

LEGISLATIVE COUNCIL.

Thursday, February 20, 1964.

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

QUESTIONS.**HOUSING TRUST FLATS.**

The Hon. K. E. J. BARDOLPH: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. K. E. J. BARDOLPH: In this morning's *Advertiser* appeared a statement by the Premier that arrangements had been entered into between the Adelaide City Council and the South Australian Housing Trust with regard to the construction of flats on East Terrace. While I am not opposed to the advancement of residential accommodation in Adelaide, can the Chief Secretary, representing the Premier, say whether an arrangement was entered into for a reduction in rates on the proposed building and, if so, will that offer apply to other people desiring to build flats within the square mile of Adelaide?

The Hon. Sir LYELL McEWIN: I am not aware of the details of the arrangement but in view of the question I will get an answer.

SWIMMING POOLS.

The Hon. JESSIE COOPER: Has the Attorney-General, representing the Minister of Education, a reply to my questions on Tuesday regarding school swimming pools?

The Hon. C. D. ROWE: There are 20 learners' swimming pools (six metropolitan—14 country) in operation in Education Department primary and secondary schools with two pools under construction in the metropolitan area and plans for one pool in the country awaiting approval. In the metropolitan area the pools are located at the Adelaide Girls High School, Burnside demonstration, Highgate primary, Westbourne Park primary, Northfield primary, and Linden Park demonstration schools. Pools are under construction at Croydon Girls Technical High School and Black Forest Primary School.

In country areas swimming pools are located at the Angaston primary, Bordertown primary, Coromandel Valley primary, Karoonda area, Loxton North primary, Lucindale area, Morgan primary, Murray Bridge primary, Nairne primary, Oakbank area, Pinnaroo area, Renmark

North primary and Stirling East primary schools. Plans submitted: Rameo primary.

The cost of installation varies according to the size and depth of the pool. The recommended learners' pool measures 40ft. x 29ft. with a depth up to 3ft. 6in. A filtration unit and pool of this size would cost £1,450 to £1,520. The cost of maintenance of a school pool for one swimming season—20 weeks swimming instruction—is £23 10s. or 23s. 6d. a week. The cost varies according to the load, that is the number of pupils using the pool.

The Hon. A. F. KNEEBONE: Has the Attorney-General, representing the Minister of Education, a reply to my question on Tuesday regarding school swimming pools?

The Hon. C. D. ROWE: The honourable member's question related to the amount of Government subsidy for school swimming pools and whether there is any change of Government policy where two adjoining schools combine to provide one swimming pool for the use of the pupils of both schools. I have a report as follows:

The Government makes available a maximum of £500 subsidy towards the construction of swimming pools in schools. In addition, a pound-for-pound subsidy is available for the purchase and installation of filtration plants, fences, and changerooms. Where two adjoining schools combine to provide one swimming pool the same policy applies. Should conditions change at either of the schools participating in a combined effort, and separate pools become necessary, subsidies as mentioned above would be available.

The Hon. A. F. KNEEBONE: Can the Minister representing the Minister of Education say when the maximum figure of £500 was fixed and, in view of the high cost of constructing swimming pools, will the maximum figure available for these pools be reviewed?

The Hon. C. D. ROWE: I will confer with my colleague and let the honourable member have a reply as soon as possible.

INSURANCE ON SCHOOLS.

The Hon. L. R. HART: Has the Minister representing the Minister of Education an answer to my question of February 18 regarding insurance of materials purchased by school committees?

The Hon. C. D. ROWE: All materials and equipment purchased by welfare clubs and school committees and destroyed by fires in schools are replaced at Government expense. Government insurance covers losses caused by fires in permanent buildings. An outside insurance covers losses from prefabricated buildings.

PORT WAKEFIELD ROAD.

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

The Hon. M. B. DAWKINS: My question is related to the proposed dual highway on the Port Wakefield Road from Gepps Cross through Cavan as far as the Salisbury turn-off. I believe it is intended to go very much further than that, but that is the immediate proposal. Towards the latter part of last year I made some inquiries consequent upon a dangerous situation which frequently occurs at the Cavan railway crossing. The build-up of vehicles here at times is very considerable, and it is becoming worse as time goes on. Vehicles are sometimes trapped on the line itself because some trucks—immediately in front—turn right into the abattoirs. I know that the Minister of Roads is aware of the situation and I am sure that he is as anxious as anyone to overcome the problem, but is he able to say when the work on the dual highway, more particularly the reconstruction of the crossing, will commence?

