HOUSE OF ASSEMBLY.

Thursday, October, 20, 1960.

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

POLICE PENSIONS ACT AMENDMENT BILL.

His Excellency the Lieutenant-Governor, by message, recommended to the House of Assembly the appropriation of such amounts of the general revenue of the State as were required for the purposes mentioned in the Bill.

QUESTIONS.

STANDING ORDERS.

Mr. FRANK WALSH—As a result of an article that appeared in this morning's press relating to the freedom of members, and in view of yesterday afternoon's debate, will you, Mr. Speaker, favourably consider calling a meeting of the Standing Orders Committee to review certain of our Standing Orders?

The SPEAKER—I shall be happy to examine the request and, if necessary, to refer the matter to the Standing Orders Committee for investigation.

RELAXA TABS.

Mrs. STEELE—Has the Minister of Lands, as Acting Leader of the House, obtained a reply to a question I asked the Premier some time ago regarding control over the sale of Relaxa Tabs?

The Hon. Sir CECIL HINCKS—The Under Secretary reports as follows:—

The information from Great Britain has not yet been received. The National Medical and Research Council in Canberra is endeavouring to obtain the information. A reminder has been sent to Dr. Cook, who is chairman of the Poisons Sub-Committee, and he stated that they are awaiting reply from the Principal Medical Officer at Australia House. The Director-General of Public Health is going to Canberra next week to a meeting of the committee and will take up the matter with Dr. Cook personally.

MUSEUM DIRECTOR.

Mr. BYWATERS—Has the Minister of Education obtained a reply to a question I asked during the debate on the Estimates regarding the appointment of the Director of the Adelaide Museum?

The Hon. B. PATTINSON—The Museum Director reached the age of retirement early in the year and was authorized to continue in an acting capacity until the end of September. At the present moment Mr. Norman Tindale, Curator of Anthropology and the next senior officer, is Acting Director. Applications have been invited in Australia and overseas for this position and they are at present with the Public Service Commissioner. Only yesterday morning I had a discussion with the Commissioner and with the Chairman of the Museum Board (Sir Mark Mitchell) concerning the applications. I expect that the Public Service Board will be in a position to make a recommendation for the appointment of a Director at an early date.

BORDERTOWN PRIMARY SCHOOL.

Mr. NANKIVELL—Recently I received a letter from the Bordertown primary school committee concerning urgent work that would be necessary at the present school if there were to be any delay in the erection of a new school on a new site. Can the Minister of Education say what progress has been made towards obtaining a new site and what stage has been reached in planning the erection of the new school?

The Hon. B. PATTINSON—I can give the honourable member an interim report. It is not the intention at present to obtain a new site for the erection of a new school at Bordertown. Some classes are accommodated in the old premises with an area of three-quarters of an acre and the remainder in the larger grounds across the road measuring 5¼ acres. The Education Department considers that with the addition of 2¼ acres to the south, for which negotiations are proceeeding at present, these grounds will be satisfactory in area and situation for the school of the future. However, in view of the suggestion from the school committee, the District Inspector of Schools has been asked to investigate the proposal that a new site should be acquired. Consideration has also been given to the need for a new primary school building on the existing site. It has not been possible to approve of the erection of buildings merely for the sake of replacing existing rooms while the demand for buildings in newly settled areas and in rapidly expanding areas is so great. However, the needs of the Bordertown primary school will be kept in mind. In the meantime, the Public Buildings Department has been asked to carry out a number of works to modernize the existing premises and provide the school with modern facilities.

WHYALLA BRIDGE.

Mr. LOVEDAY—Has the Minister of Works obtained a reply from the Minister of Roads to my recent question relating to a bridge at Whyalla?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, has informed me that the possibility of constructing another bridge over the Whyalla to Iron Knob tram line opposite Norrie Avenue has been discussed between officers of the Highways Department and the Broken Hill Proprietary Company. The matter is still being investigated, and a survey for a possible by-pass, which would incorporate this bridge, will be carried out soon.

SEWAGE FARM.

Mr. COUMBE—A number of cases of hepatitis amongst children have recently been reported in Enfield and Prospect districts, and it has been suggested that the incidence of this disease may have resulted from the sewage farm at Islington. Will the Minister of Works take this matter up with his colleague, the Minister of Health, to see whether this is so, and if it is, whether it can be prevented or minimized in some way? At the same time, will the Minister see that the proposed early replacement of this sewage farm by the Bolivar scheme will be proceeded with without interference so that at an early date the sewage farm will be removed from Islington?

The Hon. G. G. PEARSON—I shall be pleased to make the inquiry the honourable member suggests. I know that there is much concern about the spread of this disease in the community, and that no doubt gives rise to the thought in some people's minds that there may be some possibility of contamination from the sewage farm, but, although I am not a health authority, I believe that to be highly improbable, because it appears that this disease is not airborne and requires close contact with contaminated matter. I shall be pleased, through my colleague, to obtain expert opinion for the honourable member. Active steps are being taken to proceed with the removal of the sewage farm from this area; land has been acquired, and I believe that in the last few days the first steps towards the physical work of establishing the new project have been undertaken. Generally speaking, this project has for some time been regarded as urgent, and all the manpower and money we can provide will be devoted to it.

WILPENA POUND.

Mr. RICHES—It was my privilege to revisit Wilpena Pound over the holiday week-end, and I can confirm the statement by the Director of the Tourist Bureau that there were at least 6,000 visitors there on that occasion. I believe that the road into the Pound should be resited, that the gates should be replaced by cross-overs, and that additional ablution blocks should be provided for day visitors. I feel that the Flinders Ranges have at last come into their own and that it is now a matter of catering for the public which is visiting and which will continue to visit the area in large numbers, from other States as well as from other parts of South Australia, in future. Will the Minister of Lands, representing the Premier, seek a report from the Director of the Tourist Bureau on the three points I have raised?

The Hon. Sir CECIL HINCKS—Yes, I shall be pleased to do so.

ANGORICHINA HOSTEL.

Mr. HARDING—Has the Minister of Lands, representing the Premier, a reply to my recent question regarding Government assistance to the Angorichina Hostel, and will he say whether the inmates of that hostel are allowed a rebate on railway fares?

The Hon. Sir CECIL HINCKS—The following assistance is granted by the Government:—

1. An annual grant of £500 is made to the Tuberculosis Soldiers' Aid Society which runs the Angorichina Hostel.
2. A special grant of £500 was made in 1958 to repair buildings at Angorichina Hostel.
3. A 50 per cent rebate on rail freight of goods carried between Angorichina Hostel and Adelaide has been granted.
4. Tubercular soldiers are included in the category of blind and incapacitated soldiers, and accordingly receive free rail travel.

RELIEF PAYMENTS.

Mr. RYAN—Last Thursday I brought to the notice of the Premier the fact that the Children's Welfare Board had adopted a policy whereby it was penalizing people for having television sets. The Premier promised to obtain a report regarding the department's policy in the matter. Can the Minister of Lands, representing the Premier, say whether that report is available? If it is not, will he have the matter treated as urgent? If people are being penalized as a result of this policy, they are suffering severe financial loss.

The Hon. Sir CECIL HINCKS—I regret that the report is not yet to hand, but I shall endeavour to obtain it by Tuesday next.

RELIEF LOANS.

