

HOUSE OF ASSEMBLY.

Thursday, October 27, 1960.

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

ASSENT TO ACTS.

His Excellency the Lieutenant-Governor, by message, intimated his assent to the following Acts:—

- Evidence Act Amendment.
- Money-lenders Act Amendment.
- Art Gallery Act Amendment.
- Port Pirie Racecourse Land Revestment.
- Appropriation (No. 2).

QUESTIONS.**KNOT WEED.**

Mr. FRANK WALSH—I have received the following letter from a person residing in the Marion Corporation area:—

Last month I ordered a load of loam from the firm of V. G. Talbot & Sons, intimating that it was required as a base for a new lawn. It was delivered, spread on the prepared area, and worked into the soil. An additional load was obtained from the same firm because the first load was insufficient. The lawn was planted and has been covering well. On Sunday afternoon my neighbour, the proprietor of the Adelaide Garden Service, examined the lawn and informed me that it was "riddled with knot weed, the worst possible weed to have in a lawn". This weed is foreign to my area. He also told me that the quickest and most effective method of eradicating the weed was by fumigation. The cost of this and replanting the lawn is estimated by him at about £60.

On Monday morning I telephoned V. G. Talbot & Sons requesting them to compensate me the cost of fumigation and replanting, since the weed was delivered with their loam. A quantity of unused loam is available for inspection and that, too, is infested with this weed. Mr. Talbot visited me, expressed regret, but told me he would not compensate me in any way. However, he finally said he would secure other quotes. Today, in response to a further telephone call, he repeated that, whilst he was sorry, he would not accept any responsibility, even though the cartnote asked me to receive the loam in good order and condition.

Knot weed is not a "declared" or "noxious" weed and, as hundreds of other persons could be suffering from the unrestricted delivery of this weed, would you kindly do your utmost to have knot weed made a "declared" or "noxious" weed, and its delivery an offence?

Will the Treasurer, in the absence of the Minister of Agriculture, consider the requests contained in this letter, as soil containing

this weed is being delivered to suburban residents, particularly in new houses?

The Hon. Sir THOMAS PLAYFORD—If the honourable member will give me the letter I will refer the matter to the Minister of Agriculture for investigation.

FLUORIDATION.

Mr. MILLHOUSE—In this morning's *Advertiser* is an article headed "Dentist calls for Water Fluoridation", portion of which states:—

Fluoridation of S.A.'s water supply would mean a tremendous financial saving to the parents of young families, the S.A. President of the Australian Dental Association (Dr. T. Bruce Lindsay) said yesterday. Lack of fluoride in the water caused about 2,000,000 unnecessary cavities in the teeth of S.A. children every year. The result was that young married couples with three or four children found their dental expenses were much higher than their medical charges.

Dr. Lindsay also said that up to 60 per cent of cavities in children's teeth could be avoided by fluoridation of the water supply. Apparently this statement arises from a reply that the Minister of Works gave to a question asked by the member for Ridley last Tuesday when he said, "There are so many conflicting opinions, each of which is based on the most authoritative information (according to reports), for and against the proposal." In view of Dr. Lindsay's comments, when the Minister said that, did he have in mind any particular authority against the proposal to add fluoride to our water supplies, or was he speaking generally? In any case, is his opinion altered by Dr. Lindsay's comments?

The Hon. G. G. PEARSON—I have no expert knowledge of the matter, nor do I have any strong opinions either for or against the proposal. Cabinet has never given any serious thought to it either one way or the other. When I answered the question on Tuesday I was referring mainly to conflicting opinions expressed from time to time by numerous people over a long period. I remind the honourable member that some people believe that fluorides are poisonous and are cumulative poisons. Such views have been expressed publicly and to me in letters received at my office. Last week a letter arrived pointing out that some people objected on religious grounds to the addition of fluoride to water and asked whether, if fluoride were added, they would be compelled to pay water rates. They also asked on whose decision this matter rested, if a decision were taken to add fluoride

to the water, and other things of that nature. The honourable member will see that a mass of opinion has been expressed both for and against the proposal. All that I said or intended to say on Tuesday was that in the face of such conflicting opinion, some of it scientific and some of it based on other grounds, it was extremely difficult to decide whether or not this substance should be added to our drinking water. Heaving read Dr. Lindsay's letter this morning, I have no doubt that within a few days I will receive a letter from someone saying that he is all wrong.

HENLEY HIGH SCHOOL.

Mr. FRED WALSH—Has the Minister of Works a reply to a question I asked on Tuesday relating to the Henley high school?

The Hon. G. G. PEARSON—I have been advised by the Director of Public Buildings that tenders for this work have been advertised in this week's *Government Gazette* with a closing date of December 14, 1960.

NAMING OF SUBURBS.

Mr. LAUCKE—Not long ago, as a country dweller I had a fairly good idea of where the various suburbs of Adelaide were situated. Their location then was an easy matter but with the increase in metropolitan population and subdivisional expansion there has arisen a galaxy of new names of suburbs of which I, and I suppose many city people, would not know the whereabouts. I ask the Premier to look at page 8 of the current telephone directory, where he will see the names of these suburbs: Alexandra, Beresford, Bosworth Park, Carron-down, Craigholme, Graytown, Franklin, Shirley Gardens, Twickenham and Washington Gardens. If the Premier is unable to tell me where to find the suburbs, will he, in the interests of simplicity of metropolitan addresses, ask the Town Planner to seriously consider restricting the indiscriminate naming of suburbs?

The Hon. Sir THOMAS PLAYFORD—I entirely agree with the honourable member. Most of these new names have come into being because land agents making subdivisions have desired to have catchy names for them. I agree that it is becoming confusing to everyone, even people living in the city, to know all of these new suburbs. I believe that what has happened in other parts of the world, where there is a city name that cannot be departed from, is not a bad rule. However, I shall certainly bring this matter to the notice of the Town

Planner to see whether some order and sense cannot be brought into the present arrangement, which is confusing and under which, if it continues, no-one will ever know where any suburb is.

PORT PIRIE WATER PRESSURE.

Mr. McKEE—During this week I told the Minister of Works that people at Port Pirie were concerned to know when they would benefit from the new booster main now being installed. Can the Minister say when they are likely to benefit?

The Hon. G. G. PEARSON—The honourable member was good enough to hand me a letter he had received on this subject. I referred it to the Engineer-in-Chief for a report, but I regret that I have not yet received a report. I shall endeavour to have the matter expedited and advise the honourable member, by letter if he is not in the House, or personally if he is here.

RAIL CAR COLLISION.

Mr. HARDING—My question concerns a head-on collision that occurred last week between two rail cars near Aldgate. It was announced over the air this morning that both drivers had been exonerated by their unions. Will the Minister of Works ask the Minister of Railways to obtain a report on the cause of this collision?

The Hon. G. G. PEARSON—I will bring the matter to the notice of my colleague. I think I am correct in saying that this matter is the subject of a departmental inquiry, and no doubt the Railways Commissioner is conducting a complete investigation into it and will report to the Minister in due course. Until the inquiry is concluded I do not think the Minister of Railways will be able to furnish a reply, but I will refer the matter to him.

WORKMEN'S COMPENSATION: APPRENTICES.

Mr. RALSTON—A letter was sent to me by the Secretary of the Mount Gambier Council of Trade Unions relating to the position of indentured apprentices attending trade schools under the terms of their indentures and the liability of employers under the provisions of the Workmen's Compensation Act. Will the Minister of Education advise to what extent apprentices are covered by the provisions of the Workmen's Compensation Act, firstly, while travelling from their place of employment to trade school and returning therefrom in the employer's time (during normal working

hours); secondly, while attending the trade school; and thirdly, while attending such evening classes at the trade school as are required under the terms of their indentures?

The Hon. B. PATTINSON—I shall be pleased to examine the whole position and to let the honourable member have a reply in due course.

KINGSTON WATER SUPPLY.

Mr. CORCORAN—I understand that the work in connection with the Kingston water supply has been held up on account of the non-installation of the tanks, and that people expected that the scheme would be rendering service to the community by the end of the calendar year. As people are becoming pessimistic because the tanks have not been erected, will the Minister obtain a report? Will the hold-up be long, or will it be overcome soon?

The Hon. G. G. PEARSON—I am in very close touch with this question because I have taken steps to see that everything possible is done to give a supply to the township for the coming summer. It so happens, also, that at the request of the Hon. Mr. Densley I inquired about this matter this week. The department proposes, at my request, to erect temporary elevated steel tanks which may eventually be permanent. The mains are already laid and everything is ready for the erection of the tanks. The material for those tanks is, I understand, already on the site, and there is now virtually no reason for further delay. I expect that water could be supplied, at least for portion of the summer if not by the end of the calendar year. I do not think there is any difficulty now which has not been overcome, and I think the work will proceed to completion immediately.