The Hon. N. L. JUDE: I have recently had an interesting and informative discussion with representatives of the Stock Salesmen's Association, who are concerned about the crossing at Cavan and the main railway crossing a comparatively short distance ahead. In both cases they have asked for consideration regarding stock crossings. On the main line intersection we hope to use the present bridge as one of the lanes to continue to carry traffic and construct an entirely new bridge on the right or left. It would be necessary to have an underpass there for stock. The Cavan crossing poses an intricate problem. The lack of design staff has prevented us from completing the design for the intersection, but it is expected that a fly-over system will be designed for that crossing as soon as possible, and when the design is completed there will be no difficulty about the work being proceeded with.

PENOLA ROAD.

The Hon. R. C. DeGARIS: Can the Minister of Roads say what progress has been made with the reconstruction and possible bituminization of the Penola Road, particularly the section from the district council boundary of Clay Wells?

The Hon. N. L. JUDE: The honourable member was good enough to intimate to me last week that he would be interesting himself in this matter. For some time there has been a strong demand in this area for this road to be continued. The Government

gave an undertaking that before it was continued to the Beachport council area the Penola-Casterton Road would be completely sealed to the border and that the Glencoe-Kalangadoo Road would be completed. Fortunately, we have been able to complete the Penola Road to the border ahead of time. Having done that, we have been able to divert the balance of funds this season to call for departmental tenders for the base work material for an additional number of miles (about 14) to the Penola council boundary in the direction of Wattle Range. That is a considerable step towards finally sealing this road. The estimated cost is about £25,000 in this financial year.

DOMESTIC PETS.

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: My question refers to the keeping of pets in new housing areas outside the metropolitan area. Twice in recent weeks I have run into this problem of residents keeping a wide variety of domestic pets within the area of their allotments, and the only redress that people appear to have at this stage is through their local government. The type of redress that they have at present consists of asking the health officer appointed by the council in that area to inspect and, if he thinks the smells are foul enough, he then serves a writ on them. Can the Minister of Health say whether this is the only redress that these people have or is it possible to prosecute under the Health Department? This is not a very good environment in which to bring up small children. In one case, the pets kept were two goats and three guinea pigs, which created quite a smell when the weather was wet, and there were dogs and cats as well. Is there any way of overcoming this difficult position?

The Hon. Sir LYELL McEWIN: This question comes under the local board of health for the area. The Central Board of Health has power over areas outside local government areas and, if I receive complaints, they will be passed on to the Central Board, which will lock into them to see whether perhaps there is a case that can be attended to, in which case that board would work through the local board. But, generally speaking, the Central Board would be loath to interfere in what are the problems of local administration. However, if there is any complaint, as the honourable member suggests today—involving, say, a case of sickness—I shall be happy, through

the Central Board, to see whether the local board is not doing its job properly. Without the precise information as to where trouble is occurring, I am afraid I cannot answer the question.

PIG BRANDING.

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

Leave granted.

The Hon. M. B. DAWKINS: Honourable members may be aware that I have made several representations, both last year and in the previous session, on behalf of a large number of stud and commercial pig breeders in South Australia in the matter of pig branding or body tattooing. Many breeders in this State believe that this will reduce the incidence of disease considerably because it facilitates the tracing of disease to the source of infection. Following a deputation last year, I made further inquiries of the Premier, who stated that further consideration was being given to the matter but that it would not be possible to do anything at that late stage of the year. If my memory serves me correctly, the Hon. Mr. Giles secured a similar reply from the Chief Secretary at about the same time—about the beginning of November. Can the Chief Secretary, representing the Minister of Agriculture, say whether the Government is yet able to say if and when legislation will be brought down on this matter?

The Hon. Sir LYELL McEWIN: The replies that were given during that session still stand. Parliament is meeting for only two weeks and we feel that legislation of this sort should not be considered now. No other new legislation will be dealt with during these two weeks. I know the honourable member's interest in this matter, and that of Mr. Giles, and I will refer the matter to the Minister for consideration between now and the next session.

UNIVERSITY OF ADELAIDE ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from February 18. Page 1946.)

The Hon. K. E. J. BARDOLPH (Central No. 1): In supporting the second reading I preface my remarks by saying that the University of Adelaide Council is vested with the control of university buildings and grounds. I compliment the council for the manner in which it has over the years conducted the university. Considering that it is not of the

same magnitude as universities in other States, I think its academic attainments compare more than favourably with those of other universities throughout Australia, and perhaps some universities overseas.

