

**HOUSE OF ASSEMBLY**

Thursday, March 2, 1972

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

**COMMUNITY WELFARE BILL**

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

**JUSTICES ACT AMENDMENT BILL**

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

**SOLICITOR-GENERAL BILL**

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

**HIGHWAYS ACT AMENDMENT BILL**

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

**PETITION: PORT AUGUSTA ROAD**

Mr. KENEALLY presented a petition signed by 376 residents of Port Augusta and other persons using the access road to beach shacks, picnic areas, fishing grounds, etc., on a Lands Department reserve on the western shore of northern Spencer Gulf, immediately south of Port Augusta. The petition stated that the road was in a deplorable state, and the petitioners prayed that the House of Assembly would require the Government to take immediate action to make the road a safe all-weather access road.

Petition received and read.

**QUESTIONS****SEX SHOPS**

Mr. BECKER: What action does the Attorney-General intend to take now that three complaints have been made to the police concerning the operations of sex shops in Adelaide? I believe that complaints were lodged at the Darlington police station and the North Adelaide police station and with the Vice Squad this morning. I have been informed that, during a 45-minute period

yesterday, three children, with mothers in attendance, entered one of the shops. Further, I believe that the management took no action to remove the children. The North Adelaide sex shop is handing out free copies of the *Kings Cross Whisper's Summer Male Order Bulletin*, which carries the following warning on the front page:

This brochure advertises lines of sexually-oriented goods that some might find offensive. It has been sent to you because you have bought this type of material from us in the past. If you are no longer interested we suggest you destroy this pamphlet or reseal it in the envelope and return it to us.

In view of the complaints now lodged, can the Attorney-General say what action he will take?

The Hon. L. J. KING: As I said yesterday in reply to a question, I have no information about these shops other than what I have read in the press and what I have learnt from television programmes. I believe, however, that the police have visited the shops, and I assume that a report will be made. In any event, I shall take up the matter and see what information the police have gleaned on what is taking place in these establishments. When the report is received, I shall give the matter further consideration.

**LITTLE PARA RESERVOIR**

Mrs. BYRNE: Can the Minister of Works say when it is expected that work will commence on constructing the reservoir to be built on Little Para River? Yesterday the Minister announced that plans for constructing the reservoir were well advanced. The storage will be on the Little Para River about four miles upstream from the Main North Road. The area that has been defined covers 3,800 acres, and it will be bounded on the northern side of One Tree Hill Road, which passes the Electricity Trust's Para switching station. The southern boundary will extend almost to Golden Grove, and the eastern boundary will extend to Snake Gully bridge.

The Hon. J. D. CORCORAN: It is currently planned that the construction of the reservoir will commence in the late 1970's or early 1980's but the announcement has been made at this stage because I believe it to be necessary for the area to be defined so that people will be aware of the proposed future use. This will prevent the development in the area of piggeries, poultry farms and similar undertakings that could lead to future pollution. Although the reservoir will have a half-mile zone around it, the purpose of defining the

area at this stage and making this information known to the public is for the convenience of people currently located in the area and to prevent future pollution. The area was defined as a watershed in legislation passed last year.

#### ABORTION

Mr. GUNN: In view of the Attorney-General's reply to my question yesterday, when he did not deny that we had abortion on demand in South Australia, would it be reasonable to assume that that is the position and that this is condoned by both the Attorney-General and the Government?

The Hon. L. J. KING: I answered the honourable member's question yesterday about the Government's attitude on this question, and I said that the Government's view was that this was a matter about which individual members should make up their own minds. My own attitude to the present abortion law is well known and has been expressed both in this House and outside. I also said yesterday that when the appropriate occasion arose I would express my intentions with regard to the matter.

#### MEDICAL FEES

Mr. WELLS: Will the Premier provide a report in regard to the mooted increases by medical practitioners in fees for medical services, as set out in this morning's newspaper? The *Advertiser* carried an article stating that the medical practitioners' association intended increasing the cost of home visits to patients in Australia. This involves an astronomical increase in the cost of a visit, and I am extremely concerned about the situation in regard to the workers and the people of South Australia. I understand that the Australian Medical Association does not support this move and, therefore, I should like to know whether these increases will be permitted, whether they are legal, and whether these medical practitioners, who have not approached any tribunal or arbitration court for an increase in their working rates, will be permitted to go through with this action.

The Hon. D. A. DUNSTAN: I understand that in South Australia there are few members of the association that has announced this proposed increase.

Dr. Tonkin: The General Practitioners Society.

The Hon. D. A. DUNSTAN: Yes. As far as I am aware, this suggestion is not likely to have the general acceptance of medical practitioners in South Australia. However, the

Prices Commissioner has been asked to watch the situation generally and, if we find there is a need for specific investigation, we will undertake it.

#### TRADING HOURS

Mr. HALL: In view of the rejection by the Shop Assistants Union of the recent proposals to institute a roster system for shop assistants for extended trading hours, can the Premier undertake that the Government will still proceed this session with legislation to introduce longer trading hours, whatever might be the outcome of the meeting tomorrow night of the Trades and Labor Council with a group of unions described as "about 20"?

The Hon. D. A. DUNSTAN: The Government has made it clear that it intends to introduce legislation in relation to late night shopping during this session, and that remains the case.

#### LEGISLATIVE COUNCIL FRANCHISE

Mr. KENEALLY: Can the Premier say whether there has been any change in the Government's policy on adult franchise and voting equality for the Legislative Council? My question is prompted by the recent capitulation of the Leader of the Opposition in this House to the wishes of the Leader of the Opposition in another place in relation to changing the voting for that Chamber. This so-called compromise has had wide publicity, and many people believe there may have been a change in the Government's policy.

The Hon. D. A. DUNSTAN: There has been no change in the Government's attitude that every citizen in this State should have an equal and effective say in the Government which affects him. In consequence, we have been supporters of adult franchise and one vote one value—

Mr. Goldsworthy: That's nonsense. There is no one vote one value, and you know it.

*Members interjecting:*

The SPEAKER: Order! The Premier has the floor and members are out of order in trying to take over.

The Hon. D. A. DUNSTAN: The Government has been a supporter of the principle of adult franchise and one vote one value—

Mr. Goldsworthy: What does that mean?

Mr. Clark: What it says. It is simple and to the point.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: —during the whole of the history of this Party. That

remains our policy. I am now informed that a policy has been adopted elsewhere which purports to be adult suffrage but which has a careful gloss that differentiates between one group of voters and another. Instead of a property franchise there is now a location franchise, so that how much say a person will have in the Government of this State will depend on where that person lives. This Government is irrevocably opposed to any system that provides that a minority of citizens in this State is going to rule it.

### BREAD

Mr. COURCEL: Can the Minister of Labour and Industry inform me whether, among all the other troubles besetting him at present, the Government has decided on a policy on weekend baking of bread? Does the Minister recall that, following the Government's announcement more than 18 months ago that it would introduce a five-day baking week in South Australia, nothing appears to have happened yet except that, as I understand it, a series of conferences has been held? Can the Minister say what is the policy of the Government and what is the present position on this matter?

The Hon. D. H. McKEE: The honourable member will recall that he was asked similar questions over two years. The Government is still considering whether there should be any change in the legislation regarding bread-baking hours. It has considered having an inquiry to determine the best and most economical means of ensuring a supply of fresh bread for the community of this State while at the same time causing the minimum of inconvenience to employers and employees in the industry. However, not all organizations in the industry were convinced that such an inquiry was necessary. The Government is determined not to take any action that would lead to an increase in the price of bread.

### NOARLUNGA ROAD

Mr. HOPGOOD: Will the Minister of Roads and Transport consider asking the Highways Department to bring forward the projected date of commencement of work on the Noarlunga Road? I understand that, as part of the arterial roads programme, a road is planned to go from Happy Valley to the Noarlunga area, roughly following the alignment of the present Panalatinga Road. However, this is somewhat in the future,

and I believe that, if it is possible to bring forward the date in question, it may be possible to separate commercial and non-commercial vehicular traffic along the present Main South Road.

The Hon. G. T. VIRGO: I will have the matter examined and bring down a report.

### BUILDING REGULATIONS

Dr. EASTICK: Has the Minister of Roads and Transport a reply to the question I asked yesterday about building regulations?

The Hon. G. T. VIRGO: The proposed regulations under the Building Act, issued by the Building Act Advisory Committee for comment in December, 1971, were forwarded to a wide range of organizations which represent bodies associated with the building industry. The Local Government Association was one of the bodies that received a copy and I quote hereunder part of the letter which accompanied the proposed regulations:

Bearing in mind the work involved in collating and considering the comments, the committee has had to restrict the list of bodies from whom informed comment is sought to those representing a wide range of disciplines associated with building. The comment which you submit will therefore be considered to represent the views of any bodies affiliated to your organization. Only a limited number of copies of the draft regulations is available and you should arrange for any extra copies or extracts needed to be reproduced from the copy enclosed.

If any local government body which is a member of the Local Government Association has not been supplied with a copy of the proposed regulations or been asked to comment on them, it is quite evident that the fault lies with the Local Government Association. I consider that the honourable member would do well to advise those councils, on whose behalf he spoke yesterday, to contact the Local Government Association in order that any comment from them can be included in the general submission which we can expect from that body. The treatment afforded the Local Government Association was the same as that afforded all other organizations concerned. The regulations were forwarded to the association, which was asked to confer with those bodies with which it was affiliated and to produce the one comment from them all. Obviously, the Local Government Association has not complied with that request, and I suggest that the honourable member contact it about the matter.

### CAR SALES

Mr. VENNING: Will the Premier say whether General Motors-Holden's has lost sales to South Africa amounting to between 5,000 and 6,000 motor vehicles because of the Government's attitude to the Springbok rugby tour last year? Will he ascertain to what extent the cancellation of any orders is due to the Government's refusal to recognize the Springbok team's visit to South Australia and the difficulties resulting from the lack of Government co-operation?

The Hon. D. A. DUNSTAN: The answer to the honourable member's first question is "No", and the answer to his second question is that the honourable member is hawking; there is no connection whatever.

### PRICES

Mr. McANANEY: When the Premier, as Prices Commissioner, has made repeated statements that he is having inquiries made into increases in fees, charges or costs, he never discloses the result of such inquiries. Will the Premier in future make public any findings that are made and say whether or not the increases in question are justified? I have asked numerous questions in the House about increased prices, and every time I have done so the reply has always been that the increases are justified. It is not fair for the Minister administering the Prices Branch to say he is inquiring, without letting the public know the result of the inquiry and without saying whether or not the increase involved is justified.

The Hon. D. A. DUNSTAN: The honourable member, in the preamble to his question, is mistaken: I am not the Prices Commissioner. The Prices Commissioner is, in fact, from time to time asked by me to make investigations; in other cases, he himself initiates investigations. As I pointed out to the Leader yesterday, provisions in the Prices Act prohibit either the Prices Commissioner or the Minister from revealing—

Mr. McAnaney: Answer the question!

The Hon. D. A. DUNSTAN: If the honourable member wants a reply, I suggest he keeps quiet and listens to it. If the honourable member does not want it, I will not answer him any further.

Mr. Langley: He doesn't understand, anyway.

The Hon. D. A. DUNSTAN: I will give to the House information which, under the terms of the Act, I am allowed to give to it.

The honourable member must realize, if he has bothered to read the Prices Act or study the administration of the department, that both the Commissioner for Prices and Consumer Affairs and I are under a very considerable prohibition regarding revealing confidential information and, therefore, the results of investigations made from time to time must be kept to a fairly cryptic reply, because there is no other way of our obtaining the necessary information. It would be quite wrong for us to proceed with prices investigations which reveal confidential matters regarding the internal financial policy of particular companies, which would then be of use to their competitors. We could not do that.

Mr. McANANEY: Can the Premier, as Minister in charge of price control, explain how publication of the result (I emphasize "result") of an investigation ordered by him into the validity of increased prices or service charges in any way violates the secrecy requirements necessary in respect of the actual investigation? Is it not a travesty of British justice to announce publicly an investigation into someone's actions without letting that person know the result of such an investigation?

The Hon. D. A. DUNSTAN: I am not aware that I have denied the result of the investigation to anyone.

