LEGISLATIVE COUNCIL

Tuesday, October 5, 1965.

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

QUESTIONS

POLICE.

The Hon. Sir LYELL McEWIN: On September 21 I asked the Chief Secretary whether he would consider the introduction of some deterrent to the behaviour of irresponsible gangs that threaten the police in the exercise of their duty, and he said that some consideration was being given to the matter, which was in the hands of the Commissioner of Police. Has he any further information to convey?

The Hon. A. J. SHARD: No. The position is still the same as when the Leader asked his question. Some submissions have been made to Cabinet for amendments to the Police Offences Act, and the matter has been forwarded to the Commissioner of Police for a report, but we have not yet received it.

FOOTBALL CROWD BEHAVIOUR.

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

Leave granted.

The Hon. R. C. DeGARIS: In Monday's newspapers appeared reports of a woman being treated at the Royal Adelaide Hospital for a serious eye injury caused by an orange being thrown at the football final on Saturday. During this match many missiles of various types were thrown among the large crowd at the Adelaide Oval. These included empty tins, oranges, apples and bottles, and the throwing of them caused distress to many spectators. Also, fire crackers, smoke bombs, etc., were lit and set off. I realize that great difficulty faces the police in detecting offenders in a concentrated crowd of many thousands of people, and it appears that little can be done without the active co-operation of people in the crowd in identifying the individuals concerned. As this unfortunate woman received the injury, will the Chief Secretary have inquiries made into the matter to ascertain whether any action can be taken to stamp out this type of larrikinism before a more serious consequence occurs?

The Hon. A. J. SHARD: I think we all deplore the actions of the people responsible for this behaviour on Saturday. It was pleasing to note that the Secretary of the South Australian National Football League (Mr. Harry Clamp) said that, if they could find the culprit, he would be prosecuted. We all agree with that. I shall take up this matter with the Commissioner of Police to see whether anything further can be done to assist the police in the carrying out of their difficult duties on days such as last Saturday. It must be remembered that the police force, after all, has not an unlimited number of men available. It had many duties to perform at the Adelaide Oval last Saturday. However, I will approach the Commissioner of Police to see whether anything further can be done to stamp out behaviour of the type that occurred last Saturday. From my point of view, it is a tragedy that an unfortunate woman of this age has had to have her eyes damaged to bring this matter before the public. I hope her eyesight will not be affected and that there will be no recurrence of such bad behaviour.

MILK VANS.

The Hon. C. R. STORY: Has the Minister representing the Minister of Agriculture a reply to a question I asked on September 23 about the covering of milk vans?

The Hon. S. C. BEVAN: My colleague, the Minister of Agriculture, informs me that there are two authorities involved in the collection of milk from dairies. The Metropolitan Milk Board controls the collection of milk from dairies licensed by the board. It has been the board's policy to grant a general exemption to carriers as provided for in its regulations for the period as from May 15 to August 15, this being the cool period of the year. This exemption has been granted to allow carriers picking up milk from dairies to (*a*) repair existing overhead covers or side curtains, (*b*) provide and fit new covers or side curtains; or (*c*) transfer cover and side curtains to another vehicle. The matter of permitting this exemption is decided each year and it is not at all certain that the practice will be continued beyond this year. The exemption referred to does not apply to vehicles carrying bulk chilled milk from depots to treatment plants.

The control of dairies outside the Metropolitan Milk Board area is administered by the Agriculture Department under the Dairy Industry Act and regulations. Very little elasticity is permitted in the way of discretionary powers under the Act and regulations concerning the covering of vans or trucks for transport of milk in cans from farms to factories. However, there is no record where the department has refused to consider using what does exist to alleviate any hardship claimed by any milk

carter or factory. The department's objects are to protect milk from deterioration when climatic conditions are such that loss to the industry will result from inadequate covering of vans and milk trucks.

SCHOOL BOARDING ALLOWANCES.

The Hon. G. J. GILFILLAN: Has the Minister of Labour and Industry, representing the Minister of Education, an answer to my question of September 28 about school boarding allowances?

The Hon. A. F. KNEEBONE: Yes. My colleague, the Minister of Education, states that the question of discrimination between students from private and departmental schools who apply for living-away allowances does not arise in the matter raised by the honourable member, and therefore there is no need for the direction to departmental officers suggested by him. Living-away allowances are paid in certain circumstances to students attending approved schools both private and departmental, and as stated in my previous reply the present Government liberalized the provisions under which these allowances are made. Details were given in the press.

ROSEWORTHY RAIL CROSSING.

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

Leave granted.

The Hon. M. B. DAWKINS: I direct my question to the Minister of Transport. It is with reference particularly to the railway crossing immediately north of the township of Roseworthy. On a previous occasion I asked a question in regard to this crossing and the situation then was that the Railways Commissioner did not consider the provision of warning lights was warranted, because of the relatively small number of trains that go over the crossing. However, as with some other crossings (I can think of two, one at Port Wakefield and another at Barmera), despite the fact that the number of trains is not large, many people cross the railway line. We should be concerned with the safety of South Australians generally, and not merely with those who happen to be in motor cars or on trains. This crossing north of Roseworthy is situated in a dip and it would be most unwise to provide stop signs at it. The road traffic count is high indeed, and the railway crosses the road at a very oblique angle. Will the Minister of Transport have another look at the situation to see whether warning lights can be placed on such crossings as this, having regard to the high frequency of road traffic?

The Hon. A. F. KNEEBONE: In relation to the matter of rail crossings, flashing lights and so on, the provision of flashing lights at crossings is a matter of priority in this State, not merely because of finance but also because the installation of this type of device is a matter for a highly skilled staff. As has been said here on a number of occasions, the work is done by a special crew. Priorities must be worked out because of the amount of time taken and because it is not possible to install immediately warning devices wherever we want them. A committee consisting of representatives of the Highways Department and the Railways Department allots priorities for this work for each year. In view of the matters brought forward by the honourable member, I shall have a further report made, but I considered that I should give him this information. We believe in making crossings as safe as possible, but this is a matter of physical difficulty and for that reason we have to arrange priorities.

ROAD TRAFFIC.

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

Leave granted.

The Hon. C. R. STORY: I understand that in some other States a front axle weight load limit is imposed in respect of commercial vehicles. Can the appropriate Minister say whether it is intended to impose a front axle weight load limit in relation to motor vehicles in this State in the near future?

The Hon. S. C. BEVAN: Yes. If the honourable member looks at the amendments in the Bill dealing with road traffic, he will find that it is proposed to impose a limit of 4½ tons on the front axle.

MEDICAL STUDENTS.

The Hon. F. J. POTTER: Has the Chief Secretary any further information to give the Chamber on the question I raised some time ago concerning the quota for medical students?

The Hon. A. J. SHARD: Yes, the answer is as follows:

The Government has approved the appointment of a committee to report upon facilities for training medical practitioners in South Australia. The proposed composition of the committee is as follows:

(*a*) Dr. B. Nicholson (representing the Director-General of Medical Services), Chairman.
(*b*) Two university clinical professors.
(*c*) One member to be nominated by the Australian Medical Association.
(*d*) The Administrator of the Queen Elizabeth Hospital.

The terms of reference approved by Cabinet are:

(1) To make a factual survey showing the number of medical practitioners at work in South Australia, where they have come from, and their numerical relation to the State's population. The statistics for the present situation should be projected over future years until, say, 1985.