It was pointed out by the Minister when introducing this measure that the proposed amendment was suggested because of a police court case that was defended by one of the students, as he had the right to do, in connection with the parking of a vehicle in the university grounds. In that connection, let me say that whilst students attending our university may have some rights, those rights also impose responsibilities, and those responsibilities are that they shall conform to the by-laws and regulations of the institution they are attending.

The outcome of that, as pointed out by the Attorney-General, was that the magistrate concerned gave a ruling on the submissions made and in effect it was an interpretation of the existing section of the Act which was passed in 1950. The grounds of his finding were that the university had power only to regulate parking and not to prohibit it. Consequently this amendment seeks to cover that section, but section 18a (1) (g) of the original Act states:

... to regulate the parking, ranking, placing and arranging of vehicles on university grounds and to empower authorized persons to remove any vehicle from the university grounds without assigning any reason;

In view of the recent court decision the powers that are now envisaged in this amendment are more specific and seek to validate regulations that were passed by the Executive Council in December of last year. The University of Adelaide covers an area of about 30 acres, including the buildings, and it may be illuminating to know that there is at present provision within the grounds for parking 600 cars. Of that figure of 600, 40 spaces are reserved for visitors who may be attending the university for special conferences or other purposes.

There are 1,200 employees within the university proper on the permanent staff, and last year there was an enrolment of 12,000 students. The university is hard-pressed to make provision for parking facilities for vehicles that may be necessary for, or at least used by, students attending the university. I pay a compliment to university authorities because, although parking space is limited and despite the figures I have given regarding the parking area for 600 cars, they make special concessions for students who may be suffering physical

disabilities, by allowing them to park their cars in the grounds. Of course, most students attending the university pay fees but, although they attend the seat of learning, I think it is incumbent upon the Adelaide City Council to provide some measure of parking for the benefit of these students.

In Kintore Avenue there is an area set aside for North Terrace doctors. I do not object to that; I submit that the medical profession needs a free parking area within the city proper because of the many and varied urgent calls to which they may have to attend. However, I point out that, where we have the university located in the centre of the city of Adelaide, the same provision should be considered—and I do not say this in a carping spirit—by the City Council in order to accommodate students. This Bill is more specific than the original Act on certain points. At a meeting of the Parliamentary Labor Party last Wednesday the objection to paragraph (g2) was raised and exception was taken to it. It states:

to empower authorized persons to remove any vehicle from the university grounds without assigning any reason.

I point out that "without assigning any reason" was the main point in issue, because in 1950 those powers were assigned to the University Council. I suggest that if there could be a full explanation by the Attorney-General whether that power would be used capriciously, and if we could have an understanding on that matter, perhaps the members of my Party would reconsider its opposition to that particular provision. I was rather surprised at the Attorney-General's second reading explanation. In the last paragraph he said:

I point out that the amendment does not itself validate the by-laws in the sense of precluding any arguments that would go to power. It still leaves it open to anyone to argue that they do not come within the terms of the power as extended by this Bill.

To me, as an ordinary layman, that appears to be rather ambiguous. It is arguable whether those powers rightly reside within the University Council. I do not need to prolong the discussion on this issue but I submit that if there is no satisfactory explanation regarding the matters I have raised then my instructions are to move an amendment in the Committee stage.

The Hon. C. R. STORY (Midland): I rise to support the second reading of the Bill. I think we are indebted to the Hon. Mr.

Bardolph for the amount of material he has given us. I regret that he is still not convinced that the university, if this matter is validated by Parliament today, is capable of exercising wisely the powers that will be given to it. That is virtually the substance of his speech.

The Hon. K. E. J. Bardolph: I did not say that.

The Hon. C. R. STORY: The honourable member said he would need certain assurances from the Minister and would perhaps seek to strike out certain portions of the Bill. This is an important matter: there are 13,200 people at the university and, if my memory serves me correctly, that number is greater than the population of any of our country towns, with perhaps one exception. These 13,200 people are crammed into an area of 30 acres, which is just a pocket handkerchief paddock. It is amazing that the university manages at all amid such congestion and it seems to me that it should have all the powers that were given to it in 1950, and also be given some teeth to deal with people who offend. There is nothing new about the matter referred to by the honourable member. Clause 3(g2) states:

to empower authorized persons to remove any vehicle from the university grounds without assigning any reason.