Mr. HUGHES—I recently asked the Premier whether it would be possible for arrangements to be made between the Children's Welfare and the Police Departments whereby the police in certain cases could be empowered to allocate small sums of money (say, up to £5) to people in necessitous circumstances. I believe that the Premier has had an opportunity to take up that matter with the Children's Welfare Department. In the absence of the Premier, has the Minister of Lands a reply?

The Hon. Sir CECIL HINCKS—The report from the Chairman of the Children's Welfare and Public Relief Board states:—

The Children's Welfare and Public Relief Department is represented throughout the State by town and district clerks and by local police officers. These representatives receive applications from local residents for relief, and transmit them to the department, where they are dealt with expeditiously. In cases of urgency, the representatives may telephone this office to obtain assistance. The department will, on receipt of the verbal information and in anticipation of the subsequent receipt of the necessary application form, forward a cheque for immediate needs by the next mail. If the destitution must be relieved even more quickly (as, for example, if a weekend intervenes), the representative is authorized by telephone to arrange credit for necessary supplies at a local store on a promise that a departmental cheque is being forwarded forthwith. These arrangements have been in operation for many years, and there appears to be no need to provide, throughout the State, cash advances that would be used only infrequently.

ROAD SHOULDERS.

Mr. LAUCKE—A timely reference has been made by a visiting American transport authority to the inherent dangers to road traffic through lack of concrete or similar solid shoulders on the side of some of our bituminous highways. For a long time I have noted that light motor cars, of short wheel base in particular, meet with a dangerous situation when, on moving over to the left side of the road, with the left wheels over the edge of the bitumen and on the eroded lower level of the road shoulder, any hurried attempt to return to the bitumen proper results in differential wheel speeds with a major danger of capsizing the vehicle. With this in mind, will the Minister of Works ask his colleague, the Minister of Roads, to specially consider the provision of solid shoulders to bitumen pavements in this State?

The Hon. G. G. PEARSON—Yes. I will gladly refer the question to the Minister. I do not know whether there is any easy solution to the problem. In regard to this solid pavement, which the honourable member suggests is a fairly wide one, the effect of providing a narrow concrete or any other solid pavement on the edge of the existing bitumen would be merely to make the road a little wider and cause the point at which the trouble would occur to be a little further to the left or the near-side. Bitumen does break away to some extent but it may prove to be cheaper and more effective to extend the edges of the bitumen rather than provide a concrete apron which would, unless it were fairly wide, do just what I have said it would: cause potholes and erosion on the edge of the concrete itself. However, I am not an expert in these matters and do not know what the costs involved would be.

BANK ADVANCES.

Mr. QUIRKE—In the last two days I have addressed to the Treasurer questions about restriction of credit to primary producers and suggested that it already operated in South Australia. In an article in today's *Advertiser* those fears have been confirmed, for the Commonwealth Treasurer (Mr. Holt) in reply to a question in the House of Representatives said:—

Some primary industries might find it difficult to obtain additional bank finance as a result of the Government's credit restriction policy.

Then it goes on with some pious hopes that it will not be too bad after all. I hold that that is a dangerous policy and whilst, on the one hand, primary producers are urged to produce and increase exports by £300,000,000, here is a brake on the very policy that they are urged to uphold. Will the Government of South Australia use its full weight in protest against something that will damage the producers of South Australia if continued?

The Hon. Sir CECIL HINCKS—I have not here a reply from the Treasurer but will take the matter up and endeavour to get a reply by Tuesday next.

PROPOSED HIGHWAY.

Mr. FRED WALSH—For practically 30 years there has been agitation at various times for the construction of a highway along the old Glenelg to North Terrace railway route, and arguments have been advanced for and against. One argument advaneed against the project has been that the road converges too

closely to the Anzac Highway at Camden. The matter has recently been taken up again by the Brighton, Glenelg, Marion and West Torrens councils, who have agreed to ask the Government to consider the construction of the highway along that route. Will the Minister of Works take up with his colleague, the Minister of Roads, the matter of the early construction of such a highway and, if the arguments advanced in respect of the closeness of the road at Camden to the Anzac Highway prevail, will the Government consider as an alternative route the diversion of the new highway at the Marion Road junction along Mooringe Avenue, linking up with Morphett Road?

The Hon. G. G. PEARSON—Yes; I will refer the matter to the Minister of Roads.

RIVER TORRENS CROSSINGS.

Mrs. STEELE—Has the Minister representing the Premier an answer to my question addressed to the Premier some time ago about bridges over the River Torrens in that part of the Burnside electorate?

The Hon. Sir CECIL HINCKS—The Minister of Roads reports:—

The Commissioner of Highways advises that the forward planning of the department for north-south through traffic includes new bridges over the Torrens near Marden and Sydenham, but as available funds are required for works of higher priority it is not anticipated that either will be constructed in the immediate future. Other crossings in the north-eastern area will provide mainly for local traffic and will be investigated later in conjunction with the local authorities.

LAND SETTLEMENT.

Mr. DUNSTAN—Has the Minister of Lands further information relating to the case of Mr. C. F. Siviour?

The Hon. Sir CECIL HINCKS—I have the following reply:—

A property adjacent to that offered by Mr. Cawthorne was purchased by the Department for War Service Land Settlement purposes, but the price paid for that property was less than the price asked by Mr. Cawthorne for his holding. The price for the neighbouring block was at the rate of £21 14s. an acre. The price at which Mr. Cawthorne offered his property was approximately £17 7s. an acre. The difference in price an acre, therefore, was £4 7s. but the two properties are not comparable on that basis.

In the case of Cawthorne's holding, very little land development had been undertaken, only 175 acres having been sown down, cultivated or developed to any satisfactory extent. There was no house on this property. On the other hand, on the neighbouring holding a considerable area had been sown down to "mother" Palestine Strawberry Clover and grasses. The area had been used for the production of strawberry clover seed by a foremost south-eastern land developer and seed producer. In addition, a further area had been broken up ready for seeding, and also a further area of scrubland had been made ready for burning. Of the total area offered and purchased, approximately 900 acres had been developed or was in some stage of development.

This property also had a newly erected modern timber-frame three bedroom, tiled roof dwelling with slow combustion stove, hot water service and one 10,000gall. rainwater tank. In addition to the Land Board, and the Land Development Branch of the department the Parliamentary Committee on Land Settlement inspected this property.

HEPATITIS IN SCHOOLS.

Mr. FRANK WALSH—I ask the Minister of Education if the necessary equipment and material have been made available to the heads of schools for preventing the spread of hepatitis in schools?

The Hon. B. PATTINSON—I understand that such material is available. If not, I will ensure that it is made available.

TINTINARA WATER SUPPLY.

Mr. NANKIVELL—Recently I presented the Minister of Works with a petition from residents of Tintinara who asked that consideration be given to providing either a permanent township water supply or a temporary supply that would, in due course, be connected to the proposed Tailem Bend to Keith water scheme. I understand the Minister has considered the matter and is now able to reply.

The Hon. G. G. PEARSON—The honourable member's representations have been considered and at present I am awaiting a written report and recommendation from the Engineer for Water Supply. I understand that negotiations with the Railways Commissioner for the use of his water supply at Tintinara have been satisfactorily concluded. (At least I know that the Commissioner has stated his terms, which appear to be satisfactory to the department.) The next point that arises is that as it will not be possible for some time to supply water to Tintinara from the major Tailem Bend scheme (although it is intended that Tintinara will eventually be served by it) the department is, I think, favourably disposed to laying mains to reticulate the town and using the Railways Commissioner's supply temporarily to supply the mains. It must be made clear, however, that the pressures may be somewhat below normal standard because the pressure tank in the railways yard is comparatively low.