(2) To examine what measures are practicable to increase the facilities for training medical practitioners in South Australia should the Government deem the number of practitioners available either now or at some future date to be insufficient.

(3) How far it is possible to use more extensively the existing teaching facilities by re-organization of methods, some supplementary provisions at teaching hospitals, and the institution of a special fourth term of comparable arrangement.

(4) Whether, if a new teaching hospital were contemplated, it could be expected there would be a full and necessary requirement by patients for the additional beds both for general and maternity cases, and without serious diversion from existing public and private hospital facilities.

The committee to be asked to make its report by the end of November, 1965.

RAILWAY CROSSINGS.

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

Leave granted.

The Hon. L. R. HART: In reply to a previous question, the Minister stated that the matter of the erection of warning devices at railway crossings was a question of priority and that the priority was decided by a committee set up for that purpose. The type of warning devices erected consists in some cases of warning lights and in other cases of warning lights plus warning bells. It would seem that the use of bells in addition to lights is somewhat superfluous and, in fact, it would add to the cost of the warning devices so erected. I ask the Minister if he will investigate whether a need exists for the provision of bells as well as lights, particularly in view of the fact that bells in many cases are in operation at crossings near residential areas and they are a constant source of annoyance during the night hours to people living in those areas?

The Hon. A. F. KNEEBONE: I assume that the honourable member is directing his question to me. Some months ago the Minister of Railways' portfolio was discontinued and it has become the Minister of Transport. The answer is that I have been told by my officers that the most effective method as regards efficiency is lights and bells in combination, but I will make further inquiries regarding the matter.

QUEEN ELIZABETH HOSPITAL.

The Hon. Sir LYELL McEWIN: I ask leave to make a statement prior to asking a question of the Minister of Health.

Leave granted.

The Hon. Sir LYELL McEWIN: Further to the Minister's reply about facilities at teaching hospitals, I understand that the Queen Elizabeth Hospital was to have provision made for an additional 400 beds. I know that when the hospital was erected provision was made for the addition of two extra floors in certain sections of the building. Will the Minister of Health say whether the number of beds required can be provided by the additional floors on top of the existing structure or whether some other arrangements will have to be made to get the required number of beds? I am not sure of the number of 400, but probably the Minister can tell me what it is and what is contemplated. This matter was under consideration at the time additions to the Royal Adelaide Hospital were being considered. Can the Minister give me any information on these matters?

The Hon. A. J. SHARD: It is correct that there is a proposal to increase the number of beds at the Queen Elizabeth Hospital. I think the number is 400, but that is not the point at issue. There is a difference of opinion between the Public Buildings Department and the architects about the structure of the Queen Elizabeth Hospital. I understand that the architects who built the hospital said, when it was completed, there was room to build two extra floors on top to make these additional beds available. Now the position has arisen that the architects of the Public Buildings Department disagree with that point of view, and a discussion is going on between various people concerned about who is right and who is wrong. It has been suggested that another complete building be constructed within a certain part of the hospital, but personally I do not favour this. The last thing that happened was that a suggestion was made that possibly it would pay all concerned to contact the architects who built the original building and discuss the matter with them. The question is under discussion, but no finality has been reached.

LAND BROKERS.

The Hon. C. D. ROWE: Various people have asked me recently whether it is true that the

land brokers' course at the Institute of Technology is to be concluded, I think at the end of this year or next year, and whether there will be any further courses. They have also asked me whether the Government intends not to license any more land brokers after those who are doing the existing courses have completed them. Will the Chief Secretary, who represents the Attorney-General in this Chamber, say whether the Government intends not to continue the land brokers' course at the Institute of Technology after the present year is finished and not to license any more land brokers in the future?

The Hon. A. J. SHARD: I am unable to give the answer at the moment, but I shall be happy to take up this matter with the Attorney-General and bring back a reply in a day or two.

INDUSTRIES.

The Hon. C. D. ROWE (on notice):

1. Is the responsibility for securing new industries for South Australia vested in the Minister of Labour and Industry or in the Premier?

2. What is the position with regard to the possibility of new industries being commenced in the near future?

3. What is the present position regarding the new industry mentioned recently for the Wallaroo electorate?

The Hon. A. F. KNEEBONE: The replies are:

1. As has been stated on a number of occasions, the responsibility for securing new industries for South Australia is vested in the Premier's Department.

2. Discussions regarding a number of new industries are currently proceeding.

3. The Government is still hopeful of an agreement which will provide a new industry for Wallaroo. Unfortunately, the interested party has not been able to make a final decision.

LEAVE OF ABSENCE: HON. SIR FRANK PERRY.

The Hon. Sir LYELL McEWIN moved:

That one week's leave of absence be granted to the Hon. Sir Frank Perry on account of ill-health.

Motion carried.

NURSES REGISTRATION ACT AMENDMENT BILL.

Read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 30. Page 1858.)

The Hon. Sir NORMAN JUDE (Southern): This Bill is somewhat similar to Bills to amend the Local Government Act in that it is essentially a Committee Bill, so I do not propose to dwell individually on its 33 clauses. However, as the first speaker after the Minister in support of the second reading, I think it is necessary for me to draw the attention of all honourable members to what may appear in some instances to be slightly controversial matters. I have gone through the Bill over the weekend and, generally speaking, I find little at which to cavil. I think its introduction marks the progress we have had since we introduced the entirely new Road Traffic Act only two or three years ago. As as result, I intend only to draw honourable members' attention to various clauses that I think should be noted. The first clause I refer to (clause 3) relates to definitions and it should be noted by honourable members because the word "line" previously referred only to turning vehicles. We have thousands of miles of white lines, and some yellow lines, throughout the State, apart from some double lines. The broadening of this provision will lead to a better promotion and understanding of driving. A great problem in this State today concerns the driver's attitude towards authority—not necessarily police authority but the authority of the various signs and traffic devices used throughout the State. It seems to be the attitude of many people that, so long as they can get away with it, they will dodge conforming to requirements as much as possible rather than conform to them even if nobody is in sight on a particular stretch of road. Other paragraphs of the clause deal with and enlarge upon specific definitions in the original Act. I shall not dwell upon them now.

Clause 4 deals with children crossing roads somewhat remote from the school itself. This clause is desirable. It has been discussed previously and this matter is now covered by children's signs instead of school crossing signs. The latter lead one to anticipate a school being nearby. During the holidays when the children do not go to school those signs mislead the motoring public. This amendment is an improvement.

Clause 6 deals with advertising along the highways that distracts motorists' attention. A point that honourable members should note is that it is not always the sign or hoarding

actually on the edge of the roadway that causes trouble: in fact, it may be well off the roadway, 50 or 60yds. away, and may be approached at an angle of, say, 30 degrees. That is the sign that often distracts the attention of the motorist. Therefore, an overriding control of distracting signs is highly desirable, particularly in the case of illuminated signs at night when red and green flashing lights can easily confuse a motorist in dense traffic when he is looking for a traffic signal at the corner of a street, particularly in the city. I fully support the insertion of that clause.