This power was given to the university in 1950. In the last 14 years the University Council has not acted capriciously with its powers. In fact, recently it was reluctant to take action in a particular case. The council is entitled to have power to drag away vehicles if people knowingly leave them there or do it as a joke, because we know that some vehicles are "bombs" and the council should have the right to remove them if it desires. There is precedent for this in the Local Government Act, section 666, which deals with this matter to a large degree. It empowers local councils to remove to council yards vehicles that are abandoned, keep them for a certain time and if they are not claimed, sell them to recover the cost of having to drag them away. This clause merely validates powers the University Council has had since 1950. Only one word appears to be changed from the wording in section 18a (1) (g) of the Act, which says:

to regulate the parking, ranking, placing and arranging of vehicles on university grounds and to empower authorized persons to remove any vehicle from the university grounds without assigning any reason.

In the Bill the word "regulate" is changed to "prohibit". As the Hon. Mr. Bardolph said, this will make the position quite clear and will also close the loophole that the court found in the University Council's powers. I see no objection to validating the powers Parliament gave to the council in 1950. I do not believe any of its powers should be removed because that would be a retrograde step. I support the Bill and I ask honourable members to do the same.

The Hon. A. F. KNEEBONE (Central No. 1): I support the remarks of the Hon. Mr. Bardolph. A typographical error appears in clause 3 (c) (5), which reads:

The by-laws made by the council on the twentieth day of December, 1963, and confirmed by the Governor on the ninth day of January, 1963 . . .

It seems obvious that January 9, 1963, should be January 9, 1964. I was not a member of this Chamber in 1950 and therefore had no opportunity to oppose section 18a (1)(g) which refers to the authorizing of certain people to remove cars without assigning any reason. Despite the amendment to the Act in 1950, the University Council has not found it practical or necessary to remove cars in that period. I may be wrong about that, but I believe that as we are amending the Act in such a way that prosecutions can be undertaken, surely that is sufficient. I cannot see how it would be practical for the council to be able to remove a car or other vehicle.

Members are aware of the limited parking facilities available in the city. What would the people authorized to remove vehicles do with them? It does not seem right that people who were not aware of the proposed provisions and put their cars in the university grounds should return to find their cars damaged. If the car were locked or in gear it could not be moved without some damage. There is no mention in the regulations that a person shall be notified that if he does not remove his car from a certain position it will be taken away. I understand this could happen under the Local Government Act. If a car were found abandoned on the road the owner could be found by his registration or in some other way and notified that if his vehicle were not removed it would be taken away and impounded. The Bill contains no provision that a person shall be given an opportunity to remove his car before it is towed away and in the process possibly damaged. For that reason I am opposed to the whole clause, not only to the portion which refers to assigning no reason.

The other provisions of the Bill are quite in order. The Bill gives the University Council the opportunity to prosecute and this should be sufficient deterrent without the provision that the car can be taken away. We know that in other States cars can be towed away in certain circumstances. The areas are clearly indicated and people know what they are doing when they put cars there. For these reasons I am opposed to clause 3(g2). Apart from this clause I support the second reading.

The Hon. G. O'H. GILES (Southern): I support the Bill. I was interested to hear the comments made by two of the previous speakers, particularly with reference to statistics about the size of the university, the number of people who work there and the number of cars that may be parked there. Only last year, as members will recall, I was also faced with the problem of wishing to park a vehicle in the university grounds on some occasions. I believe there is a system of priority for parking vehicles there. As a member of the University Council you, Mr. President, have a coloured disc on your car that enables you to have a picked parking space on the occasions you attend at the university. Speaking from memory, first-year students generally are prevented from parking within the grounds. As a student progresses in his course some small dispensation may be granted. Sometimes a vehicle may be parked with the permission of the University Council. All this is reasonable and I do not think any member complains about it, but there has been some complaint about clause 3 (g2) of the Bill, which empowers authorized persons to remove any vehicle from the university grounds without giving any reason. From what I have learned from university people, whose wisdom and intellect I respect, I suggest that my Opposition friends have missed the bus in assessing the situation. We are not dealing with local government matters, or with a person who wants to leave his caravan outside his front gate. The Bill deals with a position where, as a result of certain action by way of a rag in trying to focus attention on a problem or on themselves, perhaps the more irresponsible section decided to bring a bus in and park it in one of the shady alleyways that can be found within the 30-acre block. These alleyways are caused by the congestion of buildings, which are antiquated in some areas. It seems obvious that there should be the ability to remove any vehicle that should be left purposely, without achieving a useful purpose, within the university grounds.

The Hon. Sir Frank Perry: Do you think there should be a penalty?

