

LEGISLATIVE COUNCIL.

Wednesday, August 14, 1963.

The PRESIDENT (Hon. L. H. Densley) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS.**HUTS ON RAILWAY PROPERTY.**

The Hon. A. J. SHARD: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. A. J. SHARD: My question concerns the old huts or temporary houses in railway property at the corner of West Terrace and North Terrace. The best one can say of them is that they are a complete eyesore to newcomers, and there has been much controversy about them. I ask the Minister of Railways is there any possibility of the huts being removed rather quickly, or will the question of their removal have to wait until a decision is reached about whether the railway platforms will be transferred from their present position to west of Morphett Street bridge?

The Hon. N. L. JUDE: I believe the huts are an eyesore to the permanent residents of the State as well as to those who have just arrived. As the honourable member well knows, it has been necessary to use them for migrants on their arrival. I understand that one or two have been removed recently. I will undertake to obtain a report from the Railways Commissioner.

CAR PARKING.

The Hon. K. E. J. BARDOLPH: Harking back to a question I asked some weeks ago about parking over the Adelaide railway station, has the Minister of Railways obtained a reply?

The Hon. N. L. JUDE: I believe that the honourable member asked two questions. Will he inform me which he is now referring to?

The Hon. K. E. J. BARDOLPH: With great respect, I did not ask two questions. I asked one question, to which I received an evasive reply, and I then coined a different phrase so that the Minister could understand it. I ask him now whether he has any reply to my question?

The Hon. N. L. JUDE: The honourable member asked a question, prior to that asked by Sir Arthur Rymill yesterday afternoon, about parking over the railway station. I referred it to the Town Clerk of the Corporation of Adelaide and his reply was that the council had made no recommendation so far because the property concerned is Crown land.

The Hon. K. E. J. BARDOLPH: Can the Minister say on whose authority the Adelaide City Council has come into the question of car parking over Government property, and whether the council lays down a policy for the Government to follow or whether the Minister of Railways will formulate a policy on behalf of his Government in relation to the matter?

The Hon. N. L. JUDE: I realize that the honourable member wishes to be partly facetious in his question, but I say emphatically that I regard it as a matter of my own business as to whom I will refer any question asked in order to get information.

WILLUNGA HILL.

The Hon. G. O'H. GILES: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. G. O'H. GILES: Nine months ago the Highways Department completed, very sensibly, the re-alignment of the corner at the top of Willunga Hill. Since that time, because the level of the corner has been lowered, more than 10 motor cars have gone over the edge and down Willunga Hill at the following corner, and at the Meadows Road end in one night three motor cars were driven straight into the bank where the corner has been lowered. This was in foggy weather. Will the Minister of Roads take up the matter and suggest a method of overcoming the dangerous circumstances that exist on both roads due to the re-alignment and the lowering of the corner at the top of Willunga Hill?

The Hon. N. L. JUDE: I appreciate the honourable member's question, particularly his reference regarding the foggy conditions. I undertake to get a report from the Executive Engineer of the Road Traffic Board, Mr. Pak-Poy.

SCHOOL BUS SERVICE.

The Hon. M. B. DAWKINS: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. M. B. DAWKINS: Some time ago I supported a claim for a school bus service to carry primary school children from Lewiston to Gawler River, a distance of five miles. This matter was referred to the transport control committee by the Minister of Education. The committee found that the minimum requirements for a bus service were, in fact, being met. However, because four of the children can travel to Two Wells at a very early hour it was decided not to recommend that the bus service be granted, but that the

remaining children be placed on the already crowded high school bus, which is on its way to Gawler, to be dropped at Gawler River. It was also decided to go into the question of re-opening the Lewiston school. This school was demolished some time ago and the site is unsuitable for present-day requirements. Will the Minister representing the Minister of Education ascertain from his colleague whether or not it is Education Department policy to re-open small one-teacher schools in these fairly closely settled areas; also, will the Minister ask his colleague to have another examination made of this transport problem in view of the overcrowding of the high school bus?

