

LEGISLATIVE COUNCIL.

Wednesday, September 30, 1964.

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

QUESTIONS.**VERDUN ROAD.**

The Hon. H. K. KEMP: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. H. K. KEMP: The night before last in a road accident at Verdun we lost one of the best men in the Onkaparinga Valley, and it was a serious loss to the community. The stretch of road where this occurred runs through the village of Verdun and is an unrecognized death trap, particularly late at night when the road lights are turned off. Two narrow bridges have concrete and steel guard rails that go to within about 18in. of the paved bitumen. It is difficult to see these late at night because the area is subject to fog when the rest of the road is clear. The bridges have repeatedly been hit by motorists late at night. It is not a matter of this being an isolated accident. Inevitably when an accident occurs and a man is returning home at about 2 a.m. the tendency is to view the circumstances suspiciously, but this man was one of our most capable and upright citizens and a person completely familiar with the road. He had travelled from Adelaide to Verdun before the accident.

I experienced a bad accident at this place and I know of others who have had a similar experience or a narrow escape. I stress that this is not an isolated instance of just another unfortunate accident. This section of road should be carefully examined. Will the Minister of Roads say whether it will be possible for this to be done because of the frequent accidents that have occurred, because of the fogs that frequently occur in the area, and because of the dangerous guard railings? There is a store, a church and a hotel with very little illumination along that stretch; the bridges stand out in the way of traffic, and they have no warning devices on them.

The Hon. N. L. JUDE: I am awaiting a report on this accident. Is the honourable member referring to a strip of road on the Woodside Road?

The Hon. H. K. Kemp: Through the village of Verdun.

The Hon. N. L. JUDE: I reply in this vein, that naturally it is most regrettable that often

action is taken only after a disastrous accident, but we have many miles of roadway subject to fog and roads not yet up to the desired standard, particularly through the Hills area. As the honourable member is aware, we are gradually moving out from Crafers in that direction. We have not quite decided on plans for the future but I can assure the honourable member that, when an accident occurs on that type of road, it does attract the specific attention of the department; and that the facts of this accident will be studied. If it transpires that greater priority should be given to this particular stretch of roadway because of its apparent proneness to accident, measures will be taken to improve the position. I hope to be able to give the honourable member more information in the near future when I have a more detailed report.

COURT PROCEDURE.

The Hon. R. R. WILSON: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. R. R. WILSON: The Commissioner of Police has requested that police officers who attend court on road traffic offences should receive £2 as witness fees. A person over the age of 18 years can plead guilty on Form 4A and return the form three clear days before the hearing is set down. He can thus absolve himself from personal appearance, witness fees and loss of time at work. In the Juvenile Court, where many defendants are from 16 to 18 years of age, there is no course open to juveniles other than to appear in person. They therefore lose at least half a day at work plus the witness fee of £2 before any penalty and court fees are imposed. Will the Attorney-General say why offenders between 16 and 18 years of age under the Road Traffic Act are not eligible to take advantage of the opportunity to plead guilty under Form 4A, as offenders 18 years of age and over are?

The Hon. C. D. ROWE: I think I understand the purport of the honourable member's question. This matter was brought to my notice only when the Hon. Mr. Wilson handed me a letter from a woman justice who is a member of a juvenile panel and who had had personal experience of this matter. There are about 700 traffic cases in the Juvenile Court each year and, under present conditions, no opportunity is available to the juvenile to complete a Form 4A to indicate whether he desires to plead guilty and thereby avoid the necessity of attendance at the court and the consequent imposition of the witness fees. I think this

matter requires some attention and I am prepared to take it up with the magistrate of the Juvenile Court and the other appropriate officers to see whether some action can be taken.

AXLE LOADING.

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

Leave granted.

The Hon. C. R. STORY: Under the Road Maintenance (Contribution) Act passed last year certain anomalies appeared as between Victoria and South Australia regarding the load limit on certain vehicles. Some operators had vehicles rated very much higher than the actual rating of the semi-trailer they were using. I have raised this matter several times with the Minister of Roads, and I now ask if he has a reply to a question I asked him outside the Council a few days ago?

The Hon. N. L. JUDE: Yes. I indicated to the honourable member that I hoped to make a statement on this matter this week. The Registrar of Motor Vehicles has drawn attention to the fact that there are some anomalies, due mainly to the fact that the Victorian axle load limit is different from the South Australian limit. Obviously, this has meant that on occasions the vehicle capacity has been assessed in excess of what the vehicle can carry when it is in Victoria. I have obtained a report, which indicates that, when the vehicle operating intrastate is specified by the manufacturer to have a gross vehicle weight and consequently a load capacity greater than is allowed by the Road Traffic Act, this is reduced for road tax purposes to the amount allowed by the Act (namely, eight tons to each axle) when the owner complains that the front axle is not capable of carrying the eight tons permitted. The big majority of vehicles have manufacturers' specifications that cause them to be assessed within reason, but our present method reacts unfavourably on a few when manufacturers' specifications are high, and these are the ones that bring complaints. It is now proposed to bring our legislation on axle weights into line with that of other States, or to consider that. This would remove all anomalies. This, of course, could not be done without the adoption of the same administrative practices as exist in other States, which means that we would want a very large staff to cope with inspection and measurement of all vehicles.

Therefore, the alternative method is a simple way to overcome the problem; it is to adopt the Victorian limit of $4\frac{1}{2}$ tons on a front axle despite the fact that vehicles would still be

allowed to carry more on this axle under our existing Act. I remind honourable members that it is purely for the purpose of the Road Maintenance (Contribution) Act in assessing the vehicle load capacity; that is to say, if the manufacturers' gross vehicle weight specifications for a three-axle vehicle were 26 tons it would be reduced to $20\frac{1}{2}$ tons instead of 24 tons as at present. It is the intention of the Registrar of Motor Vehicles, under the discretion he already has under the present Act, to adopt the simple method I have outlined.

FRUIT FLY ROAD BLOCKS.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. L. R. HART: I have always understood that South Australia has certain road blocks for fruit fly detection purposes at various points in the State and that these blocks are manned 24 hours a day. However, there seems to be some doubt about whether the blocks in various places are operating 24 hours a day or even seven days a week. Will the Minister representing the Minister of Agriculture say at what points fruit fly blocks are established and whether they are manned 24 hours a day?

The Hon. C. D. ROWE: I think I could answer the honourable member from my own knowledge in detail, but to make quite certain I shall refer the matter to my colleague and obtain a detailed reply.

MAIN NORTH ROAD.

The Hon. L. R. HART: I ask leave to make a statement prior to asking a question.

Leave granted.

The Hon. L. R. HART: Along the Main North Road are certain zoned areas that have a speed limit, and outside those areas I assume the normal speed limit applies. However, the speed limit zones are rather intermittently placed, and this is confusing to people using the road. Will the Minister of Roads say whether consideration can be given to making the whole length of the area a speed limit zoned area with varying speeds for different parts of the road?

The Hon. N. L. JUDE: I cannot quite follow the honourable member's question. He said he sought a varying speed limit on various parts of the road, but I would have thought that that had actually been done. Perhaps I misunderstood the question. I shall wait until I see a report of it before giving a detailed answer.

CITY OF WHYALLA COMMISSION ACT
AMENDMENT BILL.

The Hon. N. L. JUDE (Minister of Local Government) moved:

That a message be sent to the House of Assembly requesting that Mr. R. R. Loveday, member for Whyalla, be permitted to attend and give evidence before the Select Committee of the Legislative Council on the Bill.

Motion carried.

DENTAL HOSPITAL ADDITIONS.

The PRESIDENT laid on the table the final report (No. 2) by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Dental Hospital Additions.

LEAVE OF ABSENCE: HON. K. E. J.
BARDOLPH.

The Hon. A. J. SHARD (Leader of the Opposition): I move:

That two weeks' leave of absence be granted to the Hon. K. E. J. Bardolph on account of ill health.

I am sure all members join with me when I say how sorry we are to find that Mr. Bardolph, because of illness suffered earlier in the year, finds himself unable to be with us during this session. I know all honourable members will join with me in hoping that he has a speedy recovery to good health.

The Hon. C. R. STORY (Midland): In seconding the motion, I endorse the remarks of the Hon. Mr. Shard. All members are sorry that it was necessary for him to move this motion. We, too, hope that Mr. Bardolph will soon be restored to health and back in his place in this Chamber.

The Hon. C. D. ROWE (Attorney-General): I formally associate the Government with this motion and endorse all that has been said by the Hon. Mr. Shard and the Hon. Mr. Story. I agree wholeheartedly with their remarks. I hope that soon the honourable member will be back with us.

Motion carried.

ROAD TRAFFIC ACT AMENDMENT
BILL (TYRES).

Adjourned debate on second reading.

(Continued from September 24. Page 1035.)

The Hon. N. L. JUDE (Minister of Roads): This short Bill originated in another place and was introduced here by the Hon. Mr. Story. I indicated privately to several people, including the honourable member, that I felt it desirable to have the verbiage of the Bill follow the

lines of the regulations promulgated in accordance with national standards. Therefore, I ask this Council to accept the amendment that I have circulated this afternoon. The Bill deals with the regrooving of tyres. The desire of the member who sponsored the Bill in another place is to make the use of vehicles on roads much safer by not allowing the use of regrooved tyres of a light nature. Clause 3 refers to "4-ply rating". I have been informed by traffic authorities that such a rating has no actual standing, as it can be altered at will. It is, therefore, proposed to follow the national standards. I propose that new section 162b be altered to read:

A person shall not offer for sale or for hire a motor vehicle, other than a tractor, the unladen weight of which is less than two tons, which is fitted with a tyre that has been regrooved.

If the amendment is accepted it will prevent a retailer from selling a secondhand motor vehicle with tyres that have been regrooved. It is highly undesirable to use such regrooved tyres. It is not usual to regroove a tyre of 6-ply rating. Such a tyre would be retreaded, which is desirable. The tractor has been exempted because when it is on the road it is slow-moving and is used mostly for farm work.

