HOUSE OF ASSEMBLY.

Tuesday, November 8, 1960.

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

ROAD TRAFFIC BOARD ACT.

His Excellency the Lieutenant-Governor, by message, intimated his assent to the Act.

PETITION: WINE INDUSTRY.

Mr. STOTT presented a petition signed by 650 commercial growers of wine grapes in the electorates of Ridley and Chaffey and praying that a Royal Commission be set up to examine every aspect of the wine industry from the grape-grower to the consumer.

Received and read.

QUESTIONS.

PUBLIC SERVICE ACCOMMODATION.

Mr. FRANK WALSH—In an article in the week-end press the secretary of the South Australian Public Service Association commented on accommodation provided for the Public Service, and on superannuation and other matters. Has the Government any proposal in mind to bring Public Service accommodation, particularly at the Victoria Square buildings, up to the desired standard? My question does not relate to the new Reserve Bank building.

The Hon. Sir THOMAS PLAYFORD—I saw the article contributed by the Public Service Association. I do not agree with the article which, in my opinion, casts many unwarranted aspersions on the efficiency of the Public Service. The Public Service is a remarkably efficient body and I have already directed a letter to the Public Service Association informing it that the Government does not share its views on the personnel of the Public Service. We believe that public servants in this State are efficient compared with those in any other State. I do not believe that the Public Service is an inefficient organization or that its members are not as good as they should be. Regarding accommodation, the Government had the same problem as every other Government of Australia after the war when for about 10 years there was no opportunity to improve accommodation. I believe we have made substantial improvement since the war, and as soon as the Reserve Bank building—which the Leader for some reason or another has not included in his question—is available for us we can vacate some of the buildings now occupied. The proposal is for another building in Victoria Square which would be of the best possible class of accommodation. We will be hard pressed to vacate the area which the bank will be building upon. Obviously, we cannot pull down the buildings already occupied without their being vacated, but the programme is going forward. Prior to the war we presented plans to the Public Works Committee and received the committee's report regarding a building, but the war prevented that plan from being implemented. I deprecate any suggestion that reflects on the standard of our Public Service in South Australia; I know that criticism is frequently heard, but it is not warranted.

RAIL CAR COLLISION.

Mr. HARDING—Has the Minister of Works, representing the Minister of Railways, the report he promised to obtain on the cause of the head-on collision between two rail cars near Aldgate?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, informs me that he has received a report from the Railways Commissioner stating that the collision was caused by a defect in two of the air brake cylinders of the 250 class car. This defect has been corrected, and all cars of this class have been rigidly inspected, which should ensure that no similar defects will recur. The fitting of a dual braking system has been completed on the 400 class suburban cars and one 250 class car. The fitting of the remaining 250 class cars will be completed as early as possible.

QUORN WATER SUPPLY.

Mr. RICHES—Has the Minister of Works a reply to the question I asked last week regarding the Quorn water supply?

The Hon. G. G. PEARSON—The Engineer-in-Chief reports:—

Regular monthly samples of the water supplied to the township of Quorn are taken for physical and bacteriological examination and, if necessary, samples at more frequent intervals are obtained. If any excessive growth of algae or infestation of worms or other life which may impair the quality of the water shows in these samples, immediate steps are taken to treat the water and bring it back to its normal standard of quality. About three weeks ago a message was received from the Matron of the Quorn Hospital in regard to an occurrence of what is known as "blood worm" in the town's water supply. This worm, which is bright red in colour, is fairly prevalent in waters in the northern part of the State and has appeared in northern reservoirs from time to time. Although it is harmless to health,

it is unpleasant from a user's point of view, and immediate arrangements were made to close the reservoir and treat the water. This treatment was carried out on October 27 and 28. It was hoped to keep the town supply going by operating from the storage tank, but consumption was higher than anticipated and the level in the storage tank dropped rapidly. There was no option but to place the bore in commission to maintain the supply. When samples of water showed that the worm infestation had been checked, the reservoir was put back into commission on Monday, October 31, and the operation of the bore was discontinued.

"RED HENS."

Mr. MILLHOUSE—Has the Minister of Works a reply to the question I asked on October 25 regarding the possibility of certain improvements to the rail cars known as "red hens"?

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

(1) The 300 and 400 class cars to which the honourable member refers are used exclusively in the suburban service and it is therefore considered that the provision of lavatories in these cars is not warranted.

(2) There is ample space under the seats for the type of cases carried by suburban passengers, and luggage racks are considered to be unnecessary.

(3) These cars are all fitted with "anti-sun" glass, similar to that fitted to the M.T.T. buses. This glass has the effect of preventing an increase in temperature within the cars. I do not consider the provision of blinds is justified.

PORT PIRIE SOUTH WATER SUPPLY.

Mr. McKEE—I believe the Minister of Works has a reply to the question I asked some time ago regarding the water supply at Port Pirie South.

The Hon. G. G. PEARSON—The Engineer-in-Chief reports that the new trunk main to Port Pirie South was connected to portion of the reticulation system on Wednesday October 26. The department still had to carry out a certain amount of scouring to clear the water and it would be probably a week before the full effect of this new trunk main was felt. The main is actually in commission at present and should materially improve the supply to Port Pirie South.

BULK WHEAT RAIL TRUCKS.

Mr. BOCKELBERG—Has the Minister of Works a reply to the question I asked some time ago regarding the unloading of bulk wheat rail trucks at Port Lincoln?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, reports:—

The maximum rate of discharge of bulk wheat from rail trucks at Port Lincoln is 120 tons per hour. The average rate is also 120 tons per hour. It should be mentioned that the maximum intake rate at the Port Lincoln bulk handling silos is 200 tons per hour, including both rail and road vehicles. Therefore, the average rate of intake from rail trucks is governed by the hourly intake from road vehicles when receivals from the latter source exceed 80 tons per hour.

RELIEF PAYMENTS.

Mr. RYAN—I recently sought information from the Premier regarding the implementation by the Children's Welfare and Public Relief Board of a policy whereby people with a television set, irrespective of whether they had no financial interest in the set, were deprived of relief. Has the Premier obtained a report on this matter?

The Hon. Sir THOMAS PLAYFORD—The Chairman of the Children's Welfare and Public Relief Board reports:—

The Maintenance Act provides that the Children's Welfare and Public Relief Board may afford relief to destitute or necessitous persons. It is the board's view that people who have certain luxury items, including television receivers, are not destitute and should not receive relief. There are people with families earning only the basic wage or a little more who are unable to afford television receivers, etc. and who could justifiably object if full relief were continued to other people who have the benefit of such luxury items. There are various ways in which people may have television receivers, etc., including outright purchase, hire-purchase, rental and gift, but in nearly every case there is some financial responsibility either for the receiver itself, maintenance and service arrangements, or the licence fee.

The case referred to in the attached extract from *Hansard* is a deserted wife with three children aged 11, 8 and 6 years, who first received relief in 1953. She is in receipt of Commonwealth pension and child endowment amounting to £8 weekly. In addition she was receiving £2 10s. weekly as State relief including a rent allowance. When the Commonwealth Government paid 10s. a week for rent from April, 1960, the State relief was reduced by a similar amount because payment of the same rent from two sources would not be proper. Payments on the television receiver in her home are the legal responsibility of a nephew and, as he is in effect providing income to the deserted wife equivalent to the payments on the television receiver, it has been necessary to reduce the amount of State relief accordingly. The amount of State relief given to every eligible applicant is determined on the basis of total income into the home from all sources. An upper limit of income from various classes of relief applicants has been

determined. If the actual income is less than the appropriate upper limit relief is issued to make up the difference, provided the applicant is eligible. Relief in this case has not been refused. The deserted wife was informed that relief may be continued, although on the basis of a lesser amount, when she produces evidence as to the actual amount paid weekly for the television receiver. She was given a relief application form on October 11, 1960, but has not yet reapplied. When she reapplies she will receive the benefits of recent increases in the scale of State relief.

SCHOOL CARETAKERS.

Mrs. STEELE—Some time ago, following the annual conference of the State association of school welfare clubs, I asked the Minister of Education a question relating to the appointment of full-time caretaker-janitors at Class I and Class II schools, which was the subject of a resolution passed at that conference. In his reply the Minister stated that Cabinet had decided to approve such appointments at Forbes, Woodville and Paringa Park primary schools on an experimental basis. Have such appointments been made and, if so, are they considered to have been successful; and is it proposed to make further appointments?

The Hon. B. PATTINSON—As the honourable member is aware, members of the teaching profession are appointed by the Minister of Education on the recommendation of the Director of Education, but caretakers, janitors, cleaners and other persons engaged in schools are appointed on the recommendation of the Public Service Commissioner. In our large secondary schools many caretakers and janitors are employed on the recommendation of the Public Service Commissioner, possibly because there is more expensive equipment there; but the Commissioner has opposed the appointment of caretakers and janitors in our primary schools, and on that basis Cabinet has not agreed to their appointment.

I have, however, had many discussions with the Public School Committees Association, the Teachers Institute, the various welfare and mothers' clubs and other parent organizations, and with the senior officers of the Education Department. We believed that it would be a good thing to appoint caretaker-janitors in some larger primary schools. After consultation with the Director of Education, I recommended to Cabinet that on a purely experimental basis full-time caretakers should be appointed at Forbes, Paringa Park and Woodville primary schools. Cabinet agreed to that recommendation and those appointments have been made only fairly recently. I understand that they are working successfully. I hope that they will prove to be more economical and efficient than cleaners, that they will give a greater sense of security to members of mothers' clubs, welfare clubs and other parent organizations, that the experiment will be a success, and that it will spread to more of the larger primary schools.

PROPOSED NEW HIGHWAY.

Mr. FRED WALSH—Has the Minister of Works a reply to my recent question about the construction of a new highway along the old North Terrace to Glenelg railway route?

The Hon. G. G. PEARSON—I have received the following report from my colleague, the honourable the Minister of Roads:—

Portion of the old North Terrace to Glenelg railway reserve is planned to play an important part in the future metropolitan system. It is not planned to commence construction immediately, as this would have little effect on Anzac Highway congestion which is at its worst between Adelaide and the South Road. While the use of Mooringe Avenue will be considered, it is difficult, at this stage, to see that any great benefit would accrue from major construction of this road.

HAMLEY BRIDGE ROAD BRIDGE.

Mr. LAUCKE—Has the Minister of Works, representing the Minister of Roads, a reply to my recent question about the proposed new bridge to span the River Light just south of Hamley Bridge?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, informs me that it is anticipated that the design of the bridge over the River Light at Hamley Bridge will be completed about the end of this year. Tenders will then be called, and construction should commence about May, 1961.

WHYALLA INTERSECTION.

Mr. LOVEDAY—Has the Minister of Works a reply to my recent question about the intersection of McBryde Terrace and Playford Avenue, Whyalla?

The Hon. G. G. PEARSON—Yes. My colleague, the Minister of Roads, advises that the intersection of McBryde Terrace and Playford Avenue, Whyalla, was designed with double lines on all approach roads. This plan was approved by the Whyalla Town Commission. Subsequently the old concrete island was removed, the road resurfaced, and the double lines painted. Being the first application of paint on a new road surface, the lines quickly became indistinct, but will be reinstated within the next few days. It has

been suggested that narrow traffic islands together with Keep Left signs be substituted for the double lines. However, these islands would need to be of the order of 4ft. wide, and could not be safely accommodated within the present road width. Road widening would thus be necessary before sandbagging of the islands could be undertaken. The cost of this road widening is being investigated, but it is desired to keep expenditure to a minimum at this stage as it is likely that the design of the whole intersection will have to be reviewed when the new developments in the area are brought into being. It is considered that improved street lighting in the vicinity is very desirable, and its provision would be the responsibility of the Whyalla Town Commission.