### ONKAPARINGA BY-PASS

The Hon. D. N. BROOKMAN: Has the Minister of Roads and Transport a reply to my recent question regarding the completion date of the Onkaparinga River by-pass at Noarlunga?

The Hon. G. T. VIRGO: The bridge works of the Onkaparinga by-pass at Noarlunga will be completed by June, 1972. Because of delays in property acquisition, the road works will not be completed until the end of August, 1972.

### SCHOOL BOOKS

Mr. GOLDSWORTHY: Will the Minister of Education obtain an independent report on the use of a book in primary schools called *Ghosts* by H. J. and H. B. Chatfield and, if the report indicates that the book is unsuitable, will he take steps to see that it is removed from circulation in schools? This book was first brought to the attention of members on this side of the House when a doctor called to see the Leader of the Opposition, complaining that one of his patients had

become seriously emotionally disturbed as a result of a lesson that had been given using this book. The parent involved had gone to much trouble and, I believe, contacted you, Sir, as member for Semaphore, and the Minister's office on several occasions. Although considerable correspondence has taken place, no result satisfactory to the parent has been obtained. The book has been perused by members on this side of the House and by many parents. Also, I have spoken to a psychologist about the book. It would appear to the lay mind and to that of the psychologist, who has something more than a lay mind, that the book is quite unsuitable. The parent involved subsequently found it necessary to withdraw her child from the school and take the child elsewhere. Is the Minister willing to accept his responsibility in this matter by not procrastinating and by seeing that the book is withdrawn if the report shows that the book is unsuitable?

The Hon. HUGH HUDSON: The matter to which the honourable member refers involved much more than the book. I do not intend to go into the details of what was involved, as I do not think any useful purpose would be served by my doing so. I am willing to ask professional officers of the department and, indeed, even officers of the Psychology Branch, to judge the suitability of the book. However, I would ask the honourable member to realize that there was another side to this whole matter, especially with regard to the dispute that occurred; the Leader of the Opposition would have been given only one side of what happened.

Mr. Goldsworthy: From a doctor.

The Hon. HUGH HUDSON: This may relate to the book, but the circumstances surrounding the case and the withdrawal of the child from that school involved much more than that. I ask the honourable member to be a little more careful in future in presenting this sort of situation to Parliament in a way that may unjustifiably call into question the way in which schools are being administered in this State.

Mr. Goldsworthy: I didn't refer to the school: I referred to the book.

The SPEAKER: Order! The honourable member has asked a question and he is entitled to get a reply.

Mr. Goldsworthy: Yes, but not abuse.

The SPEAKER: If the honourable member for Kavel continues to be abusive in this House, he will be named. When I am on my

feet, it is up to him to conduct himself in a way that befits a person who represents people in this Chamber. The honourable Minister, who is replying, is entitled to be heard in silence.

The Hon. HUGH HUDSON: I have already said that I am prepared to look into the question of the suitability of the book. I am pointing out to the honourable member that, in the course of asking his question, he made, by implication, certain allegations that went beyond the book, implying, in my view, that the administration of the school was at fault. I am pointing out to the honourable member that more facts surround this case than he is aware of. It would suit the general purposes of good Government in this State if, before he started making wild charges in future, he made—

Mr. Goldsworthy: I asked for a report on—

The SPEAKER: Order! I have warned the honourable member that he is out of order in interjecting. This is the last warning I will give him; if he interjects again, he will be named.

The Hon. HUGH HUDSON: I conclude by saying that the honourable member would be well advised to make sure of the full details of a case before making accusations of wrong action by officers of my department and before drawing unnecessary conclusions.

Mr. GOLDSWORTHY: I seek leave to make a personal explanation.

Leave granted.

Mr. GOLDSWORTHY: I wish to explain that I was interjecting because the Minister was not answering my question, which was about a book and its use in a primary school. I made no reference to the administration of the school. I wish to explain that my reason for interjecting was that the Minister was not answering my question but instead was being extremely provocative.

#### OAKLANDS INTERSECTION

Mr. MATHWIN: Can the Minister of Roads and Transport say when traffic lights will be installed at the intersection of Mopphett Road and Oaklands Road? In the *Guardian* of August 18, 1971, the member for Brighton (the Minister of Education) was kind enough to inform my constituents that the installation of the traffic lights in my area was about to take place. Since nothing has happened in the meantime, can the Minister of Roads and Transport say when the lights will be installed?

The Hon. G. T. VIRGO: I cannot give the honourable member the date offhand, but I will obtain that information and let him have it, although I would imagine that he was referring to a press report made by the Minister of Education and that therefore there would have been some reference to the date in that report. The other point I must make is that apparently the honourable member is a little sore that the Minister of Education should have advised some of the member for Glenelg's constituents at the same time as he was advising his own; but, after all, neither the Minister of Education nor I have any control of the boundaries that are used for the distribution of newspapers. Whilst the Minister of Education was advising his constituents, he was also advising mine and constituents in the district of the member for Mitchell and in other districts. It is the policy of Messenger Newspapers that determines the boundaries and, as such, the area in which the paper is delivered. I do not think the honourable member should take umbrage at the fact that the Minister of Education is taking the opportunity of advising his constituents of something that will be done to benefit them. However, I will get the information the honourable member seeks.

#### AGRICULTURE DEPARTMENT

Mr. EVANS: Can the Minister of Works, representing the Minister of Agriculture, say whether the Government or the Department of the Premier and of Development has asked for a report from the Agriculture Department with the object in mind of dispensing with or dispersing part of that department?

The Hon. J. D. CORCORAN: I take it the honourable member is referring to the Agriculture Department. I have not heard of anything like that but will make inquiries of my colleague, although it sounds to me like one of those lavatory wall jobs.

#### INTAKES AND STORAGES

Mr. LANGLEY: Can the Minister of Works inform the House of the present state of metropolitan water supplies? Is the present position satisfactory?

The Hon. J. D. CORCORAN: Knowing the honourable member's keen interest in this matter, I happen to have a report with me. It states that the present storage holdings in the metropolitan reservoirs are very satisfactory and the highest on record for this time of the year. Total consumption for the year is currently 11.3 per cent below that for the same period last year and the total

quantity of water pumped at Mannum to date is only 545,000,000gall. compared to 4,197,000,000gall. pumped over the same period last year. Because of the higher storage holdings in the Torrens River reservoirs and the commissioning of the new Millbrook pumping station, it has been possible to supply the Mannum-Adelaide gravity system from this source at a much more economical cost. It is estimated that the total quantity of water required to be pumped from Mannum for 1971-72 will be 1,350,000,000gall. and this compares with 5,364,000,000gall. pumped in 1970-71 and 10,790,000,000gall. in 1969-70. In fact, there has only been one year, 1955-56, when less water (1,006,000,000gall.) has been pumped from Mannum. The individual storage holdings at February 25, 1972, and February 25, 1971, are shown below for comparison:

	Capacity	Storage at	
		25/2/72	25/2/71
Mount Bold ..	10,440	7,531	4,929
Happy Valley ..	2,804	2,554	2,499
Clarendon Weir	72	71	70
Myponga .. ..	5,905	4,477	3,959
Millbrook .. ..	3,647	2,334	489
Kangaroo Creek	5,370	1,651	2,476
Hope Valley ..	765	644	583
Thorndon Park ..	142	126	112
Barossa .. . . .	993	899	828
South Para .. .	11,300	9,086	7,118
Total . . . . .	41,438	29,373	23,063

#### NARACOORTE HIGH SCHOOL

Mr. RODDA: Has the Minister of Works a reply to my question of February 29 regarding the change room and shower block at the Naracoorte High School?

The Hon. J. D. CORCORAN: It was expected that work involved in the erection of change rooms at the Naracoorte High School would be completed by the contractor before the commencement of the 1972 school year. In July, 1971, the contractor was awarded another departmental building contract in the area. The recommendation for the award of the second contract was made, having regard to an assurance in writing by the contractor that both works would be executed speedily. As time progressed it became increasingly apparent that the contractor simply did not have the capacity to honour his assurance.

Supervising officers have on numerous occasions contacted him and several departmental letters have been sent in an effort to effect some improvement in progress on the Naracoorte contract. Consideration has been given to the determination of the contract, but a

decision has been delayed to date in the hope of some improvement being effected and the realization that completion of the work by other means may add to the delay in the provision of the facilities. Last Monday, the inspecting architect was on site discussing the future of the work with the contractor. It was agreed that the contractor would meet the Assistant Director, Contract Construction, in Adelaide next Monday. I shall ensure that, as a result of this meeting, positive steps will be taken to have the outstanding work at Naracoorte completed in the most expeditious manner possible.

### UNEMPLOYMENT

Mr. ALLEN: Has the Minister of Works a reply from the Minister of Lands to my question of yesterday regarding the Commonwealth rural unemployment grants?

The Hon. J. D. CORCORAN: My colleague reports as follows:

People registered for employment outside of local government areas would be eligible to participate in this scheme. As there are no local government bodies covering the Far North of the State, the Highways Department has been approached to see whether there are suitable works which can be put in hand to make provision for these people. I have been told that the department is prepared to incorporate individual men into small departmental working gangs to remedy rubbish-dumping problems at towns such as Marree, and it may be possible to organize some further employment through the Electricity Trust at Leigh Creek.

I also understand that schools in the area have been circularized to see whether they have employment-giving projects which could be put in hand as part of this scheme. It would be competent for any recognized body or Government department such as the Aboriginal Resources Branch of the Social Welfare and Aboriginal Affairs Department to promote projects for employment. There are three provisos that must be observed in the operation of the scheme, namely:

1. That people employed must be registered as available for employment with the Department of Labour and National Service.
  2. That not less than two-thirds of the grant must be spent on the payment of wages.
  3. Any project engaged on is to be in addition to any existing works programme.
- The answer to the second part of the honourable member's question is that Aborigines do qualify for employment under the scheme, but it would be necessary that they be registered with the Department of Labour and National Service. I understand that a number of Aborigines from Koonibba, Ceduna and Point Pearce will be employed by councils in those areas on projects under the scheme. The requirement that those employed be registered with the Department of Labour and National

Service, however, operates harshly against Aborigines. A great many Aborigines in remote areas have no work history. The Commonwealth will not accept them for unemployment relief, even though there is no available work for them.

No adequate facilities exist in remote areas for registration with the department. Most of those who are registered have become registered as a result of the efforts of the State Social Welfare and Aboriginal Affairs Department. Most Aborigines in remote areas will therefore be excluded from the scheme, by reason of the failure of the Commonwealth to register them for employment and to pay them unemployment benefits. The honourable member may be assured that the South Australian Government will do everything in its power to ensure that unemployed Aborigines share in the benefits of the scheme.

### ROSE PARK CROSSING

Dr. TONKIN: Will the Minister of Roads and Transport say when the reconstruction of Fullarton Road from Kensington Road to Greenhill Road will begin, and whether the installation of traffic and pedestrian signals at the junction of Grant Avenue and Fullarton Road will be considered? As members know, this is a busy thoroughfare, and difficulties are being experienced by patients from the Queen Victoria Maternity Hospital, which is on the corner, when crossing the road to the bus stop, by nurses and other hospital staff crossing the road to the car park, and by pupils from the Rose Park Primary School, who have been offered sporting facilities on Victoria Park Racecourse. I have been told that these students would make far greater use of the sporting facilities if lights or traffic signals were installed.

The Hon. G. T. VIRGO: I will obtain a report for the honourable member.

### NORTH-EAST ROAD

Mrs. BYRNE: Will the Minister of Roads and Transport obtain a report on whether road-widening work on the North-East Road, through Ridgehaven to Tea Tree Gully, can resume immediately to Arthur Street, Ridgehaven? On the most recent occasion on which I raised this matter, the Minister told me that, although reconstruction activities on the North-East Road through Ridgehaven and Tea Tree Gully were receiving high priority, the Highways Department was experiencing some difficulties, principally in land acquisition, which would prevent an early recommencement of road reconstruction. The Minister said that at that stage it appeared that road-work would resume in May, 1973. I point out to the Minister that, from my observation,

it seems that land acquisition to Arthur Street, Ridgehaven, which is the next section to be done, has been completed, as all property fences abutting the roadway seem to have been shifted back for the required distance. If this next section of the roadwork could be proceeded with, that would assist in road safety because the remaining narrow section of the road is a traffic hazard.

