LEGISLATIVE COUNCIL

Tuesday, July 18, 1967.

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

DEATH OF HON. J. L. BICE.

The PRESIDENT: It is with deep regret that I draw the attention of honourable members to the death of the Honourable John Leonard Bice, who was a member of this Council from 1941 to 1959 and a member of the Public Works Standing Committee from 1944 to 1959. On behalf of honourable members of the Council, I have telegraphed Mrs. Bice and the members of her family extending sincerest sympathy in their sad bereavement, and I ask honourable members to stand in silence as a mark of respect to the memory of the late honourable gentleman.

[*Honourable members stood in their places in silence.*]

MINISTERIAL STATEMENT: MENTAL HOSTELS.

The Hon. A. J. SHARD (Chief Secretary): I ask leave to make a statement.

Leave granted.

The Hon. A. J. SHARD: I thank the Council for permission to make this Ministerial statement, which I promised in order to reply to the criticism the Hon. Jessie Cooper made in connection with hostels during her speech in the Address in Reply debate. During the debate on July 12, 1967, the Hon. Jessie Cooper made extensive references to the unsatisfactory conduct of hostels providing accommodation for former patients of mental hospitals. These remarks have since been widely quoted in the press and it is understood that visits to certain of these premises have been made by newspaper reporters.

In providing a reply to the criticisms raised by the honourable member, I have sought reports from both the Director of Mental Health Services and the Director-General of Public Health. Before dealing with the honourable member's statements in detail, I will provide certain background data for the general information of all honourable members. It should be pointed out, firstly, that the care of discharged mental hospital patients in the community is not something new that has been introduced only in the last several years. Certainly the emphasis on this type of care has increased in recent years.

Over the past 10 years, the management of mentally ill people has tended more and more to move away from the practice of long, continued care in mental hospitals. There has been an increasing trend towards shorter periods of hospital treatment during acute relapses with subsequent emphasis on continued treatment and social support in the community. Not only has this been the situation in this State but similar patterns have been followed in other Australian States and overseas. The advantages to patients of being able to live in the community in preference to continued detention in a mental hospital are well recognized.

Fortunately, with modern methods of treatment, the mental condition of the majority of patients can be improved to a stage where full hospital treatment is no longer required. Many patients are able to return to their own homes and are encouraged to do so as soon as their mental condition permits. For one reason or another, however, certain other patients have not been able to return to a family home, and it has been necessary for them to find alternative accommodation outside the family group. For those who are well enough to resume full work activities and who show no evidence of social dependency, boarding house accommodation is generally sufficient. For those who are physically infirm requiring general nursing care, private hospital or nursing home care is arranged where possible.

In between the group of those who are completely well and those who are physically frail and infirm, there is a third group of people who could be called socially dependent persons. The acute features of their mental illness are no longer present, but for social reasons they may benefit from group support and care. This third group of former patients generally seeks hostel-type accommodation after discharge. In most cases these patients have an invalid pension as their sole source of income. For more than 10 years, accommodation for this type of former patient has been provided by certain privately-run establishments in the community. With increasing discharge rates from mental hospitals over the past decade, the number of private premises providing such accommodation for former mental patients has gradually increased.

Some two years ago it was decided that a psychiatrist from the Mental Health Services should be given the responsibility to assess these various community units as part of a general plan to co-ordinate community services.

A survey was made which indicated that certain of these hostels were being conducted in a sound fashion, with satisfactory standards, while others were regarded as definitely substandard and inadequate. The owners of the better hostels were concerned that their units would suffer unless attempts were made to separate them from the less satisfactory establishments. On a voluntary basis, these owners of the better hostels formed themselves into a Psychiatric Rehabilitation Homes Association. Guidance from the Mental Health Services was sought and freely given to this group, in view of its attempts to improve hostel conditions. Members of this association agreed to regular visits and inspections of their premises by psychiatrists, social workers and mental health visitors of the Mental Health Services.

Specific recommendations were made by officers of the Mental Health Services for the upgrading of many of these units and, unless the owner was prepared to follow these recommendations, it was accepted that such a unit could no longer be recognized as suitable by the Mental Health Services. It was also agreed that such recognized hostels should accept only those former patients of mental hospitals who were not so mentally or physically ill that hospital or nursing home care would be preferable. Although a number of the hostel owners were registered psychiatric nurses or had gained previous nursing experience, it was considered desirable to institute a course of training for members of the association. This course commenced in June, 1966, and detailed lecture-discussions on management and rehabilitation measures have been held over the past 12 months. As a result of this voluntary co-operation, definite improvements in the standards of hostels have occurred. The number of trained mental health visitors was also increased over this period to ensure that there was adequate follow-up of patients in the community. The patients in such hostels are patients who have been discharged or are on trial leave from the hospital or who have attended one of the outpatient clinics of the Mental Health Services.

The normal procedure is that the relatives of a patient who is at the point of leaving hospital are informed that, if it is not possible for the patient to return to his family home, accommodation may be available in certain hostels in the community. The relatives are given the names of a number of hostels, and they are invited to inspect these hostels in advance of any arrangements being made for the patient to leave the mental hospital. In some cases where no relatives are available for consultation, the patient is invited to inspect appropriate hostels before leaving the mental hospital. Subject to the decision of the relatives or the patients, the patient is then granted trial leave or discharged from the mental hospital. Arrangements are also made at the time to follow up the patient's progress through outpatient attendances. Should the patient not be able to settle in any hostel, arrangements can be readily made for his return to the mental hospital.

The patient is under no compulsion to remain at any hostel, being free to return to the mental hospital or to seek accommodation elsewhere at any time. The majority of patients in such units have been discharged from hospital and have the same legal rights to freedom as any other citizen has. As far as possible, follow-up support is provided by domiciliary visits from the mental health visitors to patients in hostels, in addition to the medical support given to such patients of the outpatient clinics attached at Enfield/Hillcrest and Glenside Hospitals.