Clause 7 deals with one-way carriageways. When I first read this clause, I thought that either the Minister was courting trouble or the Government was because I thought it meant that the Commissioner of Police (who is Chairman of the Road Traffic Board) was to have the entire control of one-way streets and that the Traffic Board would decide which streets would be one-way and which would not be. I have already been asked about this by many people this last weekend who, I thought, had not seen the Bill; so it has aroused some interest. I am glad to inform honourable members who have not read the Bill that this is an overriding authority to see that councils do not direct traffic into one-way streets or declare streets one-way wherever they choose to without the sanction of the board. The board has an overriding sanction in this respect, which is a good thing. But the board does not initiate the one-way streets, which was the impression some people seemed to be getting.

Speed zoning (clause 8) is not to be done by regulation. It was cumbersome although it could be disallowed. As a matter of fact, the Subordinate Legislation Committee did disallow a regulation recently in regard to Murray Bridge. Instead of having all this rigmarole to go through, it would be just as easy for the board to be empowered to erect these signs, and then for representations to be made so that it could vary them. This clause will give the board the power to do that without regulation. I suggest to the Minister that, when signs are put up altering speed zones on roads, early warning should be given to the public. I take as an example the Gawler highway after leaving Pooraka. If a motorist is following a pantechnicon or semi-trailer, it is almost impossible to pick up the speed signs when the 40 miles an hour zone merges into the 45 miles an hour zone, or the 45 zone merges into the 50 zone. If a motorist is trying to overtake at that particular time, it is most difficult. If these signs are put up from time to time by the road traffic authority, some means of publicising them must be arrived at, at least for a reasonable period. I suggest that the board request the police to take early warning action. After a certain period motorists would then look for the signs. When going to the Gawler races, for instance, a motorist should know where the signs are on the road but ample notice should be given when new signs are erected.

Clause 9 deals with Emergency Fire Service vehicles, which will come under the same exemption enjoyed by ambulances and police vehicles. This provision will be acceptable to people in country districts, who realize that the essential thing in case of fire is for a vehicle to get there as quickly as possible. In respect of clause 10, which deals with a motorist's duty to stop and report in case of accident, there is only one danger, and that is that in some States it is provided that the motorist must stop and give every possible assistance to the injured person. I should like the provision to be that a motorist must stop and remain with the injured person until some appropriate authority, like an ambulance or the police, comes along. By this clause a motorist should render assistance to an injured person. Afterwards it may be asked, "Why didn't he prop this man's head up?" in the case of a man severely injured. But in some cases if a motorist interferes with a badly injured man he can do more harm than good. The motorist may intend to do good, but he may cause more injury by trying to help an injured person before the proper authority appears on the scene.

Clause 11 deals with drivers entering blocked intersections. This clause is highly desirable and could well have been introduced a year or so ago. There was no request then for this clause, but traffic has banked up so much, particularly in busy streets like King William Street, that we now need a provision of this sort. We often have the ridiculous situation of motorists carrying on through a green light although they can see perfectly well that the whole traffic section in front of them is full. They proceed until the green light changes to red but cannot cross the intersection. They remain stationary on the intersection, which prevents motorists coming from their right and left proceeding when the light turns green in their favour. This state of affairs is not the fault of

authority or of the traffic lights. Possibly it is no-one's fault that this great congestion arises. The driver who persists in crossing on the green light when traffic is densely banked up in front of him is a menace and should be subject to a stringent penalty for deliberately acting in this foolish way. Only a year or two ago I was in London and had the pleasure (although I do not know that it was really a pleasure) of driving along some of the main streets in the city proper and saw taxi drivers pull up and wave on motor cars that were crossing. By doing this, the driver, instead of crawling along the next block like a snail, was in front of the traffic and got a decent run as a result of his patience.

The rule about giving way to the vehicle on the right has been enlarged to a valuable degree. We are getting large intersections in the city, some of which are not sufficiently covered by traffic lights at present, and the result is that vehicles stand in the intersections at various places. This clause will give right of way to vehicles so placed, and not merely when approaching the intersection. I think it is a definite improvement.

I notice another clause that is educational. I refer to the one dealing with people who fail to switch off their trafficators or flashing lights after they have changed direction. Anyone knowing the practical side of this knows that very few lights switch off automatically if the turn is made only through an angle of about 45 degrees. Of course, the angle necessary to switch the lights off varies with different cars. People are frequently annoyed by motor cars ahead with flashing lights still going, or with signal arms still extended because they will not come down. A person may follow such a vehicle for half a mile without knowing whether or not to pass. I think it is commendable that something is being done in this matter and some penalty attaches to it.

However, I do not know what my late friend, the Hon. Frank Condon, would have said about a penalty of £50 for leaving the indicator on. Penalties have to be increased for dangerous offences, but I suggest that the Minister look at the high penalty imposed in this case. I am all for reasonable penalties, but this one should be further considered.

We have previously discussed the matter of stop signs and where a driver should stop so that he can see the position around the corner. Honourable members will recall the lengthy debate we had on this matter. The result achieved at that time was not satisfactory and this is a further attempt to improve it; I think it is an improvement. What it means, in layman's language, is that people will have to stop at a stop sign in such a place that they can see what is going on around the corner, which was the original purpose of the stop sign. It is not sufficient if a person stops three vehicle lengths back and then proceeds because he thinks he has the right of way.

I cannot understand clause 18 and I ask the Minister to obtain an explanation of it from the Parliamentary Draftsman. It strikes out the word "or" where it fourthly occurs in a proviso to section 82 (1) and inserts the word "and". However, it becomes rather difficult to follow this amendment. Clause 19 deals with angle parking, which will come under the direct control of the Road Traffic Board. Honourable members should note this clause, because in the past we were prepared to say that the board should certainly have control over angle parking on main roads. However, I am fairly certain that the Chairman himself said a year or two ago that the board was not interested in suburban minor streets, but only in the main traffic ways in the city or the State. This clause will give an overriding power and will prevent any council from allowing angle parking in streets without the prior approval of the board.

The example given is a good one. It shows that there have been far more accidents on the Norwood Parade, one of our wide thoroughfares near the city, than on Unley Road, which, unfortunately, is one of our narrow main streets. What was revealed is still being borne out by statistics. It remains to be seen whether councils, and honourable members closely associated with them, will object to control of angle parking in some essentially urban streets. I suggest that honourable members on both sides consider the clause carefully.

I am in complete sympathy with the clause regarding pedestrians. It virtually means that pedestrians shall walk against the traffic, and not with it. However, I point out to the Minister that there is an anomaly here, and it arises where there is no footpath in a narrow street carrying only one-way traffic. Such a street becomes only a one-way pedestrian street. For example, if the street at the side of the Grosvenor Hotel is a one-way traffic street from Hindley Street to North Terrace, people cannot walk down it at all because they would be walking with the traffic. No footpath is provided. I do not know whether it will be necessary to have an amendment to cover that

position. A similar position applies to the lane leading to the Plaza theatre. People will not be able to go to that theatre direct from Rundle Street.

Left-hand drive vehicles are dealt with in the Bill, and, in layman's language, they are "out". I think it is high time that such action was taken. We cannot risk having the danger associated with these vehicles, even though they are rare today. At one time there were many of them on the roads (there were many jeeps after the war) and one could see the notices on them. Now they are rare, and I think this is the only State in which they are permitted. It causes all sorts of problems with other States, because they will not allow them, yet vehicles with South Australian number plates go to those States. In addition, Victorians are able to come here and register such vehicles and drive them in Victoria. It is desirable to have uniformity on the matter.