Because of the major development later it is not considered necessary to take steps to raise the level of the pressure tank as it would be only a temporary requirement in any case.

Provided the town's residents understand the position and are prepared to accept the limitations which the temporary scheme will impose, then the department is prepared to recommend that the work proceed. There is one problem, namely, the two-storey hotel where the water supply to the upper floor may be somewhat unreliable. The proprietor might be advised, in his own interests, to install a small pump to ensure supplies to the upper floor. As I said, I am awaiting a report from the Engineer for Water Supply who, I think, will probably suggest that the District Engineer visit Tintinara to make inquiries and possibly to address a meeting, which may be convened through the good offices of the district council, to explain the position to residents, and to get their formal acceptance of the proposal.

BUNGAMA ELECTRICITY SUPPLY.

Mr. RICHES—Last week I presented a petition to the Premier from the residents of Bungama asking that their application for an electricity supply be given a higher priority on the list of works to be carried out by the Electricity Trust. Has the Minister of Lands, as Acting Leader of the House, anything to report?

The Hon. Sir CECIL HINCKS—I have a report from the Assistant Manager of the Electricity Trust as follows:—

The petition from 16 residents near Bungama asking for electricity supply has been noted and the matter will be investigated. Unfortunately, owing to the amount of similar work in hand, it will probably be about 18 months before this particular area can be dealt with. In the last five years, the trust has provided electricity supply to over 25,000 country residents, the figures being as follows:—

Financial year.	
1956	4,520
1957	4,386
1958	4,508
1959	5,360
1960	6,685
	25,459

The rate of connection has been stepped up in the last two years and in both years the number connected in the country exceeded those connected in the metropolitan area. This had never previously been achieved. Despite this accelerated programme, record numbers of country applications for supply are still being received and delays cannot be avoided. The application in question will be dealt with as rapidly as possible taking into account commitments already in hand.

MURRAY BRIDGE ADULT EDUCATION CENTRE.

Mr. BYWATERS—I have often raised the question of the appointment of a full-time clerical assistant for the principal of the Murray Bridge adult education centre. Has the Minister of Education anything further to report on this matter? If not, will he take it up with the Public Service Commissioner to see whether a clerical assistant can be provided for the commencement of next year?

The Hon. B. PATTINSON—I am not aware of the present position, but it may well be that the Director of Education has already taken the matter up. If not, I will ask him to do so. I do not refer questions to the Public Service Commissioner: the head of the department does that and then he makes a recommendation to me for Cabinet.

ABSCONDING DEBTORS.

Mr. COUMBE—Has the Minister of Education a reply from the Attorney-General regarding my question about extraditing from other States persons commonly known as absconding debtors?

The Hon. B. PATTINSON—As promised, I referred the whole matter to the Attorney-General. We have since discussed it and we consider that much could be said both for and against the present practice. However, the Attorney-General has obtained a lengthy report and recommendation from the Crown Solicitor which will be considered in Cabinet on Monday. I hope to be in a position next week to let the honourable member have a considered reply.

PORT LINCOLN FREEZING WORKS.

Mr. FRANK WALSH—Can the Minister of Agriculture supply any information about the question I asked the Premier last week regarding the availability of space in the Port Lincoln freezing works for the fishermen's co-operative?

The Hon. D. N. BROOKMAN—The freezing capacity of the Port Lincoln Produce Department works is 160 tons of tuna in five days. There is plenty of storage. Freezing is the limiting factor. The Government Produce Department ensures that as much freezing space as possible is available for tuna. From February onwards this space is little used for sheep, and the tuna business is partly complementary to the sheep slaughtering work of the department. The 1,300 tons of tuna caught in early 1960 was satisfactorily dealt with between the Safcol cannery and the

department. Some forecasts are that the tuna catch will be doubled next season. It is possible that the freezing capacity will be overloaded.

It should be understood that there is nothing to prevent the co-operative itself from making further provision for freezing. Leaders of the co-operative have expressed appreciation of the Produce Department's efforts. They have, however, asked for further improvements whereby the department lowers its temperatures and accelerates the freezing. Last season two fans were installed in one chamber but there was insufficient tuna at the end of the season to test these. The general question is being investigated from the points of view of engineering and economics. A leading authority on refrigeration (Mr. Dunkerley, of Melbourne), has been called in to advise. He has been at Port Lincoln this week and will be returning today. His report is expected to be made in a fortnight.

HAMLEY BRIDGE ROAD BRIDGE.

Mr. LAUCKE—Last year I was informed by the Highways Department that the existing long, narrow bridge that spans the River Light just south of Hamley Bridge was to be replaced this financial year. As there is still no evidence of action to resite this bridge, will the Minister of Works obtain a report from the Minister of Roads on when it is proposed to begin work on the new bridge?

The Hon. G. G. PEARSON—I will seek a report from the Minister.

CAVAN CROSSING.

Mr. HUGHES—At the Cavan railway crossing on the Port Wakefield road two efficient wig-wag signals have been installed. On the north side of the railway line is a Shell service station and near the road there is a huge sign of a marching girl. At night this is lit in the form of an arrow indicating that the pumps are open. On the approach to the Adelaide side of the crossing it is difficult to see the wig-wag signal. I had that experience myself last week. I believe that the lights on the figure are so bright that they take the attention of drivers approaching the crossing, and that this could result in a serious accident. Will the Minister of Works request the Police Traffic Superintendent to examine this position?

The Hon. G. G. PEARSON—I will ask for the report that the honourable member desires.

FIRE DANGER IN SCHOOLS.

Mr. FRED WALSH—Has the Minister of Education a reply to a question I asked on October 18 relating to the advisability of having fire drill at regular intervals for children using portable rooms?

The Hon. B. PATTINSON—I had a discussion with the Director of Education and as a consequence he is forwarding a circular letter to the heads of our 750 schools calling their attention to the need for regular fire drill in these schools. The circular reads as follows:—

In the October *Gazette*, which is about to be published, there will be a notice drawing the attention of heads of schools to the need for fire precautions in schools, and, in particular to the need for practising the children in the use of emergency exits. In view of the heavy growth of grass and undergrowth as a result of the unusually wet winter, fire authorities throughout the State consider the danger of grass and bush fires will be exceptionally high this summer. In consequence, it is desired that heads of schools should not only ensure that all the normal precautions against outbreaks of fire are taken but should also hold fire drills, in which children in timber classrooms are practised in using the emergency exits, at least once each month from now until the end of term one, 1961.

It is fully recognized, of course, that in the event of a fire emergency children will, as a normal rule, be evacuated from the threatened classrooms through doorways, and that children are practised in moving from their classrooms to the school yard through the doorways four times every day. The emergency exit is provided in case it is impossible to use the doorways. It is also important to ensure that, on all days when fire bans are in force in your district, fires are not lit on school property.

I trust that this will have the desired effect, but in any event I shall make some public statements on the matter from time to time reminding all schools of the necessity for observing fire precautions and the need for regular systematic fire drill.