However, despite the attempts that have been made by the Mental Health Services over the past two years to encourage and foster improved standards in these hostels, it became apparent that it would be necessary to depend on more than voluntary co-operation from the hostel owners. It became known that the owners of certain establishments were unwilling to join the Psychiatric Rehabilitation Homes Association, which was formed for the purpose of upgrading standards. Reports were also received from councils that other persons in the community were running boarding-house type institutions providing accommodation for a mixed group of persons who were both physically and mentally handicapped. These places were not recognized by the Mental Health Services, and although relatives and patients could be advised against them it was appreciated that specific regulations would need to be designed for the control of these fringe places.

The matter of controlling various unlicensed premises reported by several local boards of health was discussed by the Director-General of Public Health and the Director of Mental Health Services. Both officers agreed that, where only ex-patients from mental hospitals were being cared for, regulations covering these places should be under the Mental Health Act. The general sanitary provisions would continue to be supervised by the local

boards of health, but the place would in other respects be under the supervision of the Director of Mental Health Services. In cases where both former patients of mental hospitals and other persons receiving nursing care were living in the same place, licensing and supervision by the local board of health as a rest home or private hospital would be necessary. It should be observed that the Health Act and regulations lay down requirements of staff, space and facilities for hospitals and rest homes. Hospitals are places where persons are received for medical or surgical treatment or care. Rest homes are places where persons are received and care or control is exercised for fee or reward by way of nursing treatment or treatment applicable to aged, infirm, helpless or partially helpless persons.

The need for similar specific regulations for those places providing care for socially dependent persons was fully accepted. The Director-General of Public Health and his officers were able to give considerable assistance to the Director of Mental Health Services in drafting regulations for psychiatric rehabilitation hostels for my consideration. These draft regulations for controlling premises accommodating former mental hospital patients were approved by Cabinet several months ago. Unfortunately, the original sections of the Mental Health Act dealing with boarding out of patients were enacted many years ago and after detailed consideration by the Crown Solicitor it was found that certain amendments to the Act would need to be made before the proposed regulations could be proclaimed. Preliminary draft amendments in line with the Crown Solicitor's suggestions have since been made.

It must be noted that this Government and its advisers in the public health and mental health fields have been fully conscious of the need to introduce regulations for the control of accommodation for former patients of mental hospitals. Every effort will be made to bring these regulations into effect as soon as possible.

The regulations already drafted set down specific requirements for the classes of patients to be accommodated in such hostels: conditions of licensing, training requirements for staff and the provision of adequate bedroom, sitting room, toilet and bathroom facilities. The regulations also cover dietary scales, the presence of staff at night as well as by day and planned programmes of activity and recreation for the patients. Specific reference is made to compliance with the Health Act and the establishment of fire safeguard measures. It is specified that such hostels shall not accommodate those who are physically infirm, helpless or partially helpless requiring general nursing care.

I am confident that these regulations will safeguard the interests of patients in hostels. No hostel will be licensed unless the requirements of the regulations are met. If abuses of the conditions occur the licences will be revoked. Unlicensed premises will be subject to prosecution. I am certain that these regulations will prove acceptable to councils. It is also believed that such a move to enforce high standards of accommodation and care would be welcomed by those hostel owners who were already providing satisfactory conditions on a voluntary basis.

These regulations will not be welcomed by those who provide substandard, inadequate accommodation, whether this be for the mentally or the physically incapacitated. Here I join forces with my colleague the Hon. Mrs. Cooper. I believe that many of her criticisms have been directed towards establishments which provide poor standards of accommodation for patients who are referred from a wide variety of sources. I understand that certain substandard establishments are receiving patients from areas outside the Mental Health Services. Others have not maintained standards and the Mental Health Services no longer refer patients to them. For these marginal places voluntary control and education are not enough: specific regulations are needed. On this point the Hon. Mrs. Cooper and the Government are in agreement. It is difficult to escape the conclusion that many of the premises referred to come within the hospital or rest home provisions of the Health Act or regulations. Certainly nothing has been done by legislation to remove them.

Therefore, the local boards of health still have a duty to license and supervise all premises where patients are lodged for medical or nursing care, or care of aged, helpless or partially helpless persons. Certain steps have already been taken to exercise control over unsatisfactory premises. The Central Board of Health has advised local boards that, if they become aware of premises which they have not licensed as hospitals or rest homes giving these types of care to persons other than ex-patients of mental hospitals they should require the owner to apply for a licence and to abide by its terms, and failure to do so should lead to prosecution. In cases where only ex-mental hospital patients are received, the local board should report details of any findings to the

Director of Mental Health Services as well as to the Central Board of Health until new regulations under the Mental Health Act come into force.

Some of the establishments taking mixed groups of handicapped people claim to be lodging houses. A few councils have specific regulations made under the provisions of section 126 of the Health Act covering lodging houses, and the regulation on this subject in the city of Salisbury is considered a model which other councils could well follow. Where there are no regulations governing lodging houses, the general provisions of the Health Act prohibiting insanitary conditions apply, and local boards can take action under these. But it may be difficult to prove whether a particular place is in fact acting as a rest home or merely a lodging house, and even where there are lodging house regulations these clearly are not designed to control the care of any residents who could be regarded as patients. It is for this reason that specific regulations have been drawn up for the former mental hospital patient who is physically well and requires active rehabilitation rather than bedside nursing care.

I have deliberately given the background details to the present situation in great length. I can assure the Hon. Mrs. Cooper that I share her concern that living conditions for all people requiring help should be at as high a standard as possible. Her criticisms of hostels were widespread and it would be helpful in further investigations if she could provide specific instances of such practices as patients being locked in their rooms at night. In mentioning overcrowding, one hostel housing more than 40 patients was mentioned. I believe that this particular hostel is in the East Torrens area and, if I am correct in my identification, I understand that legal action may be pending in this case. It is reported that the conditions in many other hostels recognized by the Mental Health Services are generally satisfactory. These hostels have been inspected by a senior psychiatrist, social workers and mental health visitors. I am certain that arrangements could be made for the honourable member to inspect these units should she wish to do so.