The Hon. S. C. BEVAN (Central No. 1): At this stage I support the Bill because the use of regrooved tyres is highly dangerous. As mentioned by the Minister, such tyres are fitted when many secondhand vehicles are sold. Prospective buyers, noticing the tyres were smooth, would think twice about purchasing these vehicles, especially as in these days it costs about £40 to purchase four new tyres. This practice of regrooving tyres is dangerous. When a tyre reaches the stage where it must be regrooved there is always an attempt to mislead a prospective buyer into believing that there is still some tread left on the tyre and that it has a life of several thousand more miles before needing attention. When a tyre reaches that stage there is little rubber left on it, and the first layer of casing under the rubber is showing. It is then that the regrooving takes place.

Normally a tyre of a 4-ply rating is placed on a new passenger vehicle. Seldom is a tyre of 6-ply rating placed on it. In these days the manufacturers have attempted to improve the standard of the casing, but one can imagine how dangerous it is for a motor vehicle to move at speed with regrooved tyres. There is danger not only to the occupants of the vehicle but to other road users if a tyre blows out and causes an accident. I appreciate the need to

exempt tractors if used for farm work, but in these days many tractors travel on the roads. They would come under the phrase "the unladen weight of which is less than two tons". The laden weight could be anybody's guess, yet these tractors are seen on the roads with regrooved tyres. Although they move at a slow pace their presence on the roads is as dangerous as other vehicles with regrooved tyres. Under these circumstances I do not think the proposed amendment clearly sets out the position. If the tractor were used solely within the farm boundaries the danger with the regrooved tyres would be eliminated. At this stage, because of the reasons I have given and unless there is clarification of the point I have raised, I shall be unable to support the proposed amendment.

The Hon. C. R. STORY: I listened with interest to the Minister's proposed amendment. When Mr. Hall, M.P., brought this matter forward last year in another place he did so merely to let honourable members examine it. He stated that he did not wish to exclude certain types of tyres that had a big quantity of rubber on them and were capable of being regrooved. The Minister has raised a point of interest. The Hon. Mr. Bevan in his reply to the Minister spoke of tractor tyres. I point out that a completely bald tractor tyre would be unusual as normally they are not allowed to reach that stage because they would then be quite useless on an agricultural or horticultural property. I shall be happy to consider other amendments in the Committee stage but at present consideration should be given to the Minister's proposed amendment. I ask that honourable members consider these points in Committee because the Bill is an important amendment to the Road Traffic Act and one that will have far-reaching effects upon the safety of traffic on the roads.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Prohibition of regrooved 4-ply tyres."

The Hon. N. L. JUDE (Minister of Roads): I move:

In new section 162a after "vehicle" to insert "other than a tractor the unladen weight of which is less than two tons".

I listened with interest to the Hon. Mr. Bevan's remarks on tractors, and I do not wish to push him out of the discussion. If this amendment is acceptable to the Committee he could then move his amendment to strike out the words "other than a tractor". I have explained my amendment in my second reading remarks.

The Hon. L. R. HART: I would be prepared to accept the Minister's amendment. A tractor is a relatively slow-moving vehicle with little danger of causing an accident compared with a faster moving motor vehicle. However, his amendment does not go far enough and I believe that a trailer drawn by a motor vehicle is just as great a danger to the public as is any other motor vehicle if the trailer has regrooved tyres or tyres of poor standard. A tyre blowing out on the trailer can easily cause the trailer to overturn and throw the motor vehicle out of control. In travelling along the road to my home daily I see many trailers and caravans being drawn by motor vehicles. Many of these trailers and caravans are not safe because they are top-heavy and are drawn at speeds of anything from 55 to 60 miles an hour.

The Hon. C. R. Story: Would they be carrying over two tons?

The Hon. L. R. HART: Yes. I hate to think what would happen if a tyre were to blow out on one of those vehicles travelling at that speed. It would be just as great a danger to the travelling public as the motor vehicle itself. Although when a trailer overturns due to a tyre blowing out on the motor vehicle, the motor vehicle does not necessarily get out of control, the fact that the contents of the trailer are strewn all over the road could easily cause an accident to a following vehicle. I believe that this amendment as submitted by the Minister should be still further amended to include a trailer being drawn by a motor vehicle.

Amendment carried.

The Hon. N. L. JUDE moved:

In new section 162b after "tyre" to strike out "4-ply rating".

Amendment carried; clause as amended passed.

Title passed.

Bill reported with amendments; Committee's report adopted.

Bill recommitted.

Clause 3—"Prohibition of regrooved 4-ply tyres"—reconsidered.

The Hon. S. C. BEVAN: I move:

To amend the Hon. N. L. Jude's amendment by striking out "two" and inserting "three". Having listened to the Minister's explanation about the exclusion of a tractor from the operation of this clause, I appreciate that it is a more slowly moving vehicle than a motor car, even when used on a road. The amendment we are considering is not confined in its operation to farm property: the exemption is an unladen weight of less than two tons. Very

few vehicles weigh less than one ton, and an unladen weight of two tons is very small. I realize that the tyre on a tractor is much heavier than that on a motor car. Once the tread of a tractor tyre reaches the stage where it needs attention, that tyre becomes just as dangerous as a motor car tyre, even on the roads in the case of a vehicle of an unladen weight of two tons. If one examines the tread of a tractor tyre and compares it with that of a motor car tyre, one can see that the pattern is vastly different.

The Hon. C. R. STORY: I have some sympathy with Mr. Bevan and Mr. Hart on this matter. They both raised interesting points. There would not be very many tractors of less than two tons within this category: most farm tractors would be over 40cwt. Mr. Hart's point may be covered if we accept Mr. Bevan's amendment, for it will increase the two-ton limit to three tons in respect of trailers. Trailers are defined under the Act just as motor vehicles are. If we accept the three-ton limit, Mr. Hart's problem will be solved to some extent.

The Hon. L. R. HART: Mr. Bevan's amendment does strengthen the position but, even so, today we have tractors of considerable weight with big tyres. Once their tread is worn down, though not necessarily to the stage of being smooth, it is probably an advantage to have them regrooved. People who have driven tractors know that there is nothing worse than driving a tractor with tyres with a poor tread on them. This amendment will not entirely overcome my difficulty, but it certainly does strengthen the position. I am not sure how I can reconcile the amendment with the matter of a person offering a trailer for sale or hire with regrooved tyres. We have no draftsman available at the moment. I have done some drafting of sheep myself but I am not sure whether I can suggest a satisfactory drafting here.

The Hon. C. R. STORY: If Mr. Bevan's amendment were accepted by the Committee, I think it could be done in this way. Mr. Hart obviously has a valid point. In order to give him an opportunity to have discussions with the Parliamentary Draftsman, I suggest that we report progress. We could accept Mr. Bevan's amendment and then report progress.

The CHAIRMAN: Honourable members understand that, if we pass the point of inserting Mr. Bevan's amendment into the Bill, he cannot then withdraw his amendment. Progress reported; Committee to sit again.

Later:

The CHAIRMAN: The Hon. Mr. Bevan has moved an amendment, but to enable another amendment to be moved it will be necessary for him to withdraw his amendment temporarily.

The Hon. S. C. BEVAN: I seek leave to withdraw my amendment temporarily.

Leave granted; amendment temporarily withdrawn.

The Hon. L. R. HART moved:

In new section 162b after "tractor" to insert "or a trailer".

The Hon. C. R. STORY: As a result of the honourable member's amendment that section would read:

A person shall not offer for sale or for hire a motor vehicle (other than a tractor) or a trailer the unladen weight of which is less than two tons which is fitted with a tyre that has been regrooved.

I consider that this is a good compromise in view of the earlier discussions of the Committee on this subject. I am happy to accept the amendment of the Hon. Mr. Hart.

The Hon. F. J. POTTER: I support the amendment but, in moving it, the Hon. Mr. Hart did not indicate that around the words "other than a tractor" there should be brackets because, if brackets are not put there, the sense is entirely different: it will then read "other than a tractor or a trailer", which I am sure the honourable member does not intend. The brackets appear on the amendments that have been circulated.

The Hon. L. R. HART: I was assuming that the brackets had been incorporated in the amendment previously accepted by the Committee. However, on reflection, I realize that that is not so. It was purely an omission on my part.

Amendment carried.

The Hon. L. R. HART: I move:

After "which" first occurring to insert "motor vehicle or trailer".

This amendment will tidy up the provision.

Amendment carried.

The Hon. S. C. BEVAN: I move:

After "than" second occurring to strike out "two" and insert "three".

We have debated this sufficiently so I need say nothing further.

Amendment carried; clause as amended passed.

Bill reported with amendments; Committee's report adopted.

PHYSIOTHERAPISTS ACT AMENDMENT
BILL.

Read a third time and passed.

APPROPRIATION BILL (No. 2).

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

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

That this Bill be now read a second time.

Estimated payments from Consolidated Revenue Account for the year 1964-65 total £112,568,000, while estimated receipts total £110,076,000, giving an estimated deficit of £2,492,000. Accumulated surpluses of past years, totalling £1,922,000, are available to set against this, so leaving an estimated net deficit on Consolidated Revenue Account at June 30, 1965, of £570,000.

Before dealing with the appropriations proposed in the Bill, I shall comment briefly on last year's experience and on anticipated receipts this year. For 1963-64 receipts at £105,503,000 were £2,689,000 in excess of the original estimate of £102,814,000, and payments at £103,878,000 were £572,000 in excess of the original estimate of £103,306,000. The net effect of these excesses was to convert the result for the year from an estimated deficit of £492,000 to a surplus of £1,625,000. The main factors causing variations from the original estimates were the excellent agricultural season and the improving economic outlook, which combined to carry receipts upward steadily, and the succession of wage and salary determinations, which resulted in increased costs for practically all departments.