PUBLIC WORKS COMMITTEE REPORTS.

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

Gepps Cross and Hendon (Kidman Park) Girls Technical High Schools.

Heathfield High School.

Ordered that reports be printed.

STANDING ORDERS COMMITTEE.

The Hon. Sir CECIL HINCKS moved—

That Mr. F. H. Walsh be appointed to the Standing Orders Committee in place of Mr. M. R. O'Halloran, deceased.

Motion carried.

JOINT COMMITTEE ON CONSOLIDATION BILLS.

The Hon. Sir CECIL HINCKS moved—

That Mr. F. H. Walsh be appointed to the Joint Committee on Consolidation Bills in place of Mr. M. R. O'Halloran, deceased.

Motion carried.

EXCHANGE OF LAND (HUNDRED OF SKURRAY).

The Hon. Sir CECIL HINCKS (Minister of Lands)—I move—

That the proposed exchange of land in the Hundred of Skurray, as shown on the plan and in the statement laid before Parliament on August 25, 1959, be approved.

The proposal was fully investigated by the Land Board, which recommended that action be taken to effect the exchange. In its report the board stated that because of the increasing popularity of the recreation and camping reserve at Blanchetown (Section 138, Hundred of Skurray) the limit had been reached for shack sites on the reserve close to the River Murray, and, in an endeavour to find accommodation, campers trespass on the adjoining freehold Section 44. The owner of Section 44 (Murray Pastoral Company Ltd.) would be glad to be free of trespassers and "fence cutting" and the district council of Truro would welcome additional river frontage areas to accommodate the increasing number of visitors.

To relieve the situation the Murray Pastoral Company is prepared to relinquish its ownership of Section 44, provided it can obtain the freehold of Section 42, Hundred of Skurray, and the adjoining 150 links river reserve. That reserve is isolated and has no practical access, and a similar area would be regained by the acquisition of Section 44. The board has made a valuation of both parcels of land in the proposed exchange, and considers that they are of equal value. They are of approximately the same area. The proposed exchange would thus be advantageous to the public, the district council and the owner of the freehold land. In these circumstances, I ask members to agree to the motion.

Motion carried.

TRAVELLING STOCK ROUTES: HUNDREDS OF DAVENPORT, WOOLUNDUNGA, GREGORY AND WILLOWIE.

The Hon. Sir CECIL HINCKS (Minister of Lands)—I move—

That the travelling stock routes, containing 4,468 acres, in the Hundreds of Davenport, Woolundunga, Gregory and Willowie, extending south-easterly from Stirling North to Wilmington, and easterly from Wilmington to Willowie, as shown on the plan laid before Parliament on August 11, 1959, be resumed in terms of the Pastoral Act, 1936-1959, for the purpose of being dealt with as Crown Lands under the provisions of the Crown Lands Act, 1929-1957.

Following representations by the District Councils of Wilmington and Port Germein, investigations were made by the department to ascertain whether the stock routes were still required. These investigations included personal inspections and interviews by departmental inspectors and the Pastoral Board with landholders, local managers of stock firms, clerks of the district councils, and the secretary of the local branch of the Stockowners' Association. The local manager of one stock firm, when interviewed regarding the portion between Wilmington and Willowie, did not favour the resumption, on general principles, but did not submit any evidence to show that it was still required. All other persons interviewed agreed that these stock routes had not been required for travelling stock for some years, as practically all movement of stock in the district is now carried out by motor transport. Information obtained indicated that, perhaps because of this, Wilmington had declined in importance as a centre for stock sales. The fact that for many years large portions of the stock routes have been fenced across by adjoining landholders is further evidence that they are no longer needed for travelling stock.

In supporting the proposal both district councils stated that the areas now provide loafing ground for itinerant graziers and stray stock, and present difficulties in the control of vermin and noxious weeds. The Stockowners' Association has recommended that the stock routes be resumed and that adjoining landholders be given the opportunity of leasing the land. There is general agreement that a three chain road, with certain areas reserved for camping or stock-holding, will adequately cater for travelling stock on the hoof. In view of all these circumstances, I ask members to agree to the motion.

Motion carried.

GARDEN SUBURB ACT AMENDMENT BILL.

The Hon. Sir CECIL HINCKS (Minister of Lands) moved—

That the time for bringing up the report of the Select Committee on the Garden Suburb Act Amendment Bill be extended to Thursday, November 10, 1960.

Motion carried.

MONEY-LENDERS ACT AMENDMENT BILL.

Read a third time and passed.

HAWKERS ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. Pearson, for the Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

It amends section 20 of the Hawkers Act, 1934-1948, in two ways. Section 20 as it now stands empowers a local governing body to make by-laws for the licensing as hawkers of persons who do not usually reside or carry on business within its area. It has been decided that a visiting trader who makes it a regular practice to visit the same town does not come within the scope of this provision because such a person is one who can be said usually to carry on business within the area. The object of section 20 was to give some measure of protection to local traders and it will be seen from what I have said that it does not achieve that object effectively. Paragraph (*a*) of subclause (1) of clause 3 of the present Bill will substitute the word "continuously" for the word "usually", and will afford some measure of protection to local traders as well as some measure of control to local governing bodies.

The second amendment is designed to get over what appears to have been a mistake when the Act was amended in 1948 when section 20 was last amended. By the amendment all of the words in section 20 after the fifth line were struck out, including the final paragraph empowering by-laws to fix fees and fines. Apparently the final portion of section 20 was overlooked when the amendment was made. Paragraph (*b*) of subclause (1) of clause 3 of the present Bill accordingly reinstates the paragraph, and subclause (2) makes the reinstatement retrospective to 1948.

Mr. CLARK secured the adjournment of the debate.

MENTAL HEALTH ACT AMENDMENT BILL.

Second reading.

The Hon. B. Pattinson, for the Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

It repeals section 20 of the Mental Health Act, 1935-1959, which provides for six months' leave of absence for every superintendent, deputy superintendent or other medical officer of an institution who resides therein after each period of five years' continuous service. This section was enacted in 1913 when medical officers all lived in houses in the grounds of institutions, were working for fifty-six hours on active duty each week and were on passive duty for the remainder of the week. The hours of duty were thus almost continuous. In addition to this, the methods of treating mental illness in 1913 were much more exacting and strenuous than they are today. Clearly the conditions of 1913 do not operate in 1960, and many of the officers concerned do not reside in houses in the grounds. Under these circumstances it has been decided that section 20 should be deleted from the Act and that medical officers should enjoy the ordinary long service leave applicable within the Public Service. Clause 3 accordingly, by subclause (1), repeals section 20 of the Act.

Subclause (2), however, is designed to meet the case of officers now holding office who were engaged on the terms that they would be entitled to the six months' leave provided by section 20. It will empower the Minister to direct that any officer now holding office may be granted one period of six months' leave of absence at the end of the current period of five years' service dating either from his first appointment or a previous five year period in respect of which long service leave had been taken. Subclause (3) is consequential in the sense that it prevents any period of service in respect of which six months' leave has been granted under section 20 of the principal Act in the past or is granted pursuant to subclause (2) of clause 3 of the Bill being taken into account for the purposes of the Public Service Act, which will, of course, now apply to officers in the ordinary way.

Mr. CLARK secured the adjournment of the debate.

POLICE PENSIONS ACT AMENDMENT BILL.