FLINDERS STREET PRACTISING SCHOOL.

Mr. FRANK WALSH—Can the Minister of Education say whether there is any truth in the suggestion that the Flinders Street practising school is to be closed and used entirely for student teacher training?

The Hon. B. PATTINSON—There is a degree of truth in the suggestion because that possibility has been canvassed by the Director and some of the superintendents, including the Superintendent of Recruiting and Training. It was discussed with me last week, but no firm

decision has yet been made on the matter. There has been an unfortunate delay, through circumstances beyond the control of everyone, in the commencement of the building of the new Teachers Training College in Kintore Avenue. Further, when it is commenced some of the prefabricated classrooms will have to be moved, and other accommodation will have to be found for hundreds of teacher trainees. One suggestion is that this school be closed, as part of a chain of moves. I shall be pleased to let the Leader know if and when any decisions are arrived at.

Mr. Frank Walsh—Is it any use trying to obtain information from the parents of the children?

The Hon. B. PATTINSON—Yes; no doubt the superintendents have already been in touch with them. As the matter has been raised by the Leader, I shall be pleased to obtain the information and let him know what progress has been made.

SCHOOL HALF-HOLIDAYS.

Mr. DUNSTAN—As the Premier, while campaigning in the Frome electorate, has granted holidays to school children in the area, and as this seems to represent a new development in political campaigning, will the Minister of Education grant a similar right to the Leader of the Opposition (to grant holidays to school children) while he is campaigning in the area?

The Hon. B. PATTINSON—That information is news to me. Normally, the only two people who are entitled to grant school holidays are the Premier and the Minister of Education. I did not know that this was part of the political campaign. I have no doubt the Premier had very good reasons for granting the holiday. When other members ask me from time to time if, when there is some function, a half-holiday can be granted in my name, after considering the request I am only too pleased to do so, and I have no doubt that if the Leader makes a similar request and states good grounds I shall give it early and favourable consideration.

DANGEROUS FOODS.

Mr. HARDING—Today's *Advertiser* gives much prominence to the importation of dangerous foods. I am sure honourable members have read today's alarming article, which states:—

The dangerous food and parcels had come from various countries and some of them were

displayed to the public at the Department of Agriculture, Gawler Place, yesterday. . . . The officials said most of the food was safe for human consumption, but it could cause disease in animals if they ate it after it had been thrown out. Most of the food had not been sterilized.

Can the Minister of Works, in the absence of the Minister of Agriculture, say whether "animals" includes humans, and will he obtain a report from the Director of Agriculture on this matter?

The Hon. G. G. PEARSON—I think that from knowledge previously acquired I can answer the question. The officers of the Customs Department and the postal authorities exercise a close liaison with the Departments of Agriculture in all States regarding food parcels coming in from other countries, mostly in Europe. Frequently, with the best of intentions, migrants' relatives still resident in European countries desire to send a special delicacy to their friends and relatives who have come to Australia. As the article indicates, much of the food sent is wholesome for human consumption; it is frequently well packed, so much so that sometimes it is difficult to detect it because it is camouflaged in various ways in order, perhaps, to elude the watchful eye of the customs authorities. However, it is dangerous in as much as the countries of origin have such prevalent diseases as foot and mouth disease, blue tongue, and other diseases, which affect animals so seriously that Australian stockowners and the Commonwealth Government have agreed to impose a complete ban on the importation of livestock from those countries so that these diseases should not be introduced inadvertently. It is one of the advantages which Australia enjoys, by virtue of its isolation, that it is able to take effective measures against the introduction of such disastrous diseases as the two I have mentioned. As these diseases can be conveyed by particles of soil, by clothing, by dirt or any substance which comes in a parcel, or which may in uncooked or partially cooked meats be still alive and able to multiply under favourable circumstances, every effort is made to see that the parcels, their contents, their wrappings and everything else are scrutinized to ensure that diseases cannot be brought into our soil or our atmosphere. The article in today's paper refers to various substances that have been intercepted. The sole reason, so far as the Department of Agriculture is concerned, is to see that these virulent diseases do not get abroad in our stock community.

KING WILLIAM STREET TRAFFIC.

Mr. FRED WALSH—My question concerns the appeal by the Lord Mayor and the police to motorists to avoid as far as possible the use of King William Street during its reconstruction. I believe that the right-hand turn should be permitted at North Terrace off King William Road. Will the Minister of Lands take up through the Chief Secretary with the Commissioner of Police the question of permitting during peak hours right-hand turns into North Terrace from King William Road, at least during the period of the reconstruction of the eastern side of King William Street, as I believe it would considerably ease the present congestion?

The Hon. Sir CECIL HINCKS—Yes. I believe that the suggestion could help the position materially. I will take it up with my colleague and bring down a report.

EXPORT HONEY.

Mr. QUIRKE—I desire to read two short letters to explain my question. The first is a reply to the Superior Honey Company Limited of Clare from people in England from whom the Superior Honey Company sought business for the export of honey from Australia to this company. That letter states:—

We thank you for your letter of August 31, which reached the writer's desk while he was away on vacation. We are indeed interested in considering your agency for the United Kingdom but would need to examine samples and to have a firm price from you. We do not have any facilities for packaging, but realize that this would be the most economic way of importing and will do our best to find firms willing to buy in bulk, and pack themselves. If this were not possible, we should want to import in one or two pound jars. We must, therefore, have your price both for bulk and packed, preferably inclusive of delivery c.i.f. British port. We note that you expect to have samples available this month, and look forward to receiving these together with the further information required.

The Superior Honey Company, Clare, wrote to the South Australian Honey Board and received a reply on October 18 this year regarding the export of this honey. That letter reads:—

Further to my letter of September 30, 1960, and your letters seeking the board's approval to export honey overseas, I am directed to inform you that the board cannot give its approval. My board has obtained legal advice in this matter, which advises the board that your proposals would be prohibited by the Honey Marketing Act.

That is an extraordinary situation in these days. Under what sections of the Honey Marketing Act is anybody in South Australia prohibited from exporting honey overseas, particularly in these days when we are urged to find markets for primary products?

The Hon. Sir CECIL HINCKS—Obviously, this is a matter for the Minister of Agriculture. If the honourable member will give me the letters, I will refer the matter to him.

COMPTON PRIMARY SCHOOL.

Mr. RALSTON—The secretary of the Compton primary school committee has advised me that he understands that approval was given for the erection of a new school fence in 1959. He also expresses concern that since then apparently nothing further has transpired. Has the Minister of Education any further information on this matter; if not, will he obtain a report?

The Hon. B. PATTINSON—Yes. I have been advised by the Public Buildings Department that the renewal of the front fence at the Compton school has been approved and the matter has been placed in the hands of the District Building Inspector for attention. Officers of the Public Buildings Department are checking on progress with a view to having the erection of the fence expedited.

COUNTRY HOSPITALS.

Mr. FRANK WALSH—Has the Minister of Lands a reply to the question I asked yesterday about accommodation in country hospitals subsidized by the Government?

The Hon. Sir CECIL HINCKS—The Under Secretary advises that the Director-General of Medical Services is out of town and a reply will not be available until Tuesday next.

TROTTING BOYCOTT.

Mr. FRANK WALSH—Has the Minister of Lands a reply to my question about bookmakers' charges at Wayville?

The Hon. Sir CECIL HINCKS—The question of amending legislation to provide for arbitration between bookmakers and racing and trotting clubs in the event of disputes in connection with bookmakers' operations is at present under consideration.

EAST ADELAIDE PRIMARY SCHOOL.

Mr. DUNSTAN—Has the Minister of Education a reply to the question I asked about the toilet blocks at the East Adelaide primary school?

The Hon. B. PATTINSON—Some considerable time ago my colleague the Minister of

Works approved of expenditure for repairs and renovations to the toilet blocks at the East Adelaide primary school, but there has been an unfortunate delay in having this work put in hand. I have asked the Director of Public Buildings to see that immediate steps are taken to do so, also to consider further improvements to the toilet facilities at the school including the erection of additional toilet blocks.

LIFTS BILL.

The Hon. B. PATTINSON (Minister of Education) obtained leave and introduced a Bill for an Act to regulate the use of passenger and other lifts, to repeal the Lifts Regulation Act, 1908-1934, and for other purposes. Read a first time.

The Hon. B. PATTINSON—I move—

That this Bill be now read a second time.