For taxation receipts, the most favourable effects were in motor vehicle licence and registration fees (£196,000 above estimate), stamp duties (£167,000 above estimate), and succession duties (£630,000 above estimate). The increase in succession duties receipts arose partly from the higher values of individual estates and a reflection of rising levels of values throughout the community, but partly from an increase much greater than normal in the number of estates assessed for duty.

For the receipts of business undertakings, seasonal influences were probably more important than the level of economic activity. Railway receipts bettered the estimate by £706,000. About £300,000 of this was due solely to increased movement of grain, while the carriage of superphosphate and other materials for primary producers was also well above estimate. Revenues from the carriage of ores and concentrates from Broken Hill to Port Pirie, and

from the movement of general merchandise, were buoyant. Harbour receipts exceeded the estimate by £421,000, mainly because of the movement of grain and ores through the board's bulk handling installations and wharves. Cash receipts of water and sewer rates were £285,000 above estimate, due to expanding services and higher earnings from "excess" usage.

For payments, it is calculated that the cost of various awards last year would have been about £1,500,000. The heaviest impact was in the social services field for the Education and Hospitals Departments, for which excesses of payments above the original provisions were necessary to the extent of £591,000 and £121,000 respectively. All other departments were affected, but to a lesser extent. Under "Minister of Education—Miscellaneous", an excess of £278,000 above estimate arose because of further grants to the University of Adelaide and the Institute of Technology to meet increased salary commitments and for payments for building projects. Payments under "Chief Secretary—Miscellaneous" were £203,000 below estimate, as hospitals and institutions requested progress payments under approved subsidies less than had been provided.

Under the Special Acts provision, the transfer to the Highways Fund was £160,000 above estimate as a direct result of the higher receipts of motor vehicle taxation. The two major public undertakings, the Railways and Engineering and Water Supply Departments, incurred expenditures less than the provisions to the extent of £390,000 and £172,000 respectively. This arose partly from a careful control of expenditure and partly from the difficulty of recruiting and holding the labour force necessary to carry out all planned maintenance works as well as the capital projects in hand.

The estimated total receipts from all sources in 1964-65 are £110,076,000, an increase of £4,573,000 above actual receipts last year. Of this increase, £2,206,000 is expected from State taxation. The principal upward movement within State taxation will be in stamp duty receipts, which are estimated to increase by £1,412,000 this year to a total of £4,245,000. Legislative amendments are expected to yield about £1,150,000 additional revenue this financial year and about £1,500,000 in a full year. Increased stamp duties of about £262,000 are expected from a greater volume of business at higher values.

Succession duty receipts in 1964-65 are estimated at £3,400,000, an increase of £320,000 above actual receipts last year. In the last

three years there have been several unforeseen movements in these receipts, so it is difficult to forecast results with confidence. Although assessed revenue in the early months of the financial year was a little below the figure for the same period last year, this has been taken as only a temporary pause, which will be more than offset later in the year.

Motor vehicle taxation receipts are expected to reach £5,600,000 this year, £344,000 above actual receipts for 1963-64. This increase is automatically made available for road purposes. An increase of £171,000 above last year's actual receipts is expected for publicans' licences. This is principally due to a full year's operation of the amended form of assessment introduced in 1963-64. Estimated revenue from these licences is £520,000 this year.

For public works and services, it is estimated that receipts will total £52,237,000, an increase of £2,481,000 over actual receipts for 1963-64. The increase is expected to come from:

	£
The operation of public undertakings	238,000
Recoveries of interest and sinking fund	488,000
Other departmental fees and recoveries	1,755,000
Total	£2,481,000

Within the group of public undertakings the largest increase in receipts is expected to be for the Engineering and Water Supply Department, for which receipts from water and sewer charges are estimated at £8,715,000, an increase of £427,000 above actual receipts for 1963-64.

Receipts from railway freights and fares are estimated at £14,750,000, a decrease of £164,000 from last year's total. The main factor in estimating a decrease is the expectation of a marked fall in the volume of grain to be carried. Even though the last harvest was an excellent one the carryover of grain at sidings awaiting transport at the end of June last was relatively small. The movement by rail in the previous six months had been particularly heavy. Therefore, grain carriage in the first half of 1964-65 will be well below that of the comparable period in 1963-64. The fall will be offset to some extent by greater earnings from the transport of ores and concentrates, and from a recent small adjustment of metropolitan passenger fares.

Receipts from Harbors Board facilities are expected to total £3,000,000, a decrease of £66,000 from the high level of receipts last year. Harbours receipts, like railways, will be

affected by the expected smaller volume of grain movements, but this is likely to be offset partially by increased throughput of phosphate rock and salt, and by an increase in the volume of imports.

Anticipated recoveries of interest and sinking fund this year total £10,288,000, an increase of £488,000 above actual recoveries in 1963-64. The main increases will be £231,000 recovered from the Housing Trust, £208,000 from the Electricity Trust, and £72,000 from the State Bank or activities administered by the bank. Each of these authorities meets debt service costs in full, so that there is no net charge against revenue on that account.

For "Other departmental fees and recoveries" the anticipated increase is £1,755,000, taking the total to £10,258,000. The main item responsible for this sharp increase is a proposed recovery from the uranium production authority of £680,000. After disposing of tailings and the spur line at Radium Hill, and repaying all loan indebtedness, there is a surplus of this amount in the uranium production accounts available for credit to revenue this year.

The amount to be received from the Commonwealth as taxation reimbursement is expected to be £39,000,000, an increase of £2,636,000 above the grant for 1963-64. However, because of the Commonwealth's severe approach in its financial policy towards the States the additional assistance grant for employment purposes, which amounted to £2,762,000 last year, will not be received this year. The loss of this grant will reduce revenue by £126,000 more than the estimated increase in the taxation reimbursement.

Estimated payments in 1964-65 on purposes for which appropriation is contained in existing legislation are £29,684,000, of which the main items are:

	£
Interest and sinking fund in respect of the public debt of the State	23,596,000
Transfer to the Highways Fund of the net proceeds of motor taxation	4,127,000
Contributions by the Government to the South Australian Superannuation Fund	1,421,000

The difference between total estimated expenditure for the year and payments already authorized by special Acts is £82,884,000, which is the amount to be appropriated by this Bill. Details of the requirements for each department to carry out its normal functions for the year are shown in clause 3. I shall now give honourable members a brief outline

of the major appropriations sought to continue and expand these activities during 1964-65.

Police Department, £3,484,000.—This is an increase of £329,000 above the actual amount spent in 1963-64. The provision, which includes an increase of £286,000 for salaries and wages, will enable the force to be further strengthened, and it is anticipated that the active strength will be increased during the year by some 70 members from the total of 1,496 at June 30 last.

Sheriff and Gaols and Prisons Department, £629,000.—The amount proposed for 1964-65 represents an increase of £45,000 above actual payments made last year. About £34,000 of the increased provision is required for salaries and wages, and the remaining £11,000 for increased general running expenses.

Hospitals Department, £8,385,000.—The proposed expenditure this year is £990,000 in excess of actual payments in 1963-64. About £317,000 of this increase is for the mental health services, making a total provision of £1,978,000 for these services in 1964-65. This represents an increase of 19 per cent over actual payments for mental health services last year and will enable the department to run two recently acquired properties, the St. Corantyn Psychiatric Day Hospital and the Palm Lodge Hostel, for patients who have been discharged from mental hospitals, but who are not quite ready to resume their normal home life. It will also permit further improvements in staffing and service at all mental institutions.

The provision of £2,962,000 for the Royal Adelaide Hospital is an increase of £327,000 above expenditure at this hospital last year. Included is an increased amount for salaries and wages to provide for the appointment during the year of additional medical, nursing and domestic staff.

For the Queen Elizabeth Hospital the appropriation sought is £1,620,000, or £160,000 greater than actual expenditure in 1963-64. About £119,000 of this increase is required for salaries and wages, including provision for additional medical and nursing staff, and £41,000 for the increased cost of provisions and expenses incurred in the normal operation and maintenance of the hospital. The community is using the facilities, which this modern hospital has to offer, to an increasing extent. In the 12 months to June 30, 1964, the number of in-patients treated at the hospital was 15,657. During the same period the number of casualty and out-patient attendances was more than 123,000.

For the country hospitals a total of £978,000 is required this year. The largest provision under this heading is for the 200-bed hospital at Mount Gambier, which was opened in 1961. At all hospitals increases for nurses under the Nurses' Industrial Agreement, operative from April, 1964, have been included in the amounts proposed. For the Hospitals Department the total additional cost of this award in 1964-65 is estimated at £136,000.

Children's Welfare and Public Relief Department, £1,095,000.—This provision represents an increase of £139,000 over actual payments last year and is required for the upkeep of schools, homes, training centres and other institutions under the control of the department, for the payment of relief to widows, deserted wives or pensioners with children, and for assistance to families in serious need through continued sickness or unemployment. The sum of £26,000 has been included for staffing and running treatment centres for alcohol and drug addicts for portion of the year. The Alcohol and Drug Addicts (Treatment) Act will not come into operation until proclaimed, but the amount provided is the estimated cost in this year of proposals submitted by the committee appointed to formulate plans for the implementation of the Act.

Department of Public Health, £408,000.—The provision this year is £55,000, or 15½ per cent, in excess of actual payments in 1963-64, and will enable the department to continue its campaign to eliminate or reduce the factors and conditions which adversely affect the health of the community. The department will continue to combat poliomyelitis and tuberculosis, and the activities of the School Health Branch will be increased.

Chief Secretary—Miscellaneous, £4,414,000.—The sum of £3,888,000 is proposed for medical and health services, an increase of £950,000 over last year's expenditure. Subsidies to hospitals total £2,593,000. Provision has been made for maintenance, new buildings, alterations, additions, and equipment required by hospitals operated by independent boards of management. The hospitals for which substantial grants are proposed towards major building projects include the Adelaide Children's Hospital, the Lyell McEwin Hospital, the Queen Victoria Maternity Hospital, and the Whyalla Hospital.

