

LEGISLATIVE COUNCIL.

Wednesday, August 21, 1963.

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

QUESTIONS.**NOTIFIABLE DISEASES.**

The Hon. A. J. SHARD: I desire to direct a question to the Minister of Health. Has the Government considered recently the question of having all social diseases made notifiable under the Health Act? If not, will he bring this matter to the notice of Cabinet?

The Hon. Sir LYELL McEWIN: I do not suppose there is any subject under health administration that has received more personal attention than this. For the information of the Council, it may be worth while my saying that much consideration has been given to it at Parliamentary level. In 1920 legislation was approved by Parliament which was never proclaimed, and that did include, amongst other things, compulsory notification. In 1943, during the war when the problem was brought more to the surface than would otherwise have been the case, I introduced a Bill in this Chamber, and it was passed, permitting the proclaiming of certain sections of that Act. However, there was much correspondence about it and, as a result, the Bill lapsed in another place.

We tried again in 1945 (I think it was) when again a slightly different measure was introduced. I think that was based on how we were operating under the national security regulations, which were working satisfactorily. However, that measure, too, fell by the way-side and was not proceeded with. In 1947 a Bill was again introduced, which was accepted by both Houses, even though it was suggested then that a Joint Select Committee should be appointed to investigate the position. It was amazing to note the organization from which the complaint originated. However, that legislation has been in operation and one of the stumbling blocks to getting legislation through Parliament on each occasion was any suggestion that there should be anything in the way of compulsory notification. The Act provides that sufferers can be treated and that certain powers are available for the benefit of preserving health.

Our results were considered quite satisfactory. Voluntary clinics were in operation from which people were able to secure follow-up

treatment. In 1960 there was a conference of all State and Commonwealth health officers which discussed this question, and there was a suggestion from the other States that notification of these diseases was on the increase. That was in 1960. In view of the honourable member's question I shall ask the Health Department to examine the situation further and provide me with a report. I do not know how long an examination will take. I have explained the history of this matter to indicate the attitude of Parliament, which it has held very strongly, towards the practice in England in the administration of control of this problem. They do not have compulsory notification there, but other States in Australia do, and perhaps it is proper to look at this matter again. I shall ask the department to do that.

EDUCATION FEES.**FREE RAIL PASSES FOR STUDENTS.**

The Hon. A. F. KNEEBONE: Has the Attorney-General an answer from the Minister of Education regarding the two questions I repeated yesterday, concerning adult education fees and free rail passes for students?

The Hon. C. D. ROWE: I indicated yesterday that I expected to be able to obtain a reply from the Minister of Education today. I have since conferred with my colleague, who informs me that there are questions of policy involved which he would like to discuss with Cabinet before a firm answer is given. I hope to be able to have those discussions on Monday next and therefore be in a position to answer the honourable member's questions next week. I am sorry that I cannot give a detailed reply today.

SEX EDUCATION.

The Hon. F. J. POTTER: I ask leave to make a statement prior to asking a question.
Leave granted.

The Hon. F. J. POTTER: In the *Advertiser* on Monday last publicity was given to a motion which came from the Woodville Primary School's Welfare Club urging that sex education be taught in appropriate stages to various age groups in public schools by qualified people from an outside organization such as the Marriage Guidance Council. In yesterday's *Advertiser* it was reported that the Minister of Education had promised an investigation and had instructed the Director of Education to confer with the Director-General of Public Health on the matter.

From my own personal knowledge I know that the Marriage Guidance Council in this State and, indeed, the National Marriage Guidance Council have over the years accumulated a great deal of information about this matter, both in Australia and overseas. The local Marriage Guidance Council in South Australia has a full-time Director of Family Life Education and a first-rate advisory committee on education matters. Considerable work has been done in private schools and colleges in this State. It seems that the emphasis should be placed more on a programme for family life education dealing with sociology and general family relationships, of which sex education is an integral and important part, but by no means the whole. Therefore, I ask the Attorney-General if he will request his colleague (the Minister of Education) to instruct the Director of Education, when he is conferring with the Director-General of Public Health, to confer also with the marriage guidance authorities on this matter.

The Hon. C. D. ROWE: I shall be pleased to bring the matters raised by the honourable member to the notice of my colleague. Of course, I am not in a position to indicate what my colleague's views will be about co-operation with outside bodies. We have a vital interest in this matter and I assure the honourable member that his suggestion will be sympathetically considered.

NORTH EAST ROAD JUNCTION.

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

The Hon. A. J. SHARD: On August 8 I directed a question to the Minister of Roads regarding the intersection on North East Road of Hampstead Road and Brooke Street. I asked the Minister whether it would be possible to have traffic lights at this intersection. He replied that the matter had not been considered in view of new developments. I have since learned from a reliable authority that the lights will be put there, and further to that I have had the disconcerting information that it has been suggested that Brooke Street, which runs away from Hampstead Road and North East Road, will be narrowed and made a one-way street, and this concerns me greatly. I ask the Minister whether my information is correct. Will the traffic lights be installed on the corner and is there any suggestion that Brooke Street will be narrowed and made a one-way street? If he has not the information at hand will he

get it for me and let me have it as soon as possible, because I and many other residents of the district are very concerned about this matter?