Its object is to bring the legislation relating to lifts into line with modern conditions. The existing Lifts Regulation Act was passed in 1908 and the amendments made in 1926 and 1934 were of a minor nature. The Act is thus, in effect, some 50 years old and has not been amended at all for 25 years. Development in methods of lift construction, increased average speeds of lifts, the introduction of self-levelling automatic lifts and changing standards, all make it desirable to bring the law up to date. Apart from these factors, the present Act is deficient in making no provision regarding its application on building construction work and in mines, while on the other hand it appears to be technically applicable to cranes and hoists on farms, a situation probably not contemplated in 1908. It has, therefore, been decided to repeal the existing Act which the Bill does by clause 2, and to make a fresh start, embodying in the new Bill, wherever possible, existing provisions with or without modification.

Clause 9 (closing of lifts for repairs) is in practically the same terms as section 8 of the present Act; clauses 16 to 20 inclusive (dealing with challenges to regulations, evidence and offences) are reproduced verbatim from the present Act (sections 11 to 15 inclusive); and clause 14 (working of lifts by young persons) differs from section 7 only in its extension to cranes and hoists and in the addition of a power to exempt lifts from its provisions.

I deal now with the other clauses of the Bill. Clause 1 provides that it will come into operation on proclamation. This will

enable regulations to be prepared. Clause 3 deals with interpretation and is based largely upon the present Act, but introduces definitions of cranes and hoists which differ from lifts in the strict sense. Clause 4 exempts from the Act hoisting appliances used in connection with building construction work, within the Scaffolding Inspection Act, machinery under the Mines and Works Inspection Act, and cranes or hoists in factories registered under the Industrial Code or Country Factories Act, all of which are already fully covered by other legislation. Likewise cranes and hoists used on farms are exempted, and cranes and hoists of the Railways Commissioner. Subclause (3) enables hand-worked lifts to be exempted from the Act. Subclause (2) provides that the Act is to bind the Crown. Clause 5 is a machinery provision covering the appointment of Inspectors.

Clauses 6, 7 and 8 require notice of any intended construction or alteration of a crane, hoist, or lift, to be given to the Chief Inspector for the purpose of obtaining approval of what is intended. Work may not be undertaken without a permit and the Chief Inspector must be informed at about the time when the work commences. All work must be approved and all lifts, cranes and hoists must be registered. Clauses 10, 11, 12 and 13 cover safety. Clause 10 requires proper precautions to be taken by persons erecting, altering or maintaining cranes, lifts and hoists; and clauses 11 and 12 provide for inspections and tests at least once a year and the giving of directions to prevent injuries or ensure compliance with regulations. There is an appeal to the Minister from any direction of an inspector. Clause 15 deals with regulations which may cover a number of matters including safety precautions. The clause is in wider terms than section 10 of the present Act and will enable account to be taken of changes in design and standards from time to time. I believe that this Bill, designed like others which have been introduced in recent years to bring our statute law into line with modern conditions, will command the approval of all honourable members, and I move the second reading accordingly.

Mr. FRED WALSH secured the adjournment of the debate.

ROAD TRAFFIC BOARD BILL.

Adjourned debate on second reading.

(Continued from October 25. Page 1522.)

Mr. FRANK WALSH (Leader of the Opposition)—On the general principle of

appointing three gentlemen with expert knowledge of traffic problems to constitute the Road Traffic Board I do not disagree, because traffic problems are becoming so complex that expert knowledge is required for the solving of the difficulties. This matter becomes more urgent when we see that the number of vehicles on the roads is increasing by $5\frac{1}{2}$ per cent a year. Clauses 1 to 7 are the normal introductory clauses dealing, among other things, with the constitution of the board, general procedure for the board, payment of members, and also the appointment of staff for the board. Clause 8 deals with the functions of the board, including the making of recommendations regarding traffic control devices; prevention of road accidents and the elimination of dangerous traffic situations and traffic congestion; promotion of uniformity in location and design of all traffic control devices; research and publication of information for the benefit of road users; technical help to road traffic authorities; and investigation and report on alterations and additions to traffic laws and regulations together with any other matters referred to the board by the Minister. I agree with all these proposals for the functions of the board.

However, clause 13, which seeks to amend section 43 of the Road Traffic Act, does not seem to be much improvement on the present provisions in the Act. The reason given for this amendment is that the authorities have not been able to enforce the old provisions because of the vagueness of the law, or words to that effect. In my humble opinion the new provision is just as vague because under subsection (1) the speed limit is set at 60 miles an hour, but subsection (2) proceeds to provide a defence for anyone so accused of speeding. I am sure that there will be just as much argument about the new provision as there has been about the old provision, and my suggestion is to make this general provision for speed limits on the same basis as that already provided by section 43b of the Act, which states:—

- (1) Any person who drives a motor vehicle on a road in a municipality, town or township at a greater speed than thirty-five miles an hour shall be guilty of an offence.
- (2) This section shall not restrict the operation of any other provisions of this Act relating to the speed at which motor vehicles may be driven.

If we adhered to clause 13, complications could arise, and I suggest two alternatives. Clause 13 repeals section 43, which provides that a person who drives a motor vehicle on any road at an

excessive speed shall be guilty of an offence. New section 43, inserted by clause 13, provides that a person who drives a motor vehicle on a road at a greater speed than 60 miles an hour shall be guilty of an offence. However, this is not a real speed limit, as there is a proviso that it shall be a defence to a charge under this section if the defendant satisfies the court that the speed at which the vehicle was driven was not dangerous having regard to all the relevant circumstances. I think that proviso will mean a harvest for the legal profession. If people are apprehended by police officers on an open road or have accidents when travelling at more than 60 miles an hour they will have a defence. If we are to have a speed limit, I am prepared to agree to a limit of 75 miles an hour, which I think would be reasonable for modern vehicles. I think a definite limit of 75 miles an hour is preferable to a limit of 60 miles an hour with the proviso contained in new section 43 (2).

Mr. Millhouse—What speed would you agree to?

Mr. FRANK WALSH—An upper limit of 75 miles an hour. If people exceed that, there should be no defence.

Mr. Millhouse—That would defeat the whole object of the new section.

Mr. FRANK WALSH—I do not think it would. I think that the proviso in the new section defeats the whole purpose of the legislation because it provides a defence that the speed was not dangerous having regard to all the relevant circumstances. A person travelling faster than 60 miles an hour would have a defence even if he had an accident. The Act provides that it is an offence to travel at more than 35 miles an hour in a municipality or town, and I think the same principle should apply to new section 43.

In an Act of Parliament we should clearly state our intentions. We all know that motorists exceed 60 miles an hour on certain roads now, and I do not believe that all accidents on open roads are due to speed. Recently, when travelling as a passenger outside the metropolitan area, I have noticed people driving vehicles and looking at crops instead of at the road. These people occupy more than half the road and it is difficult to overtake them, as they often do not hear the horn when it is sounded. Speed is not the only cause of accidents; if people kept their minds on their driving many accidents would be avoided. When a person is driving at night away from the built-up area he is usually driving on high beam and can see a long way, and in those

circumstances he may be travelling at 55, 60 or 65 miles an hour. As he is driving on high beam he has a reasonable chance of knowing what is ahead of him. The moment oncoming traffic approaches he should dim his headlights, but in doing so he may easily forget that he is still travelling at speeds of up to 65 miles an hour.

Mr. Jenkins—He may be on a wet road, too.

Mr. FRANK WALSH—Yes. A driver may be competent or incompetent. The speed at which a person can drive at night depends on how far his headlights will give him a reasonable vision when he is driving on low beam. Representations have been made to me regarding what should be done in the appointment of the board, the type of school signs and pedestrian crossings, and other matters. If we can get uniformity in signs I shall be happy. As a road user I find that there is a complete lack of uniformity. The system of lights opposite the railway station, for instance, seems to be different from the systems at all other crossings and is most confusing. The question of the right of way is also a vexed one. I do not suppose there is any bigger bottleneck in Adelaide than the junction of South Terrace and Anzac Highway. It is confusing at that intersection, and often much congestion is caused. The courts have ruled on the question of right of way at that intersection, but many people do not agree with the decision and that of itself leads to confusion. I am concerned with clause 10, which states:—

An authority which applies for the board's approval for the erection of any traffic control device shall supply the board with such information relevant to the proposals as the board reasonably requires. The board shall consider every application for any such approval and any information submitted by the applicant authority.

I believe that some voluntary organizations make a valuable contribution. The National Safety Council has representatives from local government bodies, headmasters' associations, parents and friends' associations, and school committees. That body could probably still play a part by meeting voluntarily, discussing these matters and forwarding suggestions to the appropriate tribunal. In the past we have had the State Traffic Committee, and there is also the Standards Association. The expert committee to be set up by this Bill will have to make decisions regarding signs, speed limits, and that type of thing.