The Hon. G. O'H. GILES: The penalty is the removal of the vehicle, but there may be a good case for looking at the matter differently. For the successful functioning of the university it seems that there must be the ability to remove vehicles from the roads and alleyways that are so confined in the grounds. The position could become intolerable in the successful administration of the university. Section 666 of the Local Government Act provides the ability to remove and eventually sell a vehicle after a 24-hour period. Local government authorities are lenient in the administration of this provision. They may give the person concerned to the end of the week to remove his caravan or other vehicle blocking an entrance. My point is that this is not an unusual power. It is already in the Local Government Act. It is a matter of giving a notification when a vehicle blocks the way into an important section of the university. Obviously the removal of the vehicle is necessary. The university is the gathering place of young people who are sometimes high spirited. I can see no objection to the Bill and support it.

The Hon. F. J. POTTER (Central No. 2): I support the second reading. As one of the representatives of this Council on the University Council I can say that this is an important matter. The 30 acres of ground at the university are at present filled to capacity with buildings, and roadways and parking spaces are the most that can be provided now and in the future. There is no possibility of extending the university area. Some members have referred to the vexed question of removing a vehicle without assigning any reason. The power was included in legislation in 1950. I thought that in that year there might have been more grounds for complaint than in 1964. In the intervening 14 years there has been a tremendous increase in the number of students at the university, and most of the additional buildings have been erected in those years. I believe it is essential to have this provision, but those who have raised the matter have overlooked one important point. Although the Act authorizes the removal of a vehicle from the university grounds it does not say that the agent of the University Council for the purpose may damage the vehicle or put it in another position where it would be susceptible to damage. If the university agent removed a vehicle he would not put it in the middle of North

Terrace and leave it there. Such an unreasonable act would have its own consequences under the general law.

This amendment and the re-casting of university regulations were made necessary because of a rather ingenious case which was put to a special magistrate by one of the members of my profession on behalf of a student. No doubt he had a good look at the Act and found, as sometimes is the case, a loophole. We must realize that the University Council is one of the most responsible bodies in the State. We should credit it with a certain amount of common sense and not believe that it would authorize people to remove vehicles and place them where they would be a hazard to traffic and liable to damage.

The Hon. S. C. Bevan: Has the power ever been used?

The Hon. F. J. POTTER: I have no personal knowledge of its having been used. I accept the assurance of other honourable members that it has never been used. I think the power to remove a vehicle is more likely to be exercised in this way, that it would be moved from one portion of the university grounds to another if it became a traffic hazard within the confines of the university itself. That is what is more likely to happen and, if it is done properly, no damage to the vehicle is likely to ensue. I do not know what happens in Sydney where they have these tow-away areas, but I presume that vehicles are left there either locked or with the keys in them and in gear and they are towed away. I have never heard of any complaints of damage. If there had been, I am sure there would have been great outcries in the press about it.

The Hon. K. E. J. Bardolph: It costs £5 in Sydney.

The Hon. F. J. POTTER: Yes; that is the worst part of it. I have never heard of any damage being done. Fortunately, there is no question of cost involved here.

The Hon. C. R. Story: Where will it lead to? Where has it led to in the past 14 years?

The Hon. F. J. POTTER: All I can say is that I think the members who have raised this matter are raising for themselves a bogey that does not really exist. It is not likely to cause any trouble in the future because, if it is ever necessary to exercise this power, I think it can be assumed without hesitation by all

honourable members of this Council that it will be exercised sensibly and that any car removed will be taken to a safe place.

The Hon. Sir Arthur Rymill: Do you think there should be power to sell a car if it is not claimed within a certain period?

The Hon. F. J. POTTER: I support the Bill.

The Hon. S. C. BEVAN (Central No. 1): I sincerely thank the Minister for introducing this Bill to the Council in this form. I was not a member of this Chamber in 1950 and had no opportunity of discussing this power to which I object. Nor have I had any opportunity since I became a member in 1951 of discussing it, because it has not been brought before us previously. This is the first occasion upon which it has come up since I have been a member.

I suggest there was no necessity to bring paragraph (g2) before the Council to remove the anomalies that have arisen from rulings given in relation to the control of the parking of vehicles in university grounds but, if only paragraph (g1) had been before the Council, we should not have had an opportunity of discussing any other provision apart from that paragraph, so I appreciate the opportunity of being able to discuss this provision.

I have listened attentively to arguments placed before us in support of this Bill today, in favour of a power that has been vested in the University Council since 1950, empowering it to remove a vehicle from the university grounds without assigning any reason. I object to that clause, not because the University Council may or may not do something in the future but on the principle of vesting something in a body that is not vested in any other authority in this State, not even the Police Force.

The Hon. F. J. Potter: The ordinary householder has it.