Another clause deals with the width of vehicles. It is obvious that we have not the money to widen many of our roads as much as we would like. In places like the main road through the hills, particularly the winding and dangerous stretch of about four miles between Nairne and Kanmantoo, it is necessary to minimize the width of vehicles, as has been done in other places. I am fully in accord with the proposal that these vehicles should be restricted to travelling in daylight if they want these wide load permits, particularly in view of the increase in motor traffic.

While I am talking about wide loads, I shall return to my favourite theme, the wide buses in the city. I opposed them as a Minister, I opposed them as a member years before that, and I still oppose them. I oppose the idea that we can have the widest buses in the world running around under special permit. They have a very wide overhang in front also. We have them, and we are putting up with them because of the economics involved. The Chairman of the Municipal Tramways Trust, Mr. Barker, has done great work for the trust, an he has said that we would lose much more money if we did not have these buses. That is why the Government permitted them to be introduced. I was reminded that they could be driven only in certain parts of the metropolitan area. I enquired of the Minister when discussing a Bill regarding the licensing of buses on the North-East Road whether these wide buses would go to that part of the State and I was informed that licences were issued to the present licensees, whose buses conformed to the width of 8ft. However, I suggest that the time has come to take a stand and that we must not have these buses with their huge overhang and extra width operating in the city. In King William Street, and it is not the fault of the drivers, it is necessary for the buses to be sometimes pulled out from behind a fruit barrow, or some other hindrance placed there by people who should have more consideration for the mobile traffic, into a third lane of traffic at great inconvenience to other road users. I draw the attention of the Minister to the fact that, despite instructions, the buses are not pulling up as near as practicable to the kerb. If there is any doubt in the minds of members on this point I suggest that the Minister and members go to the rear of Parliament House at any time from 4 p.m. onwards. If they see one bus pull up within 4ft. of the kerb (unless there happens to be an inspector in the vicinity) I will be surprised. More often than not they stop 7ft. or 8ft. from the kerb. It is difficult for following traffic to see what is happening in front.

A short time ago I got in touch with the General Manager of the trust and he told me that he wished something could be done in the matter. I have a selection of photographs taken all around the metropolitan area showing exactly where buses pull up. Particularly in wet weather difficulties are created. It is time that this was stopped. Members should assist the Minister to see that that is done.

The Bill contains two interesting clauses, both dealing with axle loadings. First, I think it is proper that the Government should be able to prosecute the owner as well as the specific driver of a vehicle with an overloaded axle. In many cases the driver is hard to find. He may be a fly-by-night or an interstate driver, and the Minister knows the problems associated with apprehending such an offender. Even though it may be possible to find the owner, on many occasions the driver has perhaps gone to another State. The owner must be liable for this overloading, as it is obvious that he can put a stop to it if he wishes to do so.

Another clause deals with the load on the front axle. Because it is a controversial matter I do not think honourable members want me to pursue the matter; in any case, I have not prepared any remarks on it. Although I think something must be done about it, I think it is a clause that honourable members should carefully consider.

The Hon. S. C. Bevan: It restricts the loading on the front axle to 4½ tons.

The Hon. Sir NORMAN JUDE: Yes, and I agree that it is necessary; it results, for one thing, in less damage to our roads. I do not intend to elaborate on the subject, except to say that honourable members should examine the question closely, as it may lead to other provisions that may not be so desirable from the public standpoint.

The Hon. G. J. Gilfillan: Would it apply to a trailer or any other single axle vehicle?

The Hon. Sir NORMAN JUDE: I am not going to answer that, but I would think that it would apply. However, I will leave that matter to the Committee stages. This is a Bill with many clauses in it. If and when it is passed (and I am sure it will be), possibly with minor variations, I hope the Minister will endeavour to see that the Act is consolidated at the end of this year and reprinted. He will appreciate that one can hardly follow the Bill without carefully reading it in conjunction with the Act. I have pleasure in supporting the Bill.

The Hon. Sir ARTHUR RYMILL secured the adjournment of the debate.

SOUTH-WESTERN SUBURBS DRAINAGE.

The PRESIDENT laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on South-Western Suburbs Floodwaters Drainage Scheme (Drain No. 10).

SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 30. Page 1861.)

The Hon. R. A. GEDDES (Northern): In rising to speak on this Bill I want to say as a preface that man is always seeking new fields to conquer. Columbus looked over the edge of the world and found America; Drake, it is said, brought home tobacco to England; Florey discovered penicillin; and now we have the Minister of Transport wanting to control the railways in South Australia. I understand that it has been the wish of the Minister since childhood to play with trains. His desire to do that is one reason why he joined the A.L.P. in the first instance. I congratulate the Minister in this regard. To bring the railways under the control of Cabinet will bring with it many frustrations, but at the same time many opportunities for just rewards.

Through the Northern District will run the standardized line from Broken Hill to Port Pirie. This line will ultimately link Brisbane, Sydney, Broken Hill, Port Pirie and Perth in a single gauge railway system. Disregarding politics, this line is a great adventure, an adventure into commonsense, and it shows further signs of Australia's manhood in pushing ahead with the planning for commonsense transportation in the years to come. The principal source of income on this line is the carriage of ore concentrates from Broken Hill to Port Pirie, where the concentrates are processed by Broken Hill Associated Smelters into lead, zinc and silver. I understand that the revenue paid by the B.H.A.S. to the State Treasury for transporting these concentrates amounts to about £3,000,000 a year. The smelters, with its exports of lead, zinc and silver, produces many millions of pounds of export income for South Australia. At the moment between 20 and 25 trains are needed each week to bring the output of about 20,000 tons from Broken Hill to Port Pirie. It must be acknowledged that these trains are not carrying concentrates exclusively; many times they are broken down and bring with them the products of the land—wheat, wool and livestock. On occasions only one truck arrives at the smelters with concentrates because of this problem of mixed trains. The delivery of rail trucks to the unloading area within the smelters yards is done by shunting the trucks through the main street of Port Pirie to the smelters. This requires a steam locomotive to be on duty for many hours of every day. I understand that the B.H.A.S. pays about £70,000 a year in shunting charges for these engines to bring the loaded trucks to the smelters and return the empty trucks back where they are marshalled together and made ready to take back to Broken Hill.

The ore mined at Broken Hill varies from mine to mine. To blend these various concentrates in their correct proportions it is necessary to have a stockpile at Port Pirie and for the correct ingredients to be added for the smelting process. Having mixed trains and having about 20 or more loads or part loads coming down each week presents a pretty complicated procedure in arranging the various types of ore into their correct places within the smelters, and many railway and B.H.A.S. employees are tied up doing shunting work. The standard gauge line will give the railway system of the State, the Minister, and members of Parliament a golden opportunity to plan for the handling of concentrates and all other freight and passenger services, as there is an opportunity to have a new look at transportation in this regard. There is a challenge

to be met, and it must be met in the planning stages. The Minister must try to foster correct planning and encourage imaginative thinking within the ranks of the railway executive.