The Hon. C. D. ROWE: I shall be pleased to refer the questions to my colleague and obtain a detailed reply.

POLICE OFFENCES ACT AMENDMENT BILL.

The Hon. Sir LYELL McEWIN (Chief Secretary) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1961. Read a first time.

The Hon. Sir LYELL McEWIN: I move:
That this Bill be now read a second time.

It is in the same terms as a Bill that was introduced last year but lapsed. It inserts in the principal Act a new section covering the unlawful making or possession of explosives. It provides that any person making, manufacturing or knowingly having in his possession or control any explosive substance in circumstances giving rise to a reasonable assumption that he did not make or possess it for a lawful purpose shall be guilty of an offence unless he can show that he made or had it in his possession or control for a lawful purpose. The maximum penalty is two years and the explosive substance is forfeited to the Crown. The section includes a wide definition of "explosive substance".

The Explosives Act provides by section 23 (2) that it is an offence to possess gunpowder or any explosive exceeding certain weights; but this was not designed to provide protection against the use of explosives in connection with serious offences, and the Commissioner of Police has reported his concern with this matter. In both Victoria and New South Wales there are provisions along the lines of the Bill, which is based upon them. It will assist members of the Police Force very considerably in conducting investigations and will act as a deterrent to serious crime.

The new section is designed to protect the community from people who make explosive substances or have them in their possession or control for unlawful purposes. Before any offence can be made out against anyone, the section requires the prosecution to prove two things: (a) that a person made explosives or had them in his possession or control; and (b) that he did so in circumstances that give rise to a reasonable suspicion that his purpose in making them or having them was unlawful.

If these two elements are proved to a court, then the person concerned is the only one who can give an explanation of his purpose in making or possessing explosives. If that purpose is lawful then he can show it without any difficulty and the section calls upon him to do so. During the debate on the previous Bill, the Hon. Sir Arthur Rymill raised the question of the standard of proof required of the defendant. The Crown Solicitor advised that in cases such as this, where there is some presumption raised against a person by reason of circumstances that reasonably give rise to a suspicion that his purpose was unlawful, the requirement to show that the purpose was lawful is satisfied by evidence that shows the lawfulness of the purpose on the balance of probabilities, as in civil proceedings. Proof of lawfulness beyond reasonable doubt is not required of the defendant.

The Hon. A. J. SIARD secured the adjournment of the debate.

ASSOCIATIONS INCORPORATION ACT AMENDMENT BILL.

Read a third time and passed.

POLICE REGULATION ACT AMENDMENT BILL.

Second reading.

The Hon. Sir LYELL McEWIN (Chief Secretary): I move:

That this Bill be now read a second time.

At the recent Police Commissioners' conference it was agreed that it should be made an offence for a person to falsely represent himself as a member of any police force and that each State should be asked to bring down legislation to provide accordingly. Section 27 of the Police Regulation Act provides that it is an offence for a person to falsely pass himself off as a member of the Police Force of this State. The purpose of the Bill is to extend the scope of this section in accordance with the Police Commissioners' recommendation. The amendment will make it an offence for a person

to wear the uniform of, or in some other manner to represent himself as, a member of the police force of another State, of a territory of the Commonwealth or of any other country. The maximum penalty will be £25, the same as is prescribed by the present section. Clause 3 (c) re-enacts, with certain amendments consequential on the amendment proposed, subsection (3) of the present section, which provides that the section does not apply to a person who wears a policeman's uniform in a stage play, ball or other entertainment.

The Hon. A. J. SHARD secured the adjournment of the debate.

LOTTERY AND GAMING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 13. Page 433.)