REVISION OF ARITHMETIC COURSES.

Mr. COUMBE—Is the Minister of Education aware that recently the education authorities in Great Britain recommended the removal from the teaching of courses of arithmetic the old-fashioned idea of the rod, pole and perch system of linear measurement, and will he consider the removal from our system here in South Australia—and possibly in Australia—of this rather antique and archaic system of measurement which, as far as I know, is little used today and simply means much repetition and jingle in the learning of arithmetic?

The Hon. B. PATTINSON—Yes; I did read the report. It seemed to me rather belated but a very good innovation. I will discuss it with the Director of Education to ascertain his views. I have never been able to master the rules and I think it is very late in my life for me to try to do so, but I have much pity for the thousands of young people coming on and I think it would be a desirable innovation to remove it from their classes.

BURDETT, ETTRICK AND SEYMOUR WATER SUPPLY.

Mr. BYWATERS—Has the Minister of Works a reply to my recent question about a water supply for the hundreds of Burdett, Ettrick and Seymour?

The Hon. G. G. PEARSON—An investigation is being made to ascertain the best and most economical source of supply for this district. Indications at present are that it will probably be best to supply portion of the area from the Murray Bridge scheme and portion from the proposed Tailem Bend to Keith scheme. The investigation is not yet complete, but whatever its outcome the physical resources of the department are being stretched to the limit and at this stage it is not thought likely that it will be possible to commence work on the Seymour, Ettrick and Burdett scheme in time to be of benefit this summer. The most northerly main provided for in this scheme is at present under construction and will be supplied from the Murray Bridge system.

RAILWAY BUILDING ACCOMMODATION.

Mr. LAWN—Has the Minister of Works a reply to my recent question regarding a firm's securing rental accommodation in the railway building?

The Hon. G. G. PEARSON—My colleague, the Minister of Railways, advises that he has received a report from the Railways Commissioner to the effect that it is the policy of the Railways Department to lease business sites at the Adelaide station and on other railway property. In accordance with that policy, when an application was made by the Number Plate Service Company a lease was negotiated to the mutual agreement of the company and the Railways Department.

Mr. LAWN—Since I raised this matter several firms in Adelaide have told me that since this firm has established itself alongside the Registrar of Motor Vehicles they have been losing a terrific amount of business. They have told me that people seeking new registrations go to the Registrar's office and say to the person attending them, "Give me the number first and fix the papers up after." They then go next door, give the number, and then go back to the Registrar's office and get their registration effected, and when that is done they go into this business establishment and get their number plates. It is having an adverse effect in the city upon business that generally does this type of work. It is considered by these people that it is unfair for the Railways Department to let this part of the building for that purpose. If it were a fruit shop there would be no argument, but it is alongside the Motor Vehicles Department. I am told that spraying is done in the place and to take away the fumes there are no flues, which should be provided according to law. Will the Minister of Railways look again at this matter to see if some other arrangements cannot be made?

The Hon. G. G. PEARSON—I think it is well-known that business people endeavour to secure premises advantageously placed in

relation to their businesses. I suppose that is why this firm applied for space in the railways building to conduct this business, which fits in closely with the functions of the Motor Vehicles Department. No exception could be taken, for example, if the same firm sought premises next door, which in effect is what it has done. It is in the same building but is not in the same premises; it is not part of the Motor Vehicles Department. The owner of this business was probably wide awake and saw the advantage that would accrue to him. I think there is a point the honourable member makes in the second part of his question, whether or not the operations carried out contravene any regulations made by the Department of Labour and Industry. I will have that matter examined and bring down a report.

MOUNT GAMBIER SEWERAGE SCHEME.

Mr. RALSTON—I appreciate that the Engineering and Water Supply Department has made an officer available at Mount Gambier to advise people who are building houses and industrial buildings about sewerage, but apparently no final decision has been made on the Mount Gambier sewerage scheme. Can the Minister of Works say whether plans for the proposed sewerage scheme are complete and, if so, what provision has been made for the disposal of treated waste matter and effluent? Are the plans available for inspection, or when will they be available?

The Hon. G. G. PEARSON—The Engineer-in-Chief has supplied the following information:—

(1) Preliminary plans have been prepared but these are now being brought up to date to take care of recent development. The Engineer for Sewerage and several of his officers are visiting Mount Gambier next week to make a full investigation.

(2) Alternative methods of disposal are still under consideration and a decision will be reached shortly.

(3) Plans of the original proposals are available for inspection and a copy was supplied to the Mount Gambier City Council. Plans for the extended scheme will be completed within the next few months.

MATRICULATION STANDARD.

Mr. CLARK—Recently I asked the Minister of Education questions about the possible future of Leaving Honours classes and matriculation requirements in general. He said he was going to attend a conference of independent headmasters and headmistresses to discuss this matter. Can he now say whether, as a result of that conference and other discussions, a decision has been made on the question, or has he additional information on this matter?

The Hon. B. PATTINSON—I attended a conference of representatives of independent headmistresses and headmasters at which 17 of the 18 representatives were present. We had a lengthy and informal discussion. No decisions were made, nor was it intended that they should be made. A friendly and co-operative attitude was adopted with great benefit to all concerned. It was suggested that we have further meetings to discuss this and other proposals affecting the mutual interests of the departmental schools and our important independent schools, of which there are in South Australia about 175 attended by about 35,000 children.

Mr. Clark—I do not know how we would get on without them.

The Hon. B. PATTINSON—I do not either, and I have been pleased to publicly state that on occasions. I believe we should come closer together. There is a popular misconception that I am the Minister of the Education Department instead of the Minister of Education. However, following those discussions, I have called a conference for next Thursday of the heads of the nine secondary schools where Leaving Honours classes are at present conducted and the heads of those schools at which they will be conducted in 1961, with the Director of Education, the Deputy Director of Education, the Superintendent of High Schools and the Superintendent of Recruiting and Training. We hope to have a full, free and frank discussion about the whole problem, which is complex and not capable of easy solution. I think it will be solved in the foreseeable future, because it is bad to have a double standard of entry to the University with one stream of students coming from the Leaving examination and another from the Leaving Honours examination. A third standard has been imposed by the deans of some of the faculties. They are imposing still further restrictions on the right of candidates to enter University courses unless they have passed still further examinations. It is an intolerable position in which we find ourselves and it should be resolved. I am anxious that the many students in the country should be afforded the opportunity of a full matriculation course in the large country high schools and other large country schools, because I believe one of the best methods of decentralization is by the decentralization of higher education.

Mr. Bywaters—It keeps the children at home for another year.

The Hon. B. PATTINSON—I think so, and it gives them a completely rounded education whether or not they intend to go on to the University. I intend to pursue the matter with the utmost vigour and determination in the optimistic hope that we will arrive at a satisfactory solution soon.

NOOGOORA BURR.

Mr. STOTT—On October 11 the member for Rocky River asked a question about Noogoora Burr. I have received a communication from the Waikerie District Council containing the following statement:—

Our district, as well as others, has other weeds which landholders are trying to control, and we feel that the introduction of this weed into the State is most detrimental and will have a far-reaching effect on our economy. All councillors spoke strongly in support of an immediate protest and likened the influx of this dangerous weed to the infestation of fruit fly in fruit growing areas where the methods of isolation and control were most severe.

It is suggested that this infestation be dealt with similarly. Following on the question asked by Mr. Heaslip, has the Minister of Agriculture considered introducing more rigid control to eliminate this weed in South Australia?

The Hon. D. N. BROOKMAN—Last week I answered a question on this subject and stated that I had discussed it with the member for Rocky River and others. Because of a severe drought in certain eastern States the number of sheep entering South Australia at the moment is increasing rather than decreasing. I have given notice under section 28 of the Weeds Act, thereby making it an offence to move sheep that are infested with Noogoora Burr except under the direction of a weeds inspector.

ROAD SHOULDERS.

Mr. LAUCKE—Has the Minister of Works obtained a reply from the Minister of Roads regarding road shoulders constructed of concrete?

The Hon. G. G. PEARSON—My colleague, the Minister of Roads, advises that wear on shoulders alongside bitumen is greatest on roads constructed some time ago that are not wide enough for present traffic intensities. Roads constructed to present day standards give an adequate width to obviate traffic encroaching on shouders to any extent, and at the same time departmental maintenance gangs are continuously employed on improvements to shoulders. The addition of a narrow strip of concrete would, in effect, only widen the pavement and would be much more expensive than the present practice of widening with bituminous construction.

POISONS CENTRE.

Mr. RICHES—Has the Premier a reply from the Minister of Health to questions I have asked about the establishment of a poisons research and control centre in South Australia?

The Hon. Sir THOMAS PLAYFORD—A letter was forwarded direct to the persons concerned. I have it here, and it is available to the honourable member.

WATTLE PARK BUS SERVICE.

Mrs. STEELE—As the Minister of Works will know, I have made representations to him on behalf of residents of the Wattle Park, Stonyfell and Burnalta area of my electorate regarding the extension of the existing Erindale bus service. Home building is steadily increasing and consequently the population of those districts is growing rapidly, many of the property owners being young people with families. An extension along Hallett Road to Burnside Road or along Kensington Road to Penfold Road (or both) would serve the growing transport needs of residents of this area. Can the Minister of Works say whether the position for the provision of such extension is more favourable now than it was some months ago when I discussed the matter with him and the General Manager of the Municipal Tramways Trust?

The Hon. G. G. PEARSON—I think the best answer I can give today is that I will call for a further report. I am not familiar with the area but I know it is building up rapidly and, of course, the trust's services naturally are designed so that they can reach out further when additional patronage justifies them. However, I will obtain a report for the honourable member.

ELECTRICITY TRUST'S LAND.

Mr. FRED WALSH—The Electricity Trust owns a considerable area in Richmond facing West Beach Road, Galway Avenue and Grove Avenue and I understand from reports that it is about to dispose of it and to have its depot in another suburb. This depot has been in Richmond for many years and I believe at one time linesmen were trained there. I have been led to believe that the Electricity Trust is negotiating with the Housing Trust in relation to this land. Can the Premier say whether

the report is accurate and, if it is, will he say what negotiations have gone on between these two bodies?

The Hon. Sir THOMAS PLAYFORD—I have no personal knowledge of this matter, but I will obtain a report from the Electricity Trust and advise the honourable member.

GOVERNOR.

Mr. LAWN—My question, which is directed to the Premier, arises out of the failure to appoint a Governor. Is it true that the Premier intends to resign very shortly and that Cabinet is keeping the position of Governor vacant with the object of appointing him as Governor?

The Hon. Sir THOMAS PLAYFORD—I regret that there is no truth in the rumour the honourable member has heard. He will have to put up with me for some time yet.

SCALP TREATMENT COURSE.

Mr. BYWATERS—On December 12, 1958, a constituent of mine commenced a scalp treatment course at James Cosmetics Company Pty. Ltd. on the understanding that the money would be refunded if he were not satisfied. He paid £165 cash for the treatment, and about a month later he complained of a rash which was causing great discomfort. As he was dissatisfied with the treatment, he first wrote on March 6, 1959, asking for the refund as promised, and on June 24, 1959, he received the following letter:—

In reply to your letter dated June 18, 1959, I would like to inform you that our Managing Director (Mr. Hearn) visited this office Monday last on his biannual tour. Mr. Hearn has assured me that your application for refund has been approved by our head office in Sydney, and the only thing holding it up at present is final approval from the main office in the United States. The latter is mere formality and you should be receiving a cheque shortly. I am deeply sorry that you have been inconvenienced in this matter, and I thank you for your patience.