I foresee the day when trains over half a mile long will travel between Broken Hill and Port Pirie. These trains will be hauled by three diesel locomotives of 1,800 h.p., and they will take 84 trucks carrying about 4,620 tons of concentrates. Instead of 20 trains a week, the entire weekly output from Broken Hill will be taken by five trains. If this becomes feasible, railway planning must ensure that a suitable unloading site is planned in collaboration with the B.H.A.S. to handle trains over 3,000 ft. long so that they can come in and be unloaded on the new £900,000 tippler that the smelters is planning to build. The tippler is a gantry-like affair that will pick up each truck, turn it upside down, shake it to unload all the concentrates, and put it back on the line again. An unloading yard will be needed so that trains can be marshalled correctly according to the type of concentrate they contain and so that they can be placed where they are needed and be unloaded in one yard. There must be sufficient room, railway lines and points and all the paraphernalia that makes up sidings so that the railway trucks can be formed into empty trains to go back to Broken Hill. I understand that these plans are well under way by the smelters, which is awaiting the approval, not only of the Commonwealth Parliament because of the promise of financial assistance but also direction from the State railway executive, and, of course, as from the passing of this Bill, I imagine from the Minister of Transport.

Having a railway siding at the Smelters and using the tippler will eliminate shunting to a great degree and will avoid unnecessary work and wasted movement. We must plan not only to improve the marshalling yard and unloading area at Port Pirie but to improve road crossings en route from Broken Hill. This matter must be looked at and planned constructively. I was interested to hear the Minister's reply to the Hon. Mr. Hart this afternoon about the problem of traffic lights north of Roseworthy. He spoke of the problem the maintenance men were having in not being able to get the staff to these crossings. I hope some planning can be given to meeting the need I envisage for flashing lights at principal intersections on the main traffic routes so that when trains of up to half a mile long are running the motorists' safety will be considered. The need for planning overways, possibly at Port Pirie and Jamestown, must be reviewed. We must not only put in an efficient railway system but we must plan constructively for the motorist and the public as a whole. Critics may well advise the Minister that what I have said about this planning is not necessary: that it can be done in another way. There are always two sides to every argument.

As far as train lengths are concerned, I think the Commonwealth Railways are planning to run even longer trains from Perth to Sydney. Therefore, there must be co-ordinated thinking in this field, and the planning must be constructive and imaginative. A good example of long trains in this State that have been working efficiently for some time are the Leigh Creek coal trains coming down to Port Augusta. I understand they are well over half a mile in length, and the efficient transportation of the coal has been proved by the cost factor and the system working so well. For the Minister there is not only a chance to plan for the standardization of the railways, with all its ramifications, but there is also a golden opportunity to look to the improvement of the many facets of railway transport in other fields: the greater use of advertising; tighter passenger train schedules; the possibility, on country passenger lines, of trains running express for the last 50 or 60 miles into Adelaide; meals similar to those served on aircraft, on the Melbourne Express and on other long-distance trains. This suggestion follows some questions asked of the Minister earlier this year about a dining car on the Melbourne express. I understand that dining cars are the most unprofitable means of feeding people on trains and that they are being discontinued in many parts of the world, preference being given to the aircraft type of meal, the ready-packed meal served by the car conductor to the passengers.

There is a chance to plan and direct that the railways shall serve the public for the public, instead of, as I see it at the moment, the railways providing what they think the public should have. Should the Government plan for greater co-ordination of transport become a reality, as much as I disapprove of some of the principles of co-ordination, here again there is the chance to make this co-ordination work: express trains for stock to the abattoirs so that Adelaide citizens can have better food; express stock trains going out to the country so that the stock can arrive in good condition. I ask the Minister to look into these things. The chance is here to make the railways work well and I hope it will be

taken with both hands. It would certainly be a good idea if the Minister looked to the co-ordination of the various facets of railway enterprises. As I have said, he has a golden opportunity to revitalize our railway system, not only from Broken Hill to Port Pirie but also on Eyre Peninsula, to the River Murray areas, to the South-East and to the North.

In conclusion, I remind honourable members that Mussolini in his electoral campaigns to get himself into power in Italy before the last war made one promise. He said, "I will make the trains run on time." If he could do it, so can we. I support the second reading and the amendment proposed by the Hon. Sir Norman Jude.

The Hon. A. F. KNEEBONE (Minister of Transport): In closing the debate, I appreciate the manner in which most honourable members have spoken on this Bill and their contributions. Many of the comments made here could easily have been made in a later debate. Many things said in support of what should be done for the railways could be said in support of a Bill that will be in this Chamber within the next week or two. I commend the Hon. Sir Norman Jude for his reasonable approach to this Bill. I agree with him that there is nothing personal in the provisions of the Bill and also when he says that he is sure I must be aware that I have inherited an excellent set of railway administrators. That is true.

One comment he made, though, seemed a little astray, when he asked, "What about award determinations?" He seemed to imply that the Minister might take part in this sort of thing. My reply is that Government policy is conciliation and arbitration, and variations of awards and determinations are matters for the appropriate tribunals. Therefore, I shall not be making any alterations in that regard. Then the honourable member referred to my long association with the Railways Appeals Board. I point out that I have never been associated with the Railways Appeals Board. I think the honourable member may be confused, in that the Railways Commissioner and I were members of the Apprentices Board. The Appeals Board deals with internal administration, just as the Public Service Appeals Board does. It does not come within the ambit of this Bill.

The Hon. Mr. Hart said he supported the Bill and then proceeded for half of his speech to condemn it because of certain things that he thought could happen; and then he supported it in other ways. I consider that his reference to a telephone conversation with me was taken out of context. His use of a few words from a telephone conversation to imply certain things about this Bill was completely wrong. I think I can tell the story of the telephone conversation more clearly. Also his interpretation of the reasons for the stoppage was out of line with what actually happened. What happened was that an incident occurred three or four weeks before the stoppage. Somebody was disciplined by the Railways Department, and the decision to take disciplinary action was announced on the day on which the stoppage occurred.

When the honourable member telephoned me early on the morning after the stoppage, he was concerned about stock on a train that was held up because of the stoppage—his own stock and stock of other people being consigned to the Melbourne Show. I offered then to do all I could to see that the stock were properly looked after and said that, if the stoppage was not terminated quickly, I would ask the railways to do something about alternative transport. I said at that stage that I was not aware that a stoppage was pending until the night before. Here is something that would support the view that action should be taken in regard to the Railways Commissioner's Act, because I said that if I had been aware of the impending stoppage and had had the power that this amendment gives me, I would have been made aware of the position. If I had known of it perhaps something could have been done by talking about the problem to prevent this happening. Then, the honourable member went on to make an implication. This is what he said:

> Something would have been arranged which would have meant that the Minister would have had to give in; he would have been forced to concede a point.

This is what the Hon. Mr. Hart said and it implies that, whenever a Minister talks to the unions, he gives in. I have already said, in connection with what the Hon. Sir Norman Jude said regarding wages and determinations, that the policy of the Government is conciliation and arbitration. I well remember going along on deputations to Ministers of the previous Government when I was a trade union representative. Do not tell me that, in relation to talking to unionists, we are doing anything different from those Ministers, and I do not remember any occasions when the Minister in charge of the department was forced to concede and give in to any representations that came from a deputation. We shall not refuse to see unions, or any deputations.

People talk about pressure groups and refer to trade unions as being pressure groups. They say that certain Ministers will have to give in to the pressure groups of the trade unions. When all is said and done, the trade unions are only groups of employees banded together for their own strength and protection, in the same way as are other groups that have been waiting on me in my position as Minister of Transport and trying to use pressure tactics in regard to certain matters.