I notice that the Adelaide City Council has suggested the removal of verandah posts. I

do not know whether the Electricity Trust and the Postmaster-General's Department have considered doing away with some of their poles. So many road signs exist today that it is difficult to know just what they are. If we are to have the speed limit suggested, what will be the position regarding the multiplicity of road signs? Will the motorist know and observe all these types of speed signs? I am concerned about that matter. It is difficult even today to identify the appropriate signs as to directions, speed, and the control of traffic. I support the second reading.

Mr. JENKINS (Stirling)—I support the Bill, which is designed to set up a Road Traffic Board and which, if passed, will prove to be the first step towards the consolidating and amending Road Traffic Bill which we may expect to be introduced shortly. The personnel of the board to be appointed by the Governor should, in my opinion, be the best and most experienced people available, namely, the Traffic Engineer of the Highways and Local Government Department and a police inspector or superintendent to be nominated by the Commissioner of Police. I think these people are capable and that their selection would be wise. I have had some dealings with Inspector Wilson of the Police Department in traffic affairs and have found him knowledgeable and capable, and if anyone of his calibre is appointed to the board I shall be more than happy.

The third member of the board, to be appointed by the Minister, will represent local government, and although that person may not necessarily be a member of a district council, I imagine that he would be well acquainted with all the activities of local government. The setting up of this board will create a central authority and should immediately tend to bring about uniformity of road signs, warning devices and road markings, which in the past have been confusing to motorists through being different in design, control and location. In fact, many markings on the road are not uniform, and I think probably that if a person were charged with an offence of crossing over certain double lines, the charge would not hold in the court. I know of one or two instances where the lines or markings, which the Road Traffic Act prescribes must be three inches wide, have been no more than 2½ inches wide. The question of road markings should be more closely scrutinized.

I think also that the board, when established, could consider some uniformity of at least some of the road traffic laws to conform

with those in other States. We have a big tourist traffic these days and many visitors from such States as Queensland, New South Wales and Victoria where the traffic laws are considerably different from many of ours. If this board could consider uniformity it would help the many visitors who come to this State to comply with our laws. Clause 8 deals with the duties of the board and covers most of the things that concern motorists. Paragraph (d) of the clause provides for the publication of information for the benefit of road users, and I believe that is a step in the right direction. I have a booklet that my wife recently brought back from England. That booklet, called *Highway Code*, sets out for motorists and pedestrians the rules of the road and what should happen in certain circumstances, and prescribes every action that can be taken both by pedestrians and motorists for their safety and the safety of others. I think some of the extracts from that booklet could very well be studied by the board, for I think they would help.

Road markings are important and, generally speaking, contribute to road safety. However, some markings are wrongly placed and may create accidents in one place although preventing them in others. For example, when a person leaves the Parliamentary parking space at the rear of this building and enters King William Road, if he wishes to turn right to go south along King William Street he has first to turn left and go almost to the city baths before he can turn right and make a U turn to come back south along King William Street. Right opposite the gates of Parliament House there is an unbroken double line over which one cannot cross. Therefore, one has to travel down King William Road till one comes to the end of the double line, and then make a U turn right, which causes more accidents than the double line would save if it were continued. With a double line opposite the gateway of the Parliamentary parking space, it would be possible or allowable under the Act for a person to cross over it providing it were broken on the side from which it was approached. That would cause fewer accidents than the double line would if the driver had to follow it down and make a U turn farther down. That point could be considered by the board when set up, because two or three authorities have authority to place these lines.

Local government bodies are conscious of the danger spots in their own areas but are often refused Stop signs where they consider corners are dangerous. Sometimes further accidents

are caused before such signs are granted. I have had this experience in my district, where local authorities have applied to the Commissioner of Police for Stop signs to be placed at certain dangerous corners. Perhaps a police officer of the rank of senior constable has been sent to the area to examine it and he has recommended otherwise, although the sergeant of police in charge at the town agrees with the local authority that a Stop sign should be placed there. However, it has been thought unfit to have one there by the Commissioner after having a recommendation from the officer who visited the place. So the district has to wait until a further accident occurs, as happened recently, when, finally, the Stop signs were replaced. The opinion of the local authority and the police officer in the town should carry much weight as to whether a Stop sign should or should not be placed on such a corner. This board having three members to make the decision is a good idea and every aspect of such an application would be looked at.

Local government having a representative on the board will be widely approved, and that an appeal may be finally made to a Minister after the board has given reasons for a decision about a certain application is a good and necessary condition. I agree with that. One thing the board could consider is the roadworthiness of some of the more ancient vehicles. While their speed is not so great as that of the more modern vehicles, speed seems to cause many road accidents and deaths so the mechanical condition of some of these older vehicles can undoubtedly cause accidents on our roads. I refer mainly to the condition of the brakes and the steering. The board could well look at the sales of secondhand vehicles and, when they are sold, the board should be notified. The vehicles should be properly examined and a roadworthiness certificate issued before they are allowed to travel on our roads. The proposed board will be the first step in a movement to meet the challenge of the fast increase in the number of road vehicles and will mean, I hope, the curtailment of deaths and accidents. I support the Bill.

Mr. MILLHOUSE (Mitcham)—I, too, support the second reading of this Bill. I wish to raise only two points. The rest, if any, can be dealt with in Committee. The two points are, firstly, new section 43 to be inserted in the Road Traffic Act by clause 13 of this Bill and, secondly, the relationship between the Road Traffic Board to be set up under this Bill and the present State Traffic Committee.

On the first point, I favour clause 13, which substitutes a new section 43 for the present section in the Road Traffic Act. Honourable members may remember that during the 1958 session we had some debate on the question of a speed limit. The provision in new section 43 is not the same as the provision proposed on that occasion, when I think the speed limit was to be only 50 m.p.h. but there was a heavy onus of proof on the defendant. That was, I understand, a recommendation from the State Traffic Committee, but I opposed it on that occasion. However, I do not oppose the present provision. I have come to the conclusion in the last two years—in fact, since I have been married and had a wife with a restraining influence upon me—that 60 m.p.h. is quite fast enough to travel in normal circumstances. Certainly it is the highest speed normally conducive to safety, especially as there is, in this new proposed section, subsection (2), which makes it a defence to a prosecution if the defendant satisfies the court that the speed at which the vehicle was being driven was not dangerous having regard to all the relevant circumstances. I wholeheartedly favour the Government's proposal on this occasion. The Minister of Works will no doubt be delighted, but I shall say no more about that provision.

As members may know, I have the honour to be the Chairman of the State Traffic Committee at present. I must confess that, until the Government saw fit to appoint me to that position, I was not particularly familiar with its functions and the scope of its activities but, in the last 18 months or so, I have come to know and appreciate highly the work of the State Traffic Committee. There is no statutory authority for the State Traffic Committee: it is purely advisory. It receives no remuneration for the good deal of work undertaken by its members, but it is a valuable body in its capacity as adviser to the Government on traffic problems referred to it by the Government.

Obviously, because of its size (13 members) it cannot ever be an executive body: it is far too big for that. That is why I think a small body of three members is an excellent idea as a Road Traffic Board to undertake specific executive functions such as we find in this Bill. But I am afraid that under the present provisions of the Bill the functions of the State Traffic Committee will be taken over in large measure by the new Road Traffic Board. That will be a great pity. Honourable

members may not know that the State Traffic Committee represents a wide range of interests in this State. A member of the Government has been, traditionally, the chairman. The first chairman of the State Traffic Committee was the late Sir Charles Abbott. The present Minister of Education was a distinguished chairman, and the former member for Burnside (Mr. G. T. Clarke) held that office immediately before I was appointed chairman. Sir Edgar Bean, who drafted the present Bill, is the deputy chairman. The other members are the Commissioner of Police, the Commissioner of Highways, the Registrar of Motor Vehicles, the Secretary of the Royal Automobile Association, the Secretary of the Road Transport Association, the Secretary of the Transport Workers' Union, a representative of the Underwriters' Association, the General Manager of the Municipal Tramways Trust, a representative of local government, the Town Clerk of the City of Adelaide, and a representative of the National Safety Council. The members of the committee advise the Government on all sorts of problems that may be referred to the committee by the Government itself.

Clause 8 discloses that some functions of the proposed board are the very things the State Traffic Committee has been doing (and, I suggest, with fair success) for the last 20 years. The first of the functions listed in clause 8 is—

to make recommendations to the Minister and other authorities concerned with road construction—

That is obviously outside the scope of the State Traffic Committee at present, but the next phrase is not—

or road traffic—

because that is exactly what the State Traffic Committee has been doing—

on the use of traffic control devices and measures to be taken to prevent road accidents—

again the very function of the State Traffic Committee. Then—

to improve the flow of traffic—

again a function of the State Traffic Committee—

and to eliminate causes of danger and traffic congestion on roads.