On the issue of inspections I am informed that local boards of health through their health inspectors have full rights of entry and inspection of all such places. Inspections of health standards of all public and private accommodation is written into the Health Act. I understand that health inspectors visit the hostels regularly. I also wish to correct any misconception that the amendments made to the Mental Health Act last year in some way separate the Mental Health Services from the general supervision of the Health Department. The amendments merely related to the administrative distribution of duties between the Director of Mental Health Services and the Director-General of Medical Services as far as general hospitals and psychiatric hospitals were concerned. The relationships of the Director of Mental Health Services to the Director-General of Public Health and the Health Act were exactly the same after these amendments as they were before. As stated earlier both officers co-operated throughout in formulating appropriate regulations to cover a situation which started well before the incoming Director of Mental Health took up his position last year.

SUMMARY:

1. Regulations for the supervision and control of psychiatric rehabilitation hostels have already been prepared and will be introduced as soon as possible.

2. Unlicensed premises where mixed groups of patients are cared for are required to be licensed and supervised as either hospitals or rest homes by local boards of health with the help of the Department of Public Health.

3. It is understood that, in some unlicensed premises where it is considered nursing home care is being exercised, this licensing and supervision is being insisted upon and local boards are taking action to enforce the requirements.

4. The Department of Public Health and the Mental Health Services will continue to support such action in all such cases reported.

5. Local boards have been advised to report any incidents of inadequate standards of patient care.

6. While it is considered that a number of psychiatric rehabilitation hostels are doing a valuable job under acceptable conditions it is believed that certain fringe establishments are in existence. If evidence can be provided concerning these sub-standard places, I can promise that full inquiries will be instituted.

I have nothing to hide. I went to the trouble of bringing the file with me. The statement I have made is not a story just written from memory; the file is here and it is available for any honourable member's inspection. It shows that on February 13 last Cabinet agreed that the regulations should go to the Crown Law Office. I, as Minister, on March 16 received the Crown Solicitor's opinion that, unless the present

Act and the previous Act that had been in operation for years, the regulations could not be implemented. On July 7 I received from the Director of Mental Health Services proposed amendments to the Health Act to provide for the implementation of the regulations but, unfortunately, they were received too late for the Cabinet meeting on that day. However, yesterday Cabinet readily agreed that a Bill should be introduced to provide for these regulations to come into operation. I hope that when the Bill comes before this Council it will have a ready and speedy passage.

I have complete confidence in the Director of Mental Health Services and in this State's public health services. I hope I have proved conclusively that other people besides the Government have very grave responsibilities for the care of these people. I want to say as kindly as I can that I hope this statement is a complete answer to the person who wrote anonymously and so unkindly about me in last Saturday's *Advertiser*.

QUESTIONS

COURT REPORTS.

The Hon. R. C. DeGARIS: I ask leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: It is noticeable that very few press reports of court proceedings are being published. In regard to the provincial press I believe that this is due to the impossibility of keeping a reporter in the court during the whole of the proceedings. I understand that previously the press was allowed access to the court files, on which it based its reports of the proceedings of the court. Can the Chief Secretary say whether the Government will revert to the previous policy, which was to allow a full coverage of all court proceedings to be made, instead of the limited reports now appearing in the press?

The Hon. A. J. SHARD: I am in no position to say what the Government will revert to. I am one of a team, and it is impossible for me to give a reply now. However, I shall refer the Leader's question to the Attorney-General and bring back a report as soon as possible.

JUSTICES OF THE PEACE.

The Hon. C. D. ROWE: I understand that, after the Walsh Government came to office, the Attorney-General altered the method by which Justices of the Peace were to be appointed; also, that he was gathering some figures in order to try to establish a certain number of justices for a certain area. Will the Chief Secretary obtain a report from the Attorney-General regarding how far this policy has developed and what the present position is?

The Hon. A. J. SHARD: Yes; I shall be pleased to do that. I do know that a questionnaire was sent to each member of another place with many things set out on it. I know that there has been quite an alteration in this matter. However, I shall be happy to seek a full report on what has been done and what the present position is.

The Hon. C. D. ROWE: Can the Chief Secretary arrange for copies of the circular that was sent to members of the other House to be made available to members of the Council as well?

The Hon. A. J. SHARD: I am prepared to take up this matter with the Minister. If copies can be made available, I have no objection to their being distributed to honourable members.

INFLAMMABLE CLOTHING.

The Hon. V. G. SPRINGETT: I ask leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. V. G. SPRINGETT: A few days ago I received the July issue of the newsletter of the South Australian College of General Practitioners. It refers to a meeting of the Child and Home Accident Council and to the fact that Australia has the second highest home accident rate in the world. It further states that, between 1941 and 1961, 10,400 children (in round figures) died as a result of home accidents, 6,500 being under the age of four years. Many of these deaths were due to the combustibility of night attire. I realize that questions have been asked in this Council and in another place before on this subject. In the May issue of *Choice*, the journal of the Australian Consumers' Association, this subject was taken up again. *Choice* states that in New South Wales an average of 20 people (most of them children) die annually because their clothing catches alight. I understand that this matter has been discussed by the appropriate State Ministers but so far only Tasmania has produced draft legislation. Will the Chief Secretary inform the Council what steps the Government has taken to introduce legislation to prevent this needless loss of life by incineration?

The Hon. A. J. SHARD: I could be brief and say "No legislation", but that is not

actually the position. This question has been discussed at the last two or three conferences of the States' Health Ministers, and it has been thought at these conferences that Tasmania's move would be merely a drop in the ocean. If my memory serves me correctly, at the last conference it was left to the Directors of Health to discuss it with the Commonwealth to see what could be done on a Commonwealth-wide basis. However, I shall be happy to ask the Director-General of Public Health for a report and to see what the present position is.