The Hon. G. T. VIRGO: I will have the matter examined and bring down a report.

#### PETROL STATIONS

Mr. COUMBÉ: Can the Minister of Labour and Industry now reply to my question on self-service petrol pumps, which I asked on November 9 last?

The Hon. D. H. McKEE: For several years an advisory committee representative of the Royal Automobile Association of South Australia, the South Australian Automobile Chamber of Commerce, and the oil industry, with the Chief Inspector of the Labour and Industry Department as Chairman, has made recommendations to the Minister of Labour and Industry on the number and locations of coin-operated self-service petrol pumps. There are now 21 self-service petrol pumps located in the metropolitan area. Last December, the R.A.A. requested that pumps be installed on four additional sites. On the recommendation of the advisory committee, last week I approved of the installation of two additional sites, one in the eastern part of the city and the other at Port Road, Southwark. The advisory committee is still considering the request for the other two sites.

#### BUSH FIRES

Mr. VENNING: Will the Minister of Roads and Transport act to safeguard the areas adjacent to the railway line between Gladstone and Caltowie, where recently several fires have occurred? I wrote to the Minister on November 24, 1971, after a fire had occurred in this area, and the Minister replied on January 5. Since then, several other fires have occurred in this area. The danger strip between Gladstone and Caltowie is between 190 miles 60 chains and 192 miles, a distance of 1½ miles. In the Minister's reply to me he stated that the Railways Department would undertake to carry out the minimum requirements of the Bush Fires Act, but I think that, when so many fires have occurred in this area, the position requires the Minister to consider it or call for a report again on this length of standard gauge line to which I have referred. I have a

file of correspondence from the Fire Controller at Gladstone, containing reports of six fires, and the controller states that he has not been able to get any satisfaction from the officer at Peterborough. Consequently, he has sent the correspondence to me to find out whether action can be taken.

The Hon. G. T. VIRGO: I am rather surprised that the honourable member has waited to raise this matter until Parliament has resumed, if he considers it to be of such grave urgency. I wonder why he has not taken the matter up with me as before. Certainly, I reject completely his allegation that nothing has been done and his suggestion that I should call for a report, because he knows full well from the letter that I wrote to him that I had called for a report, as indicated in that letter. Although many hundreds of matters are dealt with in my office, I think I recall correctly that the honourable member suggested that the sparks from brakes were starting the fires.

Mr. Venning: That's right.

The Hon. G. T. VIRGO: I think I have given the lie to the claim by the honourable member that we have not considered this matter. In fact, in the letter I mentioned the action we would take in relation to it. The honourable member has not told me whether that action has been taken, but I will certainly ask the Railways Commissioner to report to me urgently on this matter. I should also like to receive the other information from the Fire Controller to which he referred, claiming that that officer had contacted a railway officer (I presume he is referring to the Superintendent at Peterborough) and had received no satisfaction. I hope that the person concerned has made that statement in writing, because I should like to get a comment on it to find out what is the situation. I will certainly consider the matter further.

#### PORT LINCOLN SHOPPING

Mr. CARNIE: Can the Minister of Labour and Industry say why the Electoral Department did not advertise the fact that the recent poll on shopping hours at Port Lincoln was being held? In view of the resulting low percentage vote, does the Minister think the result gives a true indication of the wishes of the people of the district, and what action does the Minister intend to take following the result of the poll?

The Hon. D. H. McKEE: I will obtain a report on the matter raised in the first part of the honourable member's question. I am



not familiar with the reason for the low vote. The Minister of Labour and Industry has the authority to call for a poll or to make a decision. Of course, unlike members opposite, I believe that the people in a community should have the opportunity to exercise their democratic rights, instead of being dictated to, as has been suggested. It was therefore decided that a poll should be held to give the people in the community the opportunity to decide for themselves, and that is exactly what took place. I shall obtain a report forthwith on the other matters raised by the honourable member.

### CATTLE SALES

Dr. EASTICK: Will the Minister of Works ask the Minister of Agriculture to obtain from his departmental officers information on the application of the sale-by-weight method of selling cattle? This method has been implemented at Yarrawonga, in another State. There has been some boycotting of sales by this method, but the position seems to be resolving itself. It is said that the weighing of a single animal or a group of animals takes as little as 3½ seconds; the weight is printed on a ticket, which provides a permanent record for the purchaser. The method would certainly be advantageous to the producer, because he would immediately get a better appreciation of the actual value of his stock and be able in the future to market the stock according to appearance. He would thus be able to use his judgment in a manner advantageous to his own pocket.

The Hon. J. D. Corcoran: Some are not keen on that method.

Dr. EASTICK: I said that there had been some boycotting of the method. It is a method of purchase that I believe to be advantageous to the producer, and I believe that we in this State should have some knowledge of its application.

The Hon. J. D. CORCORAN: I shall be happy to take up the matter with my colleague. I know that he has visited the Homebush abattoir in New South Wales, where I believe the method has been used. It is currently being discussed in my own electoral district, well attended meetings having been held in Millicent. So, I shall be happy to obtain the information that the honourable member seeks and bring it down as soon as possible.

### RAILWAY FINANCES

Mr. McANANEY: Does the Minister of Roads and Transport support the following views expressed by the Railways Commissioner in *Rail News*:

Unless the railways handle the freight and livestock traffic for which purpose they pioneered the country, and, indeed, to which traffic they are entitled, then the lines should be closed. It would be a waste of public funds not to do so.

The Commissioner points out in his article that there has been a decrease of up to 100 per cent in traffic in some areas. In the Strathalbyn area the department reduced freight charges by as much as 30 per cent and canvassed the town. However, the department did not increase its traffic at all and it subsequently withdrew the offer. This is a serious problem on which the Government should make a statement of policy.

The Hon. G. T. VIRGO: I commended the Railways Commissioner previously, and I now do so again publicly, for the very forthright statement that he issued. He is tackling a very difficult problem in a practical way. The honourable member's reference to the position at Strathalbyn may or may not be correct; I do not question it for one moment. I am also equally aware (and the member for Mallee would substantiate this) that the moment the Wanbi-Yinkanie line was closed we found that the rural people in that area came yelling, "Please open the line, because road transport has increased the freight rates."

Mr. Gunn: Check your details.

*Members interjecting:*

The SPEAKER: Order! When a member asks a question he should at least have the courtesy of listening to the reply. I will insist that interjections cease.

The Hon. G. T. VIRGO: I shall deal now with another aspect of the question, which is a very serious one for the State. Large sums are annually being used to continue services to various areas in South Australia. This problem, of course, is not isolated to South Australia; it is Australia-wide. In fact, one could claim that the problem was world-wide. Indeed, the Australian Transport Advisory Council has seriously considered the problem and has required the Bureau of Transport Economics (an organization that I am sure the member for Heysen would support) to conduct a survey and provide

reports on continuing and, if necessary, upgrading rail services in country and urban areas. At the meeting of the council in Canberra a fortnight ago, the interim report showed clearly that it was in Australia's economic interest that interstate and country rail services should be continued and upgraded. The report and the subsequent discussion on it drew attention to the fact that South Australia was the only State where no form of transport control was maintained. Previously at these conferences, when this matter has been raised Ministers generally have suggested that South Australia should put its house in order and introduce control, so that the public transport system would, allegedly, have a better chance of operation. On this occasion we found the Commonwealth Minister for the Interior (not the Commonwealth Minister for Shipping and Transport—he had a different view) saying that there should be no control over ordinary free enterprise.

*Members interjecting:*

The Hon. G. T. VIRGO: I would ask the two Commonwealth Ministers to try to reconcile their opposing attitudes.

*Members interjecting:*

The Hon. G. T. VIRGO: The important thing is that there is acceptance on a national basis of the need to maintain rail services for both the transport of freight (and I use that term widely to include livestock and grain) and the carriage of passengers, which is in the interest of the Australian community. I believe that the open letter produced by the Railways Commissioner is a credit to him and, rather than criticize him, this House should commend him.

Mr. Gunn: He ought to check his facts.

The SPEAKER: Order!

#### BELAIR SCHOOL

Mr. EVANS: Will the Minister of Education see that the necessary work is carried out at the Belair Primary School to stop the flooding and damage to properties—

*Members interjecting:*

The SPEAKER: Order! The honourable member for Fisher is not out of order, but I wish that his colleagues would conduct themselves in a proper manner as has been asked of them. It is disgusting, and I do not wish it to continue. If it continues I will name them. The honourable member for Fisher.

Mr. EVANS: Will the Minister see that the necessary work is carried out at the Belair Primary School to stop the flooding of the neighbouring properties, namely 2 and 2A, Sylvan Way, Glenalta, before the start of winter? I brought this matter to the notice of the Minister in a letter dated September 3, 1971, and he acknowledged my letter. Photographs of the site were included in the correspondence. The matter concerns two people whose properties are being eroded by the water running off the school property and it would be a pity if this matter were not rectified before the coming winter months.

The Hon. HUGH HUDSON: The issue involving the escape of water from one property to another or through another is a complex one. Regarding schools, these matters do not come directly under my control: they also involve the Minister of Works. However, I will certainly take up the matter on behalf of the honourable member and see what can be done to ease the problem to which he has referred.

#### HASLAM JETTY

Mr. GUNN: Will the Minister of Marine consider the situation at Haslam and defer the part-demolition of the jetty there? I have been approached by the Streaky Bay council to see whether the Minister would consider deferring the demolition of part of this jetty because residents of the area are concerned that such action will affect the tourist industry in the area.

The Hon. J. D. CORCORAN: Mr. Speaker—

Mr. Gunn: Will you—

The SPEAKER: Order! The honourable member for Eyre is conducting himself like a little schoolboy. He got to his feet and asked a question; he had the floor; he then resumed his seat; and when the Minister rose to reply he started talking again. I wish he would behave himself in a manner befitting the representative of his constituents in this House.

Mr. GUNN: On a point of order, Mr. Speaker. Does your ruling apply to members on the Government side of the House as well as to those on this side?

The SPEAKER: There is no point of order. The honourable Minister of Marine.

The Hon. J. D. CORCORAN: I think that the honourable member realizes that I am always happy to take into account the views of a council or the views of any other group

or individual. However, the jetty to which the honourable member refers has been leased to the Streaky Bay council since 1966. The first 850ft. of the 1,450ft. jetty was leased to the council on the understanding that when the outer end of the jetty became unsafe it would be demolished. That situation has now arisen. The jetty has been examined and is considered to be unsafe, and the cost of repairing that part of the jetty considered unsafe (from the 850ft. mark to the end) is \$13,000. The council recently put a proposition to the department that, if the Sceale Bay jetty were demolished, the material salvaged from that jetty could be used to repair that portion of the Haslam jetty leased by the council, and this was agreed to by the department. In fact, an application was made to the Director of the Lands Department for a grant from the rural unemployment fund to do the work, and the council itself was to do the work. It seems, however, that the Haslam Progress Association is now getting on the band-waggon with the people of Tumbly Bay, as they think that both the council and the Minister or the department will now renege and allow them to retain the outer portion of the jetty, which is unsafe and which would cost \$13,000 to repair. I will not do anything that the council does not want me to do, but I will not spend the \$13,000 necessary to put into good order that part of the jetty declared as unsafe. This would still leave over 850ft. of the jetty, and the depth of the water at the end of the jetty at low-water mark would still be 6ft. Several inquiries about jetties have been received in the last few days, but I point out that the policy of shortening or demolishing jetties is, as I have previously explained, an old policy: it was used by the Playford Government for many years. In fact, during the term of office of that Government about 40 jetties in this State were either shortened or demolished. Even if I did my best, I doubt that I could equal that record in the future.

