limited to written demands. Section 160 provides for demanding money with menaces, but there must be an intent to steal. Similarly, there are provisions relating to threats to burn or destroy, but these are limited to written threats and the Statute appears to make inadequate if any provision to cover threats to life or property in general, particularly oral threats. For example, a person might telephone a parent suggesting that if a sum of money were not paid something might happen to a child or a relative or that something might happen to certain property. The object of clause 3 is to cover possible cases of this kind.

The Government has attempted in this Bill to cover kidnapping and threats in the widest possible terms. As I have said already, kidnapping has fortunately been a rare event in this country, but the Government believes that in view of the changed circumstances and the rapid technical advances that have been made in recent years the time has come for legislation that will act as a deterrent should anyone be misguided enough to attempt what every section of the community regards as one of the worst of crimes.

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

#### COUNTRY HOUSING ACT AMENDMENT BILL.

Read a third time and passed.

#### STATUTES AMENDMENT (PUBLIC SALARIES) BILL (No. 2).

Read a third time and passed.

#### PUBLIC FINANCE ACT AMENDMENT BILL.

Read a third time and passed.

ADMINISTRATION AND PROBATE ACT  
AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 11. Page 581).

Mr. BYWATERS (Murray)—I support the Bill on behalf of the Opposition. It is a lengthy measure and is mainly to tidy up legislation that has been in force for many years. It is surprising that this Act has been in operation for so long with such little amendment; this shows that in the past it has been sufficient to cater for the needs, but it is apparent that it is necessary now to tidy up some parts of the legislation. Legislation of this kind is consistently brought down by the Government to bring sums of money mentioned in it into line with present-day values. This, of course, has become necessary because of the increasing inflationary trend, and it is one of the purposes of this Bill. Another purpose of the measure is to bring this legislation into line with present-day trends and, as the Treasurer said, to streamline it. Apparently, in the past delays have been caused by the need for the Public Trustee to go to a judge of the Supreme Court for orders, and this has caused hardship to some people. As a result it has been necessary to amend the legislation to provide that, when the Public Trustee feels there is no danger to the public, it is not necessary to go to a judge. I am particularly interested in clause 11, which amends section 102 of the principal Act. This, in effect, controls money for making good losses incurred in various estates. Obviously, over the years the fund has increased and it now contains a large sum. The Treasurer in his second reading explanation said that the fund stands at more than £77,000. Whereas in the past it was necessary for the Public Trustee to hold this money in an account or to invest it, it is now proposed that the money shall be kept by the Treasurer who, after all, is the person responsible should an occasional claim arise. The fact that the fund has reached £77,000 with very little drain on it over recent years indicates that it is wise that the fund should be placed in the hands of the Treasurer, who can allot the money should the need arise, although that is most unlikely. The Treasurer said:—

It is proposed to make different provision in respect of this common fund reserve account. Instead of leaving these moneys in an account kept by the Public Trustee, it is proposed that the whole fund, together with future credits, should be kept in the Treasury and not invested as part of the common fund or carrying interest.

Apparently this money will not be invested in the future, and as it is expected that the fund will increase rather than decrease I wonder whether the same provision could be made as was made last week when a sum was discovered in the Treasury not being used and was allocated for country housing. Perhaps this money, or a portion of it, could be allocated to something of that nature which would benefit those elderly people who are now feeling the stress of the times. I feel that this Bill is necessary to bring the Act into line with present day conditions and values, and I therefore support the second reading.

Mr. SHANNON (Onkaparinga)—This legislation has some bearing on people's lives. The Bill represents a straightening out of our law, mainly relating to the Public Trustee, as the ordinary trustee companies are not very much concerned with this legislation. I wish to say a few words about the methods by which people with fairly large estates can legally avoid probate and succession duties. The impact of these charges upon deceased estates is encouraging people to seek avenues whereby they can avoid the payment of what would normally be their just dues from their estates when they are administered. Well-informed circles have told me that as the impact of probate and succession duties has gradually become greater so have the incentives for people to seek avenues through which these taxes can be legally avoided. One of the main stratagems adopted in this field is for the owner of considerable property to float himself into a limited company, in which he can include members of his family. By drafting the terms under which the company is floated he can arrange his affairs so that on the day preceding his death his entire interest in his estate vanishes and becomes the property of the survivors in the company.