Following that, my constituent wrote several letters to this firm in Sydney asking for his refund, but as he received no reply he came to me early this year. I contacted the man concerned and was told that the matter was in order but the firm was still waiting finalization of it from America. On August 11 I wrote to the firm asking that this matter be finalized, but there has been no reply either to my letter or my constituent's letters. The firm concerned has apparently no intention of honouring its money-back guarantee in a case such as this. Will the Minister of Education ask the Attorney-General to inquire into this firm's activities?

The Hon. B. PATTINSON—I shall be pleased to do so.

PORT PIRIE HOSPITAL.

Mr. McKEE—I understand that tenders for the completion of the laundry and kitchen block at the Port Pirie Hospital closed on October 28. Can the Minister of Works say who were the successful tenderers for that work?

The Hon. G. G. PEARSON—Offhand, I cannot give the honourable member particulars, but I shall try and bring down some information tomorrow.

WEIGHTS AND MEASURES.

Mr. STOTT—Will the Premier call for a report from the appropriate authorities regarding the desirability of altering the present system of weights and measurements? I particularly have in mind 2,240 lb. to the ton, 2,000 lb. in a short ton of flour, and that sort of thing. In view of the likely introduction of decimal coinage, if the report is favourable will the Premier ask the Commonwealth Government to appoint an all-Australian committee to inquire into the possibility of amending the system of weights and measures with a view to reaching uniformity with the decimal coinage?

The Hon. Sir THOMAS PLAYFORD—I do not think the problem is as easy to solve as the honourable member suggests. We can introduce decimal coinage, but that would be the standard to be used in Australia; it is something we can alter at will without getting into difficulty with our overseas customers, because the rate of exchange is based accordingly. Altering the receptacles that our customers use in buying our commodities is a question not only of what we want but also of what the customers of the world want.

Mr. Stott—The United Kingdom is going into this question.

The Hon. Sir THOMAS PLAYFORD—Unless there were a world-wide change to a different system of weights and measures I doubt whether it would be in the interests of Australia to alter our system out of accord with the accepted basis overseas. As far as I know, we sell our wheat overseas on the same basis as the United States of America and other big wheat-producing countries, and I think that it would not be good policy to change from that unless there was a general change. I will have the matter examined.

FROST DAMAGE.

Mr. LAUCKE—Can the Premier say if there is any way in which assistance can be given in isolated cases of extreme hardship to grape-growers and fruit-growers because of frost damage to their holdings.

The Hon. Sir THOMAS PLAYFORD—For some years relief has been granted by the Commonwealth Government, and it is necessary to get Commonwealth assistance in any national disaster. That assistance has always been given to cases of great necessity or hardship, and is never based merely on the loss suffered. Before I ventured an opinion I would have to have a report on the extent of the loss to see if it came into the category of what the Commonwealth would normally consider to be a "personal hardship". The Commonwealth requires the Auditor-General's certificate, which is given on very limited grounds. In fact, it almost seems that personal hardship has resolved itself into the need to subsidize the maintenance of a family. If the honourable member will give me the names of the people concerned I will obtain a report for him on the matter.

FRUIT CANNING.

Mr. BYWATERS—As nearly two years has elapsed since the formation of the Fruit Canning Inquiry Committee, can the Premier say whether a report from this committee will be made to the House and whether it could be brought down this session?

The Hon. Sir THOMAS PLAYFORD—I know that the report is urgently required in many districts and that the member for Chaffey (Mr. King) has asked me several times when it will be available, because there is now some hesitation in entering into commercial activities while the report is outstanding. This matter is bound up with Commonwealth policy in other States as well as South Australia and it would be difficult to have in South Australia a set-up different from the Commonwealth set-up as a whole. I understand that the committee has concluded taking evidence and is preparing its report. I have heard that the report will be available in a reasonably short time but cannot give the honourable member any further information. The committee realizes that the report is urgently required.

"BLUE BIRD" BRAKING SYSTEM.

Mr. FRANK WALSH—Has the Minister of Works, representing the Minister of Railways, a reply to my recent question about the "Blue Bird" braking system?

The Hon. G. G. PEARSON—Yes. My colleague, the Minister of Railways, has obtained a report from the Railways Commissioner, stating that the collision in the Adelaide hills between two railcars was caused by a defect in two of the air brake cylinders of the "250" class car. When the driver of the car lost the air, he applied the hand brake, which did reduce the speed of the car to approximately 20 m.p.h. at the moment of impact. The hand brake is primarily intended for stabling purposes and not as a stopping brake for general use in traffic. The statement made by the Leader of the Opposition, that a "Blue Bird" car travelled 1½ miles after the hand brake had been applied—at 60 m.p.h.—presumably refers to a level crossing accident on the Victor Harbour line on September 20, 1958, when both air and hand brakes were rendered inoperative by damage and the car drifted on for this distance before stopping. Since that time heavy plates have been fitted to protect the brake cylinders.

PERSONAL EXPLANATION: PUBLIC SERVICE ACCOMMODATION.

Mr. FRANK WALSH (Leader of the Opposition)—I ask leave to make a personal explanation.

Leave granted.

Mr. FRANK WALSH—My question concerning Public Service accommodation did not in any way reflect upon the Public Service.

The Hon. Sir THOMAS PLAYFORD—I understood that.

MARINO AND KINGSTON PARK SEWERAGE SCHEME.

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Marino and Kingston Park Sewerage Scheme.

Ordered that report be printed.

SUPREME COURT ACT AMENDMENT BILL (No. 1).

Adjourned debate on second reading.

(Continued from November 1. Page 1600.)

Mr. LOVEDAY (Whyalla)—This Bill, to amend the Supreme Court Act of 1935-1958, provides that any judge who is now over 70 years of age and did not elect to contribute to the pension scheme introduced in 1944 can now elect to do so and receive a pension. It is

necessary to examine the background of this matter in order to understand just what has been done in reference to judges' pensions in this State. Under Part IV of the Constitution Act, judges are appointed for life. The Supreme Court Act of 1935-1936 made no provision for pensions and the salaries at that time were £2,500 for the Chief Justice and £2,000 for the puisne judges. Under the Constitution Act the judges could be removed by an Address of both Houses of Parliament for misbehaviour or incapacity.

Pensions were introduced in the amending Bill to the Supreme Court Act in 1944. The Attorney-General (Hon. C. A. L. Abbott) said that the object of the Bill was to prescribe a retiring age and to provide for pensions. The member for Angas (Mr. Teusner) said he considered it necessary to provide for a retiring age. Under that Bill a judge in office at that time could elect to contribute to the pension scheme within three months of the passing of the Act or, if appointed subsequently, within three months of appointment.

The Treasurer could accept an election made after the times prescribed and, in that case, contributions were payable as if the election had been made on the last day on which it could have been made under the Act. In other words, there was no escape from making contributions, if a late election was made, in order to receive the same benefits in pension. Contributions were retrospective in that case. The judges who did elect to contribute had to retire at 70 years of age the same as any who might be appointed after the passing of the 1944 Act. The two judges referred to by the Treasurer had this opportunity. Had they accepted it, they would have retired at 70 after paying about eight years' contributions of £80 a year, and would have received a pension of half-salary at the time of retirement.

The Supreme Court Act was amended again in 1947 when salaries were adjusted, the Chief Justice's salary to £3,000 and the puisne judges' salary to £2,500. For pension purposes the salaries were deemed to be £2,500 and £2,000 respectively for, as the Treasurer said then, having regard to the rate of pensions generally available to public servants there was no case then for increasing judicial pensions. It was thought obviously at that time that a half-salary pension was too generous in relation to the pensions provided for other public servants. A further amendment occurred in 1953 for the purpose, as the Treasurer said then, of liberalizing pension provisions and providing for pensions to the widows of judges. Contributions to the pension scheme were altered from the flat rate of £80 a year to rates varying in accordance with the age of the judge at the time of appointment. The rates varied from 5 per cent to 8.3 per cent of salary. For example, those appointed under 55 years of age had to pay five per cent of salary, and those from 64 to 65 years of age at the time had to pay 8.3 per cent. The pension was for life at half-salary at the time of retirement and, in the case of the widow, one-quarter salary at the time of the decease of the judge.

The judges' salaries were raised again in the amending Act to the Supreme Court Act (1958). The Treasurer pointed out at that time that before the war the salaries were £2,500 and £2,000 respectively. They had been raised since to £4,750 and £4,000 respectively, and another increase of £1,000 was proposed. That brought the salaries in 1958 to: Chief Justice £5,750, and puisne judges £5,000. The members of the Opposition at that time drew attention to the need to raise the salaries of other public officers. It was also provided in this Act that the rates of salary as altered should be deemed to come into force for all purposes including contributions for pensions and rights to pensions. I draw the attention of the House to the fact that the 1944 amending Act accepted the principle that pension benefits could be received only upon payment of adequate contributions, and that late elections to contribute involved retrospective contributions.

Although the Act was further amended in 1947, 1953 and 1958, that general principle remained undisturbed. This Bill, however, provides that the judges concerned shall be able to elect to contribute at the rate which they would now be paying if they had so elected in 1944, the rate of contribution being a percentage of the salaries in accordance with their age at the time of the passing of the 1944 Act, and that the payment of contributions shall not be retrospective. The Treasurer made a point of that in his second reading speech. So these judges could make one payment of contribution and retire on pensions of, respectively, £2,875 and £2,500 per annum. By declining to contribute in 1944, they were able to avoid retirement at the age of 70 (about eight years ago) and kept themselves in a position to receive full salaries for life irrespective of infirmity or incapacity unless they were removed by an Address of both Houses.

They are now given the same pension benefit in terms of half-salary, if and when they retire, as those who elected to contribute in 1944, paid their full contributions and had to retire on half-pay at 70. This can be described only as most inequitable in relation to those judges who contributed to pensions, and the proposal cuts across the accepted principles of the 1944 Act and the subsequent Acts which did not disturb the principle of retrospective contributions. It is accepted that judges are in a responsible position calling for their impartial judgment in matters of justice and equity, and one would have thought that a proposal of this sort would prove embarrassing to judges who would, under this Bill, be the recipients of these advantages over their fellow judges.

There has been strong opposition in the past to any other public servant receiving similar preferential treatment. A case occurred some years ago in this House in connection with a member who had to pay retrospective contributions in order to receive the same pension as those members who had made their choice carlier. That point of view would be generally accepted in regard to pensions. In fact, just recently the House dealt with a Bill relating to police pensions in which pensions were increased, and as a consequence contributions had to be raised: in other words, the pension was tied to the contribution. During the debate on the 1944 amending legislation, which provided for pensions, the then Leader of the Opposition (the Hon. R. S. Richards), in opposing the Bill, referred to the differential treatment accorded to public servants at the top and lower rungs of the Public Service. He said, "For too long we have followed this policy" and he referred to the fact that the Minister had said that there must not be any interference with the terms of appointment of the judges who were appointed for life on account of the sanctity of contract. He pointed out that contracts of this type were always being broken by the Government by pushing the higher man higher and the lower man lower. In the same debate Mr. Quirke, then the member for Stanley, said:—

This Bill will, in one sweep, give to them each year upon retirement a sum which the widow of a man who is killed receives as compensation for his death.