The Hon. N. L. JUDE: As to the installation of lights, that matter has been reviewed by the engineer of the Road Traffic Board since the alteration of plans at that corner. The narrowing of Brooke Street would not be undertaken without the closest co-operation of the council. I will get a detailed report for the honourable member.

PRINCES HIGHWAY ACCIDENTS.

The Hon. R. C. DeGARIS: I ask leave to make a statement prior to asking a question.
Leave granted.

The Hon. R. C. DeGARIS: Several fatal accidents have occurred on Princes Highway four miles south of Millicent at a site known as Caines Hill. The District Council of Millicent has made approaches to the Highways Department about this matter on several occasions and the department has agreed to make alterations to the highway at this spot. Can the Minister of Roads say when this work will be undertaken?

The Hon. N. L. JUDE: I do not have the information at hand, but I will get a report for the honourable member.

POLICE REGULATION ACT AMENDMENT BILL.

Bill read a third time and passed.

LOTTERY AND GAMING ACT AMENDMENT BILL.

Bill read a third time and passed.

PUBLIC PURPOSES LOAN BILL.

Received from the House of Assembly and read a first time.

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

That this Bill be now read a second time.

I thank honourable members for giving me the opportunity to put the particulars of this Bill before them this afternoon. This will enable them to examine the Bill during the weekend. The Bill provides for a total expenditure of £32,914,000 on capital works and purposes during 1963-64. To finance the programme new borrowings amounting to £27,892,000 will be available. They will be supplemented by repayments and recoveries to the Loan Fund,

and the balance in the fund at June 30, 1963, is expected to be used entirely. During the year the State will also borrow £9,400,000 under the terms of the Commonwealth-State Housing Agreement. These funds are to be allocated to the Housing Trust, the State Bank, and building societies. I shall now give members a brief description of the major works for which this Bill provides.

ADVANCES FOR HOMES, £250,000.—As well as administering the Advances for Homes scheme on behalf of the Government, the State Bank also administers the detailed allocation of a large part of the moneys which the State borrows under the provisions of the Commonwealth-State Housing Agreement, and which it makes available to finance home ownership through the Home Builders' Fund. In 1963-64 the bank will have available for lending housing agreement moneys, State loan funds, carry-over funds from June 1963, and repayments of previous advances, totalling in all approximately £5,400,000, about £330,000 more than the level of advances in 1962-63.

LOANS TO PRODUCERS, £50,000.—To enable the State Bank to continue assisting small co-operatives under the Loans to Producers Act it is anticipated that approximately £450,000 will be required in 1963-64. The sum of £50,000 is to be provided from Loan Account, £200,000 is expected to be raised by way of semi-governmental loans, and the bank expects to be able to finance the remainder of the requirement from the proceeds of semi-governmental loans arranged late in 1962-63.

ADVANCES TO SETTLERS, £125,000.—This amount is provided for the State Bank to make advances to settlers for farm buildings, for clearing of land and development of pastures, and for water improvements.

ADVANCES TO STATE BANK, £250,000.—The sum of £250,000 is proposed to be advanced to the State Bank as additional capital to be used in the bank's normal trading services for primary producers, for secondary industry, etc.

STUDENT HOSTELS, £200,000.—An amount of £200,000 is provided to enable the State Bank to make advances to appropriate persons or bodies to finance the erection of boarding houses, hostels, or similar accommodation to cater for the needs of country students at schools, the University of Adelaide, or other educational institutions.

ROADS AND BRIDGES, £670,000.—The main items of expenditure proposed 1963-64 are: £115,000 to complete the construction of the new steel and concrete bridge and approach

roads at Blanchetown; £10,000 for initial work on the new Jervois bridge; £200,000 to commence work on an earth embankment 1,100ft. in length to cross the Port River approximately one quarter of a mile upstream from the Jervois bridge; and £345,000 for various other road and bridge works.

IRRIGATION AND RECLAMATION OF SWAMP LANDS, £240,000.—Expenditure in 1963-64 is proposed as follows: £24,000 to provide a new electrically driven pumping unit, suction line, etc., at Cobdogla; £12,000 for the installation of a new pumping unit and rising main at Mypolonga; £132,000 to complete the electrification and reconstruction of the pumping station at Waikerie; £13,000 for the installation of concrete screens and other minor items which will complete the electrification of all reclaimed area pumping stations; and £5,000 for the purchase of two pumping units which will complete the comprehensive drainage scheme in the Chaffey irrigation area. Funds are also provided for various channels, pipelines, embankments, buildings, plant and minor works.

SOUTH-EASTERN DRAINAGE, £560,000.—The sum of £93,000 is provided to continue the construction of major drains in the area north of drains K-L in the Western Division, and £442,000 is provided for the Eastern Division drainage scheme involving further work on enlarging drain M which discharges into the sea near Beachport.

RENMARK IRRIGATION TRUST, LOAN TO, £25,000.—An amount of £25,000 is set aside to meet the fifth annual advance to the trust as provided by Statute for the purpose of assisting with its rehabilitation programme. In each of the last four years £50,000 has been made available from Revenue as a grant and the trust has been required to find £25,000. For 1963-64 and the following two years it is proposed that the amount of the grant from Revenue will be increased to £150,000 per annum, while the advance from Loan Account and the trust contribution will remain unchanged at £25,000 per annum each. This is to speed up the rehabilitation programme so as to complete it in seven years instead of 10. Legislation to give effect to these proposals will be introduced shortly.

