HOUSE OF ASSEMBLY

Wednesday, March 1, 1972

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

ADMINISTRATION AND PROBATE ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

QUESTIONS

ABORTION

Mr. GUNN: Can the Attorney General say whether he intends to introduce, before the 1973 State election, an amendment to the legislation dealing with abortions? The Attorney General will be aware that the number of abortions is increasing at an alarming rate, from 1,330 in the first 12 months operation of the new legislation to 2,550 during the last 12-month period. A report in today's *News* states that in South Australia abortions are being performed at the rate of one in every three hours, and many people in the community believe that South Australia now has abortion on demand.

The Hon. L. J. KING: The Premier has already indicated to the House on previous occasions the Government's attitude in relation to this matter, namely, that, as a Government, it does not have a policy on the question of the state of the abortion laws and that any amendments to those laws would be a matter for a member of this House, as a private member, to introduce.

Mr. Gunn: Do you intend to introduce them?

Mr. Jennings: What about you?

The SPEAKER: Order!

The Hon. L. J. KING: Therefore, it is a matter for each member of the House to consider his own position in relation to these laws. Of course, any member will be at liberty, when private members' time resumes, to introduce any amendment to the abortion laws that he considers proper. My own attitude will be disclosed at the appropriate time.

PRICE CONTROL

Mr. JENNINGS: Will the Premier, as Minister in charge of price control, make available the Commissioner for Prices and Consumer Affairs and all his experience to the Prime Minister, if this is sought? I wish to read the report of a statement made yesterday by the former Commonwealth Attorney General (Mr. Hughes), who said that he did not agree with those who blamed trade unions for the nation's economic ills. The report states:

> Mr. Hughes went on, "Surely it is time for us to take stock of our position and ask ourselves why we should be opposed to the idea of price justice."

Will the Premier co-operate with the Prime Minister, if Mr. Hughes is able to convince Mr. McMahon?

The Hon. D. A. DUNSTAN: At the Premiers' Conference last year and again at the Premiers' Conference in February this year I raised the matter of a uniform price application system in Australia and offered the co-operation of the South Australian Government in ensuring that such a system should be instituted in Australia. At last year's conference, some slight interest in certain aspects of the problem was expressed by the then Prime Minister (Mr. Gorton), but no Liberal Premiers could be got to show the slightest signs of interest in it. This year the Prime Minister gave some indication that he was interested that something should happen in this area, but I was in some difficulty to understand his position on the matter, because he made a whole series of conflicting statements about his position on any sort of prices justification and it was extremely difficult to determine precisely what his view was. The Premiers of New South Wales and Tasmania asked that South Australia supply them with information from the Commissioner about how our system operated and how a uniform system could operate, and that has been sent to them. The same information has been offered to the Liberal Premiers of other States and to the Prime Minister. To date, of course, we have had no reaction from this. The Western Australian Government intends to introduce a system similar to that already operating in South Australia.

Mr. HALL: Will the Premier bring down to the House, so that members can see it, the report that I understand he is having compiled by the Commissioner on the increase in steel prices in Australia instituted by Broken Hill Proprietary Company Limited? I should like the Premier to include in this report the apparent justification of which he has just spoken that should be applied to price increases in Australia and I should like to know whether

he will tell the House whether the B.H.P. Company is justified in its action, in relation to the capital that the company uses, the wage demands being made on it, and the lack of demand that has been evident in the steel market. I shall be pleased to see the report when it is available, but I should like to have the matters I have mentioned included.

The Hon. D. A. DUNSTAN: I shall certainly see what I can make available when the information from the Commissioner has been received. However, information has not yet been received by the Prices Commissioner from the B.H.P. Company. Many requests for information have been sent by the Commissioner to the company, and it has said in reply that it is compiling the material and will be in touch with the Commissioner shortly. The Leader will be aware that, under the provisions of the Prices Act, neither the Commissioner nor I can disclose information provided in confidence under the Act. Therefore, it is not possible for me to reveal to this House or to anyone confidential information supplied under the terms of the Act. In fact, we are under oath not to reveal such information. However, I will endeavour to provide to the Leader and to other members of this House the information that can be revealed regarding the basis of justification for the price increase. In this case there is the unusual situation of the company's having had a fall in demand for its products, largely as a result of the deliberate and expressed policy of the Leader's colleagues in Canberra in regard to building in Australia. This policy has reduced the demand for structural steel in Australia.

Mr. Hall: Perhaps the Minister of Education—

The Hon. D. A. DUNSTAN: I can provide the Leader with the material from the Premiers' Conferences in Canberra, at which we were asked by the Commonwealth Government to scale down building.

Mr. Venning: When?