The major new buildings of the Adelaide Children's Hospital are almost complete at a cost of more than £2,600,000, and only minor items now remain to be installed. Apart from grants of £100,000 under special arrangements

for teaching hospitals associated with universities, the State Government has given grants of almost £1,700,000 towards this project. In addition to providing new accommodation for the Outpatients Department the buildings include a department of child health, X-ray, pharmacy and laboratory facilities, operating theatres, and an additional 52 beds for in-patients. An amount of £50,000 is required this year to complete minor works and furnishings. The maintenance grant to the hospital for this financial year is estimated at £750,000.

The second stage of the development of the Lyell McEwin Hospital at Elizabeth is almost completed, and will be followed immediately by a third stage. The latter will provide an additional 27-bed wing for surgical cases and a similar wing for medical cases. The extensions will cost approximately £200,000, for which provision has been made this year. When the third stage is completed the hospital will have a capacity of more than 160 beds. At the Queen Victoria Maternity Hospital work is about to commence on major additions, which are expected to cost approximately £1,500,000. The project will consist of the erection of a new seven-storey building and extensive alterations to existing buildings. The hospital's overall capacity will increase to 180 beds, and accommodation will also be provided for an additional 28 nurses. The rebuilt hospital will provide facilities for the most modern techniques. The sum of £300,000 has been provided this year as grants towards the building programme, and the hospital will also benefit from special grants made by the State and the Commonwealth for teaching hospital purposes. The maintenance grant for this year will be £162,000.

Work has commenced on the building of extensions at the Whyalla Hospital, the ultimate cost of which is estimated to be about £900,000. The Government will provide grants of approximately £600,000 towards the cost, £280,000 being required this year. The main part of the extensions consists of a six-storey wing with modern theatres, air-conditioning, and latest X-ray equipment. The capacity of the hospital will be increased from 85 to over 108 beds.

Subsidies to institutions and other bodies are estimated at £1,158,000. The main provisions in this group are subsidies to the Home for Incurables, the Institute of Medical and Veterinary Science, the Mothers' and Babies' Health Association, the St. John Council, and the South Australian Blood Transfusion Services.

The accommodation at the Home for Incurables is insufficient to meet the needs of the

institution, and a proposal for extensions has recently received the approval of the Government. The additions will consist of a four-storey building with a basement area, and will provide a further 200 beds, pharmacy, physiotherapy and sewing rooms, dental, optical, X-ray and surgical facilities, a teenage ward and staff amenities. The Government will contribute more than £1,100,000 towards this project; £100,000 was provided last year and £300,000 is proposed this year. The Government has agreed to grant £100,000 towards the extension of facilities at an estimated cost of £150,000 for the South Australian Blood Transfusion Service; £18,000 was made available last year and the balance of £82,000 is to be paid this year.

Other important items provided for under "Chief Secretary—Miscellaneous" are grants to the Royal Institution for the Blind £30,000, the South Australian Institution for the Blind, Deaf and Dumb £18,000, Meals on Wheels £17,000, and Aged Citizens Clubs £10,000, while £138,000 is provided for transport concessions to pensioners and £86,000 for similar concessions to incapacitated ex-servicemen.

Publicity and Tourist Bureau and Immigration, £297,000.—In addition to provisions for the maintenance and improvement of national pleasure resorts, and for advertising the tourist attractions of the State, proposed expenditures include an amount of £22,000 for subsidies towards the construction of swimming pools and £27,000 for subsidies to municipal authorities for the development of tourist resorts.

Treasurer—Miscellaneous, £6,866,000.—Amounts which appear on both the revenue and expenditure sides of the Budget are the main items in the appropriation sought under this heading, which is £91,000 more than actual payments last year. The contribution to the Commonwealth of principal and interest in respect of moneys borrowed under the terms of the Commonwealth—State Housing Agreement is estimated at £1,963,000, which is £210,000 in excess of payments made in 1963-64, but this will be fully recouped to the Budget by the South Australian Housing Trust.

For the transfer to the Railways Department the same amount as last year—£4,000,000—is proposed. This transfer is designed to reduce the prospective deficit in the Railways Account to a figure which could possibly be eliminated by further achievements in reducing expenditure or attracting revenue. Provision has been made this year for a grant of £215,000 to the Electricity Trust of South Australia towards the cost of connecting Kangaroo Island to the

trust's distribution system by a 33,000-volt undersea cable. The transfer to a deposit account of the sum of £297,000 made last year for expenditures upon housing for persons in necessitous circumstances and upon other works unlikely to be fully reproductive will not be repeated this year. This is the main decrease in proposed expenditure under this heading.

Lands Department, £933,000.—This provision is necessary to meet expenses associated with land development and settlement, surveying, mapping and recording, and the collection of revenue due to the Crown under leases, etc. The amount proposed also includes provision for the State to meet part of its share of the cost of War Service Land Settlement.

Minister of Lands—Miscellaneous, £315,000.—This amount includes £119,000 for salaries and grants for the Botanic Garden, £58,000 for grants to the National Park Commissioners, and £36,000 for grants to the Royal Zoological Society of South Australia. An amount of £77,000 is also provided under this heading for the purchase of land for national reserves.

Engineering and Water Supply Department, £4,579,000.—Of this amount £410,000 is provided for power for pumping through the two major pipelines, and £100,000 for South Australia's contribution towards the maintenance of Murray River works, leaving £4,069,000 for normal operation and maintenance. The provision of £410,000 for power for pumping is made up of £240,000 for the Morgan-Whyalla main and £170,000 for the Mannum-Adelaide main. The requirement for power for both mains is affected by seasonal conditions and may be expected to fluctuate from year to year.

Public Buildings Department, £2,762,000.—This provision is mainly for maintenance and repairs to Government buildings, for the cost of replacement furniture and furnishings, and for minor additions and alterations. It exceeds actual payments last year by £141,000. Apart from salaries and wages totalling £1,035,000 the main items of expenditure under this heading are £575,000 for education buildings, £370,000 for hospital buildings, £80,000 for police and courthouse buildings, and £265,000 for other Government buildings.

Department of Aboriginal Affairs, £618,000.—The policy of the Government under the Aboriginal Affairs Act is to abolish all restrictions and restraints on Aborigines as citizens, to provide the machinery for rendering special assistance to them during their developmental years, and to promote assimilation. One of the most positive steps taken by the department is in housing, and a building programme is being

undertaken to increase the number of houses in country towns and on reserves which have already been erected and allocated on a rental basis to aboriginal tenants. The sum of £69,000 is provided this year for erection of houses in towns and on reserves. On aboriginal reserves the Government's aim is to provide opportunities for the people to acquire vocational and domestic skills and acceptable social habits, and to attain a standard of living, health, hygiene, and education whereby they may become capable of living in a manner comparable with the majority of the Australian community. The department will continue to provide assistance to church missions which are caring for Aborigines satisfactorily.

Education Department, £17,921,000.—The proposals for this year represent an increase of £1,570,000, or nearly 10 per cent, about actual payments in 1963-64. This follows increases of almost 12 per cent last year and 11 per cent in 1962-63. Since the Second World War South Australia has experienced a greater rate of increase in the school population than has occurred in any other State, and to provide the facilities necessary to educate the growing force of young people has placed some strains on Government finance. In the first post-war year, 1946-47, payments for the operation of the Education Department and for the maintenance and construction of school buildings were £1,728,000, or little more than 7½ per cent of total expenditure of Revenue and Loan moneys. For 1964-65 the corresponding figure is £24,553,000, or about 16½ per cent of total expenditure. This marked increase in the relative proportion of expenditures to the total, as well as in the expenditures themselves which are devoted to the department, is an indication of the Government's efforts to make the maximum funds available for education, while having due regard to the needs of other services.

The Libraries Department, £366,000.—This amount includes the salaries and wages of library staff, a transfer of £66,000 to the Libraries Board to be spent at its discretion on books and services, and £71,000 towards the establishment and operation of libraries by local government authorities.

Minister of Education—Miscellaneous, £5,324,000.—The proposals for this year are £841,000 above actual payments in 1963-64. The difference is due almost entirely to variations in grants to the University of Adelaide and to the Institute of Technology. Grants to the university, additional to the £44,000 to be paid under the authority of special legislation and £450,000 provided for the Waite Institute under "Minister of Agriculture—

Miscellaneous'', are estimated at £4,240,000, an increase of £790,000 over payments last year. A sum of £70,000 is provided for grants to residential colleges; while grants to the Institute of Technology are estimated at £700,000, which is £35,000 greater than for 1963-64. The figures quoted for grants to the university, to residential colleges, and to the institute are gross: that is, they include the State contribution and the Commonwealth contribution. The latter is paid to the credit of Revenue when received by the State. Other grants included under this heading are:

	£
Kindergarten Union of South Australia	213,000
Institutes Association of South Australia	25,000
National Fitness Council of South Australia	45,000
South Australian Oral School	8,000

Department of Agriculture, £1,041,000.—This year's provision exceeds last year's payments by £87,000. A sum of £82,000 is provided to meet any fresh outbreaks of fruit fly. The last outbreak occurred at Port Augusta in November, 1963, but there is a need for continued vigilance against the recurrence of this pest and the introduction of new pests and diseases. Funds are also provided so that the department may continue its information and advisory services, and its work at research and experimental centres. Provision has been made for purchase of livestock and for many items of plant and equipment at these centres.

Minister of Agriculture—Miscellaneous, £593,000.—The amount proposed this year is £63,000 greater than actual payments in 1963-64. An amount of £450,000 is provided for the Waite Agricultural Research Institute. This grant forms part of the State's contribution to the University of Adelaide and is determined at the same time and under the same conditions as the main grant to the university, to which reference has already been made. Expenditure on demonstrations and research conducted by the Bush Fire Research Committee with the object of introducing bush fire prevention and control measures is estimated at £36,000 this year. An advance of £26,000 is proposed for the operations of the Artificial Breeding Board and £20,000 is set aside for subsidies to councils for the control and destruction of proclaimed weeds on travelling stock routes, reserves and other lands. A sum of £20,000 is provided for subsidies to volunteer fire fighting associations for the purchase of fire fighting equipment. Other grants include £12,000 to local government authorities towards the cost of operating fire fighting

organizations, and £10,000 to country agricultural, horticultural and field trial societies.