AFFORESTATION AND TIMBER MILLING, £1,100,000.—The more important provisions included in the Bill for 1963-64 are: £185,000 to meet the cost of recurring forest maintenance services such as replanting, weed control, spraying, fire

protection, etc., and £275,000 for preparation of land and planting. After allowing for clear-felling and fire losses and the planting of approximately 6,000 acres during 1963-64, the total area of State pine plantations will be about 150,000 acres at the end of June next. Other items are £50,000 for the purchase of land suitable for forestry as it becomes available; £30,000 as a further contribution to the National Sirex Fund; £255,000 for the replacement of the existing bandsaw line at Nangwarry sawmill to allow the more efficient handling of a considerably larger intake of board timber. The present plant has been in continuous operation for more than 20 years and has now reached the end of its economic life.

RAILWAY ACCOMMODATION, £2,800,000.—After allowing for £50,000 of material to be supplied from stock on hand, a net £780,000 is required this year for Way and Work Branch items including £439,000 for track relaying, bridges and culverts, signalling and safety devices, minor buildings and improvements to yards, etc., and £16,000 for the construction of a road bridge over the new railway from Hallett Cove to the oil refinery at Port Stanvac. An amount of £300,000 is provided to commence work on the construction of a new railway from Ceduna to Kevin to replace the existing railway between Wandana and Kevin. The sum of £2,020,000 is proposed for Rolling Stock Branch in 1963-64 and the more important provisions are as follows. The sum of £793,000 is for progress payments for 33 diesel-electric locomotives and spares. Twenty-three of these locomotives are already in service. An amount of £49,000 is provided to commence work on 100 open waggons, £45,000 for the construction of a further 5 steel brake vans, £130,000 towards a further 18 workmen's sleeping vans, £144,000 for the construction of 24 motor body transport waggons, and £60,000 for work on six insulated vans. The sum of £80,000 is provided for the construction of nine air-conditioned passenger cars for the Adelaide-Port Pirie service, and £256,000 to continue the programme of improvements and modifications to freight vehicles. Narrow gauge requirements include £190,000 for progress work on 18 diesel-electric locomotives and spares, £57,000 for the construction of 8 workmen's sleeping vans, and £33,000 for sundry rolling stock items. Work will also be undertaken in 1963-64 on the standardization of the line from Broken Hill to Port Pirie and rolling stock projects associated therewith, the funds for which are being provided by the Commonwealth Government.

HARBORS ACCOMMODATION, £1,740,000.—The main item of expenditure this year is £334,000 to complete the bulk loading plant, wharf facilities and access works at Port Adelaide for the bulk handling of grain and other commodities. The sum of £100,000 is provided to commence work on the construction of bulk loading facilities for the loading of salt at Port Paterson. Included in this project is the construction of a dolphin berth in the Port Augusta channel, an artificial island to hold a stockpile of 40,000 tons of salt, and a solid fill causeway connecting the island to the mainland. An amount of £320,000 is required for further work on the replacement of old timber wharves at Port Pirie with a steel sheet piled wharf to provide berths for the loading of ore concentrates, to stabilize Barrier Wharf for a tanker berth and to provide ancillary services. An amount of £240,000 is provided to cover progress payments for a new bucket dredger which is expected to be completed by the end of December next. The sum of £22,000 is set aside for the replacement of a mobile crane and £89,000 for various items of plant and equipment.

WATERWORKS AND SEWERS, £12,000,000.—The total amount proposed to be spent on water and sewer works in 1963-64 is £12,380,000. Of this, £12,000,000 is to be provided from Loan Account and the balance of £380,000 is to be met from the remainder of the special grant for employment-producing works which was made available by the Commonwealth Government at the February, 1963, meeting of the Loan Council.

Morgan-Whyalla and Iron Knob Water Supply, £2,467,000.—The sum of £2,363,000 is provided to continue work on the duplication of the Morgan-Whyalla pipeline, and £88,000 is proposed for the installation of additional pumping plant in the four pumping stations between Morgan and Hanson.

Adelaide Water District, £3,318,000.—An amount of £330,000 is provided to commence work on the Happy Valley inlet works. The scheme provides for the enlargement of the existing inlet tunnel and the construction of a new outlet tunnel from Happy Valley reservoir to Darlington. The sum of £75,000 is provided to construct a contour drain around the Hope Valley reservoir.

A sum of £150,000 is proposed for land acquisition and preliminary work on the Kangaroo Creek reservoir. The capacity of the reservoir will be approximately 6,000,000,000 gallons and its cost, including the deviation

of some four miles of the Torrens Gorge Road which will be inundated by the impounded water, is estimated at £2,650,000. Further work is proposed during the year on the Clarendon-Belair-Blackwood scheme and £127,000 is provided for this purpose, while £150,000 is provided to continue work on the Elizabeth water supply scheme, which is proceeding in accordance with the development of Elizabeth and Salisbury. Then £75,000 is proposed to complete the Lenswood water supply scheme, which was commenced last year. The work involved the laying of a rising main and the construction of tanks and a pumping station to augment the supply of water to Lobethal and to provide a reticulated supply to Lenswood. Funds are also provided for water supply schemes at Modbury, Salisbury North, and Stirling-Crafers.