It seems an extraordinary state of affairs that one can legally take such action. The expected date of his death is, of course, unknown, but I am informed that under such an arrangement his interest in his estate is deemed to vanish as at the day prior to his death. That state of affairs can continue *ad infinitum* because, after all, the senior survivor will take the same steps. My legal friends in the Chamber have heard of similar things and have probably drafted similar arrangements for clients. They are within the law and there is nothing in them about which to be ashamed. After all, I suppose that no-one wants to see his estate cut up

entirely. Under our existing law some large estates, by virtue of a succession of deaths, have become not only seriously embarrassed but almost whittled away, the residue being very small. We had the experience in this Parliament of a member dying and other members of his family dying in quick succession afterwards, the estate passing from one to the other, succession duties being levied at each death, and the estate being seriously embarrassed as a result.

I feel that a deterrent to these moves would be a more realistic approach to the amount we take from an estate upon the death of a person. I have heard some members say that succession duty was the taxing of the dead and that, as it was a heinous crime to tax a man after he had left the earth, it was beyond the realms of decency. I do not subscribe to that view, because the State has to carry on its affairs. A deceased person may have accumulated an estate during his life-time or received some help from his forebears in accumulating his worldly wealth, and he must expect to pay something into the coffers of the State. I do not suggest for one moment that this tax should be abolished, but I believe that we should look at the impact of succession duties and approach the matter realistically in order to encourage people to adopt the attitude that it is not worthwhile involving themselves in some form of company law in order to avoid the impact of those duties. It would discourage people from wanting to share the interest in their property, because they would feel that it would be preferable to control what they own in the knowledge that those that come after would not be hit too hard but would be able to afford the succession duties demanded by the State. We would, in effect, get more revenue.

I am interested in the State's getting a reasonable share by way of succession duties, and I think that where we are erring at the moment is in seeking to get more of the cake than the average wealthy person thinks we are entitled to. With those few comments, as a suggestion to the Treasurer when he is looking at this form of revenue, I suggest that he investigate this matter to see whether we are losing overall rather than gaining by imposing high rates of duty. I think that probably we are losing. In fact, information given to me on a Commonwealth-wide basis is that we are actually just getting into the maelstrom of this type of tax evasion. Perhaps that is an over-strong term, because "evasion" is not strictly accurate as these people are

evading not a legal duty but what would be a legal duty if they did not take these legal steps to set up companies of the type I have mentioned.

I believe that other States are looking at this matter. It seems to me that the matter cannot be allowed to drift, because that would mean that all the States' coffers would suffer. I think the Treasurer would be the first to admit that in lean times the revenue from succession duties on big estates represents a nice little nest egg to tide the State over. I believe the time will come when the State will be unable to look to such revenue if something is not done legislatively. Everyone realizes that it is foolish to involve an estate in a charge that may be legally avoided, and it is up to us to start thinking about how we can see that a reasonable sum is paid to the Treasurer as succession duties.

I offer no objection to the Bill which regularizes things that have been done down through the years and which is probably overdue in that respect. I believe that it gives the Public Trustee some financial advantages which I do not deny him and which I do not object to. I think they are a reasonable approach to the Public Trustee's financial arrangements within his own department. They give him some advantages which I think he should have. I support the Bill.

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

#### MILE END OVERWAY BRIDGE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 11. Page 582.)

Mr. LAWN (Adelaide)—I support the second reading. The Tramways Trust has discarded the trams, and the lines have been taken up. The Bill provides that the control of the bridge shall revert to the Thebarton corporation, and that the bridge previously maintained by the trust shall in future be maintained by the Commissioner of Highways. I communicated with both the Adelaide City Council and the Thebarton corporation to ascertain the views of those bodies. I have been advised by the Adelaide City Council that the Bill does not affect it in any way. I have also been advised that the Thebarton corporation is happy to control the bridge, as provided by the Bill.

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

## JUSTICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 11. Page 574.)

Mr. HUTCHENS (Hindmarsh)—On behalf of the Opposition, I say that we do not object to this Bill. When I moved the adjournment, I did so for the member for Norwood (Mr. Dunstan), who unfortunately had been called away on urgent business. I assure the House that the Bill has been examined. Under section 57a, as explained by the Minister of Education, provision is made for a person charged with a minor offence to tender a plea of guilty in writing, so that he or she shall not be penalized to any great extent by compulsorily losing time by appearing in the court and waiting there for many hours until called upon to answer the charge. This, of course, aids the expediency and stops the cluttering up of the court for a long time by the calling and hearing of people answering charges there. Also, it saves the public much inconvenience.