It is interesting to note that that position obtains today because the pensions receivable will be £2,500 and £2,875 and the compensation paid to a widow of a man killed is £2,750; so we have not moved far in that time. I remind members that recently the Treasurer seemed to think it was a good thing that a pensioner who received hospital treatment should contribute to a hospital scheme to get a hospital benefit cover. There has been nothing niggardly about Parliament's approach to the question of judges' salaries in past years, but there seems to be no justification for the proposal contained in this Bill. The judges concerned were in a position to make adequate provision for their future either by electing to contribute towards pensions in 1944 or by taking other steps to cover themselves as do other citizens. In speaking on this subject in 1944 the Hon. R. S. Richards said:—

For too long we have followed this policy.—and he was referring to a policy of differential treatment—

For too long have we been giving concessions to men who have been placed in a high position and, because of peculiar circumstances surrounding that position, have been given life-long employment irrespective of infirmity or anything else. They are given a salary regarded as sufficient to compensate them for leaving what our legal friends never fail to tell us was a remunerative practice in order that they may take up the highly responsible and dignified position of judge. However, when they accept those appointments they know full well what they are accepting and what they are leaving, and they know that they are there for life, irrespective of age or efficiency, and that so long as they agree to stay there, unless both Houses pass a resolution to retire them, they shall enjoy that specified salary.

I believe that this Bill should be amended to provide that the pensions are payable on condition that the contributions are made retrospective. That would bring the Bill into line with all other amending legislation passed concerning the Supreme Court Act. The Bill would comply with the generally accepted principle that prevails in measures of this nature. I shall support the second reading under protest in the hope that members will accept an amendment that I shall move which, if accepted, will still give these judges a considerable advantage over those judges who elected in 1944 to contribute to the pension scheme. I trust that members will view this Bill from the viewpoint of making it equitable to the judges who elected in past years to contribute for a pension. We should not depart from the general principle which applies in all other pension schemes, including the Public Service superannuation scheme.

Mr. RICHES (Stuart)—I shall adopt a similar attitude to that stated by Mr. Loveday. If the Bill is not amended as he suggests, I will oppose the third reading. This matter was

keenly debated when pensions for judges were first introduced. The Opposition held that the salary paid to judges contained adequate provision for retiring allowances. It was sufficient to enable judges, who occupy the most favoured position in the land, to provide for their own retirement. The salaries were fixed at a high rate for that specific purpose. When the pension scheme was introduced in 1944 it was on the distinct understanding that judges would retire at 70 years of age. That issue was debated at every opportunity, even on the third reading.

I feel that this is class legislation and that it must be embarrassing to the two judges to whom it relates. They have given excellent service to the State, but they have been remunerated for that service. They must be embarrassed that this matter is being brought forward and is the subject of a debate on principle, as it undoubtedly is. As a matter of fact, I thought that the Government might well consider appointing one of the learned judges concerned to the position of Governor of South Australia, so well has he served the State. He could adequately fill that position. If we are not going to write down South Australians and say that at no time will a South Australian ever rise to the position of Governor, then the Government should consider this suggestion now because no South Australian has ever placed himself in a position deserving the honour more than has Sir Mellis Napier. He is eminently qualified for the position. It is a matter for deep regret that the Government should bring forward this Bill which places him in an embarrassing position. I do not believe he is asking that Parliament should make this extraordinary provision whereby for one payment of superannuation he will be entitled to about £2,500 annually for the rest of his life as a retiring allowance. That provision is out of keeping with the treatment meted out to every other public servant, and is not contained in any other superannuation scheme known in South Australia. No reason has been advanced for this extraordinary procedure, although we may get some further explanation in Committee.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—''Right of certain judges to contribute for pension''.

Mr. LOVEDAY—I move—

In new section 13eb (2) to strike out all words after ''contribution'' and to insert ''at the rate of £80 a year''.

The amendment will bring the Bill into line with the 1944 legislation which introduced pensions and made contributions retrospective. In other words, it will then adhere to the principle laid down in 1944 and not departed from in subsequent amending legislation. Furthermore, it will bring it into line with other legislation affecting pensions which accepts the general principle that a pension shall be tied to a certain amount of contribution. The principle has been followed consistently and there seems no adequate reason to depart from it now. If the amendment is accepted the provision will still be generous to the judges concerned, because they have had the advantage of serving in their positions after the age of 70 years whereas they would have had to retire had they elected in 1944 to contribute for a pension. Certainly they have given good service during the eight years, or whatever the period is, but nevertheless the Bill, as it stands, would enable them on the payment of one contribution to receive the full half salary pension, which seems quite inequitable when related to the experience of the other judges who elected to contribute in 1944 and who had to retire at 70 as a result. From the point of view of equity, I hope the Committee will accept this amendment to bring the Bill in line with other superannuation legislation. If it is accepted I intend to move to strike out, in subsection (3), ''is made'' with a view to inserting ''could have been made under section 13c (2) (*a*) of this Act.''

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer)—As I understand it, the amendment provides that to become eligible for pensions these two judges will have to make payments dating back to the time when they could have decided to go on a pension. The honourable member's ground for moving it was that it would bring this matter into line with the accepted rule relating to other pensions, but I do not agree with that contention. If the honourable member examines other superannuation schemes, including the Parliamentary scheme, he will see that it is not financially practicable for a person to make up back payments to the extent suggested. When the Parliamentary Superannuation Fund Act was passed, although it was provided that 12 years' service was necessary to become eligible for a pension, it did not provide that members had to pay back payments for 12 years. In fact, the widow of one member became eligible for pension on payment of one-quarter of a year's contribution. This

afternoon the Leader of the Opposition mentioned the Public Service superannuation scheme, but the Auditor-General's report shows that every time the permissible number of units is increased we make a concession to enable public servants to take out the additional units.

As members know, more units are to be provided for the Parliamentary Superannuation Scheme, but is it proposed that I should make back payments for 18 years to take up additional units? Of course not, and that has never been provided. I will accept that this is being dealt with in a way slightly out of the ordinary, but occasionally it is necessary in outstanding cases to break off a previous arrangement and start a new arrangement that requires some divergence from the ordinary. These two judges were appointed for life and can carry on for life if they so desire but if, having passed 70 years of age, they desire to retire, I believe that we should allow them to do so. The honourable member spoke about principles, but the pension provided for the Premier of Tasmania for life did not involve the payment of any contributions. I doubt whether any judges in Australia have had a more distinguished record of public service than those affected by the Bill. We should look at this matter not narrowly but fairly—what would be in the public interest and a fair thing to all concerned? I presume the amendment was moved not because of the sum involved but on the principle of the matter, but I ask whether members would amend the Public Service superannuation legislation and demand additional contributions from the beginning.

Mr. LOVEDAY—The Treasurer admits that this is a special case, and I agree that the two judges have rendered outstanding services to the State. However, the amending Act of 1944 provided that those who elected to contribute had to pay £80 a year. When the Act was again amended in 1953 the contribution was tied to the rate of salary and the age at which they accepted appointment, and varied between 5 per cent and 8.3 per cent of the salary. My amendment does not seek to obtain a contribution from these judges which would have been raised, say, in 1953 to a percentage of salary considerably higher than £80, so these judges are not even being asked to pay what they would have paid had they elected to contribute then in accordance with that sliding scale. The proposal in the amendment is generous. I do not think even the Treasurer could say that this clause was equitable having regard to what was paid by the judges who in 1944 elected to contribute. It would be embarrassing to a judge, who elected knowingly not to contribute but to go on and serve after reaching 70 years of age, to receive the same benefits as those who elected in 1944 to retire at 70. The amendment is intended only to make the position more equitable: I do not think any member could say that the existing provision in the clause is equitable.

Mr. LAWN—I support the amendment. The Treasurer admitted that the Bill was slightly out of the ordinary; I think it is extraordinary. He mentioned what had happened in Tasmania, but that was not a superannuation fund. I would not disagree with special consideration being given to the Prime Minister, every Premier or every Cabinet Minister for services to the community, but not under a superannuation scheme. The Treasurer said that one member of Parliament retired, started to receive his pension and died shortly afterwards.

Mr. Riches—He must have paid his quota!

Mr. LAWN—Exactly. The Parliamentary Superannuation Fund Act was passed in 1948. Late in 1949 the Hon. R. S. Richards resigned on account of ill-health and had to make a minimum payment into that fund, although he had qualified by having served more than 12 years.

Mr. Riches—So did the Hon. John McInnes.

Mr. LAWN—Yes. He did not nominate for Parliament in 1950 and had to make a lump sum payment.

Mr. Clark—They had both given yeoman service to the State.

Mr. LAWN—Yes, like the two judges. Both had served in the Cabinet, and one had served as Speaker. Although I do not wish to write down the judges, I think these men rendered greater, or at least equal, service to the State. They had to make minimum payments into the fund yet the Government wants these judges to make only one payment. After this Act is passed and proclaimed they will be given three months to decide whether they will subscribe to the fund and upon one payment will be entitled to a pension equal to one-half of £5,750 or £5,000. The amendment seeks only to place them in the same position as the judges who have been contributing £80 a year since 1944. Members of this House pay £100 a year into their lousy fund from a salary of £2,000. These judges are in their seventies and have been getting these salaries since 1955, before which

they were getting high salaries. They are asked to pay only £80 a year and they will be entitled to a pension of half their salary. Members have to serve a period of 12 years, but even after that period a member, if he is defeated and if he is under 50 years of age, receives nothing. Yet the Treasurer tries to justify this Bill which he has introduced on behalf of the Supreme Court judges. Throughout our Public Service there is considerable dissatisfaction over superannuation. Public servants have for years complained to the Treasurer that they have the worst superannuation provisions in Australia, yet the Government asks us to give two judges special treatment compared with their brother judges. Since 1944 the other judges have been paying £80 a year, and we are now asked to permit two judges to make one monthly payment, after which they will be entitled to a pension of one-half their salary and at their decease their widows will be entitled to a pension of one-quarter of their salary. I know of no superannuation scheme in South Australia as good as that being enjoyed by the judges, yet now we are asked to put two judges in a special category. Why should these judges not be on an equivalent basis with their fellow judges? To say that the Bill is slightly out of the ordinary is, in my opinion, a gross understatement.

Mr. Jennings—What about the actuarial basis we hear about?

Mr. LAWN—Yes. Every time public servants' and members' superannuation provisions are being considered the Treasurer calls for a report from the Public Actuary, because he says that he must be guided by the Public Actuary's report. The Treasurer cannot tell me that this Bill has an actuarial basis, yet he has always insisted on that basis being adopted. If it is right for the Parliamentary Superannuation Act to be on an actuarial basis and subject to close scrutiny by the Public Actuary, why not this one? To ask that these judges should pay contributions retrospective to 1944 is not asking too much. The judges had the right in 1944 to elect to subscribe to superannuation, but these two judges decided they would not do so. If there is any truth in rumours abroad, the Government should have moved a motion instead of introducing a Bill of this type. The rumours are that at least one of the judges is going to sleep on the job and is forgetting the time he should be in court.

Mr. Shannon—It is a shame for any member to say a thing like that.

Mr. LAWN—If the Government wants to get rid of these two judges it should do so. I can tell the member for Onkaparinga now that the rumours going around the town are responsible for the Government's introducing this Bill. I know that one judge has stayed in his Chambers and forgotten to go into the court when required. What is the reason for this Bill?

Mr. Bywaters—To get rid of them.