So, in fact, clause 8 (a) almost duplicates certain important functions of the State Traffic Committee. Then paragraph (b) states:—
to promote uniformity in the design, etc.—
and that is something the State Traffic Committee can do. Paragraphs (c), (d) and (e)

are not functions of the State Traffic Committee at present, but paragraphs (f) and (g) certainly are. Paragraph (f) states:—
to investigate and report on proposals for alterations of and additions to traffic laws and regulations;

and paragraph (g) states:—

to investigate and report on any other matter relating to roads or traffic referred to it by the Minister.

As I say, the terms of reference of the State Traffic Committee are not set down anywhere I have been able to discover but, if they were set down, then most of those paragraphs would exactly fill the bill.

Mr. Jenkins—It is not the same constituted authority.

Mr. MILLHOUSE—That is so. The Traffic Board has only three members—two of whom are, incidentally, members of the State Traffic Committee anyway. The State Traffic Committee has 13 members. What I want to know—I have invited the Minister on several occasions to reply on second reading debates but he has never taken me up on that, so perhaps he will now—is whether in fact it is the Government's intention to supersede the State Traffic Committee by the appointment of the Road Traffic Board. I do not ask it for my own sake, but in the 18 months that I have been associated with the State Traffic Committee I have realized that it performs a valuable function. I am afraid that if these paragraphs are retained the Government will be tempted to refer these matters to the much smaller Road Traffic Board rather than to the State Traffic Committee.

Mr. Jenkins—We could hardly delete some of these paragraphs if we want to have an effective board.

Mr. MILLHOUSE—It should be possible to delineate the spheres of the Traffic Committee and the Traffic Board more closely. Under these provisions (irrespective of the Government's intentions regarding the exercise of the board's functions) the board is empowered to do the very things that the Traffic Committee does at present.

Mr. Quirke—Under this Bill is it necessary to have the Traffic Committee?

Mr. MILLHOUSE—No.

Mr. Quirke—It is rendered superfluous?

Mr. MILLHOUSE—Exactly.

Mr. Quirke—Are you advocating that it still has a function?

Mr. MILLHOUSE—Yes, not because I am personally interested in it but because it represents a wide range of parties interested in traffic problems throughout the community.

That, of course, cannot be duplicated in the board.

Mr. Ralston—Do you think that if we have two bodies—one a statutory body and the other an advisory body—and a problem is referred to both it could prove rather difficult?

Mr. MILLHOUSE—That could be so. I am afraid that the references will be only to the board (which comprises experts paid by the Government and should be given something to do), and not to the Traffic Committee at all. I do not think it would be desirable to eliminate the extensive and influential body of opinion that is available to the Government at the moment through the Traffic Committee. I understand that the Government has indicated that it does not intend to supersede the committee, but when one reads clause 8 it is hard to square that intention with the provisions of the Bill. I should be relieved to hear from the Minister that it is not the Government's intention to supersede the committee and, if so, how it proposes to differentiate between the functions of the committee and the board. The board should be an executive body (it is small and capable of undertaking executive functions and giving technical advice), whereas the committee has a valuable role in an advisory capacity. I am afraid that the committee may, in effect, be superseded under these provisions.

Mr. Ralston—Do you think that if the men who constitute the board came before the Traffic Committee as expert witnesses that would meet the situation equally as well?

Mr. MILLHOUSE—I do not think a reference would ever be made to the Traffic Committee. I cannot believe that the Government would refer a matter to the board and then to the committee. As I have said, two members of the board are already members of the committee.

The Hon. G. G. Pearson—You said that it would not be a question of referring a matter to the board and again to the Traffic Committee, but it could well be that a reference would be made to the committee, although the board may have statutory powers.

Mr. MILLHOUSE—I am comforted by the Minister's interjection and I hope that when he replies to the second reading debate he will amplify it to put my mind at rest. I support the second reading.

Mr. DUNSTAN (Norwood)—I do not wish to speak long on this Bill, but I am not happy about clause 13 which fixes a speed limit on all roads of 60 miles an hour where a lower speed limit is not proclaimed, and which puts the

onus on the defence of proving that the speed was not dangerous having regard to all relevant circumstances. This seems to me to be shifting the onus of proof unnecessarily. It is obvious from the clause that the Government agrees that speeds higher than 60 miles an hour in certain circumstances are perfectly proper. It would not have written such a defence into the clause if it did not agree that that was so. Then, why put the onus on the defendant of proving that his speed was safe rather than leaving the onus where it normally lies of showing that the speed was dangerous to the public? The Act already provides that it is an offence to drive at a speed or in a manner that is dangerous to the public. In that case, the ordinary provisions of criminal law placing the onus of proof upon the Crown apply. I cannot see any reason to shift the onus in this manner. If it is proper for a person to drive at more than 60 miles an hour on certain country roads (and I think it is in these days) why should he have the onus of proving that his speed was safe? We often hear of the vast areas of this State that must be traversed by members from time to time. I have been doing my little share of travelling recently.

Mr. Millhouse—At what speed?

Mr. DUNSTAN—I have been travelling at more than 60 miles an hour. For most of my journeying I have been travelling at about 70 miles an hour.

Mr. Millhouse—What have you been driving?

Mr. DUNSTAN—A Volkswagen. I have found that it has been easy to handle at that speed on the roads over which I have travelled. I certainly have not broken any speed limits in the areas where there are speed limits.

Mr. Millhouse—We are glad of your assurance on that. I hope that you are not an over-confident driver.

Mr. DUNSTAN—I hope so, too, but I have been driving for a number of years and I am fairly experienced at knowing when one is travelling at a safe speed and when one is not. There are other members of this House who drive at speeds greater than 60 miles an hour on country roads and who have shown that they are perfectly capable of handling a car safely at those speeds without any danger to themselves or to the public. Why, then, put the onus on them of satisfying the court that their speed was safe? I cannot see why a man must be held to have committed an offence until he can satisfy the court that he has not. If it is patently a dangerous speed in the circumstances, there is already

the offence in the Road Traffic Act of driving at a speed or in a manner dangerous to the public to cover the situation.

The Hon. G. G. Pearson—Does "public" in that sense mean the driver of the car or someone else?

Mr. DUNSTAN—It means anybody who may come upon the road.

The Hon. G. G. Pearson—He would have to constitute a danger to someone else, or to himself?

Mr. DUNSTAN—He has to constitute a danger to the public generally, although the prosecution does not have to show that members of the public were actually about at the time. For instance, a man has been driving down a completely deserted road, but the court has taken the view that someone might have come on to that road. The test that is applied is whether the speed, in the circumstances, anticipating that somebody might come on to that road, was safe. If it were dangerous to anybody (not only a person who was on the road, but who might come on to that road) then it would be a speed dangerous to the public and the person would be guilty of an offence. Indeed, this was clearly pointed out by the Chief Justice in a recent appeal case where he found that where it could not be shown that there was anybody about who was actually in danger, a speed of 60 miles an hour was, in the circumstances of that road, dangerous to the public and, therefore, the person who had been charged was guilty of an offence. In these circumstances I cannot see the need for this provision.

I see no reason to put this arbitrary speed limit of 60 miles an hour on some of our roads, which can be traversed safely at a greater speed. I have always opposed the transferring of the onus of proof to a defendant in any circumstances other than where the matters of the offence concerned are peculiarly within the knowledge of the defendant. That is the only case where, in any circumstances, the onus ought to be shifted. There are cases where an offence could never be proved if the onus were the normal onus, because it is something peculiarly within the knowledge of the defendant and he ought to be required to make some explanation of certain *prima facie* circumstances. However, that is not so in this case. I cannot see why we should get away from the general principles of the criminal law that we have followed for so many years by transferring the onus of proof in this manner. I think the onus should remain as it stands, and if the prosecution

can show that the speed was dangerous to the public then an offence is committed under the Act. I think that 70 miles an hour in some circumstances is safe. I have known instances where a greater speed is perfectly safe. It depends on the vehicle, the driver, and the circumstances. I have conversed with many racing drivers on this score and they are adamant that where a man knows how to handle a car there are circumstances other than speed (that is, a speed of 70 miles an hour or so) that are a dangerous factor. It is the person who vacillates on the road, or who does not know how to handle a car, who constitutes a danger. I appreciate some of the doubts raised by other members about other clauses and I shall listen with interest to the debate on them in Committee.

Mr. LAUCKE (Barossa)—I propose to speak principally on clause 13, although I shall refer briefly to the other major feature of the Bill—the establishment of a Road Traffic Board. I favour the setting up of the proposed board as an authority that will co-ordinate the activities of the various governmental authorities whose work has to do with the management and behaviour of road traffic in such things as were mentioned in the Minister's second reading explanation—the control and installation of traffic control devices and aids, such as lights, Stop signs, pedestrian school crossings, road markings, roundabouts, safety zones and other like structures. I feel that there could be a greater uniformity, and a desirable uniformity, in these road requirements.