#### ELECTRONIC WEIGHBRIDGE

Mr. BECKER: Can the Minister of Roads and Transport say whether the electronic weighbridge purchased by the South Australian Railways from the River Murray Commission has been approved by the National Standards Commission and whether the weighbridge is now in operation? I refer to page 154 of the Auditor-General's Report for the financial year ended June 30, 1971, and the subheading "Chowilla Dam Project—Weighbridge", from which I quote:

An electronic weighbridge costing in excess of \$40,000 was purchased by the River Murray Commission to be installed at Kinchinda for weighing stone to be used on the Chowilla dam project. When the construction of the above dam was deferred the South Australian Railways offered to purchase the weighbridge for \$30,000 with the intention of installing it in the Gillman yard. However, the National Standards Commission has refused to grant pattern approval for the use of the machine. The railways were aware of this for a month before the River Murray Commission accepted its offer on July 18, 1969, but did not withdraw the offer. The present position is that negotiations are taking place for the testing of the weighbridge after installation. The railways, before incurring expenditure on installation, is awaiting advice from the National Standards Commission that it is prepared to field test the weighbridge. In the meantime the plant is stored at Mile End and the purchase price is being offset against a debt of \$34,000 due by the River Murray Commission for interest to June 30, 1971, on railway funds expended on the Chowilla dam project.

The Hon. G. T. VIRGO: I will get a report and let the honourable member know.

#### WATER SKI-ING

Mr. GOLDSWORTHY: Will the Minister of Marine determine whose responsibility it is to control water ski-ing activities on the Murray River in the Swan Reach area and, if it is the responsibility of one of his departments, take steps to control water ski-ing in that stretch of the river near Swan Reach delineated as a public fishing reserve? I have been approached by a constituent on this matter and the district council has been approached by members of another family. My constituent has a shack at Swan Reach and for many years has gone there for fishing at weekends and in holiday periods. The water skiers now make this difficult: they disturb the water to such an extent that fishing is impossible. The other complaint was from a family where the young children had been in the habit of going out in a boat, but it is no longer safe for them to do this. Although the district council is not sure where the responsibility lies, it has the impression that it rests with the Marine and Harbors Department which controls activities on the Murray River. There is no suggestion that ski-ing be prohibited, but it is desired that ski-ing activities be transferred to another stretch of the river.

The Hon. J. D. CORCORAN: I understand it is the responsibility of the local council, which has power to create by-laws to control

such activities. It is normal for officers of the Marine and Harbors Department to assist councils in drawing up these by-laws or to provide model by-laws which can be used. I will check on the matter and, if that is the case, I shall be happy to contact the council and, if necessary, make available to it the model by-laws. If that is not the case, and if it is the responsibility of my department, I will have the matter attended to.

#### DRAFT DODGER

Mrs. STEELE: Can the Premier say whether he and the South Australian Government support the attitude being adopted by the Leader of the Opposition in the Commonwealth Parliament, an attitude that has the direct effect of encouraging people to break the law and thereby commit a criminal offence? I refer to the statement made by the Leader of the Opposition in Canberra regarding the sheltering by the Victorian branch of the Australian Labor Party of Mr. Johnston, a Labor Party candidate, referred to as a "draft dodger". In the minds of many people such a statement by the Leader of the Opposition in the Commonwealth Parliament shows a complete disregard for a law passed by the Parliament of which he is a member.

The Hon. D. A. DUNSTAN: There is no difference between the attitude of Mr. Whitlam and my own attitude.

#### FLINDERS UNIVERSITY TRANSPORT

Mr. MATHWIN: Will the Minister of Roads and Transport investigate the possibility of providing transport for students from Glenelg, Glengowrie, and other western areas who are attending Flinders University? At present there is no public transport for these students, who must travel into the city and then out to the university, although the distance between Glenelg and the university is not great.

The Hon. G. T. VIRGO: I will look at this matter to see, first, whether the statement that no public transport is available is in fact correct. I understand there is provision for students to travel by, I think, two buses to the Flinders University and return. I will check this to make sure it is so. If not, we will look at the position. I draw the attention of members to the release today, for the first time in South Australia, of public transport maps showing the routes of all forms of public transport within the metropolitan area.

Mr. Becker: Congratulations!

The Hon. G. T. VIRGO: It is nice to hear the honourable member agree with at least something we are doing.

The SPEAKER: The honourable member for Hanson is out of order in interjecting during a reply.

The Hon. G. T. VIRGO: And I was out of order in replying to the interjection; I will not do it again. The maps, which have been publicly released, show all the routes of public transport, including the Municipal Tramways Trust services, private buses, trams and trains, together with the frequency of the services, the routes taken, the departure points and the terminal points. The maps contain information that will assist the general public of South Australia (including members of this House) and visitors to the State who will be able to travel around Adelaide and the metropolitan area by public transport. The services available are extensive, and the maps will help tremendously. Reference to the map would probably provide the member for Hanson with the answer to his question. If he cannot get one of the maps I will send one to him because I do not want him to have any difficulty whatever in obtaining a map.

#### OXYGEN THERAPY

Dr. TONKIN: Will the Attorney-General ask the Minister of Health whether the Government intends to issue a statement on intra-arterial oxygen therapy for the guidance of sufferers from arteriosclerosis who may contemplate travelling to Germany for this treatment? Following the question I asked earlier this session, I received from the Public Health Department, through the Minister, details of investigations carried out in Adelaide on this system, and I am most grateful for them. However, I am not sure that a public statement has been made by the department, and I think perhaps this should be done for the guidance of people who, after all, are contemplating extreme expense and upheaval and a considerable venture overseas.

The Hon. L. J. KING: I will refer the matter to the Minister of Health.

#### MODBURY WEST SCHOOL

Mrs. BYRNE: Will the Minister of Education have the appropriate officers of his department examine the safety aspect of not siting the gateway of the Modbury West Primary School opposite the recently installed school crossing lights in Kelly Road, Modbury? The reason for this situation is that if the school crossing lights were placed opposite the school

gate they would be too close to the proposed roundabout at the intersection of Kelly and Wright Roads. As a result, however, children may leave the school and not walk to the authorized crossing but may cross Kelly Road, where they are without the protection afforded by the crossing. If the present situation is considered dangerous, the danger might be eliminated by shifting the gate to a position opposite the crossing, and the present school pathway to the fence abutting Kelly Road could be extended, along the inside of the existing school boundary fence, to the crossing.

The Hon. HUGH HUDSON: I shall be pleased to look into the matter and to bring down a reply as soon as possible.

#### WATER QUALITY

Mr. COUMBE: Is the Minister of Works aware that this summer the metropolitan water supply has been extremely discoloured and distasteful? Also, is he aware that many people, especially visitors from overseas and from other States, hesitate to drink this water? Furthermore, does he recall that a prominent citizen of this State to whom, under Standing Orders, I cannot refer by name has described this water as being similar to tea? Although I realize that clarification of the water involves a long project, I should like to know whether the Minister has any plans or whether he can give me a report concerning any short-term policy that might be adopted at least to give some relief not only to people who wish to drink the water either on its own or as an additive but more especially to the numerous housewives who complain at times (frequently to members) of difficulty in getting their laundry items effectively clean.

The Hon. J. D. CORCORAN: I am aware that from time to time the Adelaide water supply is slightly discoloured, but I am also aware that it is perfectly safe to drink (in fact, it has a good deal of body in it at times). Referring to comments made on our water supply, I believe that the comment made by His Royal Highness the Duke of Edinburgh, when he last called, tops the comment to which the honourable member referred: he called it a chemical cocktail. A pilot station, not for clarification but for filtration, has been established and the planning and design work in this regard is continuing. The honourable member referred to the long term; in fact, I think this project would be of necessity spread over about 10 years. Indeed, if we gave the word "Go" now, it would be about 10 years before the

scheme was in complete operation throughout the whole of the metropolitan area. The Government has left its options open concerning filtration. I think it has been stated previously by the Premier (and I think also by me) that before the Government makes a definite policy decision in this matter the people of South Australia will be given an opportunity to have some say, because it is currently estimated that the cost of this scheme will be between \$35,000,000 and \$40,000,000.

#### COPPER WIRE THEFTS

Mr. BECKER: Can the Minister of Roads and Transport say what steps have been taken to recover an estimated 70 miles of copper wire stolen from two closed railway lines (Morgan and Willunga)? Referring to page 154 of the Auditor-General's Report for the financial year ended June 30, 1971, under the subheading "Copper Wire Stolen from Closed Lines", I quote as follows:

An estimated 70 miles of copper wire (salvage value approximately \$4,350) was stolen from two closed railway lines (Morgan and Willunga). The thefts may have been prevented if prompt action had been taken to recover the wire when the lines were closed or reduced if appropriate action had been taken immediately first reports of thefts were received.

Will the Minister therefore say what action will be taken to prevent similar occurrences?

The Hon. G. T. VIRGO: If and when similar situations arise, obviously the appropriate steps will be taken. I think it is worthy of note that when train operations actually cease that is the time when the greatest danger of theft arises. In the case of both the Willunga and Morgan lines, I am afraid I cannot recall the time when the danger arose, because those train services ceased long before I became Minister. The honourable member may care to refer the question to his colleague who was the Minister when his Party was in Government. The copper wire, which is part of the telephone communication system, must remain intact while trains are operating. Present legislation requires that, although a train service may cease, nothing of the assets may be touched until such time as, first, the Transport Control Board and, secondly, the Public Works Committee have conducted investigations and their reports have been adopted, and legislation is subsequently considered in this House. This leaves a tremendous period for all sorts of vandalism to occur.

### EYRE PENINSULA SCHOOLS

Mr. CARNIE: Can the Minister of Education say whether the Port Lincoln High School and the Tumby Bay Area School projects will be proceeded with according to the schedule that he previously outlined for me?

The Hon. HUGH HUDSON: My latest information is that the schedule will be maintained. However, in these building matters "there is many a slip 'twixt cup and lip", and delays occur. The honourable member will appreciate that I cannot give him a firm and cast-iron guarantee that tenders will be called on the scheduled dates, but it certainly will not be too far away.

### VETERINARY STUDENTS

Mr. WARDLE: Will the Minister of Works ask the Minister of Agriculture to give me details of the numbers of students attending veterinary faculties in Melbourne and Sydney and also attending at the second-year university level in Queensland in 1972?

The Hon. J. D. CORCORAN: I shall be happy to do that.

### HOUSING TRUST CONTRACTS

Dr. EASTICK: Will the Premier, as Minister in charge of housing, tell the House whether there has been any change in policy regarding the extent of maintenance undertaken on Housing Trust houses? Allegations have been made by persons in the Gawler-Evanston area that recent contracts for painting Housing Trust houses have had deleted therefrom a number of areas on the house that have previously received a coat of paint. I refer particularly to the woodwork under the eaves and to sills. As a result, a house that is repainted does not have a satisfactory or an aesthetic appearance because of the clash between the fresh paint and patchy or faded areas. Another allegation is that it has become more difficult to get maintenance undertaken on door frames that are out of plumb, and window sash problems have also been mentioned. I therefore ask the Premier whether any direction has been given that there should be a slowing down or reduction in the degree of maintenance undertaken.

The Hon. D. A. DUNSTAN: Certainly no such direction has been given by me. I know nothing of the matter, but I will inquire.

### JAMESTOWN HIGH SCHOOL

Mr. VENNING: Can the Minister of Education give the House any information on what has happened regarding the residence for single

teachers that was to have been built at Jamestown at a cost of \$16,500, provision for which was contained in the building programme for the 1970-71 financial year? I have before me much correspondence from the high school council as well as correspondence it has received from the department. There has not yet been any progress in this matter. At the Jamestown High School are four female teachers, all of whom are flatting in an old, substandard house. The school committee is therefore wondering what is happening regarding the residence for single teachers at the school, provision for which was made in the 1970-71 building programme.

The Hon. HUGH HUDSON: I shall be pleased to take up the matter for the honourable member. Regarding teacher housing in country areas, over the last 18 months the department has in many areas moved away from the policy of constructing new houses to that of purchasing existing houses as they become available. The honourable member will realize that in many country areas the cost of constructing new houses, particularly those of the standard of accommodation required by the department, is considerable: it varies between \$15,500 and \$17,500, or even more in remote areas. In many country towns the department has been able to make advantageous purchases of existing houses in good condition at much lower figures than those to which I have referred. I shall be pleased to look into the problem at Jamestown and provide the honourable member with a reply as soon as possible.

### TEACHERS COLLEGES

Mr. EVANS: Will the Minister of Education say whether the system of selecting students for admission to teachers colleges was satisfactory this year or whether there were more delays and problems this year than there have been in previous years?