WIND DAMAGE.

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

Leave granted.

The Hon. L. R. HART: Over the weekend, severe windstorms devastated many thousands of acres in South Australia. Some of this country had already been sown to crop. These areas are now completely lost as far as this sowing is concerned and will, no doubt, require to be resown. In addition, a drifting has been started in these areas that will continue again in the event of any severe windstorm. A very serious situation has now arisen, because very little or no rain, which would have prevented further drift, has been received in many of these areas. After severe floods or fires, it is usual for the Government to announce its intentions regarding the rendering of assistance to people affected. The windstorm over the weekend has probably caused as much damage as some of the serious fires or floods over the years have caused. Can the Chief Secretary say whether any members of Cabinet have visited any of the areas affected by the windstorm and inspected the damage that exists; whether the Government is considering any plan as to how assistance can be rendered; and whether the Government intends to make any announcement as to the amount of assistance it is prepared to give where the circumstances require it?

The Hon. A. J. SHARD: A committee has been formed, I think under the control of the Minister of Agriculture. The committee will inspect the position in the drought areas. Only this morning the Minister of Agriculture took definite steps (not so much regarding farm relief) to ensure that roads are usable again. I do not know to what extent the position has been examined by the Minister, but I shall be happy to refer the question to him and obtain a report as soon as possible.

GAS.

The Hon. R. A. GEDDES: I ask leave to make a statement prior to asking a question of the Minister of Mines.

Leave granted.

The Hon. R. A. GEDDES: It has been reported to me that the managing director of an Australian ceramics industry is planning to establish a ceramics works at the old uranium plant at Port Pirie. Can the Minister say whether, in the event of this taking place, this industry will be assured of natural gas supplies? Can the Minister also say when it is expected that Port Pirie will get natural gas supplies for this and other industries?

The Hon. S. C. BEVAN: There is nothing at the moment to say that a ceramics industry will be established at Port Pirie. This project is being investigated, an application for assistance having been made to the Industries Development Committee. If a request is made to the Government for natural gas to be supplied to this industry, undoubtedly it will receive consideration.

WATER ACCOUNTS.

The Hon. C. D. ROWE: There is a new procedure whereby water accounts are issued quarterly, but I have been informed that, under the Act, a person can still elect to pay the account annually if he wishes. Several constituents have informed me that it would suit their convenience to pay annually instead of quarterly. I believe that if they desire to pay annually they must elect to do so when they pay their first quarterly account. A statement by the Government on the position would be of assistance. Can the Chief Secretary, who represents the Minister of Works in this Chamber, say whether a statement could be made to clarify the position because of the doubt that exists?

The Hon. A. J. SHARD: I shall be happy to take up this matter with the Minister of Works, whom I shall see this evening. I appreciate that now is the time for such a statement to be issued.

AIR SEARCHES.

The Hon. R. A. GEDDES: Has the Chief Secretary an answer to the question I asked on July 11 regarding compensation to owners of aircraft engaged in searching for missing people?

The Hon. A. J. SHARD: The use of aircraft is not always the most satisfactory method of searching for lost persons, but where, after considering all aspects of the

particular case, it is considered to be warranted, then aircraft are used if available. Private aircraft owners have, on occasions, offered their services for the purpose of such a search without cost to the Government, and such public spirited actions are appreciated. On other occasions aircraft have been provided at the request of friends or relatives of a missing person and on the understanding that they meet any costs. Any claims for reimbursement received by the Police Department following the use of aircraft are considered on their merits.

COMPANIES ACT OFFENCES.

The Hon. C. D. ROWE: Has the Chief Secretary a reply to the question I asked on July 12 regarding the prosecution of certain companies?

The Hon. A. J. SHARD: The Attorney-General reports:

In view of the present stage reached in certain inquiries, it is undesirable that details of the work of the Companies Investigation Branch be publicly described further than has so far been done. It will, however, be possible to give more details in the reasonably near future.

The Hon. C. D. ROWE: Can I interpret the Chief Secretary's answer to mean that no prosecutions have actually taken place?

The Hon. A. J. SHARD: I will not place any interpretation on a legal question.

The Hon. C. D. ROWE: I do not think my question was a legal question: I think it was a factual question. Has any company yet been prosecuted and, if so, what was the result?

The Hon. A. J. SHARD: I shall obtain the information for the honourable member.

HOSPITAL CHARGES.

The Hon. L. R. HART: Has the Chief Secretary an answer to the question I asked on July 11 regarding the remission of hospital charges?

The Hon. A. J. SHARD: The reply is as follows:

Under the provisions of section 47 (2*a*) of the Hospitals Act, 1934-1966, the Director-General of Medical Services may remit the whole or any part of any amount payable in respect of hospital charges for Government hospitals. He may, in writing, authorize any person to exercise any of the powers conferred upon him by this subsection. Pursuant to the above, the following arrangements have been made for the assessment of patients and remission of accounts in cases of hardship:

(*a*) a standard assessment procedure and remission scale is used in all hospitals;

(*b*) cases where assessment and remission according to scale are considered still to entail hardship are subject to individual consideration and may be remitted in whole or in part as "special assessments"; and

(*c*) delegation of authority to remit has been provided in a manner suitable for the efficient operation of the departmental revenue recovery procedures.

In addition to amounts remitted under the above, remission is also made where recovery cannot be effected, for example:

(*a*) a debtor cannot be traced;

(*b*) costs of collection are excessive in relation to the debt; or

(*c*) normal legal action has been exhausted without result.

The above arrangements have been in force since 1959, and the only variation has been the introduction of a new assessment scale arising from the increase in ward fees from $7.50 to $9 a day. No record is maintained of the number of persons to whom remissions are granted on the grounds of hardship and the value of remissions, as recorded, contains both amounts remitted following assessment and amounts remitted because recovery could not be effected. There has been no significant change in the volume of remissions. Few, if any, complaints are received that hardship has been caused by the recovery of hospital fees. Cases do occur where, as a result of legal action, a debtor, who has failed to answer a request to submit his case for assessment, makes a complaint. On submission of an application for assessment a remission in whole or in part can usually be made.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

The Hon. S. C. BEVAN (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1966. Read a first time.