As I know from a certain member opposite, who does much work on the bench as a justice, the persons that it helps are the justices, who give their time voluntarily, and the defence. Unfortunately, however, when the law sets out to assist people, it is always found that there are exceptional people who will abuse a privilege and thus compel this Parliament, reluctantly, to amend the law so that such cases may be dealt with. This Bill sets out to do that.

Section 62c of the principal Act makes it necessary for the court, after finding a person guilty to the extent that a term of imprisonment must be imposed or that his driving licence must be suspended, to adjourn so that he may be heard on the question of penalty. It does not take long for the decision of the court to be learnt, but what is commonly known as the "smart Alec" in society finds ways and means of avoiding summonses issued by changing his address or by not being at his residence when the "man in blue" is seen approaching. The Bill by clause 4 adds to section 62c a new subsection that will enable the court, when it is satisfied that the clerk has taken all possible steps to serve a summons and receipt of the summons has been evaded by the defendant who has been found guilty, to proceed to the penalty. We believe that this is necessary and that once a person offends against the law he should be made to pay the penalty. Therefore, we deem it a wise and proper Bill and wholeheartedly support its second reading.

Mr. CUMBE (Torrens)—Briefly, I support the Bill. I confine my remarks to the amendment of section 57a. I have checked this position with some prominent justices who sit in the metropolitan area and in the country in minor courts and deal with the type of offence that this is principally designed to meet. I recall the experience I had some years ago before entering the House and when sitting in the courts. I know this decision will be welcomed by not only the justices but also the defendants, because they can save certain fees. Possibly, the Government will greatly appreciate it as it may be that we shall not see so many motor cycles belonging to the police outside the courts in future. The only ones to suffer from this Bill may be certain members of the legal profession, but they will benefit no doubt in other ways.

Although there has been a provision for some years whereby a person can plead guilty and avoid having to appear in court—it has been there under the *ex parte* provisions—this Bill now means that evidence will not have to be given if a written submission is made pleading guilty to certain types of offences. For these reasons, I support this Bill. In fact, I believe it is long overdue and will be welcomed by all sections of the community.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Procedure for plea of guilty to be entered in writing."

The Hon. B. PATTINSON (Minister of Education)—I move to add the following new paragraph:—

(aa) by substituting for the words "or a solicitor or a police officer" in subsection (2) thereof the words "for any State or Territory of the Commonwealth or a solicitor duly admitted and entitled to practise as such in any State or Territory of the Commonwealth or a police officer of any such State or Territory".

Section 57a (2) of the principal Act provides that a defendant on whom forms of complaint and summons are served pursuant to that section may plead guilty to the charge by completing the form on one copy thereof and signing his name on the completed form before a Justice of the Peace or a solicitor or a police officer and serving the document in accordance with that section.

The Royal Automobile Association has made representations that where the forms of complaint and summons are served on a defendant outside the State, if the defendant wishes



to plead guilty, he could be obliged to complete the form before a Justice of the Peace, solicitor or police officer of South Australia and this could involve unnecessary delay and expense. The amendment is intended to make it clear that the plea of guilty could be signed before a Justice of the Peace, solicitor or police officer of any State or Territory of the Commonwealth.

Amendment carried.

The Hon. B. PATTINSON—I move—

In new subsection (11) to add after "Council", being the last word of paragraph (c), the following:—

- ; or
- (d) of a county board constituted under or pursuant to the Food and Drugs Act, 1908-1954, or the Health Act, 1935-1960, or declared to be a county board by the Health Act, 1935-1960; or
- (e) of a local board of health constituted pursuant to the Health Act, 1935-1960.

The object of this amendment is to widen the definition of "public officer" contained in the new subsection (11)—added to section 57a of the principal Act by clause 3 (d)—to include an officer or employee of a county board or of a local board of health. This would place officers of those boards on the same footing as officers of municipal and district councils so far as the procedure envisaged by section 57a is concerned. The amendment, which was sought by the Metropolitan County Board, is reasonable and logical as county board and local boards of health are vested with powers similar to those of municipal and district councils, and, if approved, would have the effect of extending the application of that procedure to appropriate cases initiated by officers of those boards.

Amendment carried; clause as amended passed.

Clause 4 and title passed.

Bill read a third time and passed.

#### MONEY-LENDERS ACT AMENDMENT BILL.

Second reading.