The Hon. HUGH HUDSON: There were more delays and problems this year than in previous years, but this was not because of any action taken by the Education Department. The first factor was that the Matriculation results were issued a week later than they are normally issued, which meant that the offering of teachers college places was retarded by one week. Secondly, the second round of offers of scholarships made by the Education Department is dependent on the rejections received by the department to offers made on the first round. Those rejections

come in as students receive offers of university places or other alternatives. I understand that the university admissions procedure was somewhat slower this year than it has been in previous years. Consequently, there was a further delay in the receipt by the Education Department of the normal percentage of expected rejections in the first round of offers that had been sent out. Until those rejections had been received, the second round of offers could not be made. I hope to institute discussions with the Public Examinations Board, the universities and the Institute of Technology to see whether the procedure cannot be improved in the coming year.

I point out to the honourable member that this year we have had a significant improvement in the minimum qualifications necessary to enable one to enter a teachers college. Also, depending on the students' preferences, the minimum qualifications can vary considerably; for example, the minimum standard of acceptance for entry into secondary science at the University of Adelaide, where a student might be doing a university degree under an Education Department scholarship, was not far below the Commonwealth scholarship standard, and it was certainly significantly above the minimum Matriculation standard, whereas admission to certain primary courses was a little below Matriculation standard, although it was significantly above what it had been in previous years. These facts are never understood by people who are unable to get their children into teachers colleges. I assure the honourable member that the department will try to do its best to explain the procedures that operate and to spend the requisite amount of time in ensuring, to the best of its ability, that individual applicants are properly catered for.

#### WAR SERVICE SETTLERS

The Hon. D. N. BROOKMAN: Will the Minister of Works ask the Minister of Lands what difficulty is experienced in accepting war service land settlers' accounts and taking over their stock mortgages where they so apply? Many Kangaroo Island settlers who do not have stock mortgages with the department would like to have them because they can obtain lower interest rates and gain other advantages. I took up with the Minister of Lands recently the case of one settler, and I have the Minister's reply saying that help for the man concerned had been sought from the Commonwealth Government. In his letter to me, the Minister said:

Earlier I indicated that the Commonwealth had agreed that this action be taken, with a proviso that at the present time it would be limited to the funds which might be available in the financial year 1971-72. These funds would have limited the assistance to about three settlers and in these circumstances I sought an assurance that additional funds would be made available for this particular purpose. I have recently ascertained that there could be difficulties in continuing such a programme and I have asked the Commonwealth for an assurance that funds will be made available, as otherwise I would feel that it would not be proper to assist only a very small minority of settlers.

I think I have correctly placed the picture before the Minister: that only enough money is available to finance about three settlers. Can the Minister say whether stock mortgages are confined only to Commonwealth money or whether it is possible for the State to assist in this regard? I believe the Minister will understand the urgency involved in this matter. The settler to whom I have referred has an account with a private stock firm; his budget will not allow him to provide sufficient superphosphate and other things for his property, and it is urgent that he obtain finance under the war service land settlement scheme. I wonder whether it is within the competence of the State to provide finance in these cases and not depend entirely on the Commonwealth for this money.

The Hon. J. D. CORCORAN: I will ask my colleague for a report, which I hope to bring down Tuesday, as I think it is better to do that than for me to comment on the matter.

#### MORPHETTVILLE PARK SCHOOL

Mr. MATHWIN: Will the Minister of Education kindly give me a progress report with regard to a matter I raised recently in a letter to him about the taking over by the department of Croker Road, adjacent to the Morphettville Park school? In a letter dated December 12, the Minister said he would contact me about the matter soon.

The Hon. HUGH HUDSON: I am still awaiting information, but I will chase up the matter for the honourable member and get a report.

#### BORDERTOWN INDUSTRY

Mr. RODDA: Can the Premier say what he had in mind when he referred recently to the possibility of another industry being established at Bordertown to process soft wheat? I do not want to suggest that we produce much that is soft in the South-East, but we can produce soft wheat. The Premier's statement

that he intended to refer the matter to the Industrial Development Branch was received with much pleasure. Some very nice things have been said to me about the Premier's visit to my district. As this rather surprising utterance of his has caused much speculation throughout the area, I should be pleased if the Premier would elaborate on this projected industry for Bordertown.

The Hon. D. A. DUNSTAN: Not until I have had a report from the Industrial Development Branch. During my very pleasant visit to Bordertown, I met several members of the local industries promotion committee. In the course of a discussion with them, I pointed out that decentralization projects must be related to the produce of the area. Decentralization cannot be an artificial thing: there must be some reasonable basis of viability for an industry to establish in the area. A member of the committee then suggested that, because of the soft wheat in the area, it might be possible to find some manufacturing process associated with it. I said that, as that sounded a reasonable basis for an initial investigation, I would refer the matter to the Industrial Development Branch. As soon as I have anything to report I will let the honourable member know.

#### PRIVATE MEMBERS' BUSINESS

Mr. McANANEY: Can the Premier say what time, if any, will be made available in which to complete private members' business before the House rises?

The Hon. D. A. DUNSTAN: Before the end of the session an opportunity will be given for a vote to be taken on all outstanding matters.

#### WHEAT VARIETIES

Mr. GUNN: Will the Minister of Works ask the Minister of Agriculture whether any representation has been made to the Government about having controlled in this State the variety of wheat which growers may grow? A recent report in the *Chronicle* states that consideration had been given to introducing legislation in this Parliament to control the varieties of wheat that were not readily saleable. Several of my constituents, who are wheatgrowers, have approached me about this matter.

The Hon. J. D. CORCORAN: I will seek this information for the honourable member.

#### GEPPS CROSS ABATTOIR

Mr. VENNING: Will the Minister of Works ask the Minister of Agriculture to consider augmenting the hours worked at the

Gepps Cross abattoir in an endeavour to overcome the lag in the killing of stock? This week members representing people who are concerned with the slaughtering of stock at the metropolitan abattoir have asked questions about this matter. It is considered that, because of the delay caused by the lack of slaughtering facilities with the result that cattle must stand about for several days, exporters, in their purchases at the last two abattoir sales, have downgraded values by \$10 a week because they are unable to get their purchases slaughtered at the abattoir, and they have used this as an angle. I understand that one eight-hour shift a day is worked at the abattoir with about 500 head a day being killed. In previous questions this week members have asked whether it would be possible to provide additional facilities so that an additional 400 cattle a day could be slaughtered at the abattoir. We realize that it is impossible to introduce the necessary facilities overnight to bring about this additional slaughtering. However, with the existing set-up, could the hours of activity not be augmented from one eight-hour shift to perhaps two eight-hour shifts, thereby solving the problem for the time being?

The Hon. J. D. CORCORAN: I will get a report.

#### ENFIELD CEMETERY TRUST

Mr. BECKER: Can the Premier say what action has been taken to arrest the serious deterioration in the financial position of the Enfield General Cemetery Trust? At page 212, the Auditor-General's Report for the financial year ended June 30, 1971, states:

I have reported previously on the serious deterioration of the trust's financial position due in the main to the failure to maintain a satisfactory level of "before need" sales. The selling body, Evergreen Memorial Park Limited, was put into voluntary liquidation during May, 1971.

The SPEAKER: Order! The honourable member sought leave to explain his question. His continuing to read from the Auditor-General's Report, which is available to all members, is not an explanation.

Mr. BECKER: On a point of order, Mr. Speaker. To explain the question, I was quoting from the Auditor-General's Report, because I believe it is the most important part of the whole question as the Auditor-General has reported to Parliament on this matter.

The SPEAKER: I cannot uphold the point of order. The honourable Premier.



The Hon. D. A. DUNSTAN: The Government is not responsible for the finances of the trust, which is a separate body from the Government. The officers of the trust have been to see me previously, concerned at the situation that faces the trust, which is a difficult one financially. The Government indicated that there were certain courses the trust would have to take and some hard decisions it would have to make in this matter. True, the Auditor-General has commented on the "before need" sales, but I point out that at one time we in South Australia were faced with a form of selling of burial plots which was most undesirable and was greatly criticized in this House. I believe the trust has been acting perfectly properly in these matters. It is due to see me again after it has examined its own finances. For the moment I cannot report anything beyond that to the honourable member.

#### OATS

Mr. RODDA: Can the Minister of Works, representing the Minister of Agriculture, say whether the Government intends to introduce legislation this session to control oat marketing? The reason for my question is that many oat producers in my district are concerned at some consequences of the legislation and have approached me to find out whether it is intended soon to introduce appropriate legislation, which could have a great bearing on the marketing of a commodity produced in quantity both in my district and in that of the Minister.

The Hon. J. D. CORCORAN: The Government has considered this matter, because it has always believed in the policy of orderly marketing. Measures that have been introduced in the past to bring about orderly marketing have been successful.

The Hon. Hugh Hudson: Section 92 creates a problem.

The Hon. J. D. CORCORAN: It does, but the Government intends to introduce a measure into the House during the current session to provide for the orderly marketing of oats in this State. As I understand the position, it will be basically similar to the Barley Marketing Act, except that the composition of the board will not follow the composition of the board set up under the Barley Marketing Act, in that that board has upon it members from both Victoria and South Australia. This board will be composed entirely of South Australian people (growers, or whoever they may be). I am not certain of the exact composition but they will be South Australians. Another

important difference between the proposed legislation and the Barley Marketing Act is that the producers will be able to sell oats within the State to one another, I think (from one producer to another by farm to farm sales).

*At 4 o'clock, the bells having been rung:*

The SPEAKER: Call on the business of the day.

#### ROAD TRAFFIC ACT AMENDMENT BILL (GENERAL)

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1971. Read a first time.

The Hon. G. T. VIRGO: I move:

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

It seeks to give effect to some of the recommendations made by the Government Committee on Road Safety and also to some of the decisions recently made by the Australian Transport Advisory Council. There are some very important issues with which this Bill deals. First, it establishes a completely new approach to the question of the installation of traffic control devices. Honourable members will recall that in the committee's report, which was circulated to all members, great emphasis was laid on the fact that a crash programme of installation of traffic signals would have an immediate effect in the field of road safety. However, there has not, up to this stage, been what could be regarded as an entirely satisfactory approach to this matter. The Bill invests the Road Traffic Board with overall responsibility for the installation of traffic control devices. It confers on the board powers needed to enable the board, if necessary, to insist on the installation of traffic control devices in dangerous locations.

This Bill lays down the criteria on how cost is to be shared, not only in relation to the installation of traffic control devices but also in relation to the subsequent maintenance and operation costs and, if need be, the cost of removing traffic control devices. It also embraces pedestrian crossings and, of course, this includes school crossings. Accordingly, although in the past these have not been paid for at all by the Government, the same cost-sharing arrangement will in future apply to these crossings as to other kinds of traffic control devices. The Bill provides that the

Commissioner of Highways will meet two-thirds of the cost and that the remaining one-third of the cost will be met by the local government body concerned, on those roads over which the Commissioner has assumed responsibility. Where the care, control and management of a road is vested in the council and the Commissioner has not assumed responsibility for the road, the council will be required to pay the two-thirds and the Commissioner the one-third. Secondly, the Bill provides wider powers designed to deal with the ever-growing problem of drinking drivers. New clause 47e provides that a member of the Police Force who believes, on reasonable grounds, that any person while driving or attempting to drive a motor vehicle has behaved in a manner that indicates that his ability to drive the vehicle is impaired or has been involved in an accident may require such person to submit to either an alcotest or breath analysis, or both. The appropriate penalties are provided for non-compliance with the request.

Additionally, where a motor vehicle is involved in an accident and, within eight hours after the accident, the driver of that vehicle attends or is admitted to a hospital for the purpose of receiving treatment, it will now be the duty of the medical practitioner by whom the patient is attended to take, as soon as practicable, a sample of the patient's blood. The doctor will then be required to place that sample in equal proportions in two separate containers and make one container available to the patient and the other to the Police Force. Where, however, in the opinion of the doctor it would be injurious to the medical condition of the patient to take the blood sample, he is not to take the sample. These amendments may be said, in some quarters, to operate against the civil liberties of a citizen. However, the problem of reducing the carnage on our roads is so serious, and the necessity of obtaining accurate statistics on which policies may be formulated is so great, that the very minor infringement of personal freedom, if any, envisaged by the Bill is amply justified.