The Hon. S. C. BEVAN: But, if I put my car in your drive and you interfere with it, then you see what will happen about authority!

The Hon. Sir Arthur Rymill: Councils have power to remove vehicles in certain cases.

The Hon. S. C. BEVAN: I am coming to that. It is only in certain circumstances that the local government authority has power to tow a vehicle away. It has restricted powers only after notifying the owner, if he can be traced by means of his registration number. I object to the words "without assigning any reason". I fully appreciate that the

University Council has difficulties in attempting to restrict parking on the university grounds. It is more difficult today than it was in 1950 because of the extension of the university itself and for other reasons. We appreciate that the university in this State is too small to accommodate all the students desiring to enter it. There is a great demand here for a second university because of the cramped conditions under which our university finds itself today in respect of its buildings, let alone its parking facilities. This leads to grave difficulties.

I asked Mr. Potter, who is a member of the University Council and who, I thought, would be conversant with the problem of the university grounds and parking, whether or not to his knowledge the power in this paragraph had ever been used by the University Council since its introduction in 1950. He replied that to the best of his knowledge it never had been. Where does it come in? He stated that it had been there since 1950. Surely objection should have been taken to it long before 1964? We have not had an opportunity of taking any objection because it has never been before us. The question has never been raised with the Minister because, as Mr. Potter pointed out, the power in this paragraph has never been used by the university. If that is the case, I see no necessity for it. But, if it is necessary, the University Council should have the power of removing an unauthorized vehicle—and this provision does not say "unauthorized". It gives the university power to remove any and all vehicles from the university grounds themselves. It empowers the University Council to instruct an authorized person or authorized persons to remove any vehicle. It is possible that a person will park a vehicle in the university grounds while not being an authorized person or conversant with all the facts, only to find that when he comes to get his car it is missing. He will want to know where it is but it may be some time before he can trace it.

There is no provision in this Bill to say that the university has the power to tow a car away to a place where it can be claimed by its owner after paying a fee. The university would not just tow a car away and leave it somewhere. Where will the car be towed? The Memorial Drive is crammed with cars all day. At this stage the City Council has not seen fit to install parking meters there. Indeed, it would be difficult for an authorized person of

the University Council to find a parking place if the car were towed away. If a car were damaged while being towed away, the University Council could say that the car was parked on private grounds without authority and that full responsibility should rest upon the owner. It could say that it was just too bad for the owner and that his car should not have been there in the first place.

The car could be left in such a position that it was dangerous and could cause an accident to users of the road. The person responsible would be the owner and nobody else. Of course, I am assuming various conditions, but we have been doing this all the afternoon. One honourable member—and I think it was the Hon. Mr. Giles—said that these things could happen. I suppose they could. I think it is necessary that the University Council should have power to remove a vehicle from its grounds if it is parked there without authority. However, it should first be compelled to do the same as local councils do, and that is to give notice to the owner that unless the vehicle is removed within a certain time it will be forcibly removed.

The Hon. C. R. Story: It is a bit awkward if a Fire Brigade vehicle wants access to a certain point.

The Hon. S. C. BEVAN: It is a bit awkward for local government authorities to give notice when a vehicle might be parked quite innocently by the owner. The University Council should at least be called upon to give some notice to the owner of the vehicle. This amending legislation would give the council itself the power to take action against any person who parked his car upon university grounds. A fine could be inflicted and the owner could be warned that if such a thing happened again the penalty would be more severe. I agree in principle with paragraph (g1) but not with paragraph (g2). Apart from paragraph (g2) the University Council would receive greater powers to regulate and prohibit parking, but if the council were to receive any further powers in relation to removing cars it should first have to give notification to the owners. The council has redress through prosecution against any owner who has placed his vehicle on its grounds without authority. If that action were taken once against an owner he would not attempt to do such a thing again. I oppose the provisions in paragraph (g2) of the Bill and especially the words "without assigning any reason", and I propose to vote against that paragraph in Committee.

The Hon. C. D. ROWE (Attorney-General): I think the Bill has been canvassed fully by all speakers and I think it is a question of members making up their minds whether they support all the clauses in the Bill or not. The reasons for and against have been amply covered by the various speakers and I do not think it is necessary for me to speak long in reply. There are two points I should like to make. First, I think the Hon. Mr. Bardolph in his speech said he would like some assurance that the powers contained in the Bill would be used with discretion by the University Council. In reply to that I think it is quite proper to say that the council is a very responsible body, some of whose members are known to me, and I am quite sure that whatever powers are vested in it will be used with discretion.