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

That this Bill be now read a second time.

It makes five unconnected amendments of substance to the principal Act. The first amendment, made by clause 3, will enable any proclaimed district council to apply for city status. The immediate occasion for the amendment concerns the District Council of Tea Tree Gully, which at present meets population requirements for a change of status to that of city but because of extensive broadacres does not meet the requirements of being occupied mainly for residential and business, etc., purposes. Its area is, however, increasingly assuming the nature of an urban area, and its rate revenue is increasing. The area bears a close similarity to that of the former District Council of Salisbury, for which special provision was inserted in the principal Act in 1961 by the inclusion

of section 9a. There appears to be every justification for the status of the Tea Tree Gully area to be capable of being raised in view of its rapid development. Other near metropolitan districts are fast assuming an urban nature, and to avoid a specific amendment in each case the amendment has been drafted so that the provisions of section 9a can be applied to any proclaimed area.

The next amendment is made by clause 4. Section 228 of the principal Act empowers the fixation of minimum rates. There are cases where a property owned by one person is situated in two adjoining areas and only a small portion of the property is situated in one of them. Minimum rating means that the smaller portion must bear a minimum rate, which in many cases is larger than its actual value, while the ratepayer is paying rates for the portion in the other council area. In some instances the matter can be resolved by a minor boundary adjustment, but in some cases boundaries cannot be changed. The amendment will add a new subsection to section 228 and will permit one of the councils to exempt a property from the whole or part of the minimum rate. Clause 5 makes a similar amendment in relation to district councils.

The next amendment is made by clause 6. Section 287 (1) (*k*1) authorizes payments approved by a council other than for a purpose specifically provided for by the Local Government Act. Such payments are limited to $400 or 1 per cent of the previous year's rate revenue, whichever is the lesser. With the exception of about seven low-revenue areas, $400 is less than the stated percentage of rate revenue. The amount has been unchanged for 10 years and is clearly insufficient for many councils to cover expenditure for such purposes as naturalization ceremonies, public relations material, and the like. The amendment will empower the expenditure of the greater of $400 or 1 per cent of rate revenue instead of the lower amount, and it appears to be reasonable.

Clause 7 makes two substantive amendments. In 1966 the principal Act was amended by providing that a municipal council could expend revenue in insuring council members against personal injury. On many occasions mayoresses are required to attend functions in the local government field, and it is considered that the council should have power to expend its revenue in insuring them in a similar manner. Accordingly, clause 7 (*a*) makes the necessary provision. Subclauses (*b*) and (*c*) of clause 7 increase amounts which may be spent by the City of Adelaide and other municipal councils for special public functions or public entertainments. The figures in section 288, which is amended, have been unchanged for over 30 years and are clearly out of date. The stipulated amounts have been doubled. Clause 8 makes similar amendments to those made by clause 7 in relation to district councils, the provision for insurance relating, of course, to the wives of chairmen of such councils.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

LAND EXCHANGE: GLEN ROY AND HYNAM.

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

That the proposed exchange of portions of freehold section 216, hundred of Glen Roy, and section 406, hundred of Hynam, as shown on the plan and in the statement laid before Parliament in terms of section 238 of the Crown Lands Act, 1929-1967, on June 20, 1967, be approved.

The Hon. S. C. BEVAN (Minister of Local Government): I draw the attention of honourable members to the fact that the Highways and Local Government Department has need of portions of section 216, totalling about six acres and one rood, for road-widening purposes on the Bordertown to Port MacDonnell Main Road No. 19, and also as a site for stacking road-making materials. Portion of an area known as Water Reserve, now delineated as section 406, hundred of Hynam, and comprising nine acres, one rood, 13 perches, is no longer required as a reserve and is in fact used by the adjoining owner, Avoca Para Pty. Ltd., which has offered to exchange the portions of section 216, hundred of Glen Roy, for section 406, hundred of Hynam. The Land Board has investigated the proposed exchange of land and is of the opinion that the terms agreed upon ($1.75 to be paid to Avoca Para Pty. Ltd. as equality of exchange) are satisfactory. I therefore ask honourable members to agree to the resolution.

The Hon. Sir NORMAN JUDE secured the adjournment of the debate.

CATTLE COMPENSATION ACT AMENDMENT BILL.

Second reading.

The Hon. S. C. BEVAN (Minister of Local Government): I move:

That this Bill be now read a second time.

It amends the Cattle Compensation Act, which set up a Cattle Compensation Fund and provided that compensation may be paid out of

that fund to owners who suffer loss by reason of the destruction of cattle or carcasses infected or suspected of being infected with diseases prescribed by or under that Act. The fund is built up by a levy called cattle stamp duty payable on the sale of cattle. Since its passage in 1939 the Act has been amended several times and the end result of the amendments has been: (*a*) to reduce the levy payable under the Act, calculated on the sale of an average animal, by more than 30 per cent; (*b*) to increase the maximum amount of compensation payable under the Act for the destruction of an animal from the equivalent of $40 to $120; and (*c*) to provide an alternative means of paying the levy under the Act.

In spite of the substantial decrease in the amount of the levy and the even more substantial increase in the maximum compensation payable under the Act, the fund has developed considerably from, in round figures, the equivalent of $112,000 in 1953 to $275,000 on June 30, 1967. So far, the majority of claims against the fund have been in respect of bovine tuberculosis. For the year ended June 30, 1954, compensation was paid in respect of 248 head of cattle suffering or suspected of suffering from this disease and in respect of the year ended June 30, 1966, this figure was 174. This drop occurred despite an increase of more than 25 per cent over the period in the number of carcasses inspected on the slaughter floor. There is no doubt that this decline in numbers for which compensation was paid is related to the tuberculosis testing programme undertaken by the Agriculture Department. The success of the programme may be judged by the marked decrease in the number of reactors to the tests administered under the programme. In 1953-54 about 33,000 cattle were tested and 108 reactors were detected, while in 1965-66 about 43,000 cattle were tested and only 20 reactors were detected.