This Bill also deals with a rather vexed question, namely, that of the speed of commercial vehicles. Many members have from time to time been rather critical of the existing provisions in the Act that restrict commercial motor vehicles, in cases of vehicles exceeding 13 tons, to 30 miles an hour. This Bill seeks to repeal that section of the Act and in lieu replace provisions that, where

the weight of a vehicle exceeds 3 tons but does not exceed 11 tons, the maximum speed shall be 50 m.p.h., and where the weight of the vehicle exceeds 11 tons, 40 m.p.h. These new speed limits, of course, have no application in areas where existing speed limits are lower than those stipulated in the Bill. Additionally, the Bill provides that these new speed limits shall come into operation on a date to be fixed by proclamation, the reason being that the increased speeds are tied to the increased braking requirements and, in fact, new speeds are dependent on the braking requirements coming into operation concurrently.

Section 126 of the principal Act is amended by this Bill to provide that the braking system of a motor vehicle must comply with the requirements of the regulations in relation to the design and construction of the braking system and in relation to the performance and effectiveness of the braking system. The Bill also seeks to clarify several matters. In particular, it seeks to clarify the provisions relating to signalling. At the moment, the requirements are partly in the Act and partly in regulations. The Bill also makes provision to enable symbolic signs to be erected. This is in keeping with world trends. There are also amendments to enable several of the more recent design rules approved by the Australian Transport Advisory Council to become effective, and provision is also made for the Road Traffic Board to exempt vehicles from compliance with various aspects of the design rules where the need can be adequately shown.

I now deal with the clauses of the Bill. Clauses 1 and 2 are formal. Clause 3 amends section 5 of the principal Act by providing a definition of "installation" and broadening the previous definition of "traffic control device". The term "installation" is used in the principal Act and is consequential on the widened definition of "traffic control device" in section 5. The definition of "traffic control device" has been broadened to cover all those devices, signs and marks whereby the movement of traffic can be regulated or guided. Additionally, devices to regulate or guide the standing of vehicles are now classed as traffic control devices. Doubt has existed in the past in relation to the legal effect of parking bays and the use of special island kerbing at intersections to provide for one-way entry; the new definition overcomes this doubt.

Clause 4 repeals and re-enacts sections 16 to 19 of the principal Act. Section 16 provides a definition of those "authorities" empowered to install, maintain or operate traffic control devices, and this definition is applicable to all provisions of Part II of the principal Act. Section 17 provides the machinery whereby the authorities mentioned in section 16 may apply to the Road Traffic Board for approval to either install, maintain, operate, or remove traffic control devices, and provides a right of appeal against a decision of the board. This section is largely a consolidation of existing provisions. Section 18 is a new provision designed to implement the findings of the Committee of Enquiry into Road Safety. The Road Traffic Board (as the appropriate central authority) is vested with responsibility for the general oversight of traffic problems and is given the power to direct the installation, maintenance and operation of necessary traffic control devices. An authority to which a direction is given may appeal to the Minister on the grounds of financial hardship.

Section 19 concerns the manner in which costs shall be borne on the installation, maintenance and operation of traffic control devices and provides for the sharing of the cost of traffic signals and pedestrian crossings (including pedestrian over-passes) between the Highways Department and councils on a two-thirds and one-third basis; the proportion to be borne by each authority is dependent on which body has the responsibility for the management of the road. The cost of other traffic control devices is to be borne by the authority installing, maintaining or operating the particular device. This new legislation does not, however, interfere with existing arrangements relating to traffic control devices within the area of the Corporation of the City of Adelaide.

Clause 5 repeals sections 21 and 22 of the principal Act, as the provisions of these sections are now covered by new section 17. Clause 6 amends section 23 of the principal Act by deleting subsection (1); the provision of pedestrian crossings is now dealt with under new section 17. Subsections (2) and (3) of section 23 are amended by deleting the references to the use of flags at pedestrian crossings; hand signs bearing the word "stop" are currently in use, and the amendment reflects this position. Clause 7 repeals sections 23a and 24 of the principal Act. The enactment of new section 17 will render these sections redundant. Clause 8 amends section 25 of the principal Act. This

amendment is consequential on new section 19 (3) to ensure that the responsibility for maintenance is defined.

Clauses 9 and 10 repeal sections 26, 27, 28, 29, 30 and 31a of the principal Act, and clause 11 amends section 32 by deleting subsections (3a), (3b), (3c), (3d) and (4), as the former requirements of these sections and subsections are now embodied in new section 17. Clause 12 amends section 47b of the principal Act. The purpose of the amendment is to make it clear that, where a court is deciding whether an offence for driving with an excessive concentration of alcohol in the blood is a first, second, third or subsequent offence, previous offences for drunken driving or refusing to blow into a breathalyser are to be counted as previous offences under that section.

Clause 13 repeals and re-enacts the definition section relating to breath analysis. The main purpose of the amendment is to insert a definition of an "alcotest". These tests are not designed to produce evidence of intoxication. They are, in effect, field tests by which a police officer may determine whether a breathalyser test is warranted. An alcotest contains a crystalline reagent which discolours on contact with the alcohol contained in the breath of an intoxicated person. Clause 14 repeals and re-enacts section 47e of the principal Act. The purpose of the re-enactment is to enable a police officer to require a suspected offender to submit to an alcotest, a breathalyser test or both. He may make this requirement where the behaviour of the suspect indicates possible intoxication or where he has been involved in an accident.

Clause 15 makes a consequential amendment to section 47f of the principal Act. Clause 16 amends section 47g of the principal Act. The repeal and re-enactment of subsection (1) results from a decision of the Supreme Court in which it was held that the present wording did not in fact alter the existing law. In fact, the provision was intended to create a presumption, in the absence of contrary evidence, that a person shown to have a particular concentration of alcohol in his blood at the time of a breathalyser test had that concentration of alcohol in his blood during the previous two hours. The amendment is phrased more appropriately for the purposes of creating this evidentiary presumption. The other amendments are for the purpose of proving certain formal matters on the hearing of proceedings relating to the use of an alcotest or breathalyser.

Clause 17 repeals and re-enacts section 47h of the principal Act. The purpose is to include alcotests within the ambit of the section. Clause 18 enacts new section 47i of the principal Act. This new section provides that, where the driver of a motor vehicle that has been involved in an accident attends at a hospital for treatment within eight hours of the accident, a sample of his blood is to be taken. The sample is not to be taken when it might be injurious to the medical condition of the patient to do so. The medical practitioner is not obliged to take the sample of blood when the patient objects and persists in his objection after the medical practitioner has informed him that he is legally entitled to object only on medical grounds. The provisions as to the taking of a sample of blood apply also when the driver is dead on arrival at a hospital or dies soon after admission to the hospital. The medical practitioner is required to divide the blood into two equal portions and provide one container to the police for transmission to the Government Analyst and the other to the patient. The Minister is required to inform the Commissioner of Police and the patient of the results of the analysis.

Clause 19 repeals and re-enacts section 53 of the principal Act. This section relates to speed limits for heavy commercial vehicles. It should be pointed out that the operation of this new section will be suspended until truck owners have had time to comply with new braking regulations that are to be promulgated. The desirability of upgrading the speed limits of these vehicles was investigated by the Joint Advisory Committee on Motor Transport, and its recommendations have been endorsed by the committee which reported on the Government Committee of Enquiry into Road Safety. The amendments reflect the recommendations of these groups, in that the speed limits for vehicles over 3 tons laden weight have been increased. However, both committees reported a need for improved braking concurrent with the increases in permissible speeds; accordingly, it has been necessary to provide a later commencing date for the provisions relating to vehicles drawing trailers in order that the fitting of brakes to trailers may be undertaken without undue financial hardship. The improved braking requirements are covered by clauses 23 to 29 inclusive.

Clause 20 repeals and re-enacts section 74 of the principal Act. The terms of the original

enactment prescribed the duty of drivers to give signals when stopping, turning or diverging, and the method of giving those signals is laid down under regulation 6-01 of the principal Act. However, certain portions of the existing section 74 were regulatory in nature, and it is desirable that those subsections should be removed from the Act and transferred to the regulations in order to consolidate the regulatory details and specifications within the same area of legislation. The new section 74 now prescribes the obligations of drivers to give signals and regulatory detail has been removed.

Clause 21 repeals and re-enacts section 76 of the principal Act. The former section prescribes the form of the signs prohibiting turns. However, symbolic signs of a regulatory nature are incorporated in the United Nations Convention on Road Signs and their use will be progressively introduced throughout Australia. In order that those symbolic signs currently agreed to on a national basis may be legally installed in South Australia, amendment of the principal Act is necessary. Existing section 76 allows the use of verbal signs only. Clause 22 repeals and re-enacts section 91 of the principal Act.

Following the sinking of a Murray River ferry at Wellington in 1969, the Commissioner of Highways set up a committee to report on legislative changes necessary to improve the safety of these craft. Arising from this investigation, it was found that at dual crossings problems arose in traffic control as vehicles were not always loaded in strict order of arrival. It is difficult for the ferryman to exercise control over this matter from his position on the ferry, and provision has been made under the ferry lease agreements for the employment of an assistant ferryman to control this traffic movement. However, under the existing provision of the principal Act, a motor vehicle driver is required to obey only the directions of the person in charge of the ferry and the proposed amendment extends the authority for traffic control to the assistant ferryman.

A further matter arising from the committee's report concerned the load limits applicable to Murray River ferries. The ferries are designed to carry an overall load of 48 tons under normal operating conditions; however, drivers of vehicles are not required to carry weighbridge notes under the Road Traffic Act and as a consequence the assessment of a vehicle's load is based on the operator's

experience. The new section 91 now provides that the driver shall inform the ferryman of the vehicle's laden weight or supply sufficient information to permit an estimation of that weight.

Clauses 23 to 26 concern braking requirements for vehicles. The provision of improved braking is concurrent with the higher speed limits permitted heavy commercial vehicles in terms of new section 53 and, under clause 24, new section 126 provides the enabling power to make regulations for upgrading brake performance standards. The regulations proposed under new section 126 are based on the national standard, with special provision in South Australia for trailers.

New section 126 also consolidates the requirements of sections 126 and 131 of the principal Act. Clause 27 repeals certain sections and enacts new sections 136 and 137. The requirements for windscreen wipers and washers to ensure reasonable visibility through the windscreen are now covered by an Australian design rule for motor vehicle safety. The existing section 136 conflicts with the requirements of this Australian design rule, and it is essential that it be amended to permit the promulgation of regulations incorporating these requirements.

The Australian design rules for motor vehicle safety also prescribe standards for the fitting of rear vision mirrors which are incompatible with the present requirements of the existing section 137 of the principal Act. In order that South Australia can adopt the nationally-accepted standard, it is necessary that new section 137 be enacted. Clause 28 enacts new section 138b of the principal Act.

There is a number of road construction and earthmoving vehicles operated by various Government departments, local authorities, and contractors which technically must comply with the provisions of sections 111-124 of the principal Act with respect to headlamps and rear lamps. Most of these are not operated during the hours of darkness or periods of low visibility, and it is considered that it is unnecessary and uneconomical for them to be so fitted, as they would soon become covered by dirt, dust or mud and, in the case of certain equipment, for example, soil stabilizers, would soon work loose. If these vehicles are used in emergency situations (for example, flooding, landslides, falling trees) after sunset or during periods of low visibility they would still be required to be fitted with the necessary lights. This could be achieved by the use of portable equipment.

There are also instances where vehicles of a special nature should also be given an exemption (for example, forklifts not equipped with electrical wiring such as those used in conjunction with the handling of flammable liquids where insulation is costly). Under existing legislation the board has no power to grant exemptions from the fitting of this equipment and, to enable it to do so, where in the opinion of the board it is unnecessary to fit the equipment, amendment to the Act is necessary. New section 138b incorporates these exempting powers and the provisions of section 137a of the principal Act, which is repealed by clause 32.