The Hon. L. R. Hart: I implied that you might need protection from these groups.

The Hon. A. F. KNEEBONE: These people band together for their own benefit and protection. I resent the implication that I would be forced to concede, under pressure from trade unions. I wish to comment on the contribution to the debate that the Hon. Mr. Geddes has just made, and I appreciate some of the things that he said. I agree with him that there is much to be done in relation to rail standardization and desire to inform him that I intend during a coming weekend to go north from Peterborough towards Cockburn to see what is being done regarding standardization and will have discussions with the engineers there. I appreciate what the honourable member said in relation to myself and I commend the Bill to the Council.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Enactment of section 95a of principal Act."

The Hon. Sir NORMAN JUDE: I move to insert the following new subsection:

(2) Where any direction or proposition given or transmitted in pursuance of subsection (1) of this section adversely affects the accounts of the railways, the Commissioner shall notify the Minister thereof from time to time, and the amount of any loss occasioned by the direction or proposition shall, if certified by the Auditor-General, be paid to the Commissioner out of moneys to be provided by Parliament.

I consider that this subclause is highly desirable. During the second reading debate I said that I thought it would help the Minister in his duties and I referred to section 108 of the Victorian Railways Act. I do not propose to read that again, as it already appears in *Hansard*. The Parliamentary Draftsman pointed out to me that subsection (*b*) referred to "Parliament" and the "Governor in Council". My suggestion was not along those lines; I suggested that it should be a matter for the Minister. Then I ran up against the problem of whether this was an amendment to a financial Bill. If it was, my amendment could only be a suggested amendment to another place. That difficulty was overcome by rephrasing the clause to some extent.

I point out that the matter is still left entirely in the hands of Parliament as to whether it passes Supplementary Estimates or otherwise. The Minister and the Commissioner will derive much assistance from the provision in connection with the amount voted for a period of 12 months. When I said that the Minister could be "pressurized", I did not mean that in any rude sense. I meant that another Minister might have another method of going about a certain proposition or the Cabinet majority might decide that the Minister should put off doing something else to carry out the work suggested. My amendment will enable the Minister to say, "We will carry out this proposition and we will ask Parliament to make good the extra money that will have to be spent. You cannot expect me to curtail other work." I quoted the Victorian Act, but now, following the draftsman's suggestion regarding the problems I had in my original amendment, he looked at the Commonwealth Act and pointed out that I might prefer the provision there. I now read section 44 of the Commonwealth Railways Act, 1917-1950:

> The Minister may direct the Commissioner to make any alteration in any existing practice or carry out any system or matter of Policy but where any such direction or any direction or proposition given or transmitted in pursuance of the last preceding section adversely affects the accounts of the Railways the Commissioner shall notify the Minister thereof from time to time and the amount of any loss occasioned by the direction or proposition shall, if certified by the Auditor-General, be provided by Parliament in the annual Appropriation Act and paid to the Commissioner.

That has the same effect as my amendment.

An interesting point that I would draw to the attention of the Minister is that this provision was placed in an Act introduced by one of Australia's leading Labor Prime Ministers, the late William Morris Hughes. I would suggest to the Minister that if it was good enough for William Morris Hughes in a strong Labor Government, and if it was good enough for the Victorian Government and the present Commonwealth Government, it should be good enough for the South Australian Government, and I hope that the Minister will give full consideration to my amendment.

The Hon. A. F. KNEEBONE (Minister of Transport): I appreciate the honourable member's concern for my welfare in order to

save me from my greedy fellow Cabinet members, but I do not think it is necessary. In my view, the Minister in directing the Railways Commissioner to carry out this scheme as a matter of policy would, before giving directions for the implementation of such a scheme, have to give full consideration to all the financial aspects. If the scheme were of such a nature that it would result in financial loss, the Minister would have to weigh up all the points in favour of the scheme as against its costs and, further, would need to satisfy himself that the necessary financial provision could be made available. The effect of the amendment, as far as the Estimates of Expenditure and the Appropriation Act are concerned, is that there would be an additional line of expenditure showing the amount involved in losses on approved schemes. The total payment to the railways, however, would be unaltered. For these reasons I do not support the amendment. This is the point: there is only a certain amount of money available, and whether this kind of amount would make any difference to the amount of money available I do not know. However, I cannot see that this would do anything other than place another line on the Estimates without any additional money. I am not strongly opposed to the amendment but I prefer to have the clause as it stands in the Bill, not for any ulterior motive but because I consider that there is no real necessity for the amendment. If I thought it would bring additional money to the railways then I would agree with it.

The Hon. R. A. GEDDES: I point out that this amendment was put into the Commonwealth and Victorian Acts; therefore there may be a need for it in South Australia at another time. Rather than have the Minister—and here I do not refer to the Minister personally but to his position—having to meet these problems at a time in the unforseeable future it might be better to include this amendment now. Surely it is similar to the guarantor of an overdraft, such as we find in business circles, to have this clause should it be needed.

The Hon. A. F. KNEEBONE: My only comment in reply to the honourable member is that I cannot see how this can be anything in the nature of an overdraft.

The Hon. R. A. Geddes: I said it was like a guarantor to an overdraft.

The Hon. A. F. KNEEBONE: I see.

The Hon. C. D. ROWE: I am worried about the following words:

The Minister may at any time in writing request the Commissioner to propose in writing a scheme for effecting an increase of income or a decrease of expenditure.

I suppose we are living in an age when expenditure and costs are increasing, but I can envisage a circumstance where the Minister may want to request the Railways Commissioner to propose a scheme for effecting a decrease in income or alternatively an increase in expenditure. It may be that in some instances certain freight rates will need to be reduced. I know that there is a separate clause that states the Governor may make regulations fixing the amount of fares for the conveyance of passengers and the charges for the carriage of animals and goods and so on, but I think there should be power in the Bill to provide for either an increase or a decrease in income or expenditure. I do not know what is to happen when we get co-ordination of transport, but if we find that co-ordination of transport means that considerable quantities of goods have to go by rail that were formerly going by other methods it may be that with an increase in tonnages carried a decrease in freight rates would be justified.

The Hon. A. F. KNEEBONE: I think if the whole clause is read in its proper context it covers the matter raised by the honourable member because it says that:

The Minister may at any time in writing request the Commissioner to propose in writing a scheme for effecting an increase of income or a decrease of expenditure, or for carrying out any matter of general policy specified by the Minister, and if the Minister approves of the same he may direct the Commissioner to take all necessary steps to carry out the same. If the Minister does not approve of any scheme proposed by the Commissioner, he may himself transmit to the Commissioner any proposition for effecting and carrying out such increase, decrease or matter of policy, and thereupon the Commissioner shall take all necessary steps to give effect to such proposition.

Amendment carried; clause as amended passed.

Clause 5—"Power of Governor to fix fares and charges."

The Hon. R. A. GEDDES: Does this clause mean that the Governor in Council is the authority and that Parliament cannot debate fares in any way?

The Hon. A. F. KNEEBONE: The regulations will come before the Subordinate Legislation Committee and lay upon the table of both Houses.

Clause passed.

Clause 6 passed and title passed.

Bill reported with an amendment. Committee's report adopted.

WILLS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from September 30. Page 1864.)