Second reading.

The Hon. G. G. Pearson for the Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—I move—

That this Bill be now read a second time.

Its object, broadly stated, is to raise police pensions by approximately 12½ per cent with corresponding increases in contributions and certain additional increases in relation to the pensions and contributions applicable to the Commissioner, Deputy Commissioner and Superintendents. The Bill is based upon a full report by the Public Actuary and, I may add, its terms have received the approval of the Secretary of the Police Association. Dealing with the operative clauses in order, I refer first to clause 3 which provides that the Act is to come into force on a day to be fixed. This will enable the necessary administrative and other arrangements to be made before a proclamation is made.

Clause 4 amends section 14 of the principal Act by increasing the amounts of annual contributions payable. In the case of ordinary members, the increases are of approximately £3 or £4 per annum. In the case of Superintendents, the Deputy Commissioner and the Commissioner, the increases are substantially larger, but, as I point out later, the pension rights in these cases are substantially greater. Subclause (2) of clause 4 will increase the maximum amounts payable by corresponding amounts.

Clause 5 of the Bill amends section 20 of the principal Act (which now provides for a cash payment of £1,500 and a pension of £420 a year on retirement at 60) so as to give members of the force the option of having a life pension of £480 or £580 per annum until age 65 and thereafter £425 per annum. Clause 6 increases the pensions for invalidity on duty from £420 to £480 per annum, an increase of a little over 12½ per cent. Clause 7 increases the ordinary invalidity pension from £210 per annum plus £12 for each year of age at retirement in excess of 40 years to £240 and £13 for each such year—again an increase of approximately 12½ per cent. Clause 8 increases widows' pensions from £210 to £240 per annum.

Clause 9 of the Bill inserts two new sections into the principal Act. I deal with the second of these at a later stage. The first of the new sections is along lines similar to that which was introduced in 1957. It increases the additional amounts payable to Superintendents, the Deputy Commissioner and the Commissioner by amounts commensurate with the increases in contribution. These particular increases derive from the extension of maximum pensions payable in respect of members of the Public Service from £1,183 to £1,638, which extension has been made since the Police Pensions Act was last amended in 1957. Corresponding provisions relating to widows are included in the new section. Clause 10 provides for an increase in all pensions now being paid (except children's allowances) by 12½ per cent.

I have not so far mentioned the second of the new sections introduced by clause 9 of the Bill. The new section 30d is a special provision not related to the question of general increases. It sometimes happens that a sergeant or a commissioned officer reverts to lower rank at his own request on the grounds of ill-health. In such a case such a member would, of course, be entitled only to the benefits applicable to that lower rank. Following upon representations of the Police Association and after a report from the Public Actuary, the Government has decided that some reasonable provision should be made to cover possible cases of hardship. The new section will provide that a member reverting to a lower rank in the circumstances mentioned will be entitled to a cash payment certified by the Public Actuary as the surrender value of the difference between the contributions paid by him and the contributions applicable to the lower rank. But, if the member concerned has reached the age of 50 years and has held the higher rank for at least five years, he will be able, if he so desires, to continue to pay the higher rate of contribution and receive the benefits applicable to that higher rank.

Mr. FRANK WALSH secured the adjournment of the debate.

WATER FRONTAGES REPEAL BILL.

Second reading.

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

That this Bill be now read a second time.

Its object is to repeal three Acts passed in 1886, 1902, and 1910 which are now obsolete. When these Acts were passed, the Port Adelaide wharves and much of the water front were privately owned and the main purpose of the

Acts was to prevent the erection of structures on the bed of the Port River or canal which might unduly restrict navigation. All three Acts became outmoded when the Harbors Act was enacted in 1913 conferring upon the Harbors Board wide powers for the control of harbors and all harbor works. Among other things, the Harbors Act confers on the board power to alter the water frontage alignments, and there seems to be no good reason to retain these old Acts on the Statute Book. The present Bill will repeal all three.

Mr. FRANK WALSH secured the adjournment of the debate.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL.

Second reading.

The Hon. Sir CECIL HINCKS (Minister of Lands)—I move—

That this Bill be now read a second time.

Its object is twofold. First, it will increase the monetary penalties under section 5 of the principal Act relating to the ill-treating of animals from £25 to £50 and (in the case of the use of places for fighting or baiting of animals which are continuing offences) from £5 per day to £10 per day. The existing penalties have been in force for over 40 years and do not take account of the change in the value of money. It is not proposed to increase the maximum term of imprisonment. Clause 3 of the Bill makes the necessary amendments.

Secondly, the Bill adds a new section to the principal Act covering the protection of captive birds. The new section prohibits the keeping or confining of birds in cages not sufficiently large to enable them to stretch their wings freely. There are two classes of exception. The first relates to the keeping of poultry and the second covers the keeping of any bird while in the course of conveyance, while being shown or while undergoing veterinary treatment. The penalty is up to £50 or six months' imprisonment. The new section is based upon United Kingdom legislation which has been in force for many years.

The Royal Society for the Prevention of Cruelty to Animals has made representations to the Government on both the matters covered in the Bill, and the Government for its part considers that the amendment should be made. The proposed new penalties are comparable with those in other parts of the Commonwealth. The second amendment is designed to prevent a form of cruelty which ought not to be tolerated, and I believe that the amendment is one that will commend itself to all members of this House. As regards the exemptions, it will be appreciated that exemptions of one sort or another are almost inevitable in most legislation. The justification for the partial exemptions—that is, conveyance, exhibitions and veterinary treatment—is clear enough. Such exemptions are obviously necessary. With regard to the exemption in the case of poultry, without this exemption what are known as "hen batteries" would have become automatically prohibited and this exemption was included in the English legislation so as to allow such batteries to be used. Another reason is that poultry do not generally fly to the same extent as other birds even if they are unrestricted. The Government feels that the English experience in this matter should be followed. What the new section is primarily aimed at is the keeping of birds in cages of inadequate size for long periods—frequently for life.

Mr. CLARK secured the adjournment of the debate.

COMPANIES ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

It seeks to control and regulate the methods whereby members of the public are invited to invest money in certain forms of investments that are at present not covered by the provisions of the Companies Act, 1934-1956. It is designed to afford protection to the small investor by ensuring that all invitations to subscribe for any such form of investment are accompanied by a full disclosure of the nature and prospects of the investment and that the rights acquired through such investment are safeguarded as far as is practicable. Most members, I think, are aware that perhaps the major investment phenomenon of recent years has been the rapid growth in Australia of unit trusts and vending machine operations. At the outset I wish to make it clear that the Government feels that in many cases such investments are conducted by efficient organizations and are serving a useful purpose. There are, however, some features of that kind of investment that have invoked public criticism and, in order that the House may fully

appreciate the technicalities of the provisions directed at those features, I shall deal in some detail with the general scope of unit trusts and vending machine schemes.

I use the expression "unit trust" to cover both fixed and flexible trusts. The former type relates to blocks of specified quantities of specified securities required by a trust deed to be retained for the duration of the trust. The managers of the trust, however, retain power in exceptional circumstances to eliminate unsatisfactory holdings, but are obliged to distribute the proceeds of those holdings to the investors. Flexible trusts were a later development under which the managers are given power to eliminate holdings at their discretion and to re-invest the proceeds within a defined field of securities and, in course of time, the securities on which the trust was based are no longer a defined block, the managers having, though within limited range, as much freedom as the directors of an investment trust company to vary the investments.