Mr. LAWN—Yes. Let us be honest with the public! What is wrong with our telling the people what we are doing here? Are the Government and the member for Onkaparinga ashamed of this Bill? The honourable member is not game to get up and tell the people he represents why he supports it. He has interjected, therefore I challenge him to say why the Government is introducing this Bill to get rid of these judges instead of doing it by resolution. It is prepared to accept one payment into their superannuation fund and pension them off at one-half their salary. I shall not be a party to it. Neither the member for Onkaparinga nor any other member can tell me that this is a fair Bill or that it is only slightly out of the ordinary.

Mr. SHANNON—An amendment has been moved by the member for Whyalla (Mr. Loveday), who generally gives some thought to matters that come before this Chamber. I believe he honestly thinks he is doing a fair thing in moving the amendment. The expectancy of life is considerably reduced after 70 years of age. The amendment would require these two men to pay not only up to the age of 70 but up to the present, whatever their age might be; they would have to pay their £80 a year for the whole of the period since the superannuation provision for judges was passed. These men, who could have elected to retire on their pension at the age of 70, are now being asked to pay for the additional years that they have served since the age of 70. They are asked to pay pension contributions and, at some time in the future, to elect to retire on a pension. Obviously, anybody with a fair appreciation of the life span would realize that it is impracticable for either of these men to take up a pension on that basis.

Mr. Loveday—Why?

Mr. SHANNON—If they only survive one year after they elect to retire on pension, then all they have done is to pay in contributions more than the pension received.

Mr. Loveday—Oh, no, they have not; you work it out.

Mr. SHANNON—The honourable member deals with this matter as a matter of principle, but is "principle" something that we can get to grips with and say, "This is a principle, we will stick to it", or are there degrees of principle? The member for Whyalla admitted that he was putting those two men on an £80 a year contribution, whereas in fact we have changed the basis of contribution to a percentage of salary. The member for Adelaide (Mr. Lawn) referred to these judges being on an equivalent basis with their fellow judges. There has been a little tinkering—if I may use the term—with a principle. I am a little surprised that the member for Whyalla should advocate that these men should pay for those years after reaching 70. These men have given good service; they have acted as judges of the Court, and one of them is our Chief Justice. He has given good service since he was 70 years of age. Why should he be made to pay into his pension fund after 70 years of age an amount which his fellow judges have not been asked to pay? Where is the justice in that?

Regarding the suggestion that this is an entirely new approach and something extraordinary (as the member for Adelaide would have us believe), the most extraordinary thing I saw was the honourable member's performance this afternoon, which disgusted me. To say that this is an extraordinary thing could not be further from the truth; in fact, it is customary. Where an employer has kept in employment, because of his ability and skill, a high-ranking person beyond the usual retiring age, it is customary to give this man, when he retires, a lump sum by way of compensation for the long years of service he has rendered, without requiring a contribution. That is done in recognition of his services. In my opinion Parliament is now being asked to recognize the services of two very eminent men in our public life. One of those men is probably the most eminent man in South Australia, apart from the Treasurer. These men did not elect to retire, as their fellow judges did, when they had the opportunity to do so on a pension; they did not so elect, and I do not think we should now blame them. After all, we are human beings and we should put ourselves in their position. They might have been retiring in a very short time after the introduction of that legislation, but being in full command of their mental faculties they decided to continue in the job that they had fitted themselves for rather than go into oblivion.

That was a very human thing to do, and I find no fault with that action. We purposely gave them the opportunity to retire on a pension when we passed the Bill, knowing that at least one of them would probably elect to serve on rather than retire, because his retiring age was not so far away, even at that early date. I am afraid that we are forgetting that there is such a thing as suitably rewarding faithful service to the State, as we do in this Bill. If the member for Adelaide wants to know why we are doing it, it is for no other reason than as a reward for long and faithful service. I think we are entitled to do it.

Mr. LOVEDAY—The member for Onkaparinga implied, firstly, that I was not being consistent, that I wanted equity but was departing from that principle. He pointed out that the 1953 Act altered the method of contributing to these pensions, that it was based on a sliding scale contribution whereby a percentage of the salary had to be contributed in accordance with the age of the contributor. The method of contributing was changed, but he forgot that any judge who was contributing for a pension at the time of the passing of the 1953 Act could, by giving written notice within three months to the Treasurer, elect to continue to contribute at the rate of £80 a year and, if he so elected to continue to contribute, he would get a pension on the same lines as under the 1944 Act—half salary.

Mr. Shannon—That is so.

Mr. LOVEDAY—So there is nothing inconsistent in my approach to equity. As I said earlier, my amendment is a generous approach and nothing else. The honourable member next said that I was asking people to pay for pensions after their fellow judges had to retire. There is nothing inequitable about that. After all, the judges who elected to contribute in 1944 were paying contributions while they were getting a salary.

Mr. Shannon—Yes, but does the honourable member not realize that at 70 years these men should have finished?

Mr. LOVEDAY—These two judges preferred to do something else—to continue in office after 70 years of age. They made their choice and were getting a full salary from the time they reached 70 until now. There is nothing inequitable about asking them to contribute to a pension that will be half the rate of salary they get when they retire, not what they would have got had they retired at 70. The honourable member then referred to their service. I have not been critical of their

service and am not dealing with that aspect. I said they had performed outstanding service to the State. There is no question or debate about that.

Mr. RICHES—I support the amendment. It is wrong that these judges, having been given the right to elect to come into the pension scheme in 1944 and having refused then to exercise that right, should now be told that they can come into the scheme and be absolved completely from contributions over that period except for just one payment, thus making them eligible for possibly the highest superannuation payment that the State has to offer. I can see no justification for that and cannot believe that the judges would ask for it; I should be amazed if they had. This whole approach must be as embarrassing to the judges as it is to us who have to oppose it, because we have a high regard for the work they have done over the years in their high office. They have been rewarded to about the maximum extent that the State could afford to reward them. Many others in the community have rendered good service to the State and are worthy citizens to whom we should like to hand out monetary rewards, and not all of them are in high positions. This is out of keeping with the Public Service superannuation scheme and the Parliamentary superannuation scheme. The Government is making a mistake and drawing a line to which I cannot be a party.

Mr. BYWATERS—I join with those who have spoken in favour of the amendment. If it is not carried, I shall oppose the Bill on the third reading. This is no criticism of the two judges concerned. The amendment is generous. I point out to the member for Onkaparinga that contributions for 16 years at the rate of £80 a year amount to £1,280. The pension that these gentlemen would receive would be £2,875 and £2,500, respectively. In the one case the contribution would be less than, and in the other case just over, six months' pension. Therefore, this amendment is not unreasonable. Were I in the position of one of these judges, I should feel that to make contributions to warrant the amount paid to me was only just.

The Committee divided on the amendment:—

Ayes (13).—Messrs. Bywaters, Clark, Corcoran, Dunstan, Hutchens, Jennings, Lawn, Loveday (teller), Ralston, Riches, Ryan, Frank Walsh, and Fred Walsh.

Noes (17).—Messrs. Brookman, Coumbe, Hall, Nicholson, Harding, Heaslip, Sir Cecil Hincks, Messrs. Jenkins, King, Nankivell, Pattinson, Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon, Mrs. Steele, and Mr. Stott.

Pairs.—Ayes—Messrs. Tapping, McKee, and Hughes. Noes.—Messrs—Bockelberg, Laucke, and Millhouse.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed. Title passed.

Bill reported without amendment. Committee's report adopted.

PASTORAL ACT AMENDMENT BILL.

The Hon. Sir CECIL HINCKS (Minister of Lands) introduced a Bill for an Act to amend the Pastoral Act, 1936-1959. Read a first time.

The Hon. D. N. Brookman for the Hon. Sir CECIL HINCKS—I move—

That this Bill be now read a second time.

The provisions of the Pastoral Act to which the main clauses of this Bill relate were based on the report of a Royal Commission on the pastoral industry issued in 1927. Those provisions were originally enacted in 1929 when the pastoral areas were in the throes of a disastrous drought and the price of wool had declined to a little over 10d. a pound for the 1929-1930 clip. The Acts relating to pastoral lands were subsequently consolidated in the Pastoral Act, 1936, and that Act, as amended, is the principal Act referred to in this Bill. The 1929 legislation was designed to assist the pastoral industry through difficult times and except in minor respects no change has since been made affecting the terms and conditions under which pastoral leases are granted under the principal Act. The liberal provisions of the Act and the broad and sympathetic policy of the Pastoral Board are contributing factors in establishing the industry in the sound position in which we find it today and vastly improved conditions are now prevailing in the industry. An appreciation of the magnitude of the board's responsibility under the Act could be made from the fact that 75 per cent of the State's occupied areas is held under the Pastoral Act.

While the Government has been alive to the necessity for maintaining the progressive development of the arid inland areas of the State, it has been also concerned about the unduly low revenue received from rentals. This is appreciated by many lessees who agree that their holdings could stand a substantial increase in the present rentals charged under the Act. With these matters in mind the

Pastoral Board has reported to the Government that most of the 1929 legislation having fulfilled its purpose in establishing the pastoral industry on a particularly sound basis, the stage has now been reached where the legislation affecting pastoral occupation of lands in the State is in urgent need of revision.

The recommendations of the board, which the Government seeks to implement in this Bill, do not affect the rights of lessees under existing legislation. They reflect the board's recognition of the fact that certain areas of the State are subject to extreme conditions of drought and hardship and, although the board does not consider it wise to permit some extremely large holdings to be re-granted in their entirety to existing lessees on the expiration of their present leases, it is firmly of the opinion that in considering the question of subdividing any existing holding the primary consideration should be the maximum production that could safely be achieved from the land and that such production is not necessarily achieved by cutting up existing holdings that are efficiently managed. It is also of the opinion that the subdivision of an existing holding will not necessarily result in increased revenue for the State by way of rent.

In order to enable members to appreciate fully the implications of the Bill, I shall, as I deal with each clause, briefly outline the effect of the existing provisions of the principal Act which the Government feels are in need of revision, the recommendations of the board in regard thereto, and the effect of that clause when the Bill becomes law. Under the principal Act, a pastoral lease is, with a few minor exceptions, granted for a term of 42 years, and the rent payable under the lease is fixed for the first 21 years of the term and revised during the twenty-first year when the rent for the last 21 years of the term is determined upon a revaluation of the lessee's run. The board recommends that revaluations of leases granted after the Bill becomes law should be made for each seven year period of the term of the lease.

Clause 3 inserts in the principal Act a new section 40a, the effect of which is that where the term of a lease granted after the Bill becomes law exceeds seven years, that term shall be divided into periods so that each period will be of the duration of seven years, or if that is not possible, each period other than the last, will be of that duration. Subsection (2) of that section also provides that the rent of such a lease shall be revalued for the second and each succeeding period of the term in accordance with Part V of the Act. Part V deals with rent, valuations and revaluations of all leases.

Section 41 (1) of the principal Act provides that every lease granted after December 12, 1929, except a lease of land south or east of the River Murray, shall be for 42 years and subsection (2) provides that the rent of every such lease shall be revalued for the last 21 years of its term in accordance with Part V. As the new section 40a, inserted by clause 3, requires a revaluation of the rent of a lease granted after the Bill becomes law for each seven year period of its term and it is necessary to protect the rights of existing lessees who come under section 41, clause 4 amends subsection (2) of that section by qualifying it with the words "subject to section 40a of this Act". This means that revaluations of existing leases will continue to be made under the old provisions while those of future leases will be made subject to the new section 40a. Section 42 (1) of the principal Act deals similarly with leases granted after December 12, 1929, of land south or east of the River Murray and clause 5 amends subsection (2) of that section in the same way. The amendments proposed in clauses 4 and 5 are in effect consequential upon the provisions of new clause 40a.