Barossa Water District, £59,000.—This amount is required to commence work on a new trunk main from Gawler to Willaston, for cement lining of mains, and for various mains, services and minor works.

Warren Water District, £140,000.—The sum of £42,000 is provided to complete the laying of branch and subsidiary mains off the new Warren trunk main from the Warren reservoir to Paskeville. Provision is also made for water supply schemes for Hampden, Rhynie, and Watervale, and for an improved supply to Angaston.

Country Water Districts, £983,000.—This provision is required for water supply schemes at Booleroo Centre, Brinkley, Elliston, Kangaroo Island, Kingston (South-East), Lameroo, Milang, Millicent, Mount Gambier, Murray Bridge, Orroroo, Pata, Penola, Streaky Bay, Tailern Bend to Keith, Whyalla and Wirrabara.

Tod River Water District, £783,000.—An amount of £425,000 is proposed to continue work that was commenced last year on the enlargement and replacement of the old Tod trunk main. The complete scheme involves 80 miles of large trunk main at an estimated cost of £4,098,000, and it is planned to spread the work over a period of about eight years. The sum of £50,000 is required for final payments on the scheme to tap the Lincoln underground basin to augment the Tod River system and the supply to Port Lincoln. Actual work on the scheme was completed in 1962-63 and it is in full operation.

Beetaloo, Bundaleer and Baroota Water District, £190,000.—An amount of £20,000 is proposed to commence work on replacing the final

seven miles of the old steel Beetaloo trunk main, sections of which have been replaced over a period of years, while £32,000 is set aside for the extension of mains in the Hundreds of Bundaleer, Yackamoорundie, Yangya, and Tickersa.

Adelaide Sewers, £3,381,000.—The main provision for 1963-64 is £1,760,000 to continue work at the Bolivar sewage treatment works. This major project, which is estimated to cost a total of £10,743,000, is essential to permit the abandonment of the obsolete Islington sewage farm and to provide complete sewerage facilities for areas extending north to Gawler. A sum of £100,000 is proposed to commence work on the reconstruction of the sewerage system on LeFevre Peninsula, and £841,000 is provided for the sewerage of many new housing areas, some of which are being developed by the Housing Trust and some privately.

Country Sewers, £618,000.—A sum of £89,000 is provided for the construction of a sewerage system and treatment works to serve the township of Gumeracha and nearby areas, £161,000 is provided to continue the construction of a sewerage system for the township of Lobethal, and £300,000 to continue the sewerage of Mount Gambier, while £20,000 is required to complete the construction of a sewerage system at Port Lincoln. Also, £250,000 is provided for construction plant and £100,000 for preliminary investigations.

RIVER MURRAY WEIRS, DAMS, LOCKS, ETC., £170,000.—Provision is made again this year to meet South Australia's share of the cost of work carried out by the River Murray Commission.

GOVERNMENT BUILDINGS AND LAND, £9,000,000.—The Bill provides for expenditure in 1963-64 under the following four main headings:

	£
Hospital buildings	1,100,000
School buildings	5,400,000
Police and courthouse buildings	1,100,000
Other Government buildings . .	1,400,000

HOSPITAL BUILDINGS, £1,100,000.—Royal Adelaide Hospital.—This year will see initial work on the rebuilding scheme for the hospital, which is estimated to cost £8,444,000, and involves the erection of three main blocks—Administration and kitchen block, Outpatient block, and Theatre block—merging into a single structure at basement and ground floor levels; erection of a new T-shaped ward block of 550 beds and adjacent boilerhouse north of the three main blocks, and a new nurses' home north of the ward block.

Stage I of the scheme, estimated to cost £2,046,000, covers erection of the administration and kitchen block, including air-conditioning; carrying out of the preparatory work of constructing the foundations, steel work and floor slabs of the outpatient and theatre blocks; demolition of existing buildings in the way of new works; shoring up of the present kitchen block; and provision of necessary external services for the new building and to enable existing buildings to continue in use.

Stage II of the scheme is estimated to cost £6,398,000 and involves the erection of the outpatient and theatre blocks, ward block, boiler-house, nurses' home, chapel, workshops, connecting links, demolition as required, and alterations to buildings that will be retained as part of the completed scheme. In 1963-64 it will not be possible to spend more than £100,000 and £5,000 on Stages I and II respectively. A sum of £18,000 is provided for further work on major additions to the dental hospital to provide additional accommodation, while £20,000 is proposed for additions to McEwin Building to provide air-conditioned accommodation for the blood transfusion service and the pulmonary function unit.

The Queen Elizabeth Hospital.—The sum of £15,000 is required for the provision of an emergency power plant for use at the hospital in the event of a failure in the normal power supply.

Parkside Mental Hospital.—A total of £127,000 is provided for alterations and additions to various wards, steam heating of wards, drainage and improvements to courtyards, residences for medical officers, new chapel, grading of creek, reconstruction of internal roads, and new main store.

Northfield Mental Hospital.—The amount of £100,000 is provided for additions to various wards, paving and draining of airing courts, nurses' training centre, pharmacy and office accommodation, residences for medical officers, and a new chapel.

Enfield Receiving Home.—A sum of £10,000 is proposed to commence the conversion of the present laundry building into a self-service restaurant for the use of patients, and the provision of three occupational therapy rooms.