Mines Department, £904,000.—The proposals for this year are £101,000 above actual payments in 1963-64. The appropriation sought this year includes the Government's contribution towards the Australian Mineral Development Laboratories, which was previously included under the "Special Acts" group of payments. The amount proposed will enable the department to continue its primary functions of exploring, testing and recording the State's mineral resources. The general mineral search programme is being continued, both departmentally and by private enterprise.

Harbors Board, £1,697,000.—This provision is £151,000 in excess of actual payments last year. In addition to meeting requirements for wharf maintenance, dredging of channels, and general working expenses of ports, the proposed appropriation will also cover the cost of increased operation of the board's bulk handling facilities. The board now provides bulk handling facilities at Wallaroo, Port Lincoln, Thevenard, and Port Pirie, and in January last the new installation at Port Adelaide was brought into operation.

Railways Department, £15,056,000.—This amount represents an increase of £796,000 above actual payments in 1963-64. Of this increase some £520,000 is to cover the cost of the recent increase in the basic wage. The use of diesel-electric locomotives continues to increase on both broad gauge and narrow gauge lines. The most direct benefit of diesel-electric locomotives on the railways' financial results is in the payments for fuel, which are estimated at £622,000 this year, compared with the annual fuel bill of some £2,500,000 twelve years ago.

Highways and Local Government Department, £868,000.—This year's provision is £123,000 in excess of expenditure in 1963-64 but has no net impact upon the Budget, for costs associated with the department are deducted from motor vehicles taxation receipts in determining the amount to be transferred to the Highways Fund in accordance with the Highways Act.

Clause 2 provides for the further issue of £54,884,109, being the difference between the amount authorized by the two Supply Acts (£28,000,000) and the total of the appropriation required in this Bill. Clause 3 sets out the amount to be appropriated and the details of the appropriation to the various departments and functions. This clause also provides that increases of salaries or wages which become payable pursuant to any return made by a properly constituted authority may be paid,

and that the amount available in the Governor's Appropriation Fund shall be increased by the amount necessary to pay the increases. It further provides that, if the cost of electricity for pumping water through the Mannum-Adelaide main, from bores in the Adelaide Water District, and through the Morgan-Whyalla water main should be greater than the provision included in the Bill, the Governor may authorize the additional expenditure, and the amount available in the Governor's Appropriation Fund shall be increased by the amount of such additional expenditure.

Clause 4 authorizes the Treasurer to pay moneys from time to time authorized by warrants issued by the Governor and provides that the receipts obtained from the payees shall be the discharge to the Treasurer for the moneys paid. Clause 5 authorizes the use of Loan funds or other public funds if the moneys received from the Commonwealth and the general revenue of the State are insufficient to make the payments authorized by this Bill. Clause 6 gives authority to make payments in respect of a period prior to the first day of July, 1964, or at a rate in excess of the rate which was in force under any return, award, order or determination. Clause 7 provides that amounts appropriated by this Bill are in addition to other amounts properly appropriated. I commend the Bill to honourable members.

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

METROPOLITAN AREA (WOODVILLE, HENLEY AND GRANGE) DRAINAGE BILL.

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

The Hon. N. L. JUDE (Minister of Local Government): I move:

That this Bill be now read a second time.

Its object, as its long title indicates, is to make financial provision for the construction of the Fulham Gardens and Henley Beach floodwaters drainage scheme. As honourable members know, this matter was referred to the Parliamentary Standing Committee on Public Works by the Metropolitan Drainage Works (Investigation) Act, 1962. The committee has inquired into the questions referred to it, and by its report dated March 17 of this year recommended the construction of the works at an estimated cost of £386,300. It reported fully as to how the work should be financed and, on the assumption that the councils concerned should pay half of the capital cost, what should be the share of each council and how each share should be paid.

The committee suggested in paragraph 11 of its report that the administration of the Act should be committed to the Minister of Local Government and that the Government should appoint a constructing authority for the construction of the works. The position in this respect is, however, that the Government is not itself in a position to construct the works, being already fully engaged and occupied with the resources at its disposal in other undertakings of a similar nature in the metropolitan area. Accordingly, it has been decided, in agreement with the councils concerned, that they themselves should call for tenders and undertake the construction in accordance with plans acceptable to the Minister of Local Government, the State Government making the necessary finance available in accordance with the report of the Public Works Committee. The Bill is on lines similar to those of the Act relating to the south-west suburbs drainage scheme except that, as it is understood that the councils have the necessary powers to undertake the work under the Local Government Act, the only provision made by the Bill concerning the actual construction is that made by clause 3, which requires plans and specifications to be first approved by the Minister.

Clauses 4, 5 and 6 set out details of the financial arrangements. Clause 4 (1) provides that the Government will pay half of the cost, the councils bearing the remainder in the proportions provided in subclause (2). Those proportions are as recommended by the Public Works Committee, namely, that the City of Woodville shall pay the whole of the cost for main drains within its area, the remaining cost of the works being payable as to 54 per cent by Woodville and 46 per cent by the Henley and Grange council. Subclause (3) provides that the Government will finance the scheme in the first place, this subclause being along similar lines to the provision in the Festival Hall Bill to be introduced. Subclauses (4), (5), (6) and (7) set out the manner in which payments are to be made, when they are to be made, and how the interest is to be calculated. These subclauses give effect to the recommendation of the Public Works Committee in paragraph 12 (e) of its report.

Clauses 5 and 6 make provision for payments by the councils and remedies for non-payment, and are in similar terms to the corresponding sections 20 and 21 of the South-Western Suburbs Drainage Act, 1959. Clauses 7 and 8 provide for maintenance of the works by the councils in accordance with the recommendations of the Public Works Committee. Clause 8

contains the usual financial provision that moneys required shall be paid out of moneys to be provided by Parliament for the purpose. As the Bill concerned the interests of two municipal corporations or local bodies, and not those of municipal corporations or local bodies generally, it was referred to a Select Committee in another place in accordance with Joint Standing Orders. That committee recommended the passage of the Bill in its present form, and I commend it to honourable members for their consideration.

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

BUILDING ACT AMENDMENT BILL.

In Committee.

(Continued from September 29. Page 1068.)

Clause 9—"Governor may make regulations"—to which the Hon. N. L. Jude had moved the following amendment:—

After "constructed" first occurring to insert "for the purpose of loading or unloading goods into and from vehicles into or from the buildings so erected or constructed."

The Hon. JESSIE COOPER: I congratulate the Minister on his sincere attempt to overcome a serious problem that arises every day over certain vehicles in the city, but whether this amendment is necessary is a matter of opinion. I think the clause as drafted would be more effective, as the provision of adequate parking space, with due consideration being given to floor space and the purpose for which the building is to be used, would overcome these difficulties. Every honourable member must be aware of the chaos caused in the city by the loading and unloading of goods from parked vehicles. Wherever one goes one sees vans drawn up, often seven at a time, waiting to load or unload. Frequently they are double-ranked. This causes considerable confusion, apart from being uneconomic in relation to time and money. The problem may be difficult to solve when old buildings are involved, but it is palpably ridiculous to allow the situation to continue when so many magnificent new buildings are being erected. I am prepared to support the amendment, but the clause as drafted would be more effective and would go farther.

The Hon. F. J. POTTER: The clause as drawn inserts a new paragraph in section 83 of the Act. That section provides for regulations to be made governing the various matters set out in the section, and this will be an additional matter. Section 83 (3) provides that any regulation made under the section—and this will include any regulation that may be

made under the proposed new paragraph—may be limited to any specified municipality or district, to any specified part thereof, or to any specified class of buildings therein. It seems to me obvious that if regulations were sought under this clause they would be likely to originate from a council and the Minister would then have to be satisfied that they were necessary and desirable. They would then have to be drawn, placed before Parliament, considered by the Subordinate Legislation Committee, and then be subject to a motion for disallowance by any member. It seems to me that four distinct stages would have to be gone through before any regulations made would become binding, and I think that is an adequate safeguard.

The Hon. S. C. Bevan: What happens when we have a recess for six months?

The Hon. F. J. POTTER: None of these things will be rushed into. If parking space in a new building were to be provided, it is obvious that the matter would have been considered when the plans and specifications were drawn, so there would be adequate time for all these things to be considered. I think the clause as originally drafted is adequate to cover the situation. By his amendment the Minister has sought to limit the paragraph to providing space for loading or unloading vehicles, and I, like the Hon. Sir Frank Perry and other members, consider it unnecessary to limit it in this way. We cannot legislate particularly for any specific project; it must be in general terms. The original clause provided for regulations being made for parking. I think that would have been enough to cover parking in the normal sense of the word, and would have included loading and unloading. In one dictionary "parking" is defined as "the leaving of a vehicle in a suitable or accessible place". A vehicle could be parked temporarily and loading or unloading could take place. I think "parking" covers the parking of a vehicle for a period of time and for the loading or unloading of it whilst parked. The amendment is not necessary and the clause should be accepted in its original form, leaving the safeguards mentioned earlier to operate.

The Hon. R. C. DeGARIS: I rise not to support the amendment but to support the remarks made by the Hon. Sir Frank Perry, the Hon. Jessie Cooper and the Hon. Mr. Potter. The original wording of the clause is satisfactory. Under section 83, regulations can be made. They would originate first from the council concerned, then the Minister and

the Subordinate Legislation Committee would peruse them, and finally they would come before Parliament. There may be an objection to a council having such a power because of what happened in Sydney where the provision of parking facilities in buildings in the centre of the city caused much traffic congestion. I believe that was the reason why they dropped the provision from the legislation. I do not think such a position would apply in Adelaide for some time. However, I think it would be an advantage for many of our councils to have the power to ask for parking facilities in new buildings. I agree with the Hon. Mr. Potter that the use of the word "parking" would be satisfactory, and that it would cover loading and unloading of vehicles. Therefore, although I am not opposed to the amendment I am satisfied with the original wording of the clause.