Thus far in this State traffic engineers have done terrific work, particularly in country areas, in ensuring greater safety on major highways. I have in mind particularly the traffic islands north of Gawler and at Sheoak Log, which were previously dangerous intersections but which have been made comparatively safe because of the ideas of traffic engineers in installing these traffic islands. This board, which will consist of the Commissioner of Highways and an appointee each of the Commissioner of Police and of local government, is a comprehensive board with a wide background of experience and, knowing that it will serve a necessary purpose and that it will be efficient in having only three men to recommend desirable things to apply to our traffic approaches generally, I favour its setting up.

Clause 13, dealing with a maximum limit of 60 miles an hour on any road in South Australia, I approach with a degree of diffidence.

Were I not to say so I would be hypocritical, as on many occasions I have driven and still drive in excess of 60 miles an hour on country highways, and I see no great danger in driving at those speeds. What concerns me, however, is the heavy mortality on country roads in particular—roads where one would expect few, if any, accidents. This has concerned me particularly since we discussed a Bill in this House to bring in a speed limit of 50 miles an hour, which was rejected. Fatalities have occurred on country roads through excessive speed associated with inattentive driving. As a responsible citizen, whilst I do not like the idea of an arbitrary speed limit of 60 miles an hour, I feel that to arrest the number of mortalities on our highways we must see whether a condition such as clause 13 sets out might improve the situation. It is rather horrifying to note what statistics throughout Australia reveal for the year ended December 31, 1959. These statistics show that 2,321 persons were killed and 57,246 were injured in road accidents, bringing the road accident casualty total for 1959 to 59,567. Of those killed in road accidents, pedestrians topped the list with 690.

Mr. Dunstan—You would not say they were travelling at a speed dangerous to the public, would you?

Mr. LAUCKE—No, I am working up to the reasons why I feel it is my duty to support, as a testing Statute, a Bill providing an upper limit to avoid what I regard as a serious national loss in the loss of life on our highways. Next in order were passengers, all types (666), drivers of motor vehicles (645), motor cyclists (178), pedal cyclists (136), and other classes (six). Passengers headed the list of injured persons with a total of 22,041 (more than half of whom were females), followed by drivers of motor vehicles (16,909), of whom only 1,919 were females. This was specially interesting to me, as we often hear disparaging remarks regarding lady drivers. However, on those figures it appears that they are the best of all.

Mr. Fred Walsh—How does that work out on percentage?

Mr. LAUCKE—That is the big question, and it is most valid when looking at such a figure. However, on the surface it would appear that women drivers are not as bad as we have been given to understand. I know that my wife is a safer driver than I am, and that applies to many. Drivers of motor vehicles were responsible for 1,419 deaths and

36,805 injuries, principal causes of which were:—

	Deaths.	Injuries.
Excessive speed having regard to conditions ..	402	6,327
Inattentive driving	328	8,476
Not keeping to the left ..	127	2,829
Not giving right of way at intersection	116	8,816
Intoxication	116	1,506

In my opinion failing to yield right of way at an intersection is a criminal offence. Excessive speed and inattentive driving could be coupled closely. If they are coupled, it can be seen that 730 deaths arose from those causes. Speed above 60 miles an hour under certain conditions is in itself not dangerous. It is inattentiveness that can attend high-speed driving that is dangerous. At the same time, however, a driver is much more attentive at a high speed than at a low speed, as at a low speed he is prone to be a little lackadaisical and inattentive whereas at a high speed he is completely engrossed in driving and possibly has less chance of meeting with a sudden upset or accident. Bearing these figures in mind and having in mind particularly the number of deaths caused by excessive speed, I feel it is necessary to have an upper limit. However, I agree with the member for Norwood that it is undesirable to place the onus on the driver to prove that the speed at which he was driving was not dangerous having regard to all the relevant circumstances. A man should remain innocent until proven guilty. That is the ideal, and I feel strongly about this proviso. At the same time, bearing in mind the need to pull down speed on highways by inattentive drivers for the sake of the safety of the public generally, one has to impose restrictions on many just because of the wrong committed by a few irresponsible and careless drivers. I have no hesitation in saying that the need for a 60 miles an hour limit does not apply to all drivers—far from it. However, the incidence of death is so great that I am prepared to reconsider my objections to the distasteful proviso placing the onus of proof on the defendant and to accept an upper limit of 60 miles an hour in an effort to see if this will have the desired effect of reducing the number of maimed bodies and deaths on the highways.

Mr. Dunstan—Would the cases of excessive speed coupled with inattention that you have quoted apply to country roads?

Mr. LAUCKE—I am sorry; I could not find separate figures for country and city, but I

have noticed the terrible incidence of mortality on country roads brought about by high speed. I think it is necessary that we arrest as far as possible the incidence of death on highways. I have considered governors for cars to make sure that one would not have to explain to the court why one was exceeding the speed limit.

Mr. Clark—They can be dangerous.

Mr. LAUCKE—That is so. This provision is distasteful to me and to many members of the public who drive at speeds higher than 60 miles an hour. However, bearing in mind the responsibility to the public, in an endeavour to cut down the holocaust on the roads arising from high speed and inattentive and inefficient driving I support the second reading.

Mr. FRED WALSH (West Torrens)—I support the second reading but hope that in Committee a successful attempt will be made to amend this Bill slightly. I am pleased to see that the board is to be confined to three members, and I do not think anyone could reasonably object to the bodies that will be represented. No doubt the representatives will be competent to deal with all aspects of road traffic. If an attempt were made to introduce representatives of such bodies as the National Safety Council, there would be no limit. I do not know of any bodies with greater qualifications to deal with traffic matters than those that will be represented on the board. However, it seems ridiculous to provide that if the chairman is not present at a meeting the remaining two members can constitute a quorum and appoint one of their number to be chairman. I suggest that in Committee we consider the appointment of a vice-chairman. We would then find that if the chairman were not present at the board meeting the vice-chairman appointed by the Governor would automatically take his place, and it would not be left to be agreed upon by two men who may possibly disagree.

Clause 12 deals with traffic signs and other devices. I agree with those provisions. I think it is high time all possible attempts were made to bring about uniformity in traffic signs and devices. Too many signs exist. In many instances people do not know what they mean, and chaos and confusion are thereby created. I do not believe a Stop sign should be erected at any place unless it is intended to be a Stop sign in every sense of the word. I maintain that a motorist should remain at that sign until such time as the traffic is clear on either side. Confusion

is created, particularly when the Stop sign is at the intersection of two main highways, because once a motorist has stopped he then has the right of way. The other motorist may be going along the other highway at the maximum speed of 35 m.p.h., but the motorist who has stopped then demands his right of way. The result is that the motorist who had been moving all the time has to brake suddenly to avoid a collision, because he cannot anticipate exactly what the driver who had stopped intends to do. According to the law, a person has the right of way once he has stopped, but some motorists just stop and immediately go on their merry way irrespective of the confusion or accident that may be caused as a result. I believe that a Stop sign should be placed only at those places which are dangerous, and that the instruction to stop should be obeyed in the fullest sense of the word: a person should not be able to leave the intersection until the traffic is clear on either side.

Clause 13 has been referred to by various members. A difference of opinion has been expressed, and possibly my view is a little different again. Like other members, I am concerned with the prevention of accidents, but I think we must apply our common sense and sound reasoning when dealing with issues of this kind. We must not be stampeded in any way, and we must not be guided entirely by statistics, because they can often be misleading. I believe that some of the statistics referred to by the member for Barossa (Mr. Laucke) could be misleading. He quoted figures regarding the number of accidents caused by speeding. However, I have frequently read in the press that although there are more cases of speeding in the metropolitan area most serious accidents from speeding occur in the country.

In my opinion, the net result of that is that there are many cases of speeding in the country, but in the metropolitan area, where motorists are restricted to 35 m.p.h., there are very few cases of speeding. Of course, there is the crank who disobeys any law. Motorists in the city may sneak in that little extra speed and drive perhaps at 40 m.p.h. when crossing the parklands, but even that is unusual. I believe that motorists generally conform to the speed limits within the metropolitan area. Some accidents may be attributed to speeding, but I believe that the main cause of accidents is not giving way to the person on the right, and that is negligent driving. If everyone conformed to the principle (and the law for

that matter) of giving way to the person on the right, the accident rate, in the metropolitan area at least, would be lower. I feel confident of that. Why there are not more accidents is not so much a question of bad driving sometimes but of exceptionally good driving on the part of the other person. One only has to be driving behind some motorists to see the way in which they disregard ordinary road traffic signs and signals; it is alarming. I have found that in the main offenders are New Australians. The conclusion I have come to is that these people, probably through not knowing the language as well as we would like them to know it and as well as we hope we know it ourselves, do not understand the signals and have never learned them as have the people who can understand the language and be taught more easily.