Both fixed and flexible trusts are usually started by the promoters (who become the managers) purchasing a block of Stock Exchange securities that are deposited with trustees to be held upon the terms of a trust deed. The public is then invited to purchase units or subunits into which the block of securities is subdivided. In a fixed trust, the holder of a unit knows with certainty the exact investments that his unit represents, but in a fully flexible trust a unit holder cannot know exactly what securities he is interested in as these are constantly changing, partly through sales and re-investments and partly by investment in new securities of the proceeds of sale of new units. The rapid growth of unit trusts in Australia points to the existence of a demand by the investing public which the unit trust movement has supplied. This demand, however, could largely be attributed to favourable economic conditions and methods of advertisement and salesmanship which management companies have employed.

The main advantage that is claimed for a unit trust as a medium of investment is that it enables an investor with limited capital to purchase a beneficial interest in securities including, in particular, ordinary shares of companies quoted on the Stock Exchange while spreading his risks over a considerable number of different companies. A person of substantial means can do this by buying directly a selected range of ordinary shares, but the smallness of his capital may make it impracticable for the small investor to buy ordinary shares unless he confines himself to one or two companies; and if he does this he runs the risk that special misfortune may overtake the particular companies he selects. Besides, the majority of small investors know too little about investments to make a discriminating choice between different securities. It is claimed for the unit trust that it has devised expedients that in some degree meet the special disabilities of the small investor.

There are, however, many criticisms brought against the unit trust movement which cannot be overlooked from the point of view of the investor. The novelty of the movement and its freedom from many of the restraints and regulations which are imposed by law upon companies must inevitably render it susceptible to numerous dangers and anomalies. Much of the criticism levelled against unit trusts applies equally to vending machine operations. Both could well be criticized for the nature of the propaganda and advertising by which they make their appeal to the public, but perhaps the principal disadvantage attaching to a unit trust from an investor's point of view is that he has virtually no control over the manager of the trust and none of the protections afforded to other classes of investors by the Companies Act.

It may be argued that a relationship of trustee and beneficiary exists between the trustees appointed by the trust deed of a unit trust and the unit holders, but an examination of this relationship reveals that in many instances the real control of purchase, re-investment and incidental dealings is vested in the promoters or managers who exercise all initiative and, generally, all voting powers arising out of the shares held. The relationship between the trustees and the unit holders therefore does not provide the unit holders with adequate protection, and it is by no means clear that the managers would in fact be held to owe the duties of a trustee to the unit holders. The manager's role of principal who stands to gain or lose from the operations of the trust is difficult to reconcile with any fiduciary duties towards the investors. Having regard to these and other considerations a departmental committee appointed by the English Board of Trade in 1936, in a most informative report which was published in the same year by Her Majesty's Stationery Office, came to the conclusion that the unit trust

movement was one which should be controlled though not prohibited.

The enactment of the Prevention of Fraud (Investments) Act, 1939 in England virtually forced unit trusts to satisfy certain standards before their schemes should become unit trust schemes authorized by the Board of Trade. To become authorized unit trust schemes they must satisfy the Board of Trade that the managers are a British company incorporated under the law of the United Kingdom, that the trustees are financially sound and independent of the manager, and that the trust deed provides for the various matters specified in a schedule to the Act. Legislation enacted in Victoria in 1955 (now consolidated in section 63 of the Victorian Companies Act, 1958) and in Tasmania in 1958 gave effect to similar principles for the regulation not only of unit trusts but also of the other schemes to which I have referred. In April this year legislation modelled on the Victorian Act was enacted in New South Wales by the insertion of sections 173A to 173J in the Companies Act of that State. The legislation enacted in Victoria, Tasmania and New South Wales and the practical difficulties experienced in implementing it in those States have been examined by the Uniform Company Law Committee. That committee endorsed the principle, to which the legislation of those States has sought to give effect, of restricting to public companies the right to issue or offer to the public interests of the nature of those relating to unit trusts and vending machine and other schemes. The new Part IIIa proposed by clause 5 seekes *inter alia* to give effect to this principle which would have the effect of ensuring that the accounts of the companies concerned are available for inspection by the public. It is felt that this is not only desirable but essential when money is raised in this fashion from the public who are entitled to know how that money is utilized and the profits derived therefrom distributed.

Before I deal specifically with the clauses of this Bill, I think it is important that the House should consider the operations connected with the other interests to which the Victorian and New South Wales legislation has extended the English provisions and which this Bill is designed to cover. The principal among these are the recent vending machine schemes which exploit a novel method of raising capital from the public. I am sure that all members of this House are aware of the need to exercise some form of control over the organizations carrying on this type of venture which, by the most extensive advertising and propaganda of its promoters, would make its strongest appeal to persons of small means. Some members have no doubt read the most stringent criticisms of this form of venture that have appeared from time to time in the Australian press; and there has been a growing public awareness of the urgent need for controlling legislation throughout Australia. I understand that it is the intention of the Governments of at least two other States to introduce similar legislation this year.

From an examination of the various schemes promoted by vending machine companies in Australia it appears that, though there are minor variations in each of the schemes, their salient features are similar. The general scheme involves an invitation by the promoting company to the public to buy automatic coin-operated machines that dispense cigarettes, confectionery, drinks, paper tissues and other commodities, and the investor becomes the owner of the machine which generally is leased back to the company or to another organization that is affiliated with it. The company "guarantees" to pay an annual return, currently advertised at from 12½ per cent to 20 per cent of the capital value of the machine to the investor. It has been suggested that the machines are manufactured by companies associated with the promoters and that the manufactured cost of the machines is considerably less than one-third of the price at which they are sold to the investor. The company, in its absolute discretion, sites the machines, replenishes, repairs, maintains and operates them, and undertakes to repurchase the machines at the end of a period (usually five years) at the original price. The return paid to the investor is said to be derived not from the earnings of the particular machine of which he is the owner, but out of the profit from the earnings of all the machines established and serviced by the promoters. A sum equal to the guaranteed annual return payable to the investor is said to be deposited at the commencement of each year in a fund administered by trustees.

It has been suggested that though the first year's return is assured by reason of its being deducted from the price paid by the investor for the machine—in other words, the investor's own funds used for purchasing the machine—the ability to meet interest payments in subsequent years will depend on the market for the commodities dispensed by all the machines of the promoters. Although the advertisements

published by these companies guarantee a return of 12½ to 20 per cent to the investor, that percentage of the amount with which he purchased the machine is set aside to satisfy that obligation at the end of the first 12 months. From there on, one can only speculate on the prospects of continuing those payments out of the income from the machines. While it may be conceded that a few of these machines in picked sites could show satisfactory sales it must be remembered that such sites are not easy to procure and if a number of machines are placed in a selected area it must follow that the average sales by those machines must fall and consequently the profits from such machines could drop below an economic level. The Government feels that these considerations should be sufficient to convince members that this type of enterprise should be closed to all but public companies whose accounts are available for inspection in a public office.