The Hon. A. J. SHARD (Leader of the Opposition): I rise to support this Bill, the purpose of which is to correct an anomaly in the Lottery and Gaming Act in so far as it applies to totalizator licences on racecourses. The need for this amendment was brought to the notice of the people concerned because of this year's excessive rains. The Act, as it stands today, provides that Victoria Park and Cheltenham racecourses shall have 16 totalizator licences and Morphettville 17. However, it makes no provision so that in the event of a race meeting being transferred from one course to another the totalizator licence can be transferred also. I consider that it might have been better if the Act had provided for the totalizator licence to be issued in the name of the racing club concerned rather than the racecourse. The necessity for this Bill was brought about this year by excessively wet weather on a Saturday on which the South Australian Jockey Club was to hold a meeting at Morphettville. The course was flooded, necessitating a transfer from Morphettville, and the meeting was conducted by the South Australian Jockey Club at Victoria Park. An application was made to the Commissioner of Police for the transfer of the totalizator licence, but he pointed out to the people concerned that he had no authority to grant such an application or to make a recommendation to the Chief Secretary.

When that was first brought to my notice I checked the Statute and I concurred in the Commissioner's view; I think he was correct in that view. He performed his duty according to the law. To overcome this problem this Bill has been introduced. The amendment is similar to the provision in section 19 (b) of the

Act whereby the Police Commissioner has the right to recommend to the Chief Secretary the transfer of race meetings from various racecourses in the country to another country course, but not to exceed the maximum number allotted. This Bill simply provides that a racing club may apply to the Police Commissioner where, through unforeseen circumstances, it has become necessary to transfer the totalizator licence from, say, the Morphettville racecourse to Victoria Park without the Adelaide Racing Club losing a meeting.

It does not mean an additional licence being granted, and I see no objection to this Bill. If it is not passed the only way the racing clubs can conduct the allotted number of meetings will be for, say, the Adelaide Racing Club to transfer one of its meetings from Victoria Park to Morphettville, which I think is unnecessary. There is no need to labour this question because I consider that an anomaly has crept into the Act and the Bill, which corrects the position, does not make one iota of difference to the number of licences issued. I think this Bill will facilitate the smooth working of the racing clubs concerned and I have much pleasure in supporting it.

The Hon. C. R. STORY secured the adjournment of the debate.

HECTORVILLE CHILDREN'S HOME.

Adjourned debate on the motion of the Chief Secretary:

(For wording of motion, see page 434.)

(Continued from August 13. Page 435.)

The Hon. S. C. BEVAN (Central No. 1): I support this motion. Apparently it has been rendered necessary by the lack of the Government's authority in relation to acquiring land for public purposes. As the population of this State continues to increase, greater demands are being made upon the Children's Welfare and Public Relief Department to provide homes for neglected children and children requiring corrective treatment. Because of this demand it has become necessary to build additional homes for these children and care must be exercised in selecting the types of children who will occupy them: a neglected child should not be placed in an institution housing boys in need of corrective treatment. It has become necessary, because of the increased number of neglected children placed under the care of the Children's Welfare Board, to build a new institution for them; they will all be of school-going age and will be cared for at Hectorville as explained by

the Chief Secretary. Land has been held by the Government for the building of this new institution but it has been found that the area is not large enough. It is therefore necessary to secure a further portion comprising one and two-fifths acres, which would then make a total of 10 acres. Negotiations so far have failed and this in my opinion is the crux of the motion now before this Chamber.

It is interesting to go back to the position in 1952 when eight and three-fifths acres of the present site were purchased for £600 an acre, a total price of £5,160. If we assume that this land was subdivided at the normal standard of four building blocks an acre, it would have cost £150 a building block then. As I understand the explanation of the Chief Secretary when introducing this motion, the Government has offered an agent £6,000 for the remaining one and two-fifths acres. Again, assuming six building blocks were obtained from that area on a subdivisional basis—and I do not agree at this stage that it would be possible to obtain six building blocks there, considering the need for a road and footpaths in a subdivision—at the price offered by the Government this would be equal to paying £1,000 a building block.