Driving tests have been advocated. Frankly, I do not think driving tests make much difference. I think that the average person can handle a motor vehicle well, but that person is not a good driver when he is out on the road if he does not know anything about the ordinary courtesies of the road or road signals. There should be a proper examination on the knowledge of these matters before a licence is issued. It would not matter whether the people concerned were New Australians or old Australians; the same thing would apply to all, and we would possibly get a better type of driver. I do not claim as much knowledge of the country as some honourable members, but I have travelled extensively over the country and know a little of it. The roads are certainly better today than they were some years ago, and the vehicles are also much better.

Mr. Quirke—Not all the roads are good.

Mr. FRED WALSH—True, but I think most of our accidents occur on main roads (and that is where motorists speed) rather than on the ordinary country roads. With the good roads and good vehicles I believe that for an efficient driver a speed of 65 m.p.h. is reasonable. I do not say a person should drive at that speed all the time. I certainly would not drive at that speed; I suppose I would average less than 60 m.p.h., and I am happy to drive at that speed even on a good, open road. I claim, with all due modesty, to be a careful driver, and judging by my record I should be considered in that category.

Mr. Quirke—Perhaps, like a lot of us, you haven't been caught yet.

Mr. FRED WALSH—No, I do not indulge in undue speed. I believe that if the speed limit were fixed at 65 m.p.h. any man who

exceeded that speed should be prosecuted. A limit of 60 m.p.h. has been suggested, and the question of onus has been raised. I have always opposed the placing of onus of proof upon the person charged. It has always been a fundamental principle of my Party, as long as I have been associated with it, that the onus of proof should not be thrown on a defendant. In any case, my Party believes that such action is contrary to the fundamental principles of British justice, under which every man is considered innocent until he is proved guilty, and if it is good enough to apply that rule in the case of murder it is surely good enough to apply it for less important offences.

Throughout my years in Parliament, legislation has been introduced to provide for the onus of proof to be thrown on the defendant. That principle is entirely wrong, for ultimately we will reach the stage where a person will not have to be proved guilty because the onus will be on him to prove his innocence. That should not be permitted in any legislation. We live in a free country, and we hope it will remain free. It is an easy job for the authorities to apprehend people and prosecute them when it is alleged that they have broken the laws of the State; in fact, it is the authorities' responsibility to do so. I strongly oppose the placing of the onus of proof on the person charged.

Accidents are caused mainly through discourtesy, lack of knowledge of the laws, and speeding. I do not think speeding is so bad in itself if it is properly controlled and the person speeding is able to handle a car properly. We have to protect the community. Speedway drivers were mentioned in the debate. None of us would like to compete with a speedway driver in handling a car. However, I maintain that if all people on the road were speedway drivers the position would be worse than ever. We have to protect those who tend to forget that they are driving a motor vehicle, and we have to see that those people handle the vehicle in the best possible way. A slogan I saw the other day stated that it was not the motor car that killed but the person driving it. I think that applies in this instance as well. Further, the board should have the authority—this is perhaps going outside the ambit of the Bill but I should like the Minister to consider it later, if not now—to recommend to the Highways Department what roads should be taken over by the Highways Department, which would assume responsibility for them within certain municipalities, because some of

our roads, particularly in the metropolitan area, are in such a shocking state that they tend to cause accidents whereas, if they were properly constructed and maintained, they would cause no danger. I support the second reading.

Mr. HEASLIP (Rocky River)—I have always opposed speed limits in country areas. The setting up of this board is a step in the right direction. Its three members will have a good knowledge of road matters, and three is an ideal number for any board. The member for Mitcham (Mr. Millhouse) mentioned the State Traffic Committee having 13 members, but that may be why it does not work as it should. Boards with many members tend to talk around things and not to get down to accomplishing anything. I remember the time when the State Traffic Committee, which is only advisory, recommended the 30 m.p.h. speed limit for the sake of uniformity, because at that time the eastern States had a 30 m.p.h. speed limit and the committee said that South Australia should fall into line. I opposed that proposal then, and time has proved that our 35 m.p.h. limit has been satisfactory and has enabled us to clear the traffic more safely, expeditiously, and quickly than would the 30 m.p.h. speed limit.

The Police Department realizes that, if we are going to shift the traffic, we shall in certain circumstances have to increase the speed limit. The Anzac Highway is one example. I know that 35 m.p.h. is the speed limit on that road. I travel on it daily and 40 m.p.h. is safe. Dozens of motorists pass me when I am doing 40 m.p.h. but no-one today is booked for doing 40 m.p.h. on that highway, because the police realize that in certain circumstances a speed limit of 40 m.p.h. is safe, much safer than letting the traffic pile up thus causing jams and congestion.

Mr. Clark—There is not much point in having the limit, really?

Mr. HEASLIP—In the past it has been most necessary. I still think we need a speed limit, for in certain places 35 m.p.h. is too fast.

Mr. Frank Walsh—What is a safe speed limit down Rundle Street?

Mr. HEASLIP—It is impossible to say, because circumstances alter the position from hour to hour. It depends on the amount of traffic there. On that road, two lanes of traffic are proceeding one against the other, whereas on the Anzac Highway there is a single lane each way. In certain circumstances

the speed limit must be reduced well below 35 m.p.h. but in other circumstances 35 m.p.h. or 40 m.p.h. is quite safe. The chairman of the State Traffic Committee is worrying about that committee being superseded by this board, but I think that his committee is superfluous. Where there is a board of three members to do the job, why have another body in an advisory capacity considering the same matters? If the board wants advice, it can go to the various associations to get it. I doubt whether this committee of 13 members is still necessary.

Mr. Corcoran—Will the State Traffic Committee become defunct?

Mr. HEASLIP—I do not know, but I wonder whether it needs to function at all; I doubt it very much. If we have an executive doing a job, we do not need another executive telling it what to do. If we do, then we must have the wrong people on that executive body; they are not able to do the job if they have to be told by some other committee what they should do. I hope that this board will do something about the conglomeration of signs and marks in the city today. Just what that marking in the middle of North Terrace between Morphett Street and West Terrace means or who put it there, I do not know. I do not know who had the authority to put it there. I cannot find any authority under the Road Traffic Act. I do not know what it means. If a driver crosses it, how can he be prosecuted? If authorities are to be allowed to put down lines that mean nothing, they will only confuse the public. I hope the board will examine that aspect. The same applies to the roadside signs, some of which are up in the air; they should be made uniform so that a person knows where to look for them and then, knowing where to look for them, he can see them and obey them. If a person has to look upwards, downwards and sideways, he may miss them. They should be in one place so that everyone knows where to look for them.

I cannot understand the Railways Department, Municipal Tramways Trust, or the Highways Department going to the expense of putting in lights on road and rail crossings where there are also signals and Stop signs. Although the Stop sign is there and no rail or tram traffic is approaching one still has to stop. That makes for more congestion. The installation of the lights there is a waste of money. If one stops there, why have a warning light in addition to the Stop sign?

Alternatively, if we have lights there, why have a Stop sign? It is stupid to have both; one should be sufficient.

I have always opposed a speed limit in country areas. When it was last advocated 12 months ago, it was suggested that the limit be 50 m.p.h., the onus of proof to be on the driver. I do not like the "onus of proof" provision. I object to it and oppose it always when the speed limit is unreasonable. On this occasion the 60 m.p.h. speed limit is reasonable. I know it can often be exceeded but it is still reasonable. One can travel a long way in an hour at 60 m.p.h.—in fact, 60 miles. If one travels at 70 m.p.h., one travels only another 10 miles, and even so one would probably be taking risks.

On the other hand, I do not believe that speed is the main danger, but speed in conjunction with inattention is a different matter. It is mainly inattention that kills people. A speed of 60 m.p.h. or 70 m.p.h. if one is attentive and watching what one is doing can be safe but, when a driver has travelled for three, four or six hours on a country road and has covered 200 or 300 miles, he is apt to become careless and inattentive. That is where the danger lies. For a moment he takes his mind off his job, and then something happens.

Mr. Quirke—At that stage even two miles an hour is dangerous.

Mr. HEASLIP—It may be dangerous, but not nearly so dangerous as 70 m.p.h.; and 60 m.p.h. is not as dangerous as 70 m.p.h. either, because the faster one goes the less time one has in which to think. One is travelling fast and so one's reactions have to be much quicker at that speed than at a slower speed. I think that 60 m.p.h. is a reasonable speed at which to travel a long way on country roads. I have a big car but do not aspire to travel at 70 m.p.h., as the member for Norwood (Mr. Dunstan) does in a light car! In those little cars, even if one is attentive, one can get into real trouble when travelling at a high speed, for one has only to go over the side of the bitumen with one wheel on the broken edges and one can easily overturn. Speed would turn the car over before it could be controlled. In all of my travelling (and I do a lot) I find that 50 to 60 miles an hour generally gets me to my destination much more safely than if I travelled at 70 to 80 dangerously.