The Hon. K. E. J. Bardolph: My Party sought that information.

The Hon. C. D. ROWE: I imagine this power now sought by the university is a power that it would use only in very unusual circumstances. I think it would attempt to use it only where there was a flagrant breach of the parking regulations, such as the situation where somebody had left a vehicle for a very long time in a prohibited place. It might be difficult to find out who or where the owner was, in which case the logical provision would be to have power to remove the vehicle. On the other hand, a vehicle could be in an unauthorized place and, because of an emergency, such as a fire or an accident, it could become necessary to remove it in the interests of the safety of people in the vicinity. I think, therefore, that in certain circumstances the power sought is justified and I do not think that it would ever be abused by the council. This power has been possessed by the university for a long time and has never been abused. Most people were under the impression that it was a valid power, and it was not until recently that doubts arose about the matter because of the outcome of a court case. I ask members to support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of principal Act, s.18a."

The Hon. K. E. J. BARDOLPH: I move: To strike out new paragraph (g2). I do not want to amplify what I have already said other than to mention that, although the Attorney-General indicated that he had the

utmost confidence in the University Council, the members of my Party and I also have confidence in the council.

The Hon. A. J. SHARD: I support the amendment. Unlike the Hon. Mr. Potter, I believe that the position has been reversed since 1950. This question is far more important to the community at large than it was in 1950 because far more cars use the roads and parking space is much scarcer. A person trying to park a car in Adelaide is faced with great difficulty. The Bill would give authority to the University Council to move a car if it were wrongly parked or parked for longer than the allotted time. To pass this Bill would create a precedent by giving authority to the University Council to remove a car from its property.

I am sure that if the Bill is passed, before long the Subordinate Legislation Committee will be asked to consider similar powers being granted to local government bodies to tow vehicles away. At present they have authority to tow a vehicle away that has been dumped and then to sell it if the owner cannot be found or will not pay the costs of towing. I can find no mention in the Act of what penalties can be imposed by a court of summary jurisdiction for breaches of the University of Adelaide Act. I believe that section 18a (1) provides all the authority the University Council needs to deal with contraventions of the Act by students. If a student were taken before the University Council and told that if he repeated the offence he would be dismissed from the university, that would solve the problem. I do not want to be in the position of having voted for something haphazardly, thereby creating a precedent, and then later having to oppose it. I consider that a big principle is involved and intend to support the amendment.

The Hon. C. R. STORY: I believe that some honourable members have given far more consideration to the Bill than others. From some of their statements it appears that some members have not given appropriate thought to the measure. The Hon. Mr. Bardolph mentioned that 1,200 people were employed at the university. I assume that these employees have a number of vehicles between them. The university provides parking space for 600 vehicles. Obviously some of them must belong to employees. Mr. Shard said that under section 18a (1), which deals with discipline, the University Council can take the necessary action to deal with students. Since 1950 the University Council has had power to

prescribe fines recoverable summarily not exceeding £25 for the contravention of any by-law. If the university wished to take action it could do so in the normal way, but the honourable member has tried to frighten us by saying that this is a wicked precedent. What happened more than 10 years ago cannot now be regarded as a precedent. Under the old arrangement there was power to regulate, but the Parliamentary Draftsman has cut the paragraph in halves and made a new provision. The principle is clearly defined in section 666 of the Local Government Act. I can see nothing wrong with the provision.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT AMENDMENT BILL.

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

The Hon. Sir LYELL McEWIN (Minister of Health): I move:

That this Bill be now read a second time.

It gives effect to the recommendations of an advisory committee appointed by the Government last year to consider and report on the principal Act and to recommend suitable amendments to that legislation before it is brought into operation. The Bill will also enable the recommendations of the Public Works Standing Committee contained in its report dated December 17, 1963, to be put into effect. The basic principles embodied in the principal Act, passed in 1961, are considered sound, but further consideration has been given to administrative details and the Government feels that greater efficiency can be achieved by placing the administration of the legislation in the hands of a board of three persons, one of whom is a medical practitioner.

The main purpose of the Bill is to alter the administrative machinery contained in the principal Act, firstly by making provision for the board in lieu of the Director, and secondly by providing safeguards for addicts who wish to receive treatment voluntarily, distinguishing between committal centres (which are institutions to which an addict may be committed by a court) and voluntary centres (which are institutions to which an addict may be admitted on his own application or that of a relative or welfare officer). The Bill also provides for the establishment of any type of institution which is designed for the treatment or for the

admission and treatment of addicts. Thus an institution could be a voluntary centre or a committal centre or even an out-patients' clinic.