Section 43 (2) of the Act provides that any term or covenant of a lease may bind the lessee to supply water for stock travelling through the leased land, but the lessee has the right to determine from which water supply the stock is to take water. The water supply need not necessarily be that nearest to the most direct route through that land. The board reported that in its present form the section would empower an unreasonable or difficult lessee to determine that stock must take water from a water supply that is practically inaccessible and recommended that the section be clarified. Clause 6 accordingly amends section 43 (2) so as to provide that the water supply need not be that nearest to the most direct route through the leased land if the water supply is reasonably accessible to such stock.

Fifty-four per cent of the current leases are due to expire between the years 1971 and 1975 and while it is intended that existing lessees retain the right to hold their present holdings under the present law until their leases expire, it is felt that advantages could accrue both to the State and to lessees if existing lessees were provided with an opportunity of electing within a specified period

to terminate their present leases in consideration of being granted new leases for 42 year terms of the whole or part of their present holdings at revised rentals. In such cases the advantage to the pastoralist would be an assured tenure for another term of 42 years while the State would derive increased revenue from the increased rentals that would in most cases be charged in view of the fact that the existing rentals are purely nominal.

Clause 7 accordingly inserts in the principal Act a new section 46a, subsection (1) of which enables the lessee of one or more leases, within 12 months after the Bill becomes law, to request the Minister to notify him whether, upon surrender of the lease or leases, the Minister is willing to offer him another lease of the whole or any part of his holdings, and if so at what rent and on what terms and conditions. Subsection (2) requires the Minister, on the board's recommendation, to determine the matters mentioned in subsection (1) and to serve on the lessee a notification of his determination. The subsection also requires the Minister, if he offers the lessee another lease of a part only of the lands comprised in the surrendered lease or leases, to state in the notification the value of the improvements, as assessed by the board, which the lessee is entitled to be paid under subsection (7) of the section. Subsection (3) provides that if the Minister notifies the applicant that he is willing to offer him a new lease, that notification is to be deemed to be an offer of a lease for a 42 year term of the land in question which the applicant may accept within 6 months after the Minister's notification is served on him.

Subsection (4) requires the applicant, on accepting the offer, to surrender his existing lease or leases and requires the Governor to accept the surrender and grant the new lease in terms of the offer. Subsection (5) is in effect an exemption in the case of leases granted under this section from the provisions of sections 23 and 29 of the Act which require the publication of a notice declaring lands to be open for leasing and which require all applications for such lands to be considered as simultaneous applications. Subsection (6) requires a new lease granted under subsection (4) to comprise, where practicable, a continuous area of land that could be economically worked and to include the homestead. The subsection also provides that, if the surrendered lease or leases comprised land of an area of 100 square miles or more, the new lease must be a minimum of 100 square miles in area, and if the surrendered lease or leases comprised land of an area less than 100 square miles, the new lease must comprise the whole of that land. Subsection (7) provides for compensation being payable to a lessee for improvements made on any part of the lands comprised in a surrendered lease if that part is not included in a new lease granted in lieu of the surrendered lease under subsection (4). And if any part of the lands comprised in a surrendered lease is not so included and is not to be allotted within six months after the surrender to another lessee, subsection (8) enables the Minister to grant to the person who surrendered the lease a licence to use and occupy that part on such terms and conditions as the Minister thinks proper.

Section 49 of the principal Act deals with the surrender of land held under Crown leases and agreements for sale and purchase made with the Crown in exchange for leases under the Act. Subsection (6) of that section in its present form envisages that the new lease would be granted for a term of 42 years and that the rent payable thereunder would be determined at the commencement of the term for the first 21 years of that term and again on revaluation in the twenty-first year. In view of the new section 40a inserted by clause 3 providing for revaluations every seven years, clause 8 amends subsection (6) of section 49 by qualifying it with the words "subject to section 40a of this Act". The effect of this clause is that the rent payable under existing leases granted under this section would continue to be governed by the present law while the rent payable under any future lease granted under the section will be subject to revaluation for each seven-year period of its term.

Section 53 of the principal Act provides for a special revaluation of a run the value of which in the Minister's opinion is enhanced by Government works of a public nature executed on or in the vicinity of that run. Section 54 provides that no such revaluation shall be retrospective or be made within five years after the commencement of the lease or within ten years after any previous revaluation. The Board is of the opinion that, as future leases provide for revaluations every seven years and that under section 57 the lessee has a right of appeal against a revaluation made under section 53 or 56, the words "nor within ten years after any previous revaluation" confer an undue advantage on a lessee, who, in any event, has a right of appeal against a revaluation with which he is dissatisfied. Clause 9

accordingly strikes out those words from the section.

Section 55 of the principal Act provides for the revaluation of existing 42-year leases to be made during the first six months of the twenty-first year of the term. In view of the provisions of new section 40a inserted by clause 3, special provision is needed for the revaluation of future leases and clause 10 amends section 55 by limiting the application of the existing provisions to leases granted prior to the passing of the Bill and by adding a new subsection providing for the revaluation of future leases at the end of every period of seven years for the purpose of determining the rent payable by the lessee for the next succeeding period of the term of the lease.

Section 56 of the principal Act requires the revaluation referred to in section 55 to be completed not less than six months before the expiration of the twenty-first year of the term of the lease and requires the Minister to serve notice on the lessee advising him of the rent to be paid during the last 21 years of the term. The section goes on to provide that the annual rent to be paid on revaluation shall not be more than 50 per cent above or below the rent payable during the twenty-first year of the term. As the section needs redrafting to cover the seven year revaluations of future leases, clause 11 repeals and re-enacts the section with the amendments necessary to achieve that effect.

As I have said before, section 57 of the Act gives a lessee the right of appeal against a revaluation made under section 53 or 56. If the lessee is dissatisfied with the rent fixed on appeal, subsection (2) of section 57 gives him the right to require the rent to be fixed by arbitrators. Section 59 provides that if the lessee does not appeal against the revaluation the rent fixed on that revaluation shall be payable as from the date such rent is due, but the section is unaccountably silent as to the lessee's liability to pay the rent so fixed in the event of an unsuccessful appeal. Clause 12 repeals and re-enacts that section to take care of this omission, taking into account revaluations of leases granted both before and after the Bill becomes law.

Section 60 of the principal Act confers on the Minister power to reduce the rent payable under a lease where the board is satisfied that the rent is too high having regard to the productive capacity of the land and other relevant matters. Subsection (5) of that section provides that, except as provided therein, the reduction of the rent shall not affect the board's power or duty to revalue any run in accordance with the Act. The subsection adds that, if any reduction is operative during the twenty-first year of the term of any lease, the rent which would have been payable during that year, if no reduction had been granted, shall, for the purpose only of fixing the rent on revaluation, be taken to be the rent payable during that year by the lessee. Subsection (2) of section 56 as re-enacted by clause 11 provides that the annual rent payable upon revaluation shall, in the case of existing leases, be not more than 50 per cent above or below the rent payable during the twenty-first year of the term of the lease and in the case of future leases not more than 50 per cent above or below the rent payable during the last year of the seven-year period in which the revaluation is made. Subsection (5) of section 60 accordingly requires to be brought into line with those new provisions, and clause 13 repeals that subsection and re-enacts its provisions with the necessary amendments in the new subsections (5) and (6).

Subsection (1) of section 61a of the principal Act prescribes the covenants required to be included in existing leases. Pursuant to those covenants a lessee is bound to expend on improvements on the land by the end of the fifth, thirteenth, and twenty-first years respectively of the term of the lease such sums of money as are specified in the *Gazette* notice declaring the land open for leasing, but he is not obliged to maintain those improvements. The board has recommended that in future leases there should be an additional covenant binding the lessee to maintain in good order and condition during the term of the lease all such improvements. Clause 14 accordingly amends subsection (1) of section 61 by limiting the application of that subsection to existing leases and adds a new subsection (1a) which prescribes the covenants to be contained in future leases in accordance with the board's recommendation. As future leases could fall into two classes, namely, those granted pursuant to new section 46a inserted by clause 7 and leases other than those leases, and, as section 46a does not require the publication of a notice declaring lands comprising a lease under that section to be open for leasing, new subsection (1a) inserted by clause 14 would not be applicable to leases under section 46a. The board has accordingly recommended that the

covenants provided for in new subsection (1b) inserted by clause 14 should apply to such leases.

Subsection (2) of section 61a deals with the *Gazette* notice by which lands subject to existing leases have been declared open for leasing and sets out the limits of the amounts required to be spent on improvements by the lessees. The board considers that these limits are far too low and recommends that for future leases the amounts to be spent by the end of the fifth year be increased from £10 to £25 a square mile, the amounts to be spent by the end of the thirteenth year be increased from £15 to £40 a square mile and the amounts to be spent by the end of the twenty-first year be increased from £20 to £60 a square mile. As the subsection has served its purpose so far as existing leases are concerned, clause 14 repeals it and enacts a new subsection dealing with notices by which lands are declared open for leasing after the Bill becomes law. The new subsection gives effect to the board's recommendation.

The board has also reported that, while the runs situated within the dog fence are generally well developed and in the hands of capable lessees, those outside the dog fence, with few exceptions, are inadequately developed. It feels that future leases of land outside the dog fence should require lessees to effect specified improvements within specified periods and recommends that legislation be passed to make this possible. Clause 15 accordingly enacts a new section 61b in the principal Act whereby a future lease granted in respect of lands situated outside the dog fence may, if the Minister thinks fit, contain, in addition to the other covenants provided for in the Act, such covenants as would bind the lessee to effect such improvements on the leased lands within such time as may be specified in those covenants. Subsection (2) of the new section, however, has the effect, so far as land outside the dog fence is concerned, of limiting the obligation of a lessee under any covenant to effecting improvements the total value of which at the end of the fifth, thirteenth and twenty-first years of the term of the lease will not exceed the maximum amounts respectively required to be spent by any other lessee on lands leased under the Act after the Bill becomes law. For the purpose of this new section it has been necessary to refer to a plan depicting the part of the State that lies outside the dog fence and this plan is incorporated in the fourth schedule which is inserted by clause 21.

Section 88 provides that the Minister may, by agreement with the lessee of any pastoral lands, acquire the lessee's interest in the whole or any part of the lands comprised in the lease for the purpose of closer settlement or for allotment to lessees of other pastoral lands. The section requires the Minister to pay for the interest and improvements thereon an ascertained amount of money. The board feels that in certain cases it would be an advantage and would assist such negotiations if the Minister had power to acquire for those purposes a lessee's interest in any part of the lands comprised in a lease in consideration for which the Minister grants an extension of the term of the lease for a further period not exceeding seven years with respect to all or any of the remaining land in the lessee's run. Clause 16 accordingly gives effect to this recommendation by enacting a new section 88a conferring the necessary power on the Minister.

Section 92 of the principal Act provides that any lessee may surrender any portion of the land comprised in his lease in accordance with that section. Section 93 provides that when any lease is so surrendered it shall be lawful for the Governor to grant a lease or leases of the land comprised in the surrendered lease to the person or persons nominated by the lessee surrendering the same and that every such new lease shall be granted for the unexpired period of the term of, and for the same purposes, and subject to the same terms, conditions and regulations as, the lease so surrendered. As subsection (4) of new section 46a contemplates a surrender of a lease in exchange for a new lease in favour of the same lessee for a full term of 42 years and on a rental and subject to terms and conditions to be specifically determined, section 93 is not intended to apply to surrenders under section 46a. Clause 17 accordingly makes this clear.