The number of reactors has declined at a faster rate than the numbers of cattle for which compensation has been paid. This is accounted for by the fact that compensation is payable under the Act for cattle coming from outside the area in which the programme is operating. This alone shows the need for an extension of the programme. The need for the programme cannot be denied. Bovine tuberculosis is a distinct health risk in that it can be transmitted through milk, and to a lesser extent through meat, to humans. So far, substantially all dairying areas and some agricultural areas in the State are covered but there are indications that by 1975 at the latest our valuable export trade to the United States and certain other countries will be affected unless the whole State is covered. It is likely that, after that year, the United States will accept meat and dairy products only from areas certified as being free of bovine tuberculosis. At present the major portion of the programme is undertaken by private veterinary surgeons paid out of general revenue. The expenses of the programme are continuing ones as testing must be carried out at regular intervals. The availability of funds has in consequence determined the degree of expansion of the programme.

The primary purpose of this Bill is to authorize the Minister to meet the costs of this programme out of the Cattle Compensation Fund. Clearly the programme has already effectively reduced the claims for compensation under the Act and the programme itself falls within the purpose of the Act, which was to facilitate the eradication of, amongst other diseases, bovine tuberculosis by spreading the cost of that eradication over the industry as a whole.

I now deal with the Bill in some detail. Clauses 1 to 3 are quite formal. Clause 4 brings up to date references to the Stock Diseases Act that appear in the Act under its former title, the Stock and Poultry Diseases Act.

Clause 5 has a similar effect to that of clause 4. Clause 6 again has a similar effect to that of clause 4 and, in addition, ensures that both methods of payment of duty, being (*a*) the affixing of stamps on each record of a sale, and (*b*) the payment by periodical remittance in respect of all sales taking place during that period, are fully recognized in the Act. Clause 7 amends section 11 of the Act by re-enacting the provisions relating to credits to and payments from the fund. The only new matters of substance covered here are: (*a*) recognition of the fact that the Treasurer may pay interest on amounts standing to the credit of the fund (the Treasurer is authorized to do this under section 33 of the Public Finance Act); and (*b*) provision for the payment from the fund of sums agreed to be paid in connection with the tuberculosis programme. Clause 8 adds a new Part IIIA to the Act. This Part sets out the powers of the Minister in relation to the authorization of veterinary surgeons and also empowers the Minister to enter into agreements with authorized veterinary surgeons for the testing of cattle.

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

MORPHETT STREET BRIDGE ACT AMENDMENT BILL.

Second reading.

The Hon. S. C. BEVAN (Minister of Local Government): I move:

That this Bill be now read a second time.

The amendments proposed in this Bill should be considered against the whole background of Treasury finance through Revenue Account, Loan Account and special accounts, and in particular having regard to the relationship between the roads fund and other funds. The common situation with Government finance in all States appears to be that the demands of the community for works and services are in excess of the funds and resources available towards meeting those demands. Governments must then attempt to determine some order of priority for the various competing claims and to use available resources in a way which will meet the most urgent requirements first. Looking at the situation facing the South Australian Government today, it is clear that all sources of funds are under heavy pressure but that the pressure on Revenue Account in relation to available funds is greater than the pressure on Loan Account. The pressure on Loan Account is in turn greater than the pressure on the road funds.

The situation of the roads funds in relation to other funds was explained when the Revenue Budget was introduced on August 31, 1966. Briefly, it was then pointed out that the arrangements agreed upon between the Commonwealth and the State some years ago were for an adequate, regular and increasing volume of funds to be allocated for road purposes. To ensure that agreed targets were met in the carlier years of the arrangements and that all Commonwealth matching grants were secured, advances were made from Loan Account to supplement the funds available each year from road taxes and charges.

In more recent years the funds available from such taxes and charges have been well beyond the amounts necessary to attract the Commonwealth matching grants. In 1964-65 and 1965-66, after making repayments to Loan Account of $600,000 and $640,000, the Highways Fund retained amounts of $700,000 and $1,140,000 respectively in excess of amounts required to secure the maximum Commonwealth matching grants. For 1966-67 the expectation was that the Highways Fund would have new State funds about $1,600,000 in excess of the matching requirement. Having regard to this fact and to the relatively heavier pressures on Revenue Account, it was determined, in accordance with section 31a of the Highways Act, that a recovery of earlier advances from Revenue Account be made. The amount of the recovery was set at $1,000,000 for 1966-67 and it was anticipated that the Highways Fund would still retain about $600,000 beyond the full matching requirement. Because expenditure on the new office building (a type of expenditure not accepted by the Commonwealth for matching purposes) was greater than estimated, it now appears that the excess for road purposes was about $400,000.

A current review of the whole situation shows that, while all the State funds available to the Highways Department could be used to good effect for road purposes, the demand for many other works and services is much more urgent in relation to the funds available for them. Therefore, it is proposed to require a further contribution of $240,000 from the Highways Fund to Revenue Account in 1967-68 in accordance with section 31a of the Highways Act. This will complete the recoveries of earlier advances which may be made to Loan and Revenue Accounts pursuant to that section. After allowing for this proposed recovery and for heavy expenditures this year on the Walkerville office building it is clear that the amounts available for road purposes will still be well in excess of the amount necessary to attract the full Commonwealth matching grants. In all the circumstances the Government considers that the most effective use of available resources would be assisted by requiring the Highways Fund to provide the whole of the funds for the Morphett Street bridge project instead of providing half the funds from Loan Account as contemplated by the existing legislation.