Clause 29 amends subsection (1) of section 144 of the principal Act. In accordance with the authority granted under sections 148 and 176 (i) of the principal Act, it is intended in the interests of road safety to introduce regulations limiting the weight carried by commercial vehicles to the weight that the vehicle was designed by the manufacturer to carry; this concept has been agreed to on a national basis. Subsections 1 (a) and 1 (b) of section 144 of the principal Act provide penalties for non-compliance with the rules respecting load limitations and, in order that these penalties may have application to the regulations soon to be introduced, amendment of section 144 is desirable.

Clause 30 amends section 160 of the principal Act. The existing section of the Act provides that only a member of the Police Force may issue a defect notice for a motor vehicle and approve the removal of such notice. The new section 160 allows for the appointment of inspectors to issue, and approve the removal of, such notices.

Clause 31 amends section 161a of the principal Act. The existing provisions of section 161a require Road Traffic Board approval before a hovercraft can be driven on a road. With the construction of other special vehicles such as land yachts, it is necessary to broaden this control section to include these vehicles. The amendment provides for regulations to be made to bring special classes of vehicle within the scope of this section.

Clause 32 repeals and re-enacts section 162a of the principal Act. It has been said in Parliament and by members of the public that the wording of existing section 162a of the principal Act is too complex and that the intent is not clear. From time to time section 162a of the principal Act has been amended, and there is now a need to consolidate the original section; new section 162a effects this consolidation.

Clause 33 amends section 176 of the principal Act. Paragraph (n) is amended as a consequence of the provision of exempting powers in regard to lighting equipment on vehicles as detailed in clause 33 of this Bill. With the adoption by South Australia of regulations under the Road Traffic Act in accordance with design rules endorsed by the Australian Transport Advisory Council, it has been seen fit to allow the Road Traffic Board to exercise discretionary power to exempt certain vehicles from compliance with these rules. The functions of the board as described in section 15 of the principal Act are mainly of an advisory nature, and the Crown Solicitor has indicated that in present circumstances this discretionary power could be construed as an unauthorized delegation of power. To eliminate this doubt, new subsection (4) of section 176 of the principal Act has been enacted.

Mr. EVANS secured the adjournment of the debate.

#### STATUTES AMENDMENT (EXECUTOR COMPANIES) BILL

The Hon. L. J. KING (Attorney-General) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

#### THE REPORT

The Select Committee to which the House of Assembly referred the Statutes Amendment (Executor Companies) Bill, 1971, has the honour to report as follows:

1. In the course of its inquiry your committee held two meetings and evidence was taken from Mr. N. S. Angel, General Manager of Executor Trustee and Agency Company of South Australia Limited, Adelaide, and Mr. R. N. Irwin, solicitor, of Adelaide.

2. Mr. Angel and Mr. Irwin appeared before the committee as representatives of the four trustee companies affected by the Bill and, in their evidence to the committee, submitted a schedule of amendments the companies would like to have incorporated in the Bill. The desired amendments covered rates of commission, special fees for carrying on a business, and special fees for special services, including the entitlement to charge for the preparation of income tax returns and commissions on insurance and administration of common funds.

3. Following receipt of the submissions made by Mr. Angel and Mr. Irwin, the committee adjourned to permit consideration to be given to the matters raised in their evidence, and it was proposed that the committee meet again on the resumption of the session to reach a decision on these matters. However, prior to a meeting of the committee being arranged a letter dated February 11, 1972, was received

from Mr. Irwin in which he stated that the companies for which he was acting did "not intend to proceed with any of the 'desired amendments' concerning which evidence was given before the Select Committee."

4. Your committee is satisfied that there is no objection to the Bill and recommends that it be passed without amendment.

In Committee.

Clauses 1 to 8 passed.

Clause 9—"Commission chargeable by the company."

Mr. GUNN: I move:

In new section 16 (3) after "rate" first occurring to insert "or amount"; after "rate" second occurring to insert "or amount"; and after "rate" third occurring to insert "or amount".

Because executor companies charge a commission based on the value of an estate, their operations should be open to scrutiny. Cases have been drawn to my attention where an estate was valued very highly, to the advantage of the executor company. It was not until the time for appeals had elapsed that the beneficiaries became aware that, under the Succession Duties Act, they had a right of appeal against the valuation. As a result, they were unfortunately required to pay an increased amount of succession duties. The executor company benefited because it received more commission as a result of the high valuation. I believe that beneficiaries should have a right of appeal to the court if they consider that an executor company has received a greater amount of commission than it has been entitled to. I think that the court should take this into consideration when considering an appeal. I have no malice against any company, but I believe that protection should be afforded to people whose estates are being handled by executor companies.

The Hon. L. J. KING (Attorney-General): I am not really sure that the amendments are necessary or that they will, of themselves, meet the sort of situation that the honourable member has described. I think it would be open to the court to consider whether the rate was excessive, having regard to the total result to the executor company, in money terms, of applying that rate. So, I think the language of the Bill as it stands would be adequate to meet the situation. Nevertheless, I have no objection to the amendments, because they do no harm. They may reassure people who want the court to be able to look at the overall result.

Mr. GUNN: I believe that, if a beneficiary thinks that an executor company has received too much commission, he should have the right of appeal.

Amendments carried; clause as amended passed.

Clauses 10 to 28 passed.

Clause 29—"Commission chargeable by the company."

Mr. GUNN moved:

In new section 20 (3) after "rate" first occurring to insert "or amount"; after "rate" second occurring to insert "or amount"; and after "rate" third occurring to insert "or amount".

Amendments carried; clause as amended passed.

Clauses 30 to 41 passed.

Clause 42—"Commission chargeable by the company."

Mr. GUNN moved:

In new section 10 (3) after "rate" first occurring to insert "or amount"; after "rate" second occurring to insert "or amount"; and after "rate" third occurring to insert "or amount".

Amendments carried; clause as amended passed.

Clauses 43 to 59 passed.

Clause 60—"Commission chargeable by the company."

Mr. GUNN moved:

In new section 20 (3) after "rate" first occurring to insert "or amount"; after "rate" second occurring to insert "or amount"; and after "rate" third occurring to insert "or amount".

Amendments carried; clause as amended passed.

Remaining clauses (61 to 66) and title passed.

The Hon. L. J. KING (Attorney-General) moved:

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

Mr. NANKIVELL (Mallee): I express my pleasure at the Bill reaching this stage so early in the session. At one stage it looked as though differences of opinion might have prevented the Bill from being passed during this session. Discussions have extended over two years in regard to possible amendments to this legislation and now the matters of difference between the trust companies and the Attorney-General have been resolved. The companies have accepted this legislation, which is what the Government is prepared to accept

and there are some benefits accruing to the companies as a result. I have attended every deputation to the Attorney-General on this matter and I have been associated with the formation of this legislation.

Certain advantages are gained by the companies through bringing their various Acts up to date. The Farmers Co-operative Executors Act, which was the latest one, was originally drafted in 1919 and there have been no changes since that time to those Acts. It is therefore only to be expected that many things have happened in the interim so that the companies would like to have had the benefits of some of the amendments incorporated in similar legislation in other States.

I believe that the principal advantage that has been gained by the companies under this Bill is the right to establish a common fund. This is not only an advantage to the companies but is a distinct advantage to the people whose estates are handled by these companies. Until now, the companies have been able to lend only on specific investments, such as first mortgages on property, or other similar security. The result has been that, in cases where the asset value of the property has dropped sharply and the estate has had to be realized, through no fault of the companies concerned the assets entrusted to them have depreciated perhaps even to the point of showing a loss to the beneficiaries—not only a loss of capital, but there may have been periods during which the person borrowing on mortgage has been unable to meet interest payments and the beneficiaries have suffered in this respect also.

Through the establishment of a common fund the risks have been spread and the guarantee of income to people whose funds are invested in the common fund is assured. It may be argued that there is a risk of some people losing money they might not otherwise have lost, but I think the advantages outweigh the disadvantages. I do not intend to delay the progress of the Bill. I am pleased that the House has seen fit to pass it early in the session and to accept the report of the committee, taking the Bill, as it stands now, to the third reading stage.

Mr. GUNN (Eyre): I join with my colleague, the member for Mallee, in expressing pleasure that the Bill has passed so quickly through this House. I hope we shall find that it has removed a number of anomalies and problems brought to my attention by some of my constituents regarding

the operation of executor companies generally. I am not uncharitable towards them, but I believe that in some cases their operations are not entirely in the best interests of the people concerned.

I am especially pleased to note the new requirements regarding returns and audit practices. Accountants in my district have informed me that returns brought forward by some companies are not easy to understand and it is difficult for people to ascertain the financial position of the estate in which they are interested. A report recently made by the Stockowners Association regarding the activities of these companies is worth looking at. The report was prepared by Mr. Edwards, the Assistant Secretary of the association, and in one paragraph he says:

Another disturbing fact is that in many cases the beneficiaries had no idea whatsoever of the net valuation of the estate as passed for probate.

He also said that many people never received succession duties certificates from the department, which is even worse. He complained that in many cases people were not informed that there was a right of appeal against valuations. It would be in the interests of the companies that the people were not informed of this right; the companies would receive a higher rate of commission. I believe a number of activities have taken place in the past which have not been in the best interests of the people whose estates were being handled.

Mr. Jennings: You are as bad as the Socialists.

Mr. GUNN: No, I am not.

Bill read a third time and passed.

#### ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 29. Page 3500.)

Mr. NANKIVELL (Mallee): I am pleased to see this Bill following upon that just dealt with, which drew attention to the need for some reform of the private trustee companies' Acts. It also highlights certain areas of dispute relating to the authority of the Public Trustee. It centres largely around the wording in clause 102, which refers to moneys belonging to any estate received by the Public Trustee "under this Act", referring to the Administration and Probate Act.

The Public Trustee also administers other Acts, such as the Mental Health Act and the

Aged and Infirm Persons Act. He also handles the estates of people who are in prison, as well as those of minors and widows. All the money collected from those sources was quite wisely placed by the Public Trustee in the common fund. I have mentioned the advantages to the private trustee companies of the common fund. It also gave the State certain benefits. This amendment is simply a machinery exercise to ensure that there is no doubt as to the validity of the action of the Public Trustee in placing all moneys in his common fund, irrespective of the source of such moneys, as long as the funds come to him under one of the Acts he administers.

The matter of the common fund really intrigues me. In the report of the Auditor-General for the year ended June, 1971, an amount of \$31,724,228 is shown standing to the credit of the gross funds under administration. The Act lays down precisely what the Public Trustee may do with this money. It provides that he may invest in bonds, bills, notes and other securities of or guaranteed by the Government of this State. That is natural because he deals with the Treasury, most of his surplus funds go to the Treasury, his revenue goes into Consolidated Revenue, and his expenses are paid from Consolidated Revenue. The Act states that the Trustee may also invest money as follows:

- (b) on loan to the trustees of the Savings Bank of this State;
- (c) on deposit with any incorporated or chartered bank carrying on business in this State, and approved by the Treasurer thereof;
- (d) on loan to the Treasurer of this State; or
- (e) in any investments in which a trustee is by section 4 of the Trustee Act, 1893, or by any amendment of that section or any enactment substituted therefor, authorized to invest trust funds.

That gives the Public Trustee fairly wide powers to handle this money. He is already in the happy position that, in administering this fund, having lent money in the various areas, he can lend money in real estate, and this today is a lucrative source of lending that may return anything up to 12 per cent or 15 per cent (that is the realization value of real estate property in the city today). Notwithstanding that, the Public Trustee has the right to invest money wisely at the maximum amount of interest that can be earned; he does not have to distribute to the beneficiaries of the estates concerned, or to the people whose funds he holds, any greater



amount of interest than is decided by a judge of the Supreme Court to be a fair and reasonable amount.

Therefore, it is possible for this fund to earn 10 per cent, whereas a judge, in his wisdom, may decide that 5½ per cent is a fair and reasonable amount to distribute, and the rest of the money is left to accumulate in the reserve fund, that is, the common fund reserve, the buffer reserve set up in the Treasury, from which any losses may be made good. (It is also the reserve fund that is within a special deposit area of the Treasury.) We have had many debates in the past about what may happen to money contained in special funds in the Treasury. I am not suggesting that anything improper happens in this regard, but at present this reserve fund of \$182,846 is standing as special deposits in the Treasury. I reiterate that there is nothing to stop the Public Trustee from lending money to the Treasurer of this State or from investing money in real estate property, which is an acceptable trustee investment. What has happened in other States, including Western Australia and Victoria? I think the law office in Perth cost several million dollars and, likewise, the law building in Melbourne cost several million dollars. Those buildings were erected by the Public Trustees in those States. This policy is perfectly proper, provided the security is good and the money is earning a fair and reasonable interest for the fund.