The Hon. D. A. DUNSTAN: Last year, by both Mr. Gorton and Mr. McMahon. This deliberate policy of the Commonwealth Government has resulted in a fall in demand for structural steel, which has reduced the steel output of the B.H.P. Company at Whyalla. We are faced with the position that, having had a fall in demand for a product in which it has a monopoly, the B.H.P. Company has increased its price to the market. This is an unusual course to be followed. At this stage I am not forecasting the report of the Commissioner, but I believe that an investigation by him is proper and desirable.

Mr. McANANEY: Can the Premier say whether any investigation is presently being carried out into petrol prices? In Victoria, where there is no price control, last year some service stations were selling petrol at a discount of 8c, whereas others were selling at a discount of 2c. However, this year nearly all stations have a discount of 6c. I take a dim view of a situation whereby in this State, which claims to have price control, I can have petrol delivered to me in my backyard at a price slightly higher than is the price in Victoria when the 6c discount applies.

The Hon. D. A. DUNSTAN: There is a constant survey of petrol prices by the Prices Commissioner. The situation in Victoria has arisen from the entry at present in that State of a small petrol wholesaler who, because he is getting a small quantity of indigenous crude, pays a much lower price for it than would otherwise be the case and is able to reduce his price to the market considerably. There has been no difficulty in South Australia for that wholesaler to pass on to the public the benefits of a small-scale operation, which does not give the full range of services across the board that the large stations give. The other oil wholesalers have been selling petrol in Victoria at some loss in an effort to compete. I believe that this situation is unlikely to last. If the petrol wholesaler who initiated the price-cutting war in Victoria gains a considerable share of the market, his own costs for indigenous crude will rise and his costs will force him to charge a higher price in the market.

The situation is under constant examination in South Australia. We have been able steadily to rationalize the industry here so that the uneconomic practices which some oil companies went in for in marketing will be reduced. The oil companies are under clear warning that they cannot go in for uneconomic practices and expect to pass on those uneconomic practices to the consumer. The real benefits to the consumer in South Australia have been that across the board we have been able to ensure that oil wholesalers do not pass on the whole of their increase in costs and, in fact, they have been forced to contain costs. In a recent period, there has been a saving of many millions of dollars to Australia by the price fixed by the South Australian Prices Commissioner. There is no prohibition at all

in South Australia stopping people from selling below the maximum price fixed by the Prices Commissioner, if such people choose to do so. The only discouragement is that they should not establish additional petrol stations, when we have about 40 per cent too many stations to service the existing demand. They would agree that, when they establish a new outlet in South Australia, it has to be in substitution for an existing outlet; that is agreed by the independent oil wholesaler. As the honourable member must know, petrol is being sold in South Australia by that wholesaler below the maximum price fixed by the Prices Commissioner. As I have said, if this wholesaler expands to a larger share of the market, his costs will go up and it will be most difficult for him to sell at his present price.

NORTH-EAST ROAD

Mr. WELLS: Will the Minister of Roads and Transport request the Road Traffic Board to investigate the possibility of installing school crossing lights at a pedestrian crossing about 300yds. west of the Windsor Gardens Hotel, and will he initiate discussions with the Enfield council on this matter? The crossing to which I refer is used by many school children to cross this busy and dangerous road. From the southern side of the road come children from a Catholic school, which limits its classes for boys to grade 4, and those children are therefore very young. The school is not located immediately on the main road but is in a street behind it. On the northern side of the crossing is a State school, again not immediately on the North-East Road but immediately adjacent to it, and, of course, children must cross the road both before and after school. I have observed this crossing many times and in fairness to the Enfield council (a most efficient body) I point out that I have not raised this matter with the council, because I believe I may be able to expedite the matter by acting through the Minister.

Mr. Rodda: Front page stuff.

Mr. WELLS: I do not care as long as it is doing some good for my constituents.

The SPEAKER: Order! The honourable member is commenting and I ask him to resume his seat. The honourable Minister of Roads and Transport.

The Hon. G. T. VIRGO: I will have the Road Traffic Board examine this matter in the belief, as the honourable member has expressed, that it will save the lives of children in this State. That is a very important consideration.

Mr. SLATER: Can the Minister say whether the investigation of pedestrian and traffic hazards on the North-East Road has been completed? The Minister has said that an investigation is being conducted on the North-East Road, and I have noticed recently that some work, such as relocation of lighting poles, had been undertaken. Does this work relate to the investigation? That section of the road is probably related to the question asked by the member for Florey about a specific crossing. I ask the Minister whether the investigation has been undertaken and completed and whether any result is likely to be forthcoming.

The Hon. G. T. VIRGO: I will inquire and bring down a report for the honourable member.