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

*That this Bill be now read a second time.*

This Bill effects two simple amendments to the Money-lenders Act. Clause 3 amends section 7 which requires a company making an application for a licence to forward a statement showing the names of all the shareholders and

their holdings. In the case of a large Australia-wide company such a list compiled at great expense appears to serve no useful purpose. In the first place, by the time it is completed it is no longer correct because the shareholding is changing from day to day, and secondly the document is a very large one and is of no real use to the court hearing the application. When the principal Act was enacted such large Australia-wide companies were not in contemplation and the requirement of section 7 gave rise to no great difficulty. In the New South Wales legislation the requirement is limited to cases where the company has 50 shareholders or less and it is proposed to amend our own Act so to provide.

The second amendment, effected by clause 4, is of a technical character. Section 7 of the principal Act provides that a licence is to be obtained from the local court nearest to the place of business or principal place of business of the applicant. There is some doubt concerning the position of a large company formed outside the State but registered in South Australia as a foreign company. Such a company has, of course, a "place of business" in South Australia but in some cases it may have several places of business. It is questionable whether any, and if so which, of several places of business is the company's principal place of business. One view is that such a company requires a licence in respect of each place of business. Another is that such a company requires only one licence, several additional addresses being added to that licence.

Section 10 of the principal Act empowers a local court to approve of such additional authorized addresses on an original licence and the argument is that the local court which issues the original licence may itself approve of additional addresses whether they are within its ordinary jurisdiction or not. This argument leads to the view that only one licence is required however many places of business a company has. Clause 4 is designed to get over the doubts and difficulties to which I have referred. It will amend section 10 by limiting the power of a local court to approve additional addresses to addresses within that local court's district. The effect of the amendment will be to make it clear that, where a company has a number of places of business within the State, some of which are in one local court district and others in other local court districts, the company will be able to obtain licences from all the local courts concerned covering the respective places of business. This would obviate the doubts which have been

based on the question whether a foreign company has a "principal" place of business within the State. As I have said, this amendment is purely technical.

Mr. HUTOHENS secured the adjournment of the debate.

#### REAL PROPERTY ACT AMENDMENT BILL.

The Hon. B. PATTINSON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Real Property Act, 1886-1945. Read a first time.

The Hon. B. PATTINSON—I move—

*That this Bill be now read a second time.*

Its object is to make three amendments of an administrative order to the Real Property Act. Clause 3 (a) will enable the Registrar-General in the exercise of his power to correct errors in certificates of title or the register book to disregard the differences between stated boundaries and actual boundaries measured on the ground within certain limits. The limits proposed, which have been taken from those in other States, are two inches where the length of a boundary does not exceed one hundred and thirty-two feet and a limit of one in five hundred where the length of the boundary line exceeds one hundred and thirty-two feet. Similar provision exists in Western Australia and Victoria. In connection with this amendment, members will appreciate that a good deal of work is involved in the correction of measurements in certificates of title and it is obvious that a measurement correct to one or two inches could hardly be expected. Indeed, it would be rare, I believe, to find complete agreement between surveyors in many cases. It appears to the Government that the Registrar-General should be relieved from an obligation to correct errors where the discrepancies are so small. I may add that the Institution of Surveyors is in agreement with the proposed amendment.

Clause 3 (b) will add to the special powers of the Registrar-General set out in section 220 of the principal Act the power to destroy records, documents, instruments, plans and the

like which in his opinion serve no useful purpose subject however to the approval of the Attorney-General in each case. Apart from the fact that registration is the important feature of the transactions under the Real Property Act, it will be appreciated that there are many many thousands of documents registered in the Lands Titles Office which have lost their significance and could safely be destroyed. Some obvious cases are duplicates of totally cancelled certificates of title, duplicates of mortgages which have been discharged and duplicates and triplicates of leases which have been surrendered. At the same time, even in these cases, there might be some instruments that contain original matter and which ought not to be destroyed. For these reasons the Government has decided that the safest procedure is to empower destruction only on the approval of the Attorney-General.

Clause 4 amends section 272 of the principal Act in two ways. That section provides that before a person can be licensed as a land broker he must give to the Registrar-General a bond of £500 with two sureties each in £250. These amounts are completely out of date and it is proposed to raise them to £1,000 with two sureties each in £500. As land brokers are not required to give an annual bond the two will be prospective only. Subclause (b) of clause 4 will provide that in the event of the death of a surety a fresh bond must be given within thirty days. This clause will apply not only in future but also to any existing cases where a surety has died. As members will see, the amendments are all of a machinery nature.

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

#### MOTOR VEHICLES ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments.

#### ADJOURNMENT.

At 4.34 p.m. the House adjourned until Wednesday, August 31, at 2 p.m.