Subsection (1) of section 111 of the principal Act provides that if the Minister is of opinion that the water from any artesian bore constructed after December 12, 1929, on any land included in a pastoral lease is being improperly used or is being wasted he may take certain action to prevent such improper use or waste or to ensure that the water will be used to the best advantage. The board has recommended strongly that it should be possible to apply these provisions to water from any artesian bore whether constructed before or after that date so as to ensure that full use is made of all such bores on the land, and the Government feels that the reference

to the date should be struck out from the section. Clause 18 gives effect to this decision.

Section 112 similarly provides that, if any land held under a pastoral lease is insufficiently watered, but can conveniently be supplied from an artesian bore constructed after December 12, 1929, and situated on other land held under a pastoral lease, the Minister may direct the lessee of the land on which the bore is situated to supply the other lessee with water from that bore. The board has recommended that the reference to the date in this section be struck out for the same reason, and clause 19 gives effect to that recommendation.

Clause 20 has been inserted on the board's recommendation that a new section be inserted in the principal Act whereby it will be deemed to be a condition of the lease of every run which does not lie outside the dog fence and any part of which is or becomes bounded by a part of the dog fence, that such part of that fence shall be maintained by the lessee in dog-proof condition throughout the currency of the lease. Effect is given to this recommendation by the insertion by that clause of a new section 134a. Clause 21 adds a fourth schedule to the principal Act. This schedule is complementary to section 61b inserted by clause 15.

It will be seen that the Bill seeks to make certain radical changes of policy which I submit are justified. There can be no doubt that pastoral lease rentals in this State are inordinately low having regard to the economic changes that have taken place in the industry since 1929. The rentals for the first 21 year periods of most of the current leases were fixed at a time when the industry was struggling through the effects of drought and depression. In fixing those rentals the board had taken into consideration all the hardships that were being borne by pastoralists at the time. Hitherto only one opportunity has been provided during the term of a 42-year lease for an upward revaluation of the rental which could not exceed 50 per cent of the rental payable prior to revaluation. The difficult times through which the industry was passing have now passed and the pastoralists who will be mainly affected by the Bill today are enjoying under greatly improved conditions benefits that were designed to assist the industry through those difficult times. Having regard to those facts and the fact that rent is an allowable taxation deduction the board considers, and the Government agrees, that an increase in rents is justified and would in no way impose hardship on the lessees or materially affect their net incomes. The proposed amendments also make possible the orderly and progressive development of the pastoral lands of the State. I commend this Bill for favourable consideration by members.

Mr. RICHES secured the adjournment of the debate.

TRAVELLING STOCK RESERVE: HUNDRED OF EBA.

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

LIQUEFIED PETROLEUM GAS 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.

This is a short Bill designed to give effect to a report of a committee appointed last year to consider the matter, that there is need for regulation and control of liquid petroleum gas in this State. The committee consisted of the Chief Inspector of Factories, the Director of Chemistry, a representative of the oil industry, and two representatives of the liquid petroleum gas trade. The committee, after considering Victorian and West Australian legislation and control by voluntary agreement in New South Wales, has recommended that the form of control should be by way of legislation covering basic principles with details to be made by regulations, which would be based upon international and Australian codes from time to time, with a view to achieving, if practicable, some measure of uniformity among the various States. The Bill is based upon a draft prepared by the committee.

It provides for controlling the keeping and storage of liquid petroleum gas, its conveyance, standards for containers and standards of quality. These matters are governed by clauses 5, 6, 7 and 8, with which should be read clause 13 which empowers the making of regulations, including power to require the gas to have a distinctive smell and to limit impurities and toxic substances. The remaining clauses are of a machinery nature, clause 9 covering powers of inspectors, and clauses 10, 11 and 12 dealing with offences, penalties, and evidence. Clause 14 is a saving clause providing that other remedies, civil and criminal, are not to be affected by the Bill. As I have said, the Act itself is in general terms so that the controls can be kept up-to-date in accordance with changing conditions.

Liquid petroleum gas, which is defined in clause 3, will be known to honourable members under various trade names, as gas which is used in portable stoves or on a larger scale, especially in country areas, for cooking on large gas ranges. It is a highly dangerous substance and the need for some form of control to ensure that it is properly and safely stored and carried about, that containers in which it is kept are safe and to ensure minimum standards of quality, is, I believe, clear. Already in New South Wales control over these matters is achieved by voluntary co-operation between Government and industry pending some legislative action which would ensure universal application of safety codes.

Mr. FRANK WALSH secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (No. 2).

Adjourned debate on second reading.

(Continued from November 1. Page 1603.)

Mr. FRANK WALSH (Leader of the Opposition)—I support the Bill, which is long overdue. People can obtain a driver's licence even though they have not been in the country for very long, yet others with long experience of driving and local conditions must, because of their age, submit to some type of test for either an A or B class permit to drive a motor car. I do not object to the principle involved, although I point that out as a matter of comparison. The class of licence is important, especially when one considers some of the heavy vehicular traffic on the road today. A person competent to drive a motor car is not necessarily competent to drive a heavy motor vehicle. Heavy transport vehicles are in yet another category. I believe there should be a provision in respect of the length of time the drivers of these vehicles can remain at the wheel, similar to the provision that operates in Victoria.

Under the Bill it will be necessary to select trained testing officers and to establish testing centres. I believe it is desirable to have police officers carrying out this testing, and I hope we will have sufficient police officers to do this work. I think Parliament is entitled to know where the tests are to be conducted. We already have driving instructors who may be considered suitable to carry out this testing of drivers. The Bill empowers the Registrar of Motor Vehicles to consider whether it will be necessary to enforce the provision relating to driving tests in the case of persons who have not held a licence for the preceding three years. It has been suggested that six months will elapse before this becomes operative. Will the Registrar insist that those who receive licences after November 1, 1960, or have not held a licence for three years, shall be subject to a driver's test? An attempt should be made to reduce the calamitous number of road deaths. Undoubtedly drivers' tests will do this. Consequently, I support the second reading.

Mr. HALL (Gouger)—My support for the Bill is rather luke-warm. Driving tests are to be conducted by members of the Police Force. I know of nothing that puts a driver on his best behaviour more than when he is in the presence of a police officer. Although a test will detect inability to drive, it certainly will not detect carelessness, inattentiveness, speeding or drunken driving. I think it will be agreed that figures taken from a pamphlet issued last year by the National Safety Council show that very few accidents are due to inability to drive. Possibly 90 per cent of accidents are caused by the faults I have mentioned, which would not be detected by a driving test. I do not deny that there should be an attempt to reduce the road toll. If a section of the public believes that driving tests may help, we should try them, even if it costs £60,000 or £70,000 a year. If only one life a year were saved, the expense would be warranted. If we could go into Dreamland for a minute and imagine Australia with a speed limit of 40 miles an hour, hundreds of lives a year would be saved. For the convenience of travelling at more than 40 miles an hour, and having a limit of 60 miles, in effect we shall sacrifice many lives. I am not saying that it is practicable to establish a speed at a much lower level, but undoubtedly more lives would be saved if we gave attention to speed limits rather than to driving tests. The regulation of motorists' speed is a much better way to attack the problem.

Two classes of driving licences will be issued—class A and class B. The dividing line is provided in clause 4 (3), which provides that a class B licence shall authorize the holder to drive motor vehicles of any kind which do not exceed three tons. This seems to be an attempt to divide the commercial from the private vehicle. From my experience of driving motor trucks and from my inquiries of distributors, the average five-ton truck put on the road by

city distributors does not weigh three tons. I have been told that its tare-weight would seldom exceed that tonnage and would be about 2 tons 16 cwt. or 2 tons 17 cwt. A country distributor told me that the tare-weight of 5-ton trucks he puts on the road would seldom be under 3 tons tare-weight. The vehicles in question are similar except that those in the country often have an added tare-weight because of features used for farm work, such as a G-well and back-loaders and those with a tipper housed in the chassis. These are used in unloading bulk wheat. Nearly all 5-ton trucks delivered to the country now have these facilities.

I rang five people who handle bulk grain and the tare-weight of their vehicles would be at the lowest 3 tons 5 cwt. and the highest 3 tons 15 cwt. Under the Bill the class B licence will apply to drivers of vehicles under 3 tons tare-weight. Therefore, a farmer's son who has reached 16 years, and whose one great desire is to drive vehicles around the farm, will have to be granted a class A licence before he can drive his father's truck over the roads, yet if he went down to the city he could drive a three-ton truck anywhere in the hurly-burly of traffic.

Often a farmer will go into town for a machine and let his wife drive the motor car home whilst he drives the machine. To cope with that she must get an A class licence. There is an anomaly in this matter and in Committee I shall move an amendment to clause 4. In the meantime, I support the second reading.

Mr. HUTCHENS (Hindmarsh)—In a lukewarm way I support the second reading. As pointed out by the member for Gouger, it is anomalous when some people in the agricultural industry must get an A class licence. Frequently it is necessary to drive a vehicle across a road when moving it from one paddock to another, and it seems wrong that the driver of the vehicle must have an A class licence. Members have been asked to accept this Bill without the Government giving many details about it. Since I have been in this House the Treasurer has often said that the accident rate in South Australia, which has no driving tests, is not so great as the rate in other States that have driving tests. Not so long ago I read that the Minister of Roads had made one statement regarding the introduction of driving tests and the Treasurer another. Something seems to have gone wrong there. Obviously, the slipshod way of introducing legislation will continue. Mostly the careless driver causes road accidents.

Mr. Riches—It is the Smart Aleck.

Mr. HUTCHENS—Yes, and I cannot see how the introduction of driving tests will improve the position. The need to hold an A class licence must cause increased expense to many people. I think the member for Gouger struck the correct note in this matter. I shall consider his amendment in Committee.

Mr. LOVEDAY (Whyalla)—I have pleasure in supporting the Bill, but have no illusions that the introduction of driving tests will overcome all the troubles due to drunken driving and carelessness generally. Driving tests must, of necessity, have some value in impressing upon people the need to know the traffic laws. Not for a moment do we believe that driving tests will solve all our traffic problems and make the roads safer. New South Wales has driving tests. My experience of drivers in that State, particularly in Sydney, is that they behave in a much more civilized way than drivers in South Australia. The pedestrian is treated with far more courtesy in Sydney than he is in Adelaide. The drivers in Sydney, where the traffic is more dense and faster moving, behave far better than do drivers in Adelaide.

The member for Gouger had something when he spoke about the anomaly associated with the holding of an A class licence by people who drive trucks. It is anomalous that a farmer's son on Yorke Peninsula must hold an A class licence to drive a tractor across the road when under clause 13 a restricted licence can be issued. Any young farmer has a better opportunity to learn to drive a heavy vehicle in the country than he has in the city. Many years ago I had the unenviable experience of progressing from driving a motor car to driving a seven-ton truck. I had to do it overnight and in city traffic. In consequence, I had some hair raising moments. I would have been far happier if I had had some tests for driving that truck in the city. The person who, after driving a motor car, has to drive a heavy truck without having had an appropriate test is tackling a tough problem, because his judgment must be accommodated to a fresh set of circumstances. He knows that if anything goes wrong he has much weight behind him. With those few reservations, I have much pleasure in supporting the Bill.

Mr. FRED WALSH (West Torrens)—Like the honourable member who has just resumed his seat, I have doubts about the efficacy of the Bill to prevent accidents. It is not so much a question of the knowledge of how to drive a car, because almost anybody with ordinary intelligence can learn to drive a car fairly efficiently; it is rather a question of the knowledge of our every-day traffic laws. This aspect should be firmly impressed upon the drivers of motor vehicles, for knowledge of the traffic laws appears to be lacking in most drivers, whether in the metropolitan area, in the country, in Melbourne, in Adelaide, or in any other city. Many drivers appear to have little what may be called "road sense"; they lack a knowledge gained from experience and from application of ordinary commonsense.