Mr. Quirke—How many years were you driving before you realized that 50 was a safe speed?

Mr. HEASLIP—Despite what the honourable member may think, I have never been a fast driver. I seldom exceed 60 miles an hour.

Mr. Quirke—I think you have a bad memory.

Mr. HEASLIP—I know to what the honourable member is alluding, but generally I travel at or below 60 miles an hour. If this provision is accepted and I exceed 60 miles an hour I will have to prove that my speed was safe. I support the Bill.

Mr. QUIRKE (Burra)—We have waited for this Bill for a long time. It was drafted by Sir Edgar Bean and has been debated in another place. It is rather formal. However, I believe that one or two of its provisions could have been incorporated in other legislation. The Road Traffic Board members will be appointed by the Governor, and one shall be appointed by him as chairman. The terms and conditions of their appointment shall be determined by the Governor who shall also fix their remuneration and travelling expenses. In other words, if we pass this legislation we will have nothing to say about the terms and conditions of the board and the remuneration of its members. The board could be underpaid if it were left to a parsimonious Government to determine the remuneration, or it could be overpaid. Parliament will not know. I am not generally in accord with such procedure. I know that the remuneration of board members should be easily adjustable, but Parliament should have some say about the terms and conditions of employment of this board. However, I do not raise any vehement objection to the provision.

Clause 11 is a departure from normal practice and provides that if the board refuses to give approval for the erection of any traffic control device or gives such approval subject to conditions or modifications it shall, if requested by the authority which applied for the approval, state its reasons for its decision. That is a good departure because normally, in Government circles, once decisions are made, reasons are not given lest they are wrong ones. This provision carries the imprimatur of the architect of this legislation, and I congratulate him.

I advocate the use of overhead signals on roads. Although our traffic lights generally work well, when they face west and the sun is in the west I defy anyone to distinguish when the green light is on. I am not colour blind, but I cannot see it. This situation is most apparent at the Gepps Cross cross-over where the lights face west. In the evening when the sun is in the west it is virtually impossible to determine whether the lights are showing

red, amber or green. This difficulty could be obviated by providing overhead signals. They are used with much success in other States, notably in New South Wales. Generally there is a flashing red light indicating a cross road. Anyone approaching the area immediately becomes aware of the presence of the cross road. It is an extremely valuable traffic indicator and could be simply and inexpensively installed on many of our cross roads.

I believe that it will be extremely difficult for a person who has been charged with driving at more than 60 miles an hour to take advantage of the defence provided in clause 13. He must satisfy the court that the speed at which he was driving was not dangerous, having regard to all the relevant circumstances. A prosecutor will obviously be able to suggest 1,001 circumstances that a defendant will have to knock over. The defence is a sop to those who think that speeds of more than 60 miles an hour are safe. I believe that under certain road conditions it is perfectly safe to exceed 60 miles an hour. Indeed, it is difficult to keep a modern car below 60 miles an hour on our open country roads. I am prepared to try a speed limit of 60 miles an hour, because it is fast enough, but I do not agree that it is the maximum safe speed for a modern car under safe conditions.

I understand that the Railways Department is responsible for paving the roads that cross railway lines, although I believe the Highways Department undertakes the work at the request of the Railways Department. However, many crossings over our main roads are disgraceful. The crossing near the North Gawler railway station is in such a condition that if one passes over it at a high speed he is lucky not to have his teeth shaken out. There is a double rail line at that crossing and every rail flattens a car's shock absorbers. The roadway is in good condition, but every rail protrudes above the road level. Such bad crossings are conducive to accidents. A motorist is not supposed to travel over a railway line at more than 20 miles an hour, but even at that speed some of these crossings can knock a car about. A provision in the Act stipulates that any vehicle carrying inflammable material (a petrol tanker, for example) must stop at a railway crossing. I agree that it should stop, as one has only to realize the appalling circumstances that could prevail if it were hit by a train. Although it is right that these heavy slow-moving vehicles should stop at railway crossings, not one in a hundred does

so. Also, the speed limit over a railway crossing is honoured in the breach rather than in the observance; I do not think anyone slows down to 20 miles an hour when crossing a railway line, and probably not many know they have to do so. However, if they exceed that speed, they are probably sorry because of the condition of many crossings, which I do not think is a fair thing on main highways. I am prepared to give this limit of 60 miles an hour a fair trial. I think it will work, but I am not prepared to say that anyone driving a good car on a perfectly straight road with visibility for miles who travels at 70 miles an hour is driving at an unsafe speed. A good driver can do speeds in excess of that proposed and still maintain safe conditions. With these few remarks, I support the second reading.

Mr RALSTON (Mount Gambier)—During this debate much has been said about clause 13, which provides for a speed limit of 60 miles an hour and places the onus of proof on the defendant instead of on the prosecution. As the member for West Torrens pointed out, it is a complete departure from British justice to make an accused person prove his innocence. However, I am prepared to give this a trial, but I should like to draw attention to the constitution of the board. The member for Mitcham was rather disturbed that the appointment of this board would make the State Traffic Committee redundant. He said that although the State Traffic Committee had a wide representation it could be ignored and the advice of the Road Traffic Board accepted. In fact, he thought some matters would not be referred to the State Traffic Committee at all. If that is the intention of the Government, it will be to the detriment of the people of this State.

The board is to comprise three members: the Traffic Engineer of the Highways Department, a member of the Police Force holding a rank not lower than that of inspector and nominated by the Commissioner of Police, and a person representative of local government interests and nominated by the Minister. I have no quarrel about the qualifications of these people, but there is no provision for a representative of the motorists, the people who are most vitally concerned. I suggest that a member of the Royal Automobile Association, or its Secretary, President or Chief Engineer, would be a great acquisition to this board in the interests of the public and the motorists.

Much has been said about the dangers of speed, but nothing about the roadworthiness of

vehicles and its effect on safety. I have had a wide experience with motor vehicles. I was an automotive engineer for 35 years, so my views are based on practical experience, and I feel that the failure to appoint a representative of the motoring public, who would be able to place before the Government the need for roadworthiness of vehicles, should be rectified. Roadworthiness, which affects safety, falls under five headings. The first, and probably the most important, is the efficiency of brakes, as it is extremely important to be able to stop a motor vehicle within a reasonable distance from any speed. Secondly, no motor vehicle should be on the road if it has defective steering; thirdly, at night there is nothing more important to an oncoming driver than properly controlled lights; fourthly, in wet weather the most important thing apart from vision is that a driver have proper windscreen wipers; and last, but not least, the condition of tyres (controlled by legislation in other States) is important.

In other States, particularly in New South Wales, a motor vehicle cannot be driven on a road unless it has good tyres with proper treads. Smooth tyres on wet roads are extremely dangerous, yet there is nothing in this Bill or any other legislation that gives proper attention to this aspect or any of the five factors that I have mentioned, all of which affect safety on the roads. There is a provision that enables a police officer, who suspects that a vehicle is not roadworthy, to take it off the road and send it to some place he nominates for a check. Strangely enough, there are no qualified engineers carrying a Government certificate of efficiency in this State. In my view, police officers, good as they may be on many things, are not qualified to judge whether a motor vehicle is roadworthy. In fact, 99 per cent of police officers must go to a garage for information.

I know of an occasion when a certificate of roadworthiness was granted by a police officer

for a bus used for transporting school children. When I asked the officer whether he was qualified to say if the vehicle was roadworthy, he said he was not. When I pointed out that he had granted the certificate, he said, "Of course, it is under the Act and I must do it." I asked him what happened in relation to his car, and he said that he took it to a garage. Is it proper that police officers should be able to certify that a vehicle is roadworthy? Of course not, and no member would say it was. I have drawn attention to five factors that are far more important than speed in relation to road safety. It is wellknown in the automotive industry that the speed of a motor vehicle may be equated to the condition of its tyres; that has been known in the industry for 40 years.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Progress reported; Committee to sit again.

POLICE PENSIONS ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

WATER FRONTAGES REPEAL BILL.

Returned from the Legislative Council without amendment.

COMPANIES ACT AMENDMENT BILL.

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

EMERGENCY MEDICAL TREATMENT OF CHILDREN BILL.

Received from the Legislative Council and read a first time.

ADJOURNMENT.

At 5 p.m. the House adjourned until Tuesday, November 1, at 2 p.m.