The Hon. R. C. DeGARIS (Southern): This Bill can be divided into two distinct parts—clauses 1 to 5 and 7 to 10, and clause 6. All its clauses except clause 6 bring into effect the recommendations of the Standing Committee of State Attorneys-General and bring the law in regard to will-making into line with the law recently enacted in Great Britain. Ever since I have been a member of this Chamber there has been considerable argument on the merits or demerits of uniformity in legislation between the various States. I am one of those who see very little justification for having uniformity in legislation purely for the sake of uniformity. Even if a law exists in all other States, that is no reason on its own why such a law is necessary in this State. However, in this matter I accept the principle that uniformity is desirable.

I believe the form of this amending legislation follows closely the recent alteration to the law in Great Britain that followed the recommendations of the Hague Convention on the subject of testamentary dispositions. As a layman I think that clause 9, which inserts a new section 25a into the principal Act, will be the legal profession's dream. I do not know whether my legal friends will agree with me entirely, but I have no doubt that considerable litigation will arise under this provision.

As has been mentioned by other speakers, the clause that mainly concerns them is clause 6, and it also concerns me. It is not introduced for the sake of uniformity between the various States, as only one other State (Victoria) has this provision, and it was made there only recently. As the Hon. Mr. Potter said, an amendment was made recently in New Zealand to the Wills Act to allow married minors to make valid wills. Clause 6 provides that any person over the age of 18 will be able to make a valid will; this alters the existing provision that no person under the age of 21 can make a valid will. Those who followed the debate in another place on this clause will realize that it was given little consideration there; in fact, it occupies less than half a page in *Hansard*. The information given by Mr. Potter on this matter was most enlightening, mainly owing to his association with the Marriage Guidance Council of Australia. As he pointed out, in New Zealand married minors can make valid wills. From his speech we learned that this matter was discussed by the Marriage Guidance Council and that from there it was referred to the Law Society of Australia. Eventually the Law Society made a recommendation to the Attorneys-General that it should be possible for married minors to make valid wills. Clause 6 goes further in most respects than that and not as far in another respect. Under the clause all minors over the age of 18 will be able to make valid wills, whereas the recommendation of the Marriage Guidance Council was that all married minors should be able to make valid wills.

The Hon. A. J. Shard: Does that mean people of 15 or 16 who are married?

The Hon. F. J. Potter: That is what the New Zealand legislation provides.

The Hon. R. C. DeGARIS: Only one of the amendments does that, and it is an alternative amendment to the other. I agree that there is a case for married minors being able to make wills but I do not know that I go along completely with the argument that all married minors under the age of 18 should be able to make valid wills. It is interesting to note that in South Australia last year about 600 people below the age of 18 were married. Before minors can be married, permission must be obtained from their parents or guardians, or from the Chief Secretary.

The Hon. A. J. Shard: That has been taken away from me. A magistrate must give permission now.

The Hon. R. C. DeGARIS: In giving this consent, the parents or guardians know that they are agreeing to a change being made in the next-of-kin. The act of the parents is a considered act, and they should know the consequence. This matter has been put clearly by other speakers so I do not wish to labour it, but a minor may have considerable assets of which he is unaware and, under an emotional stress or during a temporary disagreement with his parents, he may make a will which, if valid, could have serious consequences for other people, particularly members of his family.

The Hon. Mr. Geddes and the Hon. Sir Arthur Rymill made the valid point that this amendment detaches a part from the whole structure; it is just one corner of the whole building that we are attacking. At this stage it would be wrong to allow all minors over the age of 18 to make valid wills. The Chief Secretary, by way of interjection to Sir Arthur Rymill, said that unmarried people were possibly more responsible. I do not know whether he was serious when he said that or whether he was being facetious, but a minor who is married has received parental consent.

In the case of married minors, irrespective of age, a case can be made for the making of a valid will. I go along with the first of the Hon. Mr. Potter's alternatives, that married minors of 18 years and over should be allowed to make valid wills. If it is thought necessary to allow all 18-year-olds and over to make valid wills, the same safeguard should be in the Wills Act as applies under the present Marriage Act—that it can be done only with the consent of the parents or guardians. I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Repeal of sections 5, 6 and 6a of principal Act and re-enactment of section 5."

The Hon. F. J. POTTER: In the second reading debate I posed the problems of allowing all persons over 18 years of age to make valid wills. At that time I said I would sit back and listen with interest to the views of honourable members on this and that I might, when we reached the Committee stage, produce some amendments. Several points of view have been expressed and it seems that I have some support for a suggestion I made that the permission to make a valid will should be confined to those people under 21 years of age who are married, which was the original suggestion that had the blessing of the Law Council of Australia. To deal with this point, I have taken the unusual step of putting two alternative amendments before honourable members. They are complete alternatives. The first is designed to allow married minors of 18 years and over to make valid wills. I am indebted to the Parliamentary Draftsman for assisting me in the preparation of the amendment. The other is designed to allow all married minors to make valid wills, and this is in line with the New Zealand law.

Very few other people would be affected if the first amendment were carried, confining the making of valid wills to those people over 18 years of age who are married. Statistics from the *Pocket Year Book* of South Australia show that in 1963 there were about 600 married people under 18 years of age, only 27 of whom were males, the remainder being females.

The Hon. R. C. DeGaris: Does this mean that the female reaches the age of decision before the male does?

The Hon. F. J. POTTER: The pattern emerging is that there are increasing numbers of marriages taking place between people under the age of 21. The statistics will perhaps change slightly in years to come because of the impact of the new Marriage Act, which has altered the ages at which marriages are allowed. If honourable members prefer the second alternative, I take it they will not support the first amendment. If members accept my first amendment, I do not propose to move the second. These amendments still leave in the Act the provisions relating to people serving in the armed forces. We are not interfering with them. Whether married or not, they will still have the right to make valid wills even though under the age of 21.

The Hon. R. C. DeGaris: That is only if there is a war.

The Hon. F. J. POTTER: That is so—only in wartime.

The Hon. R. C. DeGaris: Then at present no-one under the age of 21 can make a valid will?

The Hon. F. J. POTTER: That is so, unless he is in the armed forces and is engaged in a war. I am not interfering with that. I move:

To strike out "sections" first occurring and insert "section".

The Hon. A. J. SHARD (Chief Secretary): I do not favour the amendment. I think we have reached the stage in our lifetime where it is recognized generally that a youth of 18 has standing and ability. We say that any person over the age of 18 who so desires should be able to make a will. In my opinion, more unmarried youths between 18 and 21 respect their responsibilities than married youths in this age group.

The Hon. Sir Arthur Rymill: That is because there are more unmarried ones, perhaps.

The Hon. A. J. SHARD: That is so. It was proved to me during my period in the trade union movement that some married youths have not faced up to their responsibilities nearly as well as unmarried ones.

The Hon. F. J. Potter: This is not really a matter of responsibility.

The Hon. A. J. SHARD: All I have heard in this debate (and I can be corrected if I am wrong) is that because of his responsibility, because he is married, he should be able to make a will. Just as many unmarried youths between the ages of 18 and 21 may desire to make a will as married youths, and the unmarried ones have more ability to give effect to their wills. I have seen many unmarried youths who have been better bread carters and who have had more respect for their cash than married ones. If a married youth is entitled to make a will, an unmarried youth ought also to

be entitled to make one. In another direction, boys between the ages of 18 and 21 are being called up for national service, but they are unable to make wills.