The proposals for Mental Health Services are relatively small. A major building plan is now in course of preparation for submission to the Parliamentary Standing Committee on Public Works.

Barmera Hospital.—A sum of £15,000 is required to commence extensive alterations to the main hospital buildings to provide additional ward accommodation, new administrative offices, and extensions to the nurses' home.

Port Lincoln Hospital.—An amount of £340,000 is provided to continue work on major additions, which comprise a new hospital block of 50 beds, extensions to nurses' accommodation, and a new kitchen block and service buildings.

SCHOOL BUILDINGS, £5,400,000.—For 1963-64 the proposals for school buildings and associated works total £5,400,000, and the ways in which the funds are to be used are as follows:

	£
Work under 13 contracts with a total value of £3,639,000 for new schools, major additions to schools, Teachers College, and extension services building, which were in progress at June 30, 1963	1,908,000
The commencement of 30 projects with a total value of £4,382,000 for new schools, major additions to schools, trade schools and adult education centre . . .	1,138,000
Work on craftwork centres and change rooms	124,000
Prefabricated classrooms or classroom equivalents	600,000
Purchase of land, buildings and residences for school purposes . .	650,000
Minor works, including grading and paving of schoolyards, fencing, roadways, toilets and facilities, furniture and equipment, and preliminary investigations and design	980,000
	£5,400,000

POLICE AND COURTHOUSE BUILDINGS, £1,100,000.—The programme of construction of police stations and courthouses to serve the country areas is to be continued in 1963-64 and provision is made to complete a number of works which were under construction at the end of June last and to commence work on various new projects. A sum of £800,000 is provided for further work on the construction of the new police headquarters building and cell block in Angas Street. The building is estimated to cost £1,260,000 and will provide for the needs of the Police Department for some years ahead.

OTHER GOVERNMENT BUILDINGS, £1,400,000.—The major proposals for 1963-64 are:

Agriculture Department.—An amount of £100,000 for the construction of a new research laboratory at Northfield.

Botanic Garden Department.—The sum of £2,000 for initial work on the construction of a new herbarium.

Children's Welfare and Public Relief Department.—The sum of £100,000 to commence the erection of a junior boys' training school at Lochiel Park to provide accommodation for the younger boys who are at present accommodated at Magill; £80,000 to start work on new buildings to accommodate senior boys at the training school at Magill; £120,000 for work on the construction of a new remand home at Glandore to provide accommodation for instruction and rehabilitation, recreation, sleeping, dining and medical facilities for 108 children; £120,000 to commence work on Stage II of the major additions at Vaughan House involving the erection of a new building to accommodate 70 girls. Provision is made for instruction and rehabilitation, dining, medical and dental facilities, staff and administrative accommodation, and a chapel.

Libraries Department.—The sum of £20,000 is provided for design and preliminary work in connection with the erection of new buildings to provide additional storage and display areas for documents and books. The buildings are estimated to cost approximately £1,290,000.

Sheriff and Gaols and Prisons Department.—The sum of £10,000 is proposed for preliminary work for the rebuilding of the Port Augusta gaol, comprising a modern cell block, administration and recreation block, and a new kitchen and laundry; £40,000 is provided to commence work on the erection of a new gaol at Port Lincoln which includes facilities for gardening and farming; £83,000 is required for various alterations and additions at Yatala Labour Prison. Funds are also provided for design work for a major office block to be erected in Victoria Square and for the construction of a group laundry at Islington.

SOUTH AUSTRALIAN HOUSING TRUST.—No provision is included in the Bill for advances to the South Australian Housing Trust in 1963-64. The Government's present financial arrangements for the trust are to provide the greater part of its new money from funds borrowed under the provisions of the Commonwealth-State Housing Agreement at a concessional interest rate of one per cent below the current long-term governmental borrowing rate. The trust's allocation of housing agreement funds in 1963-64 is £4,600,000. These funds, together with the use of internal funds, and loans to be raised from lending institutions, will enable the trust to finance a capital

programme of £12,030,000. The main feature of this year's programme will be the speeding up of the rental-purchase scheme under which the trust has let contracts totalling 1,600 houses, and £2,345,000 is proposed for further progress work thereon. The sum of £2,650,000 is proposed for rental housing, and £4,850,000 for houses for sale.

THE ELECTRICITY TRUST OF SOUTH AUSTRALIA, £2,750,000.—During 1963-64 the trust proposes to spend £10,325,000 on capital works—£2,750,000 to be made available from State loan funds, £3,250,000 to be raised by the trust from lending institutions and the public, and £4,325,000 to be met from its internal funds.

The major proposals this year are: £1,324,000 to cover final payments on the plant already in operation and progress payments on the fourth 60,000 kilowatt turbo-alternator, the sixth boiler and associated works at the Port Augusta power station; £1,241,000 for site works and progress payments for the new 60,000 kilowatt turbo-alternator and boiler at the Osborne power station; £930,000 for work for the new Torrens Island power station, including the cost of a bridge to provide access to the island, earthworks and sheet piling; £319,000 is provided for a 132,000-volt transmission line and terminal substation to extend supply from Port Augusta to Whyalla, £220,000 for preliminary work on the provision of a 275,000-volt supply around the metropolitan area. This project will be carried out in stages over the next six years. There is a sum of £282,000 to extend the trust's supply to Bordertown; £955,000 for new substations and new high voltage transmission lines other than the South-East line, £1,206,000 is proposed for additional transformers and high voltage circuit breakers; £1,336,000 is proposed for extending and strengthening the general distribution system, involving the connection of an additional 14,300 new consumers; £755,000 is provided for rural extensions.