The Morphett Street bridge project is, of course, an essential road work and there are good grounds for maintaining that the funds should in any case be provided entirely in the first instance from road funds as is done for other bridges. In the long run the Highways Fund will fully recover these additional payments because the repayments by the Adelaide City Council will go back to the Highways Fund and not to Loan Account as applies under the present arrangements. The Adelaide City Council will not be affected in any way. The main effect of the proposed amendment will be to increase the ability of Loan Account to finance urgently needed works at a time when it is under extremely heavy

pressure. The main figures to be considered are:

(*a*) The Act refers to Government contributions towards a total estimated cost of $3,000,000 or such higher figure as the Treasurer approves.

(*b*) The Treasurer has agreed that the Government will contribute half of an estimated total cost of approximately $3,400,000.

(*c*) As the Act stands at the moment, this would mean the provision of about $1,700,000 out of the Highways Fund and about $1,700,000 out of Loan Account—the latter repayable by the council.

(*d*) To the end of 1966-67 payments by the Treasurer had amounted to approximately $2,140,000, being $1,070,000 out of the Highways Fund and $1,070,000 out of Loan Account.

(*e*) In 1967-68 the project is expected to be completed and payments by the Treasurer will be of the order of $1,260,000. In the absence of the amendment now proposed those payments would mean a charge to the Highways Fund of about $630,000 and to Loan Account about $630,000.

(*f*) The Government proposes that the full impact against the Highways Fund in 1967-68 of recoveries to revenue under section 31a of the Highways Act and special arrangements following this legislation be limited to $1,000,000. The best estimate which can be made at the moment of the details of the $1,000,000 additional charge to the Highways Fund is:

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Repayment to revenue	240,000
Advance to council in 1967-68 previously intended to be made from Loan Account	630,000
Recovery to Loan Account of amounts previously advanced to council	130,000

The remaining recovery to Loan Account, about $940,000, would be arranged in 1968-69 or in 1969-70.

I deal now with the provisions of the Bill. Clause 3 amends section 9 of the existing Act by providing that, instead of one-half of the cost of the works being provided from the Highways Fund, the total cost up to an approved limit may be so provided. Any amounts paid out of the Loan Fund may subsequently be recouped from the Highways Fund. Amounts repaid by the Adelaide City Council will then be credited to the fund from which they have been paid.

The Hon. Sir NORMAN JUDE secured the adjournment of the debate.

PRICES ACT AMENDMENT BILL.

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

Its object is to amend the Prices Act, 1948-1966, to provide for the continuation of price control until December 31, 1968. In proposing the amendment the Government's reasons are similar to those given in previous years. It is considered to be of advantage to the community and the State generally to continue this legislation. As honourable members are aware, the operation of the Act provides the following:

1. Control of prices of a fairly extensive range of goods and services by which increased costs incurred by manufacturers and traders have to be established before price increases are approved.

2. The examination of price movements of decontrolled items. This also includes the operation of agreements between the Prices Department and certain industries whereby prices are not increased without details first having been submitted for examination.

3. The investigation of complaints of overcharges on both controlled and non-controlled goods and services.

4. Special investigations including investigation of doubtful practices where excessive prices or charges may be involved.

5. Fixing of minimum prices for wine grapes.

6. Supervision of the unfair trading practices provisions of the Act including misleading advertising.

Prices and charges for a large number of goods and services are still below those in other States and there is pressure to bring many of them up to the levels in those States. For example, some major items concerned are petroleum products, bread, soap, footwear, certain clothing, men's haircutting charges and superphosphate. On these seven items alone, the annual saving to South Australian consumers through lower prices is estimated at $7,500,000. The effect of increased costs on the economy of the State is well known; nevertheless, some increases are unavoidable. The $2 basic wage increase last July and the interim margins increase this year are still being reflected, on top of which is now this

year's increase of $1 in the wage. There are also increases in costs of raw materials from time to time and the metal trades margins application is still to be completed.

With regard to the consumer price index, the average increase for the six capital cities over the last 10 years has been 25 per cent. It might be claimed that, as the increase in the index for Adelaide in the last year or so has been about the same as in other capitals, the prices legislation has not kept prices down. However, several points should be borne in mind. First, the index covers a limited number of items only, many of which are not subject to price control. One example is meat which, as a result of increased prices due to the shortage of livestock, has caused the index for Adelaide to rise by the equivalent of 52½ cents a week in the past two years. Secondly, the index measures only price variations for the items concerned and not their comparative price levels as between capital cities. Price control cannot be expected to do a great deal more than maintain the favourable price differentials that already exist in this State. Thirdly, the index does not reflect the benefits accruing from items under control but not included in the index. Among the more important of these are various building materials and services, cartage rates, and superphosphate.

Statistics continue to show that home building costs in this State are the lowest in the Commonwealth. Price control over a number of essential building materials and services has been an important factor in maintaining this advantage for the State. The Prices Department has continued to investigate complaints of overcharges on both controlled and decontrolled goods and services. As in previous years, many of the complaints relate to disputes concerning charges for services rendered, in particular on homebuilding work and repairs. In the 12 months to May 31, 1967, over 350 complaints of overcharges were investigated and in 174 cases refunds or reductions were obtained amounting to more than $8,000.

In addition, in some other cases, arrangements were made for work to be completed or redone. An important aspect of this service to the public is its deterrent effect. Tradesmen and industry generally are well aware that the department will thoroughly investigate complaints of overcharges. That this service is appreciated is evident by many letters of thanks received from people for whom adjustments have been obtained.

During the year, a number of investigations were also made into a variety of doubtful trading practices. Some of these came within the provisions in the Prices Act concerning unfair trade practices and others did not. One of the more frequent complaints was that of misleading advertising. Where after investigation a complaint was found to be justified, the trader was required to correct the advertisement, and a warning was issued against any recurrence. An example of a racket which was stopped was that of the sale of chain wire manufacturing machines at exorbitant prices. These machines were placed under control and the price was fixed at nearly half of the original price.