In many cases people obtain licences to drive motor vehicles who do not understand our language properly. With no reflection on them, one advantage of this Bill will be the opportunity to test the ability of such people to handle a car in traffic, and their knowledge of the traffic laws. They should know the traffic laws and signals, but one has only to drive around the city to observe a glaring disregard of ordinary road signs and traffic signals by some drivers. Often they are people with little knowledge of our language.

Some taxi drivers may be considered to be the best drivers from the point of view of handling a car: they are capable and clever in doing that. But one has only to drive down King William Street today, even while it is torn up, to see taxi drivers weaving in and out of the traffic and disregarding all others on the road, sometimes making a direct turn to the right and throwing out their arms just as they are about to turn, sometimes being even halfway round the turn before doing so. Such drivers are a menace. It sometimes looks as though they think they have a certain licence to do these things and that the police are not watchful enough in that direction. Such drivers should be apprehended for the very offences that other drivers are apprehended for. The policeman on traffic duty sees these taxi drivers repeatedly disregarding all the ordinary civilities and courtesies to other drivers, yet no action is taken against them. Fortunately, that does not apply to all taxi drivers, some of whom are good and careful in giving their signals. Some, however, assume that they can get away with it and they smile at the policeman as they pass by. They continue this behaviour at all intersections and in between. The police should concern themselves with these drivers and apprehend them whenever they are guilty of a breach of the Road Traffic Act.

There may be some merit in the arguments propounded by the member for Gouger (Mr. Hall), but where does one draw the line? That is the difficulty. I fail at this stage to appreciate that.

Mr. Quirke—Put in 3 tons 15 cwt. instead of three tons.

Mr. FRED WALSH—Maybe. If the honourable member moves an amendment, we can look at it when we come to it. If the police concerned themselves more strictly with glaring breaches of road traffic signs and signals, the roads would be much safer. It is the driver, not the car, that kills.

Mr. LAWN (Adelaide)—I support the Bill in principle. If any amendments are moved, I shall be prepared to consider them. I have advocated for many years that all drivers should be subjected to driving tests. I am intrigued to know the reason for the change of attitude by the Government. The Treasurer has always ridiculed any thought of driving tests. He has given us statistics to show that it was not the young driver who was causing all the accidents. Not so long ago, I remember reading in the press a statement by the Minister of Education to the effect that he had always supported driving tests for drivers but they were impracticable. Obviously, the reason why he said that was because the Treasurer opposed them.

In his second reading speech on November 1, the Treasurer said of the Bill:—

It provides for carrying into effect the decision of the Government to introduce driving tests. In making this decision, the Government has been influenced both by the serious road accidents of recent months and by the fact that both the Commissioner of Police and the Registrar of Motor Vehicles are now able to provide the staff and make the administrative arrangements for driving tests without seriously affecting their other functions.

There is nothing new in the serious road accidents of recent months; we have had them for years. For many years, members on both sides of the House have urged the Government to introduce driving tests because of the serious rate of road accidents. At last the Government has decided for some reason or other to introduce driving tests. The Commissioner of Police has for years urged, and recommended to the Government, that there should be driving tests. The Treasurer went on to say:—

The truth about the influence of driving tests on the accident rate is not known, but

it is generally believed that they have some beneficial effect and, as part of its campaign for greater road safety, the Government has decided to give them a trial.

I say "Hear, hear!" to the attitude of the Government, at last to give a trial to driving tests for drivers of vehicles. It is past anyone's comprehension that vehicles can go out on the road with anybody driving them. There may be a minimum age limit of 16 years for drivers but, subject to that, anyone can get a licence and drive a vehicle around the city or suburbs or in the country, with no previous experience. I cannot understand why a responsible Government should permit this. Of course, we all realize that this is not a responsible Government, and that is why we have had to wait until 1960 for the introduction of this provision.

Some members have claimed that it is not inexperienced drivers who cause accidents, but I dispute that. I do not suggest that inexperience is responsible for all accidents because I, like the member for West Torrens, have had experience of taxi drivers who have done all manner of things to me, including running me off the road. They get away with murder. Last week a transport, about 40ft. long, was parked in front of my driveway. I get this every day of the week. I do not know whether the drivers know the law, but that is my experience. I have seen drivers in the city signal their intention to stop whilst retaining their hands inside the car. It is only because I have been directly behind them that I have, through their rear windows, seen them give the signal. I have seen other drivers extend their arm signalling their intention to turn right and then turn left. That is inexperience. Members cannot say that those drivers are not responsible for accidents. Many accidents are caused by so-called clever drivers, not all of whom are taxi drivers. I have had experience of clever taxi drivers in King William Street, West Terrace and Anzac Highway, but I have also had experience of clever young chaps. Driving tests are long overdue and I heartily endorse the general principles of the Bill. I hope that any amendments will be for its general improvement.

Mr. COUMBE (Torrens)—I support the Bill, but do not believe for one moment that driving tests will overcome many of the causes of accidents. However, if it will in any way improve the conditions on our roads and tend to reduce accidents and fatalities it is worthwhile. It is not always the person who cannot drive who causes accidents. Speed, inattentive or careless driving, incorrect hand signals and non-observance of signs are responsible for many of our accidents. Driving tests will not overcome the problem. Frequently the driver responsible for accidents is the person who has been driving for years and who becomes careless. If one has been driving for many years, particularly within the same area, he tends to drive automatically and consequently accidents occur. If this Bill results in educating people to observe road signs and to exercise courtesy I am prepared to give it a go.

An important provision relates to the classification of licences. We have an increasing number of large trucks and interstate transports on our roads today. Generally these are driven capably and I do not reflect on their operators, but in future persons who want a licence to drive such vehicles will have to undergo a test. My first experience of driving a large truck was through the city and up Tapley's Hill and I was extremely happy to get to the top of Tapley's Hill. The person who seeks a licence to drive such a vehicle in future will have to be trained and adequate facilities should be provided for his training so that he is not let loose upon our roads and, consequently, upon the populace. In the army a grading system applies. A person is licensed to drive a motor bike, a motor car or utility, trucks to a certain weight and beyond, and a tank or Bren gun carrier. The person who is licensed to drive a motor bike, car or utility is prohibited from driving a heavy truck. A similar principle is being applied in this Bill, and I favour it.

I hope that in testing applicants for B class licences instruction will be given in parking a car. Accidents often result from the inability of a person to park correctly in city streets. Frequently drivers try to park forwards instead of rearwards, which is the correct way. Some drivers experience difficulty in parking in the centre of the road areas and often passing vehicles strike them. Another important provision is contained in clause 12 whereby if a person has his licence suspended the Registrar can order him to undergo a test before the licence is renewed. Frequently a driver's licence is taken away from him by the court because he has committed some traffic offence—failing to give way to the right, failing to give a correct signal, ignoring a Stop sign, or failing to stop at a railway line where a sign is erected. If the Registrar ordered a driving test it would have a salutary effect.

I believe that some drivers should not be permitted on our roads and I often wonder how long some of the sports cars that zoom around will last. If the Registrar orders the testing of a driver whose licence has been suspended and the driver fails to pass that test his licence will not be renewed. If in the Registrar's opinion such a person should not have a licence the Registrar can withhold it, but the applicant will have a right of appeal. Clause 12 will be of real benefit to the driving public and to pedestrians. I support the Bill, but do not pretend that I believe it will solve all our troubles. However, if it will result in a reduction in our accident and mortality rate it has my support.

Mr. BYWATERS (Murray)—I support the second reading of the Bill, but see some difficulties that may be associated with it. I, like the member for Adelaide, was surprised to see this Bill introduced this session, because on August 31 the Treasurer stated that he had no intention of introducing such a Bill. He said there would be an amendment to the Road Traffic Act, but he did not intend to include driving tests in it. As a result, it came as a surprise to me to know that the Treasurer had changed his mind, but I surmised his changed attitude was caused by weight of public opinion and by press articles. The Bill has some merit. The member for Whyalla in a thoughtful speech said that drivers in New South Wales, which has driving tests, seemed better mannered than those in South Australia. He would not be the only person holding that view, because others who have visited the eastern States have returned with that story.

Mr. Jenkins—The injured and killed rate is high in the eastern States.

Mr. BYWATERS—That may be because of the higher population. I was in New South Wales a year or so ago and noticed that drivers exercised courtesy towards pedestrians and they also religiously observed the give-way-to-the-right rule. If a driver did not give way the other vehicle would run into him because the rule was accepted without question and people knew what to expect. In South Australia anything is likely to happen and as a result many accidents occur, the cause often being that the person on the left hesitates and then moves on. That happens in metropolitan and country areas and I have seen it happen in Murray Bridge. If this legislation improves that situation it will be worthwhile.

Members have referred to the different classes of licence and this provision may present some difficulty. The honourable member for Gouger questioned the three-ton limit as applied because of the difference in the tare weight between city and country vehicles. Country people obviously could be at a disadvantage, particularly sons and wives of farmers. The difficulty is to know where this situation ends. Commercial carriers in Adelaide often have a maximum limit of five tons in their business. They do not go in for semi-trailers, nor do they normally haul a trailer behind a truck, so their weight limit would be about five tons. The A class test may involve ability to drive a semi-trailer. That will create an anomaly in relation to the man who is driving a five-ton truck for his living if he has not had any experience driving, and particularly in reversing, a semi-trailer or a truck towing a trailer, which is on a different lock. I drove for a carrier for four years but we did not drive semi-trailers nor did we tow trailers, although we drove five-ton trucks. I challenge an ordinary driver to reverse or to drive a trailer because it involves a different action. Unless the driver has the requisite experience it is difficult to do this. If a limit is imposed it will create an anomaly with carriers employing men in the metropolitan area. If they are allowed to drive a three-ton truck under a B class licence they would have a semi-trailer test, which would be contrary to their normal practice.

I am willing to give this legislation a reasonable trial because no doubt much will arise from it as circumstances occur. I am interested to read that a fee of 10s. will be charged for a permit to drive. The present procedure is to get a licence from the Motor Vehicles Department after completing the necessary examination papers and there is no charge. A person may come from a farm after being associated with farm vehicles and he may require a licence. Such a person could pay 10s. fee for his permit and pass the test immediately and, in effect, he would pay 30s. for his licence. In that way an anomaly is created because some people may pay more for their licences, and that should not occur. Others will wait the full three months and will probably need the 10s. permit, but for people who are reasonably experienced in driving the 10s. permit fee should not be charged. They may be able to drive as well as anyone else because of their previous

experience. I support the second reading of the Bill, confident that in Committee there will be further debate on the points I have mentioned.

Mr. LAUCKE (Barossa)—I support this Bill because it is a step in the right direction to have driving tests in an effort to reduce accidents. A driving test is merely a mechanical action to ensure confidence in the physical handling of a motor vehicle, but the acid test is the common sense and courtesy the considerate driver shows to other road users when he is competent to drive that machine. The tests will be valuable because they will impress on the minds of those who seek a licence for the first time the heavy responsibilities they are taking upon themselves when driving a vehicle which may be a lethal weapon in the hands of incompetent and inconsiderate people.

Mr. McKEE secured the adjournment of the debate.

ADJOURNMENT.

At 5.50 p.m. the House adjourned until Wednesday, November 9, at 2 p.m.