The offer has been rejected by the agent who is claiming, as we have been informed by the Chief Secretary, £15,000 for this area, which is equivalent to £2,500 a building block. That is an exorbitant price for land in this area. I took the trouble of looking at this morning's *Advertiser* to see whether there were any comparable building blocks advertised in the Hectorville and Campbelltown areas. I found that at Campbelltown there was a building block measuring 70ft. by 130ft. advertised for sale by an agent for £875. A building block at Hectorville is advertised for £1,000. It appears that, in actual fact, the valuation of building blocks in the Hectorville area, which the Government wishes to obtain for erecting this home, would be in the vicinity of the Government's offer of £6,000. On a building block basis that would be £1,000 a block, and this appears to be the valuation of land in the area. When an offer is made by the Government for the acquisition of land a Government valuator inspects the property and decides its present-day valuation. As I understand the policy enunciated by valuers, land is not under-valued because the Government desires the land; in fact, a valuator slightly over-values to obviate any argument.

I believe that the £6,000 offered would at least be in the vicinity of the actual value of

the one and two-fifths acres that are desired for the whole of the site for the building of the home at Hectorville. Therefore, it is necessary that the Government be vested with the authority to proceed with negotiations and, if necessary, to acquire the land at a reasonable figure. The Chief Secretary has already explained how this would be achieved and I am sure all honourable members are aware that the passing of this legislation by both Houses will not mean that the Government, because it has the legislative power to acquire land, would then proceed to acquire it and the seller get £6,000—take it or leave it. It would enable the Government to continue its negotiations with the agent for the property. If a satisfactory settlement could not then be reached the Government would have the authority to acquire the land compulsorily and an arbitrator could then fix the actual compensation the Government should pay.

Although compulsory acquisition may not be favoured, it appears that the attitude adopted in this instance is such that there is a likelihood compulsory acquisition will be unavoidable unless the Government has authority to acquire the remaining one-and-two-fifths acres. If it has that authority, I believe satisfactory arrangements can be made with the agent without further arbitrary action being taken. If arbitrary action were taken the matter would be referred to a court, which, after hearing the facts, would adjudicate on what it considered was a fair and equitable price for the land. I believe that this action can be avoided if the motion is carried by both Houses. In those circumstances I have much pleasure in supporting it.

The Hon. JESSIE COOPER secured the adjournment of the debate.

BALHANNAH AND MOUNT PLEASANT RAILWAY (DISCONTINUANCE) BILL.

Adjourned debate on second reading.

(Continued from August 13. Page 440.)

The Hon. G. O'H. GILES (Southern): I rise to support the Bill. First, I wish to comment briefly on the speech of my honourable friend, the Leader of the Labor Party in this House. He said that he rose to support the Bill because he had no alternative and that he considered that the need for it gave much food for thought. I cannot agree with his first contention, but I certainly agree with his second. I believe that as I develop my argument this will be apparent. Certain aspects

of the Bill I take very seriously. The Hon. Mr. Shard mentioned that the Transport Control Board had to take a realistic view of the situation; it must either allow road transport or compel a person to transport his produce on the railways.

During the past few years the latter has been objected to by members of the Council. I suggest, Mr. President, it is the point of view you held in 1961, when you also objected to this measure. Whether that is so or not I certainly object to it. I do not know whether the Leader speaks for his entire Party when he takes such a high-handed attitude over the control of transport in this State. In my view it represents a departure from the economic acceptance of arranging the transportation of one's own produce. I believe that all honourable members invariably think of their own particular area whenever regulations are being considered and it is equally natural for me to do so.

I take issue over the fact that we do not want complete dictatorship to the detriment of the economic carting of goods in some areas. Mr. Shard also said that it was a pity people in the country generally did not support the railways and that he believed other facilities should be provided in some instances. I think he mentioned that if closing this railway line was as economical as it was supposed to be, obviously other railway lines should be discontinued. I believe that is a fair statement except in terms of this railway line. The carriage of people on it is of small consequence.

Logically, the Government would not consider closing many railway lines that provided a proper service to a vast number of people in travelling to and from their place of employment. Of course, there is a big difference between what the Leader suggested and the actual fact that the Balhannah-Mount Pleasant line has for many years transported a rapidly decreasing number of passengers. I believe it is fair to make that point. The other side of the picture concerns the cartage of goods rather than passengers, and this opens up a broader issue again, because in modern times there is no shadow of doubt that the whole concept of the economic transportation of goods is subject to review. The quick delivery of goods and the lack of damage in transit are important factors as they affect the costs to industries, whether primary-producing or secondary. Turning from remarks by the Leader of the Opposition to the substance of the Bill—

The Hon. A. J. Shard: I thought you were doing very well and I want you to keep going.