The Hon. N. L. JUDE (Minister of Local Government): I congratulated myself because I thought the amendments were desirable and that they would receive favourable consideration, but because of the views expressed here today I ask leave to withdraw this amendment.

Leave granted; amendment withdrawn.

Clause passed.

Title passed.

Bill reported with amendments; Committee's report adopted.

PULP AND PAPER MILL (HUNDREDS OF MAYURRA AND HINDMARSH) BILL.

Adjourned debate on second reading.

(Continued from September 29. Page 1063.)

The Hon. A. J. SHARD (Leader of the Opposition): I support the Bill, its purpose being to approve and ratify an Indenture made between the State of South Australia and Apcel Limited relating to the operation and extension of a pulp and paper mill in the State of South Australia and to provide for carrying that Indenture into effect.

Clause 4 of the Bill sets out the rates to be paid over a period of years by the company to the local district council. I was concerned about that clause and made some inquiries, and I am now satisfied on that point. The Bill was referred to a Select Committee from another place and the report is contained in Parliamentary Paper No. 32 of this Council. The Select Committee held six meetings and took oral evidence from 13 witnesses. In addition it visited Snuggery and inspected the site of the proposed work. It took evidence from a number of important people who should know their subject thoroughly. The matter I

was interested in is mentioned in paragraph 10 of the Select Committee's report, and the information given there takes away any doubts I had. Regarding local government rates the paragraph states:

The Chairman of the Millicent District Council stated that his council was "particularly happy with the figures (i.e., the rates) quoted in the Bill at the present time." He wondered, however, "whether another clause could be inserted in the Bill to the effect that this amount of rate could be reviewed, say, by or in 1980 and every 10 or 15 years thereafter by an independent arbitrator or by agreement between the council, the company and the State." Your committee considered these representations most carefully, but came to the conclusion that as the provision fixing the local government rates payable by the company was contained in the Bill itself and was not part of the Indenture the rates could be reviewed in 1980 or any other time and revised, if necessary, by an amending Act of Parliament. The course open to Parliament to review its own Acts seemed to your Committee to provide a sufficient safeguard for the interests of both parties in the matter of local government rates. In concluding his evidence, the Chairman of the Millicent District Council stated: "I should like to add that the Millicent Council is particularly happy at the possibility of Apcel establishing here. We will do anything in our power (within reason, of course) to help them in any way we can. We appreciate the value of this mill not only to our district but to the whole State."

The committee recommended that the Bill be passed in its present form and that was done in another place. Over the last few years we have had two or three similar Bills as a result of negotiations with various companies for schemes to expand the paper industry and to process the smaller timbers in the South-East, but unfortunately they did not come to fruition. However, this one appears to be sound and could be approved without much further comment. I congratulate the members for the district on the interest they have taken in this proposal and the assistance they have given in establishing the industry. I support the Bill without reservation.

The Hon. R. C. DeGARIS (Southern): I support the measure, which ratifies an Indenture entered into by the Government with Apcel Limited to allow that industry to expand and develop its paper-making activities in the district of Millicent. The expansion and development of the pulping industry is important to the economic usage and exploitation of the forest areas of the South-East. It is equally important to both Government and private forest interests. One of the problems faced by the forest industry of the South-East is the use that can be made of small-diameter timber, and an expanding pulping

industry ensures an adequate outlet for such timber. At the moment probably our best pulping timbers in the South-East are being burned for power generation, and I look forward to the time when the barking of trees before they are milled will allow this high-grade timber, the best pulping timber grown in the South-East, to be used in the pulping industry. When this is done there will be further expansion in the industry. In Australia at present wood pulp consumption is rising. Our per capita consumption is about one-third that of the United States of America, but the percentage of increase on our per capita consumption is much greater than that of America. Apart from that, we have a rapidly expanding population and our overall total use of wood pulp will continue to increase rapidly. At the moment the only means of satisfying this future demand is by importation from overseas. Therefore it is necessary to make every effort to expand the industry in the South-East and use the valuable timber for that industry. The Hon. Mr. Shard has referred to clause 4, which states:

(1) The rates payable in respect of any year to the Council of the district council district or municipality in which the mill is situated in respect of the mill site and the mill shall be—

- (a) while one paper machine is operating commercially at the mill—such sum not exceeding seven hundred and fifty pounds as the council may by resolution declare;
- (b) while two paper machines are operating commercially at the mill—such sum not exceeding two thousand pounds as the council may by resolution declare; and
- (c) while three paper machines are operating commercially at the mill—such sum not exceeding three thousand pounds as the council may by resolution declare.

(2) In any year after three paper machines have been operating commercially at the mill for not less than five years the Council may by resolution declare the rates payable by the Company for that year in respect of the mill site and the mill at a sum in excess of three thousand pounds but not exceeding four thousand pounds.

This is a wise precaution because in an agricultural or pastoral district such as Millicent, where the council rating is on annual values, industries such as this one, established in a purely rural atmosphere, have difficulty with the assessed value of their property and consequently with the rates that are levied. For example, the industry already established there, Cellulose (Aust.) Limited, was assessed not only on buildings and value of the land but also on machinery used in that industry, and this caused a controversy with that firm. Therefore, it is wise to ensure that the amount of rates

to be collected from this industry, established in a purely rural atmosphere and with the council operating on annual values, should be decided and agreed upon by the council and the industry concerned. Clause 6 reads:

The Company or any other person or authority shall not be liable in any way for discharging effluent from the mill into a drain in accordance with the Indenture or for the flow of such effluent from any one drain directly or indirectly into any other drain or into Lake Bonney or the sea or for any consequences of such discharge or flow or for discharging smoke, dust or gas from the mill into the atmosphere or for creating noise or odours or for any alleged consequences of such discharge flow or creation if such discharge flow or creation or such consequences is or are reasonably necessary for the efficient operation of the works of the Company.

When Apcel Limited first started in the South-East one of the difficulties in establishing that pulping industry was the problem of the disposal of effluent from the mill. Clause 6 deals with three of the problems: the disposal of mill effluents; the discharge of smoke, dust or gas; and noise or odours. I do not know much about the effluent, but I understand it is a dangerous one and the only method of adequately disposing of it and to give it sufficient dilution is for it to be discharged into the sea. To enable the effluent to reach the sea the Millicent District Council, when Apcel was first established, allowed the effluent to be placed into the drainage system controlled by the council, and from there it was taken out to Lake Bonney. That is a shallow lake running parallel with the sea. Lake Bonney was opened to the sea by the Government and, under an agreement, the company paid the sum of £2,000 a year to the Government for the maintenance of the outlet from Lake Bonney to the sea.

During very dry summers there is little flow into the drain connecting Apcel with the main Snuggery drain and this dangerous effluent is possibly soaking through the soil and reaching the underground water table. I am reasonably certain that this does occur because of the porous nature of the soil. There is the danger that, as the amount of effluent from the mill increases, the underground water supplies in that area could be contaminated. If this occurs, it is the Government's responsibility to ensure that this effluent is transported or piped from the mill to Lake Bonney and discharged into the sea.

The second nuisance mentioned in this clause is "smoke, dust or gas". As far as I know, the gas discharged from the digesters in this industry is not dangerous, noxious or injurious. Its smell is rather difficult to bear at times

but, as far as I know, it is not in any way injurious.

The Hon. H. K. Kemp: It stinks.

The Hon. R. C. DeGARIS: Yes, it stinks. Noise from the industry does not worry anyone because of its rural situation. A further point, which is reasonably covered by this clause, is the fact that both the pulping mills burn much of the material of which they wish to dispose, which sometimes causes a smoke nuisance in that area. Unfortunately, there have been complaints of sulphur being burnt and the resultant smoke sticking close to the ground. Some damage has been done to pastures and crops in that rural setting, but I think this is covered by the words "reasonably necessary for the efficient operation of the works". If this nuisance continues, the company may be asked to improve those conditions.

The indenture contains 19 clauses, most of which are dealt with in the Bill itself. Clause 5 of the Indenture deals, first of all, with "the right to discharge all effluent from the mill into the Snuggery drain". It then gives the company an exemption from the payment of any rent or royalty in regard to the use of water and the right to bore for any water it may require for the industry. The amount of water that can be drawn and the economic drawing of that water for use in the industry may require the Government at some future date to construct a pipeline and pump the water from some other area. I do not know the quantity of water required for the operation of this new mill but I know that the pulping industry is a heavy user of water and it may be that the supplies from bores will not be adequate to supply the expanded part of the Apcel industry in that district in addition to satisfying its present requirements. The Government may in the future have to supply water from another area in the South-East. This point is covered in clause 6 of the Indenture, subclause (3) of which states:

In the event of an adequate supply of water for the Company's requirements not being available as herein provided the State shall at the request and with the agreement of the Company make other arrangements for an adequate supply of water and shall provide all capital moneys for such purpose and shall sell such water to the Company at a rate per thousand gallons not exceeding the actual cost of supplying such water.

Clause 7 provides another wise precaution. The Millicent district, as honourable members probably know, is a drainage area, and the district council has complete control and management of the drainage system in that area. When the Cellulose industry was established in, I think, 1939, the agreement with the council

was that the company would maintain and keep clean the drain leading from the mill to Lake Bonney. This has always been with that company a matter of controversy with the local district council. Under this indenture the company pays a certain sum of money each year to the council for the purpose of maintaining and cleaning the drains that it is using. I am certain that this is a wise precaution and it should overcome any controversy that may arise in any other concept of maintaining the drains.

I support the Bill and am pleased to see this development taking place. I compliment the Premier, the Minister of Agriculture and the Government on their continued work in pursuit of this industry in the South-East. Also, may I congratulate the company that is expanding and developing there and the Millicent District Council on its continued co-operative attitude towards the establishment of industries in its area.

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

MENTAL HEALTH ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 29, Page 1066.)