I will now deal specifically with the principal features of the Bill which are contained in clauses 5, 6 and 7. Clause 5 inserts in the principal Act a new Part IIIa entitled "Interests other than shares, debentures, etc." containing sections numbered 114a to 114o. Section 114a contains the definitions appropriate to the Part. The definition of "company" has been included for the purposes of section 114f and I shall deal specifically with that definition in my discussion of that section. I should like to draw special attention to the definition of "interest" which is the expression used to cover the interests, the issue and offer of which the new Part seeks to control. The Victorian legislation of 1955, to which I referred earlier, applied to "all rights or interests, whether enforceable or not and whether actual prospective or contingent, to participate in any profits assets or realization of any financial or business undertaking or scheme" and excluded shares in and debentures of companies wherever incorporated. In April this year the Statute Law Revision Committee appointed pursuant to the Constitution Act Amendment Act, 1958, of Victoria reported that vending machine companies do not come within the scope of the Victorian legislation in that "an investor in a vending machine scheme is merely entitled to a fixed percentage of his investment in his capacity as owner of the machine, and has in law no interest in the scheme or the actual operation of the machine."

Having regard to these considerations and to the objects of that legislation that committee recommended the adoption of the definitions of "interest" and "investment contract" which are incorporated in this Bill with such modifications as have been considered necessary to make them consistent with the principal Act. This recommendation has also been adopted in the legislation passed in New South Wales earlier this year. Members will note the five classes of exclusions written into the definition, including the additional safeguard that a right or interest may be declared by proclamation to be an exempted right or interest. This will permit of the general application of the provisions being waived as regards any scheme that may come into existence of a character similar to but not caught up by those already excluded. The definition of an "investment contract" is complementary to that of an "interest" and had been suggested by the Victorian Statute Law Revision Committee in order to bring the vending machine type of transaction under control. The definition of "marketable securities" has been included in order to draw a distinction between schemes of the unit trust variety and other schemes that might be described as the vending machine variety. Such a distinction becomes significant in the application of the provisions of the new section 114g under which the matters and reports to be set out in the statement mentioned in that section will be prescribed with special reference to interests consisting of rights in marketable securities, which clearly come within unit trust schemes, and interests which do not consist of such rights. The definition of "proclaimed State" is inserted for the purpose of extending the right of issuing or offering interests to foreign companies that are public companies under the law of a reciprocating State. The definition is complementary to that of "company" and has special reference to the new section 114f.

In order to explain the full significance of the new sections 114b to 114e, I shall first invite attention to new section 114h (1) which provides that at the time an interest is issued or offered to the public there must be in force in relation to the interest a deed that is an approved deed. Section 114b defines an approved deed. Two elements are necessary to constitute an approved deed. There must first be the Registrar's approval of the deed which may be granted under section 114c,

and, secondly, there must be an approval for the trustee appointed under the deed acting as such granted either by the Attorney-General under section 114d (1) or by the Registrar under subsection (2) of that section. Section 114c (2) also provides that the Registrar shall not grant approval to a deed unless the deed contains certain basic covenants referred to in section 114e and other matters and things to be prescribed by regulation, or unless the deed has been approved under a corresponding law of a proclaimed State.

In order that uniformity of company law and practice might be achieved throughout Australia, the States and the Commonwealth are in favour of the principle that the requirements with respect to deeds should be uniform throughout the States and Territories of the Commonwealth that have uniform company legislation and that all discretions exercisable under these provisions should be exercised in substantially the same manner in all those States and Territories. Accordingly, it is felt that a company that is a public company in one reciprocating State may be permitted to issue or offer interests in another reciprocating State if there is in existence in relation to that interest an approved deed under the law of the State where the company was incorporated. This means that a deed approved in the one State will receive approval automatically in the other State, and there would be constant liaison between Ministers and Registrars of each reciprocating State and Commonwealth Territory, which is most desirable.

Section 114d (3) gives the Attorney-General power in certain cases to revoke an approval relating to a trustee, and such revocation will have the effect of rendering the deed ineffective as an approved deed and no further interest could be issued or offered to the public thereunder. Section 114e, as I have said before, sets out the basic covenants a deed is required to contain to qualify for approval by the Registrar under section 114c.

Section 114f provides that no person except a company or a duly authorized agent of a company shall issue, or offer to the public for subscription or purchase, any interest. In this connection I would invite attention to the definitions of "company" and "proclaimed State" in section 114a (1). It is intended that any State or Territory where reciprocal legislation is in force will be declared by proclamation to be a proclaimed State and, as I have already mentioned, a public company incorporated in a proclaimed State will be entitled to issue or offer interests in this State, subject to the existence of an approved deed.

Under section 114g (1) a company would be required, before issuing or offering any interest, to issue a statement that must contain the information referred to in subsection (2) of that section. The section also has the effect of equating offers or invitations for subscription or purchase of interests to offers or invitations for subscription or purchase of shares by applying the provisions relating to prospectuses to the statutory statement. In regard to the information to be set out in the statement, a distinction is drawn in subsection (2) between the information to be supplied by a unit trust, which is provided for in paragraph (*a*) and other schemes provided for in paragraph (*b*) of that subsection. Here again I should mention that the matters and reports to be specially prescribed under paragraphs (*a*) and (*b*) are intended to be uniform throughout the States and Territories that have uniform legislation.

Section 114h (1), as I have stated earlier, prohibits the issue or offer of an interest unless there is in force in relation to the interest a deed that is an approved deed. I have already drawn attention to the elements that constitute an approved deed. Subsection (2) of that section provides that where an approved deed or any document referring to an approved deed contains a statement that the deed has been approved by the Registrar the deed or document must contain a further statement that the Registrar takes no responsibility for the contents of the deed. The object of this provision is to prevent promoters using official approval of a deed as a means of attracting investors.

Section 114i (1) affords an opportunity to corporations that have, prior to the Bill becoming law, issued interests in respect of which there is no approved deed in force to apply for approval of a deed in relation to those interests. If they do not apply for such approval within the prescribed period or, having so applied, such approval was refused, they must notify the interest holders of the fact. This section will not affect the validity of any existing contracts, but is intended to make interest holders who are not protected by a deed containing the basic covenants required

under this Part aware of the fact. Subsection (2) of this section confers on the Attorney-General power to modify the application of subsection (1) or to exempt any corporation from complying with its provisions. Subsection (3) provides that the section does not authorize approval being granted to a deed relating to an interest issued by a corporation that is not a public company incorporated in this State or a reciprocating State.

Section 114j (1) requires a company that comes within its provisions to lodge with the Registrar a statutory return and copies of the lists and statements referred to in subsection (2) and to post to every interest holder copies of specified documents containing information affecting the interests of those holders. Subsection (2) specifies the documents required to accompany any balance-sheet posted to an interest holder under subsection (1). It will be noted that the information to be supplied in those documents is to include material affecting such holders.

Section 114k provides that a person is not relieved from any liability to an interest holder by reason of any contravention of any provisions by this Part. Section 114l prescribes a penalty of £500 or 12 months imprisonment for a breach of any provision of the Part. Section 114m provides that the Part does not apply in the case of the sale of an interest by a personal representative or in bankruptcy in the ordinary course of realization of assets. Section 114n preserves the liability of trustees for a breach of trust subject to the provisions of subsection (2) of that section. Section 114o merely means that the Part is intended to be supplementary to the other provisions of the principal Act.