The Hon. G. O'H. GILES: I am always ready to oblige the honourable member, particularly when he believes he is on the same side. The Transport Control Board was the first body to take evidence on the closing of the line. Its report is contained in a Parliamentary Paper, and is dated October 15, 1962. It took evidence at Adelaide, Mount Pleasant and Woodside, which evidence by and large favoured the closing of the line. Evidence was given by the three councils in the area affected by the proposed closing. Of course, some evidence was given against it. Later, in opposition to the closing, evidence was tendered to the Public Works Committee by Mr. Quigley, representing the Australian Railways Union.

One member of the Public Works Committee insisted on there not being a unanimous decision by the committee and he voted against the closing of the line, at any rate as far as Woodside, with the idea that the portion remaining open could be used on the two days of the Oakbank race meeting. His view was not accepted by the other members of the committee. In the evidence at Woodside it was pointed out that some property owners held land that was dissected by the line and were only liable for water rating in respect of that portion of the land abutting the pipeline. It was felt that once the assets, and not only the physical structures but the line itself, were realized there would be a detrimental effect to some degree on local landholders. The most weighty argument was given by the three local government authorities, and I think their attitude was to their credit.

The Hon. K. E. J. Bardolph: What is the opinion of your electors?

The Hon. G. O'H. GILES: It is difficult to canvass personally from house to house at a moment's notice, but last night I telephoned several people in the area and some of the views I obtained were interesting. Some years ago the Onkaparinga Woollen Mills had an important potential in its dealings with the Railways Department for the carriage of raw materials from other States, but that is not the case today. I have ascertained from them that as they are two miles from the railway line they now get all their goods carted by a contractor appointed for the purpose.

The Hon. K. E. J. Bardolph: At a cheaper rate?

The Hon. G. O'H. GILES: They are happy with the present arrangement. I also contacted other business people in the area, but cannot find one that does not consider he is getting a good service at present from the carriers appointed by the Transport Control Board, which has few friends. Sooner or later the board crosses every person in business within the metropolitan area. From time to time many tirades of abuse are levelled against the board, which has three members. The Chairman is Mr. McMillan, and the other members are Mr. Isaachsen and Mr. Clucas, who took Mr. Proctor's place on his death about three years ago. Within their charter undoubtedly they are three conscientious officers. At Birdwood two general carriers have been licensed and one for livestock only.

The Hon. C. R. Story: Why have them licensed at all?

The Hon. G. O'H. GILES: I shall get to that soon. At Mount Torrens one general carrier has been licensed and one for livestock only. At Charleston there is one general carrier, at Oakbank two, and at Woodside two. Now there is one general carrier and one for livestock only at Mount Pleasant. I would like to have the names of the carriers incorporated in *Hansard* without my reading them.

The Hon. S. C. BEVAN: Mr. President, I object to anything being incorporated in *Hansard* without being read in this Council.

The PRESIDENT: This matter has been brought before the Council on a number of occasions, and it was the ruling of Sir Walter Duncan, who occupied the position of President for many years, that it was not desirable to have unread material incorporated in *Hansard* if it could be read. Therefore, I say it cannot be included.

The Hon. G. O'H. GILES: I am sorry that something has upset the Hon. Mr. Bevan to make him so technical on this occasion, and that I am the one that happened to be in the line of fire. If the honourable member will listen—

The Hon. N. L. JUDE: Mr. President, on a point of order, following on your ruling, would you indicate whether it would be advisable for members speaking in this Council, and wishing to incorporate certain matter in *Hansard* without its being read, to make it known beforehand, so that they could refer it to you to decide whether it was matter unsuitable for reading, such as columns of figures? They would then know your decision before they spoke. If the material were

acceptable to the President it would be acceptable to members.