The Hon. S. C. Bevan: It must be thought that they are not responsible.

The Hon. A. J. SHARD: Yes. They face dangers, yet they cannot make wills. However, if war were declared they would be able to do so. We are telling the youths not that they must make a will, but that they can make a will if they so desire.

The Hon. Sir ARTHUR RYMILL: I tried intently to follow the Chief Secretary's argument, and he has rather persuaded me to do what I considered doing all along—voting against the whole of the clause, and I propose to do that. I will first support the amendment, on my usual precept that if one does not like a clause he tries to whittle it down as much as he can and if he does succeed in doing so, he votes against it altogether. That is a good course for honourable members to follow. Standing Orders are designed to enable us to give expression to our total views, and if we cannot succeed by doing that to give effect to some of them. In my second reading speech I gave my reasons for not liking this clause, and I explained particularly why I did not want to deal with this question of 18 years or 21 years in a piece-meal fashion that could be interpreted erroneously out of context. I shall support this amendment and then vote against the whole clause.

The Hon. R. C. DeGARIS: I do not think anyone could seriously debate the points that the Chief Secretary put forward. However, what he said has no bearing on the problem we are facing. It is not a matter of whether or not people at a certain age are responsible. The whole point is that before a person under the age of 21 years marries he has to seek his parents' consent. It is an act of the parents; they do a conscious act by giving permission. It is realized that the matter of the next of kin is affected. A case can be made for a married minor to be enabled to make a will. If it is necessary for a minor over the age of 18 to make a will, surely it is right to have it on exactly the same lines as provided in our Marriage Act. The parents should have some knowledge that the will is being made.

The CHAIRMAN: The Hon. Mr. Potter has moved to strike out the word "sections" at the beginning of the clause and to insert the word "section". I point out that the first three amendments in his alternatives are precisely the same, so the vote on the striking out of this word in this amendment will be a test of whether the Committee desires to give effect to the next series of amendments.

The Committee divided on the amendment:

Ayes (11).—The Hons. M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, Sir Norman Jude, Sir Lyell McEwin, C. C. D. Octoman, F. J. Potter (teller), C. D. Rowe, and Sir Arthur Rymill.

Noes (7).—The Hons. D. H. L. Banfield, S. C. Bevan, Jessie Cooper, H. K. Kemp, A. F. Kneebone, A. J. Shard (teller), and C. R. Story.

Majority of 4 for the Ayes.

Amendment thus carried.

The Hon. F. J. POTTER moved:

To strike out the figures "6 and 6a".

The Hon. Sir ARTHUR RYMILL: I would be prepared to move that the rest of these amendments be taken together.

The CHAIRMAN: No, even though this amendment is similar to amendments further down.

Amendment carried.

The Hon. F. J. POTTER moved:

To omit the word "are" and insert the word "is".

Amendment carried.

The Hon. F. J. POTTER moved:

In new section 5 (1) to strike out "under the age of 18 years".

Amendment carried.

The Hon. F. J. POTTER moved:

In new section 5 (1) after "valid" to insert "if, at the time of making thereof—

(*a*) he was under the age of 18 years; or

(*b*) (in the case of a person of or over the age of 18 years) he was under the age of 21 years and was not married".

Amendment carried.

The Hon. F. J. POTTER moved:

In new section 5 (2) to strike out "sections" and insert "section".

Amendment carried.

The Hon. F. J. POTTER moved:

In new section 5 (2) to strike out "6 and 6a".

Amendment carried; clause as amended passed.

Remaining clauses (7 to 10) passed.

The Hon. F. J. POTTER: May I again refer to clause 6? There should be an alteration in the marginal note consequent upon the amendments that were made. That marginal note should now read "Repeal of section 5" instead of "Repeal of sections 5, 6 and 6a".

The CHAIRMAN: With the concurrence of the Committee I shall make that alteration.

Title passed.

Bill reported with amendments. Committee's report adopted.

TRAVELLING STOCK RESERVE: HUNDRED OF PENOLA.

Consideration of the following resolution received from the House of Assembly:

That the travelling stock reserve adjoining section 535, hundred of Penola, shown on the plan laid before Parliament on June 10, 1964, be resumed in terms of section 136 of the Pastoral Act, 1936-1960, for the purpose of being dealt with as Crown lands.

The Hon. S. C. BEVAN (Minister of Local Government): The stock reserve in question comprises 44¾ acres, and was reserved in 1881 for the use of teamsters and persons travelling with stock. With modern methods of transport the need for this area has largely disappeared, and it is proposed that a small area of three acres out of this reserve be retained for this purpose. The Pastoral Board considers that the time is opportune to resume the major portion of the reserve, that is 41¾ acres, so that the land may be leased to the holder of the adjacent land. The question has been referred to the District Council of Penola and to the Stockowners' Association, and both bodies support the proposal for resumption. In view of these circumstances, I ask honourable members to agree to the resolution.

The Hon. R. C. DeGARIS (Southern): This travelling stock reserve is situated on the Dorodong Road some miles west of Penola, and it has not been used for its original purpose for many years. The reserve contains about 45 acres, of which three acres will be held for the original purpose. As honourable members realize, changes have taken place in methods of stock movement, and the three acres to be left is adequate for the original purpose. The reserve has been held under annual licence by the adjoining landholder for some time. The District Council of Penola was approached in 1963, and it agreed to the proposed resumption. As far as I can ascertain, there is no objection to the proposed resumption by any section of the community. I support the resolution.

Resolution agreed to.

ABORIGINAL AND HISTORIC RELICS PRESERVATION BILL.

(Continued from September 22. Page 1657.)

The Hon. H. K. KEMP (Southern) moved:

That the Bill be recommitted.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

The Hon. H. K. KEMP: I draw attention to the following clerical errors, and ask that they be corrected:

In the definition of "board", "section 5" should be "section 6"; in the definition of "Crown land" the words after "purpose" in paragraph (*e*) should be brought back to the margin; and in the definition of "relic" the word "any" first appearing should be struck out and "any" should appear after (*a*) and (*b*).

The CHAIRMAN: As these appear to be printing errors, with the concurrence of the Committee I will make these corrections.

Clause passed.

Clause 4—"Aboriginals to have free access to relics."

The Hon. H. K. KEMP moved:

In subclause (2) to strike out "of Relics".

Amendment carried; clause as amended passed.

Clauses 5 to 11 passed.

Clause 12—"Powers of inspector."

The Hon. H. K. KEMP moved:

To strike out "proclaimed" and insert "historic".

Amendment carried; clause as amended passed.

Clauses 13 to 23 passed.

Clause 24—"Minister may direct excavation of historic reserve."

The Hon. H. K. KEMP moved:

Before "request" to insert "a"; to strike out "will" and insert "would".

Amendment carried; clause as amended passed.

Clause 25—"Land owner to be compensated for damage."

The Hon. H. K. KEMP moved:

To strike out "clause" and insert "section".

Amendment carried; clause as amended passed.

Remaining clauses (26 to 34) and title passed.

Bill reported with amendments. Committee's report adopted.

ADJOURNMENT.

At 4.53 p.m. the Council adjourned until Wednesday, October 6, at 2.15 p.m.