Clause 6 inserts two new subsections (1a) and (1b) in section 158a of the principal Act. Subsection (1a) empowers the Governor, on the Attorney-General's recommendation, to appoint an inspector to investigate the affairs of a company which, whether before or after the Bill becomes law, issued any interest as defined in section 114a. Subsection (1b) precludes the Attorney-General from making the recommendation to the Governor unless the Commissioner of Police or the Registrar has made a report which suggests that the activities of the company or its directors or officers are questionable, or that an investigation into the affairs of the company is necessary or expedient for the protection of holders or prospective holders of interests. This provision is inserted as an additional protection for interest holders and would also protect existing holders who have purchased interests with respect to which there is no approved deed.

I regret that it has been necessary to deal with this Bill at such length but it is important that every member should appreciate the technicalities and difficulties that are involved in framing legislation of this nature. I would like to make it quite clear that this Bill, as is the case with the corresponding legislation enacted and to be enacted in the other States, is not aimed at the reputable unit trust companies. I am in fact reliably informed that representatives of certain unit trust organizations in the eastern States have indicated that the legislation enacted in New South Wales and which is substantially adopted in this measure is an improvement on the original legislation enacted in Victoria, so far as it affects the operations of those companies. The Uniform Company Law Committee which has recommended the adoption of this legislation by all States has received considerable assistance from the reputable companies operating in this field.

It cannot be too strongly emphasized, however, that, even if all the recommendations made by experts on the subject are adopted, they will not supply a complete safeguard against the possibility of mismanagement or the making of illegitimate profits at the expense of investors. Much must necessarily depend on the standards of conduct observed by the promoters and managers of these schemes. When the Uniform Company Law Committee has concluded its work next year the Government hopes to be able to introduce a comprehensive Companies Bill that will be in line with the decisions arrived at in conference by all the States and the Commonwealth. I am confident that arising from these interstate conferences uniform company legislation will be enacted throughout Australia and it is possible that some of the provisions that are included in this Bill will be modified by the later legislation. In any event, members will have an opportunity of reviewing these provisions when the comprehensive Companies Bill is introduced. I hope this Bill will receive the support of all members of this House.

Mr. FRANK WALSH secured the adjournment of the debate.

HIGHWAYS ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

Its object is to enable the proclamation of controlled-access roads and thus to enable the Government to establish freeways. Controlled-access roads, freeways, expressways or motorways, whichever term you use, are a common feature in the United Kingdom, United States and all over Europe, and throughout the world the demand for and use of such highways are increasing. So far as Australia is concerned, South Australia is the only mainland State without some form of legislation relating to the control of access to roads and although such roads may not be immediately necessary on any large scale in this State it is obvious that with the growth in our population and development we cannot lag behind progress which has been made elsewhere. I believe that the necessity for proper planning has long been apparent and it is therefore essential for permissive legislation to be enacted at the earliest opportunity.

Conventional types of roads and streets, in endeavouring to serve many functions, are found, with the growth in intensity and variety of traffic, to serve no single function effectively. Modern roads have to deal with transit vehicles, local traffic, parked vehicles, turning vehicles, trucks, buses and pedestrians, and it is rarely possible for one busy thoroughfare to handle all of these types of traffic efficiently or even effectively. Controlled-access roads segregate the various functions and by so doing give maximum efficiency to road usage with a minimum of delays and accidents. Controlled-access has been described as the greatest single achievement in the history of highway planning and design.

Controlled-access highways mean the elimination of cross traffic, which will go over or under the highway, while traffic entering the highway does so by merging unobtrusively with the traffic already on it. Another feature is that opposing traffic streams are generally separated by medians or other visibile barriers which prevent head-on collisions. Local and low-speed traffic is usually required to use parallel service roads which minimise the number of points of possible collision and the turning manoeuvres carried out on the highways.

As metropolitan Adelaide increases in size there is an increasing demand for higher traffic capacity on the roads, but this cannot be achieved unless use is made of engineering improvements which have been tried and found successful elsewhere.

As I have said, the need for enabling legislation is already apparent. It is useless to plan for the future unless the planning authority knows in advance that it can take account of modern developments. Controlled-access roads affect planning in numerous ways. The erection of such roads must be related to land usage and zoning while the erection of interchange roads must be related to urban street systems and parking facilities. Accordingly the Government is introducing the present Bill which inserts a new Part IIA into the Highways Act. That Part, which is enacted by clause 6, will consist of five new sections one of which, section 30b, dealing with compensation, I leave aside at this juncture. Section 30a will empower the Governor by proclamation to declare a road, or any land acquired by the Commissioner of Highways, to be a controlled-access road. There is power to "decontrol" such a road or to alter proclamations from time to time. As soon as a controlled-access road has been declared, the council of the district in which it is situated must be informed, and the powers of the council in relation to construction and maintenance of the road are suspended and become vested in the Commissioner.

The effects of the proclamation of a controlled-access road are set out in the new sections 30a (4), 30c, 30d and 30e. Section 30a (4) provides that no means of access to or egress from the road can be made without the Commissioner's consent. Section 30c empowers the Commissioner to erect notices and mark lines or signs on any part of the road for the guidance of traffic, and section 30d empowers him to erect and maintain barriers across any road to prevent access to or egress from a controlled-access road. Section 30e makes the foregoing provisions effective by providing for offences in relation to controlled-access roads. Thus to enter or to leave a controlled-access road otherwise than at places provided is made an offence, as is also the construction of any means of access or egress without the Commissioner's consent. Ancillary provisions cover the removal or damaging of barriers, signs or notices, the use of controlled-access roads for moving livestock, and the improper use of traffic lanes.

I deal now with clause 30b which covers the question of compensation for landowners who

are adversely affected by the proclamation of a controlled-access road near their property. Subclause (1) confers upon any person with an interest or estate in land abutting on a controlled-access road a right to compensation for any direct prejudice caused by restrictions on the use of his land resulting from the proclamation of the road. By subclause (2) the question of amount, if any, is to be determined by a court of competent jurisdiction. Subclause (3) sets out the principles on which the amount is to be calculated. Basically the compensation is to be the difference in market values before and after the controlled-access road is proclaimed; but the court is to take into account any permissions to construct means of access to the road or any undertakings given by the Commissioner of Highways, and any benefit accruing to the land by reason of the construction of other roads upon adjacent land or any benefit resulting from the proclamation of the controlled-access road. There could well be cases where benefits did accrue to a property by the proclamation of such a road. Furthermore, provision is made to avoid the payment of compensation for values which have become enhanced through accretions to the land or its separation from other land after the proclamation.

Lastly, any claim for compensation must be made within 12 months. These provisions, based upon legislation in other States, are designed to provide for fair assessments. In the majority of cases it would be hoped that compensation could be agreed and the section empowers the Commissioner to enter into such agreements. But if agreement cannot be reached then the court is given a basis upon which to work—the matter would depend upon the circumstances and evidence adduced in each case. Finally, clauses 3 and 4 are of a consequential order, while clause 7 is consequential in the sense that it adds, to the regulation-making power, powers to make regulations as to controlled-access roads.

Mr. FRANK WALSH secured the adjournment of the debate.

BIRTHS AND DEATHS REGISTRATION ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

ART GALLERY ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

PORT PIRIE RACECOURSE LAND REVESTMENT BILL.

Returned from the Legislative Council without amendment.

ADJOURNMENT.

At 3.52 p.m. the House adjourned until Tuesday, October 25, at 2 p.m.