The PRESIDENT: I have given the matter some thought. We must remember that the debate on the Bill could end today and then members would not know what was incorporated in *Hansard* before they voted on the measure. For that reason I think it is undesirable to have matter incorporated without being read.

The Hon. G. O'H. GILES: In view of your decision, which I respect, I point out that I am reading from a Parliamentary Paper and not a press article.

The PRESIDENT: We shall be patient and listen to you.

The Hon. Sir Arthur Rymill: If members want to know the names why weary them instead of just referring to such and such a document?

The Hon. G. O'H. GILES: I am horrified that I might weary the honourable member. As a matter of fact, I have no intention of reading the list of names at this stage. I have made my point. There are many licensees along the 21 mile stretch that we are discussing. The point that arises from this is that this area, compared with other areas, has a generous number of licensed carriers. As there are a great many licensed carriers in this area that the Transport Control Board in its wisdom has allowed to operate, I do not know that I am completely in agreement with the Public Works Committee when it recommends the complete de-restriction of transport within some of these areas. My reason for saying I do not know that I am in agreement with it is because of the number of carriers licensed by the board that I have already read out.

The Hon. N. L. Jude: Is it correct to say that these licences will all expire within the 25-mile limit?

The Hon. G. O'H. GILES: I fail to see the point of these queries. I rang the secretary of the board this morning and checked my facts. I have another two to add to the list. My impression is that the area is well treated with licensees and I hope I am not too far off the track in saying that.

The Hon. N. L. Jude: My query implies that these licences will all expire next year and then the transport indicated by the honourable member will be free in that area within a 25-mile limit.

The Hon. K. E. J. Bardolph: I do not think the Minister is quite up to date.

The Hon. G. O'H. GILES: Frankly, I am finding it hard to understand it. To my mind (and I am sure of my facts here), the Transport Control Board has complete power, if necessary, to allow an open go, an open slather, for all firms interested in passage through an area. To my knowledge, it has never allowed this.

The Hon. K. E. J. Bardolph: It has never done that.

The Hon. N. L. Jude: It will be possible for the board to review the licences within 25 miles next year.

The Hon. G. O'H. GILES: If the Minister means (which I doubt very much) that permits should be allowed for the cartage of livestock in certain categories, including the latest stock release on fat lambs during the flush of the season, then this offends me. In fact, if we go back to 1961, I see that I questioned the Minister whether he would consider the possibility of deleting the cartage of livestock from the powers given to the Transport Control Board, or whether he would move to restrict its charter so that this would be the case.

The Hon. Sir Frank Perry: Is the honourable member talking about removing the rails and sleepers? That is all this Bill deals with.

The Hon. G. O'H. GILES: I am glad that the honourable member, apparently as Acting President, draws my attention to that fact. However, the point at issue here—

The Hon. Sir Arthur Rymill: The line has already been closed.

The Hon. G. O'H. GILES: I am quite aware of that. The point at issue here is that, although in this case the Public Works Committee recommended the closing of and the realization of assets of the Mount Pleasant line, in the case of the Sedan to Monarto South line, because the Transport Control Board would not allow unrestricted cartage in the area, the Public Works Committee of this Parliament did not recommend its closing.

The Hon. N. L. Jude: But the honourable member is again quite incorrect in his facts. It was done because there was no satisfactory main road available as an alternative.

The Hon. G. O'H. GILES: I am not quite sure that the Minister is aware of his facts, either. The committee insinuated (I can quote from evidence here to support my contention) that it would have recommended the closing of that line if there had not been such a bad gradient from certain areas in the district to the nearest railhead. That is on evidence. This backs my contention that, if

realistic means of transporting (in this case) livestock are not available in the opinion of the Public Works Committee, then I think it did the right thing within section 10 (I think it is) as regards the powers vested in the board. Under section 10 the Transport Control Board has the power to make an order closing the whole or any part of any line of a railway if, after due inquiry, it is of the opinion that it be in the best economic interest of the State so to do. It was under this section that the Public Works Committee decided not to recommend the closing of the Sedan to Monarto South railway line. As this 21-mile railway line to Mount Pleasant has not worked effectively for some time, it is obvious that all members of this Chamber will vote in favour of this Bill.