LEIGH CREEK COALFIELD.—During 1963-64, £460,000 will be required for capital expenditure and will all be financed from internal funds. The most important single item is a new coal loading excavator for which progress payments of £100,000 are proposed. This shovel, which has a bucket capacity of 8 cubic yards, will be of slightly larger capacity than existing machines of its type on the field and is expected to be commissioned early in the 1964-65 financial year.

MINES DEPARTMENT—BUILDINGS, PLANT, ETC., £150,000.—This amount is provided for capital items to continue the policy of exploration and development of the State's mineral resources during 1963-64. The sum of £6,000 is required for the erection of a sample and core preparation building, £20,000 for a new rotary drill for use in the search for oil, and £124,000 for new and replacement vehicles, for extensions and additions to workshop and plant buildings, and for plant, equipment and instruments for geological and geophysical survey work.

EDUCATION DEPARTMENT—SCHOOL BUSES, £133,000.—This amount is provided for the purchase of additional and replacement buses for the transport of school children in country areas.

SOUTH-WESTERN SUBURBS DRAINAGE, £500,000.—The sum of £250,000 is provided for work on the flood control dam on the River Sturt and it is proposed that work proceed to the full extent of the availability of men and materials. A further sum of £250,000 is proposed to continue the construction of major drains within the scheme, but the controlling committee is attempting to speed the progress of the work, and, if this can be achieved, the Government will make available the requisite additional funds.

I shall now explain the clauses of the Bill. Clause 3 defines the Loan Fund; and clause 4 provides for borrowing by the Treasurer of £27,892,000. This is the amount of South Australia's allocation for works and purposes arranged at the June 1963 meeting of Loan Council. Clause 5 provides for the expenditure of £32,914,000 on the undertakings set out in the first schedule to the Bill; clause 6 authorizes advances to the State Bank during 1962-63. As authority was not included in the Public Purposes Loan Act of 1962, appropriation was given by warrant by His Excellency the Governor under powers conferred on him by the Public Finance Act; and clause 7 makes provision for borrowing and payment of an amount to cover any discounts, charges and expenses incurred in connection with borrowing for the purposes of this Bill. Clause 8 makes provision for temporary finance if the moneys in the Loan Fund are insufficient for the purposes of this Bill; clause 9 authorizes the borrowing of £10,000,000 for the purpose of carrying on loan works at the commencement of next financial year and until the Public Purposes Loan Bill for 1964 is considered by Parliament; and clause 10 gives the Treasurer power to borrow against the issue of Treasury Bills or by bank overdraft. The Treasurer

possesses and may exercise this authority under other legislation, but it is desirable to make the authority specific year by year in the Public Purposes Loan Bill as is done with other borrowing authority.

Clause 11 deals with the duration of certain clauses to the Bill; clause 12 directs that all money received by the State under the Commonwealth Aid Roads Act shall be credited to a special account to be paid out as required for the purposes of the Commonwealth Aid Roads Act; and clause 13 provides for this Bill to operate as from July 1, 1963.

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

OFFENDERS PROBATION ACT AMENDMENT BILL.

(Second reading debate adjourned on August 20. Page 539.)

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

POLICE OFFENCES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from August 20. Page 542.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading, but wish to say from the outset that I believe much consideration will need to be given to the Bill in Committee. I believe that several matters will require attention. In introducing the Bill the Chief Secretary said that the new section that has been inserted was designed to protect the community from people who make explosive substances or have them in their possession or control for unlawful purposes. Undoubtedly, every honourable member agrees that that is a very laudable object, and is prepared to subscribe to it. No explanation or example was given by the Minister as to what he had specifically in mind, but the Hon. Mr. Shard said he understood that the Bill was designed primarily to deal with people who have explosives in their possession for the purpose of safe breaking. If that is so, the example he gave is probably the best that could be given for the need for this type of legislation.

In Committee the wording will have to be looked at carefully, although the object can be agreed to by all. The definition of "explosive substance" in paragraph (b) of new section 15a is as follows:

Any apparatus, machine, implement or materials used or adapted for causing or aiding in causing any explosion in or with any explosive substance; and

That definition can quite clearly and legitimately be said to cover a rifle and cartridges. If that is so, we may find that the scope of this particular section is much wider than was originally intended. It could mean that if a rifle and cartridges come within the definition, and I submit they do, anybody who has a rifle and cartridges in his possession and cannot give a satisfactory explanation that he has them for a lawful purpose might find himself in real difficulty. Even though a person does not use a rifle or cartridge himself he may, for instance, have taken them away from his son for safekeeping or some other reason. In that case he may find himself in difficulty. I should like the Minister to consider that in Committee. Perhaps the Bill is a little wider than he thought. I doubt very much whether it was intended that a rifle and cartridges should be included in the definition of "explosive substance".