In some cases which did not come within the unfair practices provisions in the Act, the department was successful in negotiating satisfactory agreements between traders and consumers. Other examples of action taken include investigations into misrepresentations in used car transactions, disputes over insurance claims and hire-purchase contracts.

An extensive investigation was again carried out into wine grape prices and minimum prices were fixed for the 1967 vintage. Despite the wide variation of opinions between grape-growers and winemakers as to what constituted reasonable prices, reports indicate that the prices fixed have proved acceptable. I have outlined the benefits resulting from this legislation and I ask the Council to vote for an extension of the Prices Act until the end of December, 1968.

The Hon. C. M. HILL secured the adjournment of the debate.

LAND SETTLEMENT ACT AMENDMENT BILL.

Second reading.

The Hon. S. C. BEVAN (Minister of Local Government): I move:

That this Bill be now read a second time.

It extends for a further two years the life of the Land Settlement Committee which would otherwise expire in December of this year. There is a corresponding two-year increase in the period during which the Commissioner may acquire lands in the western division of the South-East. These powers have not, in fact, so far been used but it is thought that it may be useful to extend their duration to correspond with the life of the committee.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

FRUIT FLY (COMPENSATION) BILL.

Second reading.

The Hon. S. C. BEVAN (Minister of Local Government): I move:

That this Bill be now read a second time.

It is in similar form to the Acts passed in 1959, 1963 and 1964, its object being to enable the payment of compensation for losses arising from the campaign for eradication of fruit fly. A proclamation relating to the fruit fly outbreak was made in January this year under the Vine, Fruit and Vegetable Protection Act and, as honourable members know, the practice has been for compensation to be given for losses arising by reason of any act of officers of the Agriculture Department within a proclaimed area.

Clause 3 of the Bill accordingly provides for such compensation and compensation for loss arising from the prohibition of removal of fruit from land in a proclaimed area. Clause 4 fixes the time limit for lodging of claims, which is August 31, 1967, and which has been fixed having regard to the date the proclamation was issued and the modified stripping methods now possible with new insecticides and lures. Otherwise, the Bill is in the usual terms.

The Hon. H. K. KEMP secured the adjournment of the debate.

SUCCESSION DUTIES ACT AMENDMENT BILL.

Second reading.

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Bill be now read a second time.

The amendments contained in it are five-fold. First, the provisions in Part IVA of the principal Act relating to special rebates and exemptions for persons dying as a result of military service are to be extended to any person serving in an area proclaimed by the Governor. This will enable the provisions to apply to persons serving in Vietnam or in other operations which may be proclaimed. Secondly, it provides for parents of an illegitimate child to pay duty on any property left to either of them by such child at the same rate as if the child were legitimate.

Thirdly, it allows the Minister to direct that in the case of a *de facto* adoption of a child, that child shall pay succession duty at the same rate as a child who has been legally adopted. Fourthly, it clarifies the provisions relating to exemptions where the purpose is for the advancement of religion, and, finally, it provides that bequests to any university in this State shall be exempt from succession duty.

I shall now deal with the clauses individually. Clause 3 inserts a new paragraph in subsection (1) of section 55aa of the principal Act. This section confers a remission of succession duty on the estates of persons who died on active service in the world wars, in Malaya or in Korea. The new paragraph extends the scope of this section to any proclaimed areas or operations and may thus be applied to members of the forces who die in Vietnam or Malaysia or in any operation that may be proclaimed, subject to the limitation that the death must be caused by wounds, an accident or a disease and must occur within twelve months thereafter.

Clause 4 (*a*) raises the amount of the exemption referred to previously from $10,000 to $20,000 and clause 4 (*b*) provides that the foregoing new provisions will apply to persons dying on active service in any such area even if the death occurred before the Bill becomes law. Clause 5 inserts a new subsection into section 56a of the principal Act. This new subsection provides that the parent of an illegitimate child who derives property from that child, whether under an intestacy or not, shall pay duty at the same rate as if the child were legitimate. Clause 6 inserts a new section in the principal Act. This new section provides that where a person derives property on the death of a child who was not legally adopted by such a person the Minister may direct that the duty payable shall be the same as if the child had been legally adopted. The matter is in the discretion of the Minister and the provision is designed to cover cases of hardship.

Clause 7 amends the Second Schedule to the principal Act. It provides for lower rates of duty in connection with property passing for the purpose of the advancement of religion, science or education by limiting the provision to cases where the sole or predominant purpose is one of those mentioned. It also provides for a complete exemption of duty for gifts to any university in the State; at present, the exemption is limited to the University of Adelaide, but this amendment is necessary so that the exemption may also apply to the Flinders University. Clause 8 is a simple amendment relating to decimal currency.

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

HIGHWAYS ACT AMENDMENT BILL.

Second reading.

The Hon. S. C. BEVAN (Minister of Roads): I move:

That this Bill be now read a second time.

The purpose of the Bill is to provide legislation that is both more flexible and effective in relation to the lighting of roads. The Bill provides for amendment to section 26c of the present Act. Clause 3 provides first for an amendment to subsection (1) of section 26c and introduces a simplified administrative procedure by which the Commissioner may, with the approval of the Minister, cause any road or part of a road to be lighted as the Commissioner deems requisite; the provision now out of date that "the Commissioner may cause the main road known as the Port Road or any part thereof, or any other road or part of a road approved by the Governor on the recommendation of the Commissioner" (to be lighted as the Commissioner deems requisite) has been struck out. Clause 3 (*b*) provides for the insertion of a provision empowering the Commissioner to require any council whose district is traversed by a road lighted by the Commissioner to pay to him one-half of the cost of lighting so much of the road as lies within the district. This provision has been agreed to by the various local governing authorities and the Commissioner. Clause 3 (*c*) provides for a merely consequential amendment.

The Hon. Sir NORMAN JUDE secured the adjournment of the debate.

ADJOURNMENT.

At 3.45 p.m. the Council adjourned until Wednesday, July 19, at 2.15 p.m.