OLD GOVERNMENT HOUSE

Mr. EVANS: Will the Minister of Environment and Conservation say what the Government intends to do about the deterioration of Old Government House at the Belair National Park? I am disturbed to note that salt damp is attacking the inside walls of the house and that in several rooms it has spread as high as 2ft. or 3ft. from the floor. In addition, plaster has started to fall away from the ceiling in one passage, and the outside paving needs attention. This paving is of historic value because of the nature of its tiling, and the tiles actually need relaying; if this is not done soon, the paving will be lost forever. The house itself, which is 113 years old, is filled with historic furniture that has been loaned and donated by various members of the community. Indeed, if for no other reason, it is in their interests that the building and the furniture therein be preserved. I must praise the caretaker and his wife for the way in which they have maintained the building and its surroundings.

The SPEAKER: Order! The honourable member is commenting.

Mr. EVANS: I put the question to the Minister.

The Hon. G. R. BROOMHILL: There is certainly a problem in this building as a result of salt damp. An examination was recently commenced concerning how this problem might be solved and, as I am not certain what stage that examination has now reached, I shall be pleased to ask for a report and will inform the honourable member.

SCRAP METAL

Mr. HOPGOOD: Will the Premier, through his department, give whatever assistance is possible to small sheet metal industries in my

district and, indeed, in other districts rather removed from the centre of the city which are having difficulties regarding the disposal of scrap metal? It seems that the days have long since passed when people were falling over each other to purchase scrap metal from residents and, from small industrial proprietors in the district, it seems that the situation now is that the best one can expect is free pick-up, provided one pays the pick-up people a fairly large sum of money for their leaving a large bin on one's property. Because this obviously is a cost added to the final cost of the materials, and because it tends to discourage the decentralization of industry to the fringe sections of the metropolitan area, I raise this matter with the Premier.

The Hon. D. A. DUNSTAN: I am grateful to the honourable member for raising the matter. As I have not heard of this problem previously, I will have the Industrial Development Branch examine it and see what can be done.

UNDERGROUND WATER

Mr. RODDA: I wish to ask a question of the Minister of Works.

Mr. Wells: This won't be front page, for sure.

The SPEAKER: Order! Interjections are out of order.

Mr. RODDA: We leave the front page to the front page people, and I have no claim to being a front page member.

Mr. Clark: Just as well, too.

The SPEAKER: Order!

Mr. RODDA: I should like to know whether the Minister can elaborate on the statement he made in January about a survey carried out by the Engineering and Water Supply Department regarding underground water in the South-East. In his statement, the Minister referred particularly to the Padthaway area, where concern has been expressed about the draw-down on bores in that area and where fears have been expressed concerning any controls that might be instituted. The Minister also referred to a general investigation into the effects of bores on underground water generally in the South-East. I should be pleased to hear what are his department's plans regarding Padthaway and underground water generally in the South-East.

The Hon. J. D. CORCORAN: The honourable member will be aware that some time ago the Government approved a survey being made of the South-East to establish the total water resources of the area. Following that survey an expert committee was appointed to examine various aspects of pollution of water resources in the South-East. The two inquiries are separate and both are proceeding at present. The honourable member will be aware that the Mines Department and the Engineering and Water Supply Department are responsible for this survey, and I believe that there are about 650 bores that either have been sunk or are existing bores that are being used in order to ascertain what are the exact resources in the South-East. Although the preliminary information reveals that the known water resources would certainly support at least 250,000 people in the South-East (and this much is known), it is believed that when the survey is completed the information will show that even more people could be supported in the area. The statement made in January referred to a specific survey that had taken place in the Padthaway area where, as the honourable member will know, there is much activity regarding bores and the use of water from underground sources. The statement made was that the resource in that area was being fully used and that any further expansion would have to be investigated closely. That would indicate to anyone that the Underground Waters Preservation Act might have to be extended to apply to that area, and I believe this an extremely desirable move. Although no specific action has been taken to do this, it is certainly under consideration. As a result of the question, I will check to see what progress has been made because, as far as I am aware, legislation will be necessary in order to implement the form of control that may be necessary in this area. I do not think there is anything further I can say at this stage but, if there is any point I have missed, I will include it in the report that I will bring down as soon as possible.

HOUSE BOATS

Mr. CURREN: Will the Minister of Works explain to the House how the proposal to require house boats and other craft operating on the Murray River to install sewage tanks will be applied to trailer boats? Since the announcement was made several weeks ago, some confusion has arisen in the minds of boat owners because of press reports which may or may not be true. I have also been contacted by several constituents who own trailer boats over 20ft. in length.