The Hon. R. C. DeGARIS (Southern): I support the second reading of this Bill, the principal purpose of which is to amend the Mental Health Act and give a clear distinction between patients who are mentally ill and those who are intellectually retarded. The measure is another indication of the rapid development taking place in South Australia and, indeed, all over the world regarding the treatment and rehabilitation of the mentally ill and the intellectually retarded. These two groups of people pose entirely different problems of both treatment and rehabilitation. For example, the mentally ill person may well have a normal or high I.Q. but may be suffering from some mental disturbance that does not allow him to take his normal place in the community; the intellectually retarded person is deficient in or has permanently damaged brain tissue. The separation of the mentally ill and the intellectually retarded will not only assist in the treatment and rehabilitation of the retarded but will increase the efficient management of our mental hospitals.

Hand in hand with this concept of the separation of these groups must go the provision of training centres under the control of the Education Department for retarded children. In every case, the object must be to develop a

retarded child so that he can take a place in the community and attempt to develop his or her potential to the full. Another very important point in the training of an intellectually retarded child is that an attempt should be made to get the parents to understand the attempt at rehabilitation and the training methods and be reassured in many of the problems they face. Also, as pointed out in the second reading explanation, the separation of the mentally ill from the intellectually retarded will allow the mental authorities to receive Commonwealth pension and child endowment payments for intellectually retarded children. I do not intend to go through the various clauses, as that has already been done by other speakers. I support the second reading.

The Hon. W. W. ROBINSON secured the adjournment of the debate.

STATUTES AMENDMENT (STAMP
DUTIES AND MOTOR VEHICLES)
BILL.

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

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

That this Bill be now read a second time.

It gives effect to certain stamp duty revenue proposals. It also makes a minor enactment to correct an anomaly in the matter of duty conveyances to trustees where no beneficial interest passes in the property conveyed. I shall first give a short statement of the Revenue proposals and then, by reference to the Bill, give some greater detail of those proposals which represent new or varied measures of taxation in the State.

The first proposal is to impose a stamp duty on applications to register motor vehicles or to transfer the registration of motor vehicles. For many years it has been the policy in South Australia to devote the entire net proceeds of levies upon motorists and motor vehicles to the construction and maintenance of roads. This means that, of about £5,900,000 received from vehicle registration, road maintenance contributions and drivers' licence fees, Revenue is recouped only £300,000, being the costs of the Motor Vehicles Department, while the remaining £5,600,000 is used for road purposes. The motorist has not been required previously to make a contribution towards the cost of other State services arising directly from road traffic. It has been estimated that the cost of police services in controlling traffic, investigating accidents, administering traffic laws, testing drivers, inspecting vehicles and the

like is of the order of some £750,000 per annum. A further cost is incurred by the Government in ambulance services and road safety measures. These are matters which have concerned other State Governments. New South Wales takes from motor taxation a contribution to Revenue towards the cost of police services, and in addition imposes a stamp duty on the registration of motor vehicles to further recoup Revenue for the cost of special services. Western Australia has adopted the New South Wales procedure of a stamp duty on registrations, while Victoria imposes a special surcharge on third party insurance policies and an additional fee based on vehicle horse-power for initial registration and on transfer of registration.

The Government has concluded that it is necessary and desirable for Revenue Account to be recouped part of the cost of special services provided because of road traffic, and this Bill authorizes the imposition of a stamp duty on applications to register motor vehicles. The duty will be calculated at 1 per cent of the value of the vehicle at the time when the initial application for registration or the application for transfer of registration is made. That is to say, the duty will not be an annual one, but will be payable once only during each ownership of a vehicle. It will be payable on both new and second-hand vehicles. It is estimated that such a duty will contribute to Consolidated Revenue some £625,000 in a full year and probably between £400,000 and £420,000 in the present financial year.

The proposed rate of duty of 1 per cent on the declared value is in excess of the rate charged in New South Wales and Western Australia, but, on the other hand, registration and other fees and road maintenance contributions are generally rather lower in South Australia than elsewhere. I shall comment in greater detail on the procedures involved and the incidence of the duty when dealing with the actual provisions of the Bill.

The second proposal relates to contracts and notes or memoranda made pursuant to the Money-Lenders Act. In a review of the effect of a stamp duty on hire-purchase agreements, the Government has noted that there has been an increasing use of other forms of agreement and security in the financing of purchases by instalments and that these other instruments are stamped at a lower rate than the rate applicable to hire-purchase agreements. Particular use has been made of personal loans made pursuant to the Money-Lenders Act, supported in a number of cases by a bill of sale or some other collateral

security. In these circumstances, the person financing the sale is in a comparable position, as far as security is concerned, as if a hire-purchase agreement were executed. The Government has therefore decided to introduce a stamp duty on contracts and notes or memoranda issued pursuant to the Money-Lenders Act. The rates of duty will be the same as those which apply to hire-purchase agreements; that is to say, 1 per cent of the amount financed, and the duty will be payable by the lender. This extension of stamp duty will overcome the anomalies which have recently become apparent and is expected to yield additional revenue of the order of £60,000 in a full year. The benefit to Revenue this financial year may approach £40,000.

The main purpose of this amendment is to recover the revenue which is currently being lost through the use of this method of financing instalment purchases instead of the use of hire-purchase agreements. At the same time the Government appreciates that financial institutions are performing a very useful function in providing "bridging finance" for home purchasers pending availability of long term homes loans and also in the matter of providing second mortgage finance. While the Bill provides that the duty on documents issued under the Money-Lenders Act shall be payable by the lender, the Government would not wish to make such advances in connection with home finance less attractive to the lender or more expensive to the borrower and, accordingly, contracts or notes in respect of loans made by money-lenders, which are secured by mortgages over real property, will not be subject to the new stamp duty.

The third proposal relates to licences of insurance companies. All States require insurance companies to pay an annual licence fee by way of a stamp duty calculated either on premiums received in the preceding year or on the value of current policies. In this State, companies conducting fire and general insurance business pay a stamp duty calculated at the rate of 25s. per cent on net premiums. In two other States the comparable rate is 5 per cent on net premiums and, in the remaining States where the licence fee is based on the value of policies, the rates fixed attract revenue comparable with that which would be attracted by a rate of 5 per cent on net premiums.

I believe that the South Australian community does not receive the benefit of the lower stamp duty payable here, because the experience in costs and claims in all States tends to be merged by the companies in an

overall Australian assessment and therefore any lower costs in South Australia, to the extent that they may be passed on, tend to be spread by way of lower premiums to all Australian policy holders. The Government accordingly proposes to increase the rate to 5 per cent to accord with rates imposed in other States. The increased rate is expected to provide additional revenues of about £450,000 a year. As the assessment on companies this financial year is payable during the period January to March, 1965, on net premiums in 1964, it is expected that a full year's revenue at the increased rate will be secured in 1964-65.

No change is proposed in the licence fee based on net life assurance and personal accident insurance premiums. The rate of stamp duty in these cases will remain at 10s. per cent on net premiums. Subclause (a) of clause 9, which deals with this matter, also makes a small amendment to the provisions governing calculation of the premiums on which the duty is leviable. At present the relevant item in the schedule to the Stamp Duties Act provides that premiums received for fire or marine insurance risks out of the State are not to be counted. This is amended to provide that no premiums received for insurance risks out of the State shall be counted except life and personal accident insurance risks out of the State. The result will be to widen the exemption by providing that in the case of insurance risks out of the State only life and personal accident risks will be counted. The reason is that in New South Wales a different system of taxation on insurance companies obtains and without the amendment there could be a high loss of business as a result of the transfer of insurance business to that State to avoid what would otherwise be a double tax. This could be particularly important in relation to Broken Hill whose insurance business is at present conducted substantially from this State. In the Northern Territory no duty of this kind is levied at all and without the amendment it is probable that considerable business could be lost to the State by the transfer of operations to that Territory.

The fourth proposal is to increase the stamp duty on mortgages and comparable documents from 2s. 6d. per cent to 5s. per cent on the amount secured. At the present time Queensland and Tasmania stamp mortgages at 2s. 6d. for every £50 secured, South Australia and Western Australia at 2s. 6d. for every £100 secured and Victoria and New South Wales do not levy a stamp duty on this type of document at all. But all of the States except Western

Australia impose a higher rate of stamp duty on conveyances of property than does South Australia, so that the net effect of the proposed increase will be that in relation to property transfers involving mortgage finance the total stamp duty payable in South Australia will be less than in New South Wales and Victoria because the higher rate of duty on the transfer in those States, based on full value, will more than offset the duty on the mortgage document which relates only to portion of the value. It will be materially less than in Queensland and Tasmania and slightly greater than in Western Australia only. This amendment is expected to yield £225,000 additional revenue in a full year and about £160,000 in the present financial year.

The fifth proposal relates to the duty payable in respect of share transfers. The present effective rates in this State are very much lower than elsewhere, in part because the nominal rate is only about half of that levied generally in other States, and in part because in this State the rate applies to the face value of shares whilst in other States it applies to current value, which is ordinarily much higher than face value. The greater proportion of the revenue is secured in South Australia by a stamp duty on the broker's contract notes of 1s. for each £50 of face value on each of the notes delivered to the buyer and the seller. If the transfer is not made by a broker, then the transfer document is dutiable at the rate of 2s. for each £50 of face value. In all other States but one the duty is payable primarily on the share transfer document at the rate of 7s. 6d. for each £100 of current value, and in addition stamp duties at lower rates are in several instances payable on brokers' contract notes. An effective overall rate of 8s. for each £100 of actual value would be a fair assessment of the aggregate of duties payable in other States in respect of share transfers, and the amendments are designed to make a levy at approximately that rate in this State. At the same time, for reasons which I shall now explain, the Government proposes to adopt the procedure obtaining in other States—that is, to levy the main duty on the transfer document. While in itself the South Australian procedure has been generally admitted to be the simplest and most equitable, difficulties could arise in the case of interstate transactions in South Australian based shares or South Australian transactions in interstate based shares. Up to the present, difficulties have not been of any moment, because the South Australian duties have been small. With the higher duties now proposed, however, there is some risk of loss of State

revenue and South Australian business in share transactions by operators seeking to secure the greatest advantage among different procedures operating in other States. The Government feels that it would be wise to close loopholes arising out of these procedural differences and the effect of the present Bill will be to adopt a procedure corresponding with those existing in the other States. Under the Bill the general design is to impose a low rate of duty of 1s. for each £200 on contract notes and to impose a duty directly on the document of transfer at the rate of 3s. for each £40. These rates compare with rates of 9d. for each £100 and 9d. for each £10 respectively in New South Wales, the new South Australian rates being expressed in amounts which will enable a practicable conversion into decimal currency. It is anticipated that the amendments will practically quadruple revenues from duty on share transfers, raising them to about £180,000 in a full year. The net increase this year is expected to be about £90,000.