It gives one room to speculate on what might be done with the fund, especially when one looks at the other amendments in the Bill. Why does the Public Trustee want an overdraft limit of \$1,000,000? It is absolute poppycock to try to put over the sort of thing that appears here and to state that the increasing volume of the Public Trustee's business makes more extensive borrowing power desirable. If the Public Trustee's business involves real estate, does it mean that he may build a hotel in Victoria Square, for example? There is nothing to stop him from doing this, or from erecting some big office block; he may even lend money in connection with the festival centre.

Mr. Venning: We don't know.

Mr. NANKIVELL: That is correct. But it is a perfectly proper investment; there is nothing wrong with it. It must be awfully tempting to have \$32,000,000, which can be invested in this way. The fund is increasing continually, and it increased last year by

\$1,628,000, which is not an inconsiderable annual increase. This is an area where money can be made available which is held in trust for the purpose of Government use either directly, as I have pointed out in respect of Western Australia and Victoria, by the Public Trustee's erecting buildings, or by using the money through the Treasury, and quite properly so. However, I repeat that granting the Public Trustee a wider borrowing power through an increased overdraft limit gives one room to speculate concerning what may be intended regarding these moneys.

The other amendment is also interesting. I suggest that the Government went to Their Honours and said that the executor companies were not doing too well, and they looked at what happened between 1967 and 1970, when the Public Trustee operated at a substantial loss. But we must read the Auditor-General's Report to see the true position. Technically, the unclaimed money shown as receipts is not revenue earned by the Public Trustee at all. In 1968, the loss incurred in the Public Trustee's operations amounted to over \$29,000. I suggest that here is a case where the Public Trustee cannot pay his way, either. When we look at it critically, we see that he has the advantage of having salaried staff paid under a Government award. When I asked the Public Service Commissioner how the salaries of these officers were fixed, he said that they were fixed by relating their duties to comparable duties of other officers in the Public Service. It is not possible for trust officers in the Public Trustee Department to subject the Public Trustee to the same pressure as that to which other trust officers have subjected private companies, as a result of which those officers have received an increase in salaries ranging from 9.44 per cent to 16 per cent.

The Public Trustee does not have to worry about this, for payments are made out of Consolidated Revenue and his officers are public servants. It is not until 1971, as a result of the release of many grants of administration by the court, that we find the Public Trustee's accounts suddenly coming into profit, but it is only a temporary profit. As I understand that \$45,000 out of the \$112,000 increase shown is due to a non-recurring factor, I suggest that the Public Trustee will need to review his rates and that he cannot function on the basis of the present charges. The Government asked Their Honours to review this matter, and it was presumably stated that this involved an Executive decision and was not a matter involving Their Honours.

Without reflecting on Their Honours, I think this was a wise decision, because it will now give Parliament the right to examine the commission that will be charged by the Public Trustee in the administration of estates in his care. Until now, these matters have been fixed by arrangement. Also, the Public Trustee has not operated at a profit. He has operated at a much more attractive rate than the private trustee companies have offered, because he has Big Brother, the Government, to meet his expenses. There is, therefore, no possibility of his going bankrupt, and no problems are experienced with the administration of the estates under his care.

If honourable members examine this matter in a businesslike manner they will realize that what the Bill does is right and proper. However, I anxiously wait to see what sort of increase the Public Trustee will seek. When matters such as this come before Parliament in the form of regulations, honourable members will be able to discuss them. Under other Acts relating to private companies, the maximum charge is fixed. These private companies must publish their schedule of rates, just as the Public Trustee will have to. Then, nothing can be done to change those rates, and, if they are changed, the provisions of the Act will be infringed. I am pleased to see that this matter will in future have to come before Parliament.

I should now like to refer to another aspect that deals in some measure with this matter, as it relates to the granting of probate, which is a prerequisite before any estate can be administered. Honourable members do not want to let go unnoticed the fact that there is on the Notice Paper at present a motion regarding the increase in proctors' fees, which increased by 25 per cent between July 1, 1970, and December 23, 1971, following upon a 33 per cent increase granted on July 1, 1970. The little people will be hit by this. If one has an estate of less than \$3,000, the sum of \$57 will have to be paid thereon for the submission of papers for the grant of administration. Two forms must be completed by a solicitor after he has been given a schedule of information. If the solicitor has to ascertain the information himself he can charge 25 per cent more. Also, he invariably charges more for completing the forms. These fees need to be examined and not just passed over lightly. I support the second reading.

Mr. McANANEY (Heysen): I support what my colleague, the member for Mallee, has said, particularly regarding the provision

for the Public Trustee to have an overdraft of \$1,000,000. The Government must explain why this is necessary, especially when one compares the new figure with the present maximum overdraft of \$200,000. At the end of each financial year the Public Trustee has had a substantial credit, although perhaps during the year it may be possible for an overdraft to be incurred. If due care is exercised, I cannot see how it could be necessary for the Public Trustee to have an overdraft of this magnitude.

Such an unholy mess has been made of the way in which Government accounts are set out that it is impossible for one to analyse whether or not the Public Trustee is making a profit or a loss. At one stage he had \$800,000 cash in the bank. I presume the trustee would not be credited with interest, as the interest on that money is contained in the general fund.

I know that Sir Thomas Playford used to invest surplus money on short-term loans and get a substantial return. However, I doubt whether such a wise business precaution as this would be taken, as members of the Government have no respect for the fact that one can receive dividends. They are more impressed by taking it away from one and giving it to another, thinking that in the process they create wealth.

Mr. McRae: Trust money can be invested in short-term loans.

Mr. McANANEY: The honourable member should investigate the accounts for the last 20 years, from which he would learn much. I cannot see the need for the trustee to be able to borrow additional money. The member for Mallee suggested it might go into an international standard hotel in Victoria Square. However, I have never been convinced of the need for such a hotel. While I was in Japan, I did not see in any hotel anything that was not already in the Parkroyal in Adelaide, other than one minor detail that impressed my wife. In this respect I refer to a cord in the bathroom on which one could hang one's clothes at night after they had been washed. Basically, however, the Parkroyal is equivalent to any hotel in Japan. In any event, this innovation to which I have referred and which impressed my wife so much already exists in Albury, which I visited recently.

Before honourable members accept the clause allowing the Public Trustee to borrow this increased sum, the Government should say why it is necessary for him to have this power.

If he is going to do something different from what he has done in the past and it is necessary for him to be able to have an overdraft of this magnitude, the Government should say what the Public Trustee is to be permitted to do in these new avenues.

The Hon. L. J. KING (Attorney-General): I do not think I need to say much in reply, except to comment on the point made by the last speaker and, earlier, by the member for Mallee, regarding the power in the Bill for the Public Trustee to borrow on overdraft an increased amount on the security of the common fund. The reason why the Public Trustee is given power to borrow against the common fund is that the money in that fund is invested in one or other of the ways to which the member for Mallee referred. It happens from time to time that when the Public Trustee is required to pay out money it is undesirable to realize securities at that time for that purpose. If he has power to run an overdraft, the Public Trustee can meet these obligations without the necessity of realizing securities there and then.

The only reason why it is suggested in this Bill that the sum should be increased from \$200,000 to \$1,000,000 is that, since the former figure was fixed, the value of the common fund has increased substantially. I have not gone back to relate the amount in the common fund at the time the present maximum was fixed to what it is now, but the figure of \$1,000,000 was designed simply to keep pace with the increased amount in the common fund. Obviously, the more there is in the fund the greater the sum one may have to borrow on overdraft to meet obligations, without the necessity of immediate realization. It is simply a practical question of having power to borrow temporarily in order to avoid the necessity of realizing securities every time obligations have to be met out of the common fund. As there is nothing more serious about it than that, I am a trifle surprised that the two Opposition members to whom I have referred got so excited about it.

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

#### CRIMINAL INJURIES COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 29. Page 3497.)

Mr. CUMBE (Torrens): Generally, I support the Bill. Its main points seek to improve the provisions of the original legislation which, when it was introduced by the

previous Government in 1969, broke completely new ground in South Australia and was to some extent an experiment. After a little more than two years since then, it has been found that one or two improvements are needed to make the legislation more effective. One interesting improvement relates to cases heard before justices being transferred to another jurisdiction for certain action to be taken.

When the legislation was originally introduced by the then Attorney-General (the member for Mitcham), it provided that the maximum amount that could be awarded by way of compensation was \$1,000. The then Attorney-General said that the then Government hoped to be able to raise that sum, but that it wanted first to see what effect the legislation would have on the revenue of the State. At that time, ironically enough, the then Opposition sought to have the sum of \$1,000 increased. However, the sum was left at \$1,000 because we wanted to see how much it was likely to cost before we took any action to increase the amount. It is interesting to see that no provision is made in this Bill to increase that sum of \$1,000, even though the Labor Party, when in Opposition, pressed for an increase. Although this matter is not dealt with in the Bill, I suggest that the Attorney-General might tell members what the legislation has cost the State so far, as I have not been able to find out this information. It was our Party's hope to increase the sum to \$2,000 after we had seen how the legislation worked.

Generally, I support the Bill because it contains some worthwhile improvements. This most necessary Act should have been passed years ago. I should also like to know how many cases have occurred to which this legislation has applied, as it would obviously have applied to a number of cases since it was first introduced. Will the Government consider increasing the amount from \$1,000? That is the amount mentioned in section 4 of the principal Act, which provides:

... on the application of a person who has suffered injury in consequence of the commission of the offence, order that a sum, not exceeding \$1,000, be paid by the person convicted,

and so on. The member for Playford knows what I am talking about. These are general matters of interest on which the House is entitled to information.

Mr. McRAE (Playford): In supporting the Bill, I draw attention to the novel feature contained in it, that the court is now to have

power to award compensation for injuries that do not arise from a criminal offence in the true sense. That is a novel feature in this State and, as far as I am aware, in any other State. Nevertheless, it is important. I shall be brief so shall give only one or two instances of how this can be important. True, circumstances can arise under the criminal law in which people can receive injuries even though the defendant can justly say that he was acting in self-defence. Confusing situations can arise where a defendant, believing he was acting in self-defence, used a weapon violently and inflicted serious injuries or wounds upon a victim in circumstances where a jury would be prepared to accept a plea of self-defence. In the circumstances I have just outlined, the victim should receive compensation. It is obvious that, where insanity is the only defence, there is no reason why the victim should not receive compensation.

Turning briefly to the points made by the member for Torrens, I agree with him that it is about time the maximum sum of \$1,000 was increased. There has been a tendency, particularly among Their Honours of the Supreme Court, to award what I would regard as rather paltry amounts of money for criminal injuries because the ceiling is only \$1,000. Let me explain briefly one case to the House. It was heard by a Supreme Court judge and concerned the victim of a criminal assault who had received a broken collarbone and left arm and severe lacerations to his face and body. He

has been disabled for a considerable time and will bear the marks of those injuries for a long time. If he had been before a civil court, he would have received a sum, let us say, in excess of \$5,000. (One could say, conservatively, \$5,000.) Their Honours had to think in this way: if the ceiling at civil law is without limit, one can, of course, award very large sums; but, if the Legislature in its wisdom decides that the ceiling at the criminal law level is \$1,000, then even for serious injuries like that one must award a correspondingly lower amount. So, from memory, the person to whom I referred received a sum of \$450. That is not fair or reasonable. Yet, viewed from the point of view of Their Honours the judges, it can be seen as having some logic.

There are many other cases to which I could refer, but I shall not take up the time of the House. I have believed for many years in the need for legislation of this kind. I rest in the belief that, during the time I was on the Law Society Council, I was one of those people who was able to screw the arms of both Governments to do something about this matter, and I certainly hope that it is within the Government's financial capacity to do something about increasing the total amount quickly.

Dr. TONKIN secured the adjournment of the debate.

#### ADJOURNMENT

At 5.32 p.m. the House adjourned until Tuesday, March 7, at 2 p.m.