The Hon. C. R. Story: The honourable member has not answered my question. Why is it necessary to license these people at all?

The Hon. G. O'H. GILES: I think I shall save that one, and I hope the honourable member will remind me of it in a minute or two because I am sincere about it. The realization amounts that we have to look at in this matter are: £67,500 for the estimated salvage value of rails, rail poles, sleepers and steel work in bridges; £1,000 for the estimated salvage value of signal and telegraph equipment; and £19,400 for the estimated proceeds from sale of land, giving a gross amount of £87,900. This would be offset, on estimation, by £27,200, due to the estimated cost of removing by contract rails, sleepers and other fixtures; and £1,200 for the estimated cost of removal of communication power aerials, signals and telegraph equipment. So that leaves, to put it into some economic semblance, a net figure of over £60,000 that could be better used after the closing of this line.

If I may return to the honourable member's interjection of some time ago, he questioned whether I believed that there should be any regulation at all on cartage within the legal radius of Adelaide where control exists now through the charter of the Transport Control Board.

The Hon. N. L. Jude: The honourable member is a year behind the times.

The Hon. G. O'H. GILES: I apologize if that is so, because I must admit that over the years it has been difficult to keep up with what is happening. If I am forced into a corner on this matter, I say that in the case of the Railways Commissioner and the charter given to the Transport Control Board this power is

totally wrong in a properly democratic country. This is not proper representation of the people at all. I get up, as many other members do, and ask questions of the Minister about matters pertaining to these two departments. In neither case do we get an opinion from a member of Cabinet who, one would think, would be answerable for various questions put to him. The best we can get is a read report from the Railways Commissioner or the Chairman of the Transport Control Board. I should be the first to appreciate the fact that in years gone by it was a sensible move when Parliament empowered these two men in responsible positions to operate within their own charter, but what I am suggesting—and if I am a year behind it does not surprise me in the slightest because it is sometimes very hard to get an answer to questions at all—is that in years to come, as Governments come and go, these two authorities should be under the proper control of a Minister because I take exception to the fact that at present members cannot get proper answers. We cannot get action, as I think you, Mr. President, will remember, in terms of attempting to have the transport of livestock excluded from the jurisdiction of the board. I think many members have had to consider this question and the reactions have been negative, apart from a lengthy report from the Transport Control Board.

It is no fault on the board's part; I suppose its members are doing their best within the charter, but I hope honourable members will forgive me for bringing forward once again the fact that I object to any control on the cartage of livestock.

The Hon. C. R. Story: Why pick only livestock?

The Hon. G. O'H. GILES: It is easy for me to answer that because the people I represent are keenly interested in this aspect.

The Hon. C. R. Story: They have other goods, too.

The Hon. G. O'H. GILES: Yes, and they want to cart their goods as cheaply and economically as they can. I hope I am not a year behind (as the Minister has suggested) on this matter also. I hope he will take up, through Cabinet, the possibility of having cartage of livestock excluded from the charter setting up the Transport Control Board. I am not interested in hearing an answer from the board itself every time I ask a question about this matter. I want to know whether the Government, in order to avoid the bruising,

damage and senseless triple handling of livestock, will bring down a Bill to remove control on the cartage of livestock. I believe the Hon. Mr. Dawkins is a member of the State Lamb Committee. I saw a press release only the other day where the view was expressed that the committee was delighted with the Minister's reply and that he would allow permits to be issued for the transportation of fat lambs during the flush season. I am not delighted; I think it is an insufferable indignity that primary producers cannot get their livestock moved by road transport within a controlled area without having to apply for a permit carrying an added expense of a 10 per cent fee.

The Hon. N. L. Jude: What has this to do with the removal of the Mount Pleasant railway line?