I turn now to the Bill itself and, where the particular clause merely increases an existing rate of duty, will not add materially to comments I have already made. Clauses 1, 2, 3 and 10 refer to short titles and provide the machinery for bringing the amendments into force. It is desired, in the interests of the State's finance, that they be brought into force as soon as possible. The only amendment which comes into force immediately is the provision regarding insurance company licences.

Clause 4 enacts new sections 42a, 42b, 42c, 42d and 42e of the Stamp Duties Act. These sections should be read in conjunction with subclause (b) of clause 9 which provides for the rate of stamp duty, the minimum amount of duty, and exemptions from the duty, and clauses 11 to 21 which amend the Motor Vehicles Act to provide the machinery whereby the Registrar of Motor Vehicles may require an applicant for registration to pay the requisite stamp duty before registration of a motor vehicle can be effected. New section 42a of the Stamp Duties Act makes it clear that applications for renewal of registrations, whether the registration was previously current in South Australia or elsewhere in the Commonwealth, are not subject to the duty.

New section 42b places the onus on the person making the application for registration to state in writing the value of the motor vehicle and to pay to the Registrar of Motor Vehicles the amount of stamp duty chargeable on that stated value in accordance with the schedule. The Registrar of Motor Vehicles will act as the agent of the Commissioner of

Stamps in this matter. He will collect the duty payable, having regard to the stated values, and will pay the duty to the Treasurer and account to the Commissioner of Stamps for duty so collected. Where the Registrar has reason to consider that the value stated on the application is not the correct value of the vehicle, he will accept the amount of duty tendered and refer the matter to the Commissioner of Stamps. Section 42b (4), (5), (6) and (7) provide the machinery whereby the Commissioner may require the applicant to furnish him with evidence of value, may obtain further evidence if not satisfied, or if no evidence is submitted by the applicant, make a further assessment and recover any further duty payable, or make any refund which may be due. The right of appeal of an applicant against the Commissioner's assessment is preserved by section 24 of the Stamp Duties Act.

Section 42b (8) is purely a machinery section which permits the Commissioner to waive the duty in those cases where applications for registration have been forwarded prior to the date when the new duty comes into operation. Section 42c deals with the procedure to be followed by applicants claiming exemption. Section 42d gives the Commissioner power to make refunds where too much duty has been paid or where duty has been paid on applications subsequently shown to be exempt from duty. Section 42e gives the Governor power to make regulations and in particular to effect by such regulations variations to the classes of applications exempt from duty.

To complete this explanation of this duty, reference should be made to subclause (b) of clause 9 of the Bill, which inserts in the schedule of dutiable documents contained in the Stamp Duties Act a paragraph dealing with applications for registration, the rate of duty, and the exemptions. It will be noted that a minimum duty of £2 is prescribed. There is a number of motor cars and motor cycles sold daily whose value would be less, and in some cases considerably less, than £200. The Government believes it to be reasonable to require persons who purchase such vehicles and who wish to put them on our roads to make some reasonable minimum contribution to police traffic costs and the costs of achieving road safety. Where an application is made for transfer of registration of a motor vehicle by a person who is entitled to the vehicle under the will or intestacy of a deceased person, the duty payable will be £1 irrespective of value. This is the same rate of stamp duty as applies to conveyances of land transferred to beneficiaries of a deceased estate.

Eight classes of exemptions are set out in the Bill. Exemptions Nos. 1 and 2 relate to applications made by new car dealers and used car dealers where registration is made in the name of a car dealer purely for the purposes of demonstration or resale. Applications from persons who are entitled to free registration pursuant to section 31 of the Motor Vehicles Act are exempt from stamp duty (exemption No. 3) as also are applications made by or on behalf of the Crown (exemption No. 5). It is proposed to exempt applications for registration of trailers from duty (exemption No. 4). There is a very large variety of trailers ranging in weight from a few hundredweight to several tons. Many of them are used only at certain times of the year, some only at weekends, but in each case they have to be drawn by a motor vehicle the size and value of which will have a relation to the trailer it is required to draw. The Government considers that the purposes of the amendment will be served if the owner of the trailer pays duty when he acquires or replaces the power unit only.

Exemption No. 6 refers to cases where duty has already been paid in connection with the transfer of a motor vehicle. Applications by executors for transfer of registration to the estate or to the executors are exempted by exemption No. 7 if the application is made for the purpose only of selling the vehicle for the benefit of the estate or transfer to a beneficiary. Exemption No. 8 deals with applications by owners to transfer registration of vehicles on hire-purchase which are repossessed, or by owners of vehicles which are returned to them on the termination of a hiring agreement.

To complete the explanation of this phase of the Bill it is necessary to turn now to clauses 11 to 21. In each case registration of a motor vehicle is contingent upon both the prescribed registration fee and the prescribed stamp duty being received by the Registrar. Most of these are quite straight-forward and I mention only those which appear to me to be of importance or major interest. Clause 15 applies the duty to applications to register interstate vehicles. Clause 16 applies the duty to articulated motor vehicles. Clause 17 provides for the same action on dishonour of a cheque lodged in payment of stamp duty as applies if a cheque in payment of a registration fee is dishonoured, *i.e.*, the registration becomes void.

I return now to the earlier clauses of the Bill. Clause 5 amends section 56a of the principal Act by repealing and re-enacting the

first subsection thereof. The present subsection (1) of section 56a requires a broker to certify on a transfer that the proper duty has already been paid on the relevant contract note. Under the amendment this will be no longer required since the principal duty will be payable on the document of transfer. If, however, a broker affixes the proper stamps to the transfer document based upon value he will be required to certify that the proper amount of duty has been paid.

Clause 6 inserts a new section 59a in the Stamp Duties Act to give the Commissioner power to have a valuation made, where he is not satisfied with the evidence of value shown in a contract note or in any conveyance of marketable securities, to assess the duty payable on the basis of such valuation and to recover the costs associated with making such a valuation against the person liable to pay the duty. This provision gives the Commissioner similar power to that which he already has pursuant to section 66b of the Stamp Duties Act in connection with conveyances. Clause 7 provides that a conveyance made to a trustee and under which no beneficial interest passes shall not be charged with duty as a conveyance operating as a voluntary disposition "inter vivos".

The particular clause to be amended had for many years until recently been interpreted not to require normal duty as a conveyance when no beneficial interest passed, for the word "and" was understood to indicate a second exemption rather than to indicate a second condition necessary for exemption. However, a recent ruling has in effect withdrawn the exemption which I believe was intended by the earlier legislation, and would seem just and reasonable. Accordingly, this opportunity is taken to clarify the matter and to reinstate the situation which had previously been applied and intended—that is, that this special kind of transfer will pay only £1 duty applicable to a transfer which is mainly one of convenience, and be relieved from the duty at £1 for each £100 applicable to those conveyances of property where a beneficial interest actually passes. The sort of situation this amendment will cover will be that where persons who intend to be out of the State for some time wish to appoint a bank or some other trustee to receive dividends or deal with any other necessary matters in connection with their investments; in these cases the shares or other securities are transferred to the trustee who manages them for the owner but acquires no beneficial interest.

Clause 8 inserts a new section 75a in the Stamp Duties Act to provide that any duty

payable on a money-lender's contract or note or memorandum shall be paid by the lender. The application of the new duty on such contracts or notes or memoranda is achieved by subclause (j) of clause 9, which inserts an appropriate new paragraph in the schedule to the Stamp Duties Act. The rates of duty are the same as those which apply to hire-purchase agreements. Clause 9 (a) amends the basis of calculating the duty payable by insurance companies on an annual licence from 25s. per cent to £5 per cent on all net premiums of the preceding year, except in relation to life and personal accident premiums, the duty on which remains at 10s. per cent.

I have already dealt with clause 9 (b), which relates to motor vehicle registration duty. Clauses 9 (c) to (i) and (l) give effect to the proposal to increase the duty payable on share transactions and at the same time to base the assessment of duty on value instead of face value. Paragraphs (c), (e) and (g) remove the word "face" before "value" in the relevant places in the schedule.

Paragraphs (d), (f), (h) and (i) make the requisite amendments regarding contract notes. Paragraph (d) provides for a duty of 1s. for each £200 upon contract notes payable by both buyer and seller. Paragraphs (f) and (h) provide for a duty of 6d. for each £200 upon an option to buy and on the actual purchase contract notes respectively, the result being a total of 1s. for each £200 upon option and contract price corresponding with the 1s. for each £200 on contract notes on outright sales. The main duty leviable upon documents of transfer is provided for by paragraph (i), which will result in a duty at the rate of 3s. for each £40 of value. Paragraph (l) eliminates entirely the present exemption on documents of transfer where duty has been paid on contract notes. As I have explained, in future the principal duty will be payable upon documents of transfer, the amount payable on contract notes being at lower rates. In view of the lower rates provided for in contract notes and the general basic design this exemption is removed from the schedule of general exemptions. Clause 9 (k) gives effect to the proposal to increase the rate of duty on mortgages and comparable documents. I commend the Bill to honourable members.

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

ADJOURNMENT.

At 5 p.m. the Council adjourned until Thursday, October 1, at 2.15 p.m.