The wording of the Bill is rather unsatisfactory and I do not think it is too harsh to say that it is really nonsense. It begins positively, and states:

Any person who *makes or manufactures* or knowingly has in his possession or under his control any gunpowder or other explosive substance whatsoever under such circumstances as to give rise to a reasonable suspicion that he did *not* make or manufacture the same . . . for a lawful purpose,

I do not understand why, in this drafting, the wording switches from the positive to the negative and back to the positive again. This seems to offend against the laws of grammar as I learned them. To take another example, "If somebody steals money in circumstances that give rise to suspicion, that he did not steal it for a lawful reason"—for the life of me I cannot follow that method of expression.

The Hon. G. O'H. Giles: So long as it is not done for an unlawful purpose.

The Hon. F. J. POTTER: I cannot agree with the honourable member. The Parliamentary Draftsman has made a distinction between "make" and "manufacture". Why he should do that I do not know. The *Standard Oxford Dictionary* gives the definition of "make" as "produced or obtained by making". The definition of "manufacture" is "the process of making by hand". This has been extended by usage to "making of articles or materials on a large scale". I see no reason to include "manufacture" because I believe that "make" includes "manufacture". This may be a verbal quibble, but having put in "make" and "manufacture" the Parliamentary Draftsman repeated the words, but

when he came to the real offence he omitted "manufacturing" and was satisfied with "making". To be consistent we should have "make" or "manufacture" all the way through.

I suggest that the aim is to say that whoever makes an explosive substance in circumstances which give rise to some suspicion has made it for an unlawful purpose (the real point at issue) shall be guilty of an offence, unless he can show that he had made it for a not unlawful purpose. Last session in a debate on a similar measure Sir Arthur Rymill asked a pertinent question. He asked how it would be possible for the man to have in his possession explosives for a lawful purpose. It would be better to express the matter by saying that the onus was to prove that he had it for a purpose not unlawful. This all seems to be a play on words, but where it is a matter of onus of proof it makes a material difference. In Committee I shall move some amendments to the Bill to change the wording. I agree with honourable members that not too heavy an onus of proof should be placed on a defendant in this position. As the Minister said in his second reading explanation, this matter was referred to the Crown Solicitor, who advised that in such cases the onus of proof was not beyond reasonable doubt, but purely and simply on the balance of probabilities.

The Hon. A. J. Shard: That is what the Crown Solicitor said, not the magistrates.

The Hon. F. J. POTTER: I believe the Crown Solicitor was correct in his opinion.

The Hon. A. J. Shard: He is not a magistrate, who may think differently.

The Hon. F. J. POTTER: The magistrate would be bound by the rules of evidence and the standard of proof as laid down in common law decisions of the courts.

The Hon. A. J. Shard: It does not always work out that way.

The Hon. F. J. POTTER: If not, the offended person would have the right of appeal.

The Hon. A. J. Shard: And more costs.

The Hon. F. J. POTTER: I am prepared to accept it as a correct expression of the law in regard to the onus of proof. We must not forget that not in every case can we place the onus of proof on the Crown. In many circumstances the *prima facie* proof of an offence may be the allegation that the offence was committed. This occurs in the Maintenance Act and the Income Tax Act. Under the latter, if a person is charged with failing to

submit an income tax return, or has lodged a false return, the allegation must be answered. This is a matter not so unusual as some honourable members, who do not come in contact frequently with the law, might think.

The Hon. G. O'H. GILES: Where did you get that opinion? The Crown Solicitor said that the onus is according to the laws of probability.

The Hon. F. J. POTTER: I am relying on the Minister's statement that the matter had been referred to the Crown Solicitor.

The Hon. A. J. SHARD: The Crown Solicitor didn't say that.

The Hon. F. J. POTTER: The Minister said:

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.

I have not checked the accuracy of the opinion, but it lines up with my understanding of the subject. If I can be satisfied that the Crown Solicitor's opinion is wrong I shall take a different view of the matter.

The Hon. K. E. J. BARDOLPH: He may be wrong.

The Hon. F. J. POTTER: We can all be wrong. Even the honourable member has been wrong at times. I think the opinion is substantially correct. If my amendments were accepted, no great hardship would be placed on the defendant. We can all imagine a man being discovered with explosives in his possession. The first question put to him in the prosecution would be, "Did you or did you not have these explosives in your possession?" There can be only one of two answers—either "yes" or "no". In 99.9 per cent of cases the answer would be "yes", because the man would not be before the court if he had not had explosives in his possession. So the next question to be considered would be, "You have admitted that you had them in your possession or that you made them. The circumstances as we see them give rise to the reasonable suspicion that you had them for an unlawful purpose"—not "You did not have them for a lawful purpose" but "You had them for an unlawful purpose." It is then that the onus shifts to the defendant to prove (if the Crown Solicitor is correct, as I think he is) on the balance of probabilities that his purpose was not unlawful, which I think is the proper expression to use in the circumstances.

This should not be a terrific onus to be placed on any defendant. So, on the point that has been raised by the Leader of the Labor Party, I feel that if the Crown Solicitor is right we have nothing to worry about; but the whole wording of the section needs to be redrafted. To this end I have suggested certain amendments that will, I think, greatly improve the Bill and afford an opportunity for the matter to be considered by this Council in Committee. I support the second reading.

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

ELDER SMITH & CO. LIMITED
PROVIDENT FUNDS BILL.

Second reading.

The Hon. C. D. ROWE (Attorney-General): I move:

That this Bill be now read a second time.