The Hon. J. D. CORCORAN: The proposition was implemented in the first place because, although it is not a problem, at present, we have every reason to believe that in the future it could be a problem. One has only to look

at the tremendous problem existing on the Great Lakes because of house boats to see what could happen here. Of course, we do not have to go that far. In Victoria, at the Eildon weir, which is under the control of the State Rivers and Water Supply Commission, there are more than 800 house boats, and this constitutes a problem in that area. Although the problem there is more concentrated than it is on the Murray River, we must appreciate that every step possible will have to be taken to protect what is to South Australia, especially to the metropolitan area, an extremely important source of water.

There has been some confusion in the statements that have been made. An article in the *Sunday Mail,* I think, gave people the impression that all sorts of things were happening without consultation, and so on; in fact, that is not the case. The council concerned was consulted and informed of the measures before they were ever publicized. In addition, the council has been asked to co-operate in every way possible with the department. This will be necessary because several stations will have to be set up along the river. As some of these stations will be operated by councils, we are looking for their co-operation, and receiving it, in this direction. Public meetings will be held so that people who have a direct interest in the matter will be able to have the regulations fully explained before they are implemented, for it is not expected that this scheme will operate before early 1974, as it will not be possible until then to have constructed the stations to which I have referred. The only boats affected will be those fitted with sleeping accommodation, a galley and toilet facilities, or commercial vehicles which are required to be registered and which pay an annual fee. The only vessels affected would be those of a length of more than six metres.

The fees have been criticized, people saying that it seems ridiculous that $100 a year will have to be paid for this facility, in addition to the expense involved in fitting it. I point out that it is just as necessary to have an adequate toilet on a vessel of this nature, on which people are living, as it is to have such a toilet in the backyard or in a house. People are required to build toilets on their properties and to pay for them. Moreover, in many cases they have to pay a fee for the toilet to be connected to a sewer or the like. We will follow the charges as set out in the regulations for the Lake Eildon recreation area, and they are as follows:

(1) Boat not exceeding 22ft. in length or containing or capable of containing not more than two berths, fee $25.
(2) Boat up to 30ft. in length or containing or capable of containing not more than four berths, fee $50.
(3) Boat over 30ft. and up to 40ft. in length or containing or capable of containing not more than six berths, fee $75.
(4) Boat exceeding 40ft. in length or containing or capable of containing more than six berths, fee $100.

It has been suggested that, instead of having permanent stations in fixed positions along the river, we should have a floating station that could call alongside a boat and pump out the waste. I point out that this case is different from the Eildon Weir. The Murray River flows for about 400 miles in South Australia; therefore, it would not be possible adequately to service this whole distance unless we had a great many floating stations, and this would be far more costly than would be the permanent fixtures. It has been suggested that, instead of there being an annual fee, people could pay each time their boat was serviced. However, the position is that we want people to use this service; possibly they would not do this if they had to pay on each occasion they used it. This would lead to the type of disposal of waste that we do not want to see. If an annual fee is paid and the service is available, the service will be utilized. Although I do not think any other points need clarifying, if the honourable member still has any doubts I shall be happy to clear them up.

GEPPS CROSS ABATTOIR

The Hon. D. N. BROOKMAN: Will the Minister of Works ask the Minister of Agriculture what provisions are being made by the Metropolitan and Export Abattoirs Board for the time when the full impact of the explosion in the cattle population increase is felt in South Australia? Figures supplied by the Commonwealth Statistician show that the number of cattle for meat only (that is, cattle exclusive of dairy cattle) held on South Australian farms has increased by 107 per cent between 1968 and 1971. The figures for the statistical districts are as follows:

District	No. of Meat Cattle	
	1968	1971
Central.....	76,000	173,000
Lower North	15,000	47,000
Upper North	8,000	27,000
South-East.....	205,000	484,000
Western.....	20,000	67,000
Murray Mallee	22,000	58,000
Outside Counties . .	118,000	107,000

Of course, in regard to outside counties the figures fluctuate greatly. I do not know what proportion of meat cattle produced in South Australia is slaughtered in this State. From what I can see from the board's report, the Gepps Cross abattoir kills between 45 per cent and 50 per cent of the cattle slaughtered in the State but I do not know what proportion of the total produced for meat is slaughtered within our borders. However, one suspects from those figures that many cattle are being slaughtered in Victoria, although they have been produced on South Australian farms, and I cannot understand why Sir Henry Bolte should be able to do the slaughtering for South Australia. I hope that we will have adequate provision to slaughter our own cattle. With the vast increase in the number of cattle held on farms, which the Minister knows is due to stocking up, there will soon be a tremendous increase in the number of cattle being offered to the Gepps Cross abattoir. I should like the Minister to either tell me now or ask his colleague what provision is being made to meet this great impact that will be felt fairly soon.

The Hon. J. D. CORCORAN: I will inquire of my colleague and bring down a report for the honourable member.

DERNANCOURT INFANTS SCHOOL

Mrs. BYRNE: Will the Minister of Education examine the