The Hon. G. O'H. GILES: I am sorry if I have become side-tracked from that issue, but this is a chance to discuss the recommendation of the Public Works Committee on closing the Sedan to Monarto South railway line which, I believe, is still operating. Is that right? As there are no interjections I suppose it is. That line is still operating uneconomically and to the disadvantage of the State. I support the Bill.

The Hon. M. B. DAWKINS (Midland): In supporting this measure I do not think there is a great deal to be said but, like other honourable members, I express regret that this step has become necessary. It is one of those inevitable things that happen with the march of time. Like my honourable friend, the Leader of the Labor Party, I was sorry to see that the Oakbank portion of the line had to be closed as well as the remainder of the line. Although I did not use it I am a great believer in providing adequate facilities for the public. I believe, without looking at the figures, that the public should be properly considered and I thought it was desirable that these facilities should remain as far as Oakbank. However, the Hon. Mr. Story has supplied the answer with the figures that he quoted and it is apparent that there is no real argument for the line to remain open as far as Woodside.

The whole problem has, of course, been most carefully examined by the Public Works Committee and I noticed that Mr. Story quoted the opinion of the committee with regard to the closing of lines, in particular with regard to the de-restriction of road transport. I wholeheartedly support the committee's contention that where a railway service is removed all restrictions on road transport should also be

removed. With due respect to my honourable friend Mr. Giles, I do not think he really answered Mr. Story's question as to why it was necessary to license transport where there was no railway remaining.

The Hon. G. O'H. Giles: The Hon. Mr Story changed his question, that is the trouble.

The Hon. M. B. DAWKINS: I firmly believe that where there are no railway facilities there should be no restriction on road transport. Some portions of the Mount Pleasant line are in the District of Southern and other parts are in Midland, and I am anxious to see that the constituents in my district, as well as those in my honourable friend's, get a fair deal now that the railway is a thing of the past, and that they do not have any restrictions on transport, which I consider are quite unnecessary in such an area.

I believe, in common with the Leader of the Liberal Party, that it may well be desirable to close certain other railway lines—and the Hon. Mr. Shard also referred to this—which do not pay and are not used much by the public; but, if we do this, let us give the people in those areas freedom of transport. Times change and, although this line to Mount Pleasant was necessary 50 years ago, it is completely superfluous today. Whereas it used to take about three hours for railway passengers to travel from Mount Pleasant to Adelaide, a distance of about 35 miles by rail, it takes less than an hour by road. The difference with regard to transport of stock is far greater and I do not think anyone would seriously consider the retention of those facilities which are neither patronized nor suitable for present-day requirements. We should give as much freedom as possible to the movement of stock and goods, with a minimum of restrictions. The Transport Control Board recommended the closing of this line and I look to the board to see that adequate road services for both passengers and stock are maintained and that producers are unhampered in their transport requirements. I have pleasure in supporting the Bill.

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

BUSINESS NAMES BILL.

Adjourned debate on second reading.

(Continued from August 13. Page 441.)

The Hon. R. R. WILSON (Northern): The further explanation on the Bill given yesterday by the Attorney-General was appreciated. He submitted the second reading on October 30 last. On November 1, the last day of the session, after the Hons. Mr. Kneebone and Mr. Potter had spoken, the Hon. Mr. Story said he thought the debate should be adjourned to give members an opportunity to study the Bill. So, we have had ample time to do that.

I believe the Bill, which contains 35 clauses, is very important. This is the first time in my memory that members have been given the liberty to speak a second time during the second reading stage. The objects of the Bill are to revise the law relating to the registration and use of business names in this State and to remove anomalies and defects, bringing it into line with similar legislation in other States. Since the Companies Bill was passed last session, it is most important that the Registrar of Companies should know the names of all companies so as to be able to give people such information as they may require. I believe that the explanatory notes on the Bill placed before us today by the Attorney-General give much information that will no doubt be referred to during the debate. Because this legislation is necessary I support the Bill.

The Hon. C. R. STORY secured the adjournment of the debate.

ADJOURNMENT.

At 3.29 p.m. the Council adjourned until Tuesday, August 20, at 2.15 p.m.