It amends the rules and regulations governing certain provident funds that have been in existence for some years for the benefit of employees of Elder Smith & Co. Ltd. While in the ordinary course it would be a private Bill, the Government considered it would materially assist all concerned if the Government introduced the Bill, which does not in itself benefit the company but, on the other hand, is designed to protect superannuation rights of the company's employees. In 1913 there was established a provident and guarantee fund in connection with the business of the company with the object of providing, on a contributory basis, certain pensions and other benefits for male employees of the company on their retirement or (in the event of their death) their dependants. The provisions of the original deed of trust have been varied from time to time, and at the moment the fund is administered by five trustees.

In 1938 another fund known as the Women's Provident Fund was established to provide pensions for certain members of the female staff of the company. This is a non-contributory fund: that is to say, the female employees of the company do not make any contribution to the fund which in fact consists wholly of moneys contributed by the company from time to time and of legacies and gifts. This fund is administered by the same five trustees as the men's fund.

Honourable members may be aware of the fact that the whole of the issued shares of Elder Smith & Co. Ltd. have been acquired by a new company called Elder Smith Goldsbrough Mort Ltd. and under the arrangements the business of Elders, or the greater part of

it, will be taken over by or merged with the business of the new company: indeed, a substantial part of the said business has, I understand, already been taken over. In consequence of these arrangements, certain of the male employees of Elders who are members of the men's fund are to be transferred to the staff of the new company. This will, of course, mean that they will cease to be in the service of Elders and under the terms of the trust deed cannot remain members of the fund. In the absence of any fresh provision, they would be entitled only to a pension calculated as at the date of their transfer or a refund of their contributions, thereby losing at least some of the benefits of their membership.

It is the desire of the company and the trustees to preserve the rights of these officers by transferring the fund to the new company along with the officers, who would retain all their existing rights. However, while the regulations under the trust deeds provided for the acquisition by Elders of the business of any other company or the acquisition of a controlling interest in any other company, no provision is made for the acquisition of the business of Elders by another company. In these circumstances, it has become necessary that some alteration should be made to the rules and regulations because, without it, not only would existing officers be entitled only to a limited pension but the fund would have to be wound up and distributed. The trust deeds not having made provision to meet these contingencies, the only way in which proper provision can be made is by Statute.

In the case of the female members of the staff of Elders, while some of them will be transferred to the new company, others will remain. Those who remain will, as members of the fund, of course retain their existing rights, but those who are transferred would be without any rights at all under the terms of the trust deed. Future female employees will be employed by the new company. This will mean that the women's fund will in due course be more than adequate to provide for the remaining female staff of Elders and there will be a surplus with which the trustees will be powerless to deal.

The new company proposes to establish a fund for its female employees and it is proposed to transfer the surplus to which I have referred to the new fund, in which the transferred female employees will participate without losing any benefits they would have had as employees of Elders. This Bill, accordingly, makes provision for what the

company regards as the necessary alterations in the rules and regulations governing both funds.

Clauses 3, 4 and 5 deal with the men's fund and clause 6 with the women's fund. The regulations are designed to make provision to preserve the rights of both male and female employees and to enable the trustees to take appropriate action to this end. I do not go into the details of the amendments to the rules and regulations at this stage since the Bill is of a nature that should go to a Select Committee for consideration. The company and its legal advisers will be in a position to give full details of what is required, together with any further information that may be necessary to assist the Committee. The matter is clearly not one that can be debated in detail at the present stage.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

BUSINESS NAMES BILL.

Adjourned debate on second reading.

(Continued from August 20. Page 541.)

The Hon. C. R. STORY (Midland): The Council is indebted to the Attorney-General for supplying members with the further explanatory notes. When the Bill lapsed at the end of last session, it was not because honourable members felt it was not worthy legislation: it was considered that it was legislation that took much digesting. Not only have members had a better opportunity to read and understand it but also the public has been given a long period in which to become acquainted with its provisions. There have been several interesting speeches on the Bill and we are all much indebted to the excellent contribution yesterday by the Hon. Sir Arthur Rymill. Sir Arthur, who is quite an expert on this matter, not only dealt with the matters raised in the Bill but also gave honourable members and the public a good historical résumé of the matters leading up to this Bill. I wish not to deal with it clause by clause but merely to say that it is a good provision, particularly in these times when so many dealers go around the country giving themselves grandiose names and exacting money from good honest citizens. One has little redress and often cannot really find out, unless it is a registered company, who the principal is and how and where the company is functioning. It appears that partnerships and small groups should be registered under

business names just as protection is afforded under the Companies Act. As far as I can see there is nothing in the Bill that could jeopardize any legitimate partnership or anybody trading properly. The only people who will be adversely affected are those who may have been able to get away with certain actions that defrauded the public to a degree and who are now, I believe, operating under the old provisions, in parts of Australia, where it is possible for three or four people to get together, call themselves some attractive name, select some locality that is in the news and go around selling shares.

I am particularly pleased that the public have had an opportunity to become acquainted with this legislation. I merely had this debate adjourned so that the Hon. Sir Arthur Rymill's speech could be given publicity, thus enabling anybody who wished to come forward with any further ideas on the subject. It is a good Bill and has my wholehearted support.

The Hon. K. E. J. BARDOLPH secured the adjournment of the debate.

ADJOURNMENT.

At 3.37 p.m. the Council adjourned until Tuesday, August 27, at 2.15 p.m