Although the advisory committee had considered the division of institutions into various types to suit the needs of each class of patient, the committee has recommended the establishment of two main types of institution, namely, voluntary centres and committal centres for reasons of administrative simplicity and economy. The voluntary centres will deal with patients admitted at their own request, with patients referred by relatives and with those who enter voluntarily as a result of recognizances entered into upon a direction from a court, while persons who are committed by courts will be received into committal centres. The Bill does not refer specifically to clinics and similar treatment units, but the legislation will enable the board to establish such types of units if and when the need arises.

As the principal Act has not yet been proclaimed to come into operation, provision has been made in clause 1(1) for the Bill to become law on the day on which the principal Act is brought into operation. Clause 3 is a purely formal amendment. Clause 4 enacts the new definitions necessary for interpreting the amendments. Clause 5 enacts a new Part which deals with the constitution of the board and provides that the board is to be a body corporate consisting of three members appointed by the Governor, one of whom shall be a medical practitioner (new sections 4a and 4b). Each member will hold office for such period not exceeding five years as the Governor may fix at the time of the member's appointment (new section 4c). The Public Service Act will not apply to a member by reason only of his being a member of the board (new section 4e) and a member will be entitled to such fees and allowances as prescribed (new section 4f).

Clause 6 amends section 5 of the principal Act to provide for the Minister, on the board's recommendation, to establish institutions, and for the Governor, on the like recommendation, to declare an institution or part of an institution to be a committal centre or a voluntary centre. Clause 7 repeals and re-enacts section 6 of the principal Act to provide for the Governor, on the board's recommendation, to appoint officers of the board, such as superintendents, medical officers and welfare officers, and for the Minister, on the board's recommendation, to appoint other employees of the

board. Unless the Governor otherwise determines, all officers shall be subject to the Public Service Act and Superannuation Act.

Clause 8 amends section 7 of the principal Act by providing that the board has the control, supervision and management of all institutions and is responsible for the treatment and discipline of patients. It makes the board responsible to the Minister and sets out the other functions and responsibilities of the board. The clause further provides that in cases of emergency the chairman may validly act without the board's authority but such action is subject to the board's ratification.

Clause 9 amends section 11 to provide that of the two official visitors for a centre one must be a special magistrate or a medical practitioner. Under the Act at present one must be a special magistrate and the other a medical practitioner. Clause 10 amends section 13 of the principal Act to enable a person to be admitted to a voluntary centre on his own application or on the application of a relative or welfare officer and abolishes the power of a member of the Police Force to make such an application. The clause also makes it unnecessary for a personal application to be supported by two medical certificates as at present.

Clauses 11 to 16 make drafting improvements or consequential amendments to the principal Act, but provision is made that a person who is committed by a court to a centre shall be admitted to a committal centre and not a voluntary centre. The Bill, however, provides that a court may release an offender on his entering into a recognizance on condition that he undergoes treatment at a voluntary centre. Clause 17 amends section 21 by giving the board (in lieu of the director as at present) power to transfer a patient from one institution to another but prohibits the transfer of a patient from a voluntary centre to a committal centre. Clauses 18 to 22 make certain drafting and consequential amendments to the principal Act.

Section 33 of the principal Act, as re-enacted by clause 23, provides for gratuities to be paid to patients at such rates and subject to such conditions as are prescribed and abolishes the maximum rate of 4s. a day under the existing provision. Clause 23 also repeals section 34 of the principal Act which requires all patients of a centre to be classified by the classification committee of the centre. The advisory committee considers the section unnecessary, as the classification of

patients of an institution will be done administratively according to the needs of that institution. In place of existing section 34 a new section is enacted empowering the board, with appropriate Ministerial approval, to employ the services of officers and any facilities of the Public Service and to use services and facilities provided by other persons and bodies. The provisions of this section will enable the board to make economical arrangements for the use of existing facilities without having to duplicate them unnecessarily. The board will also be able (with Ministerial approval) to co-operate with any body for the furtherance of the objectives of the legislation.

Clauses 24 to 26 make drafting and consequential amendments to the principal Act. In order to give full effect to amendments recommended by the advisory committee referred to earlier, additional amendments of a formal and consequential nature are necessary. These are detailed in the schedule which is incorporated in the Bill by virtue of clause 27.

The Hon. S. C. BEVAN secured the adjournment of the debate.

ADJOURNMENT.

At 3.50 p.m. the Council adjourned until Tuesday, February 25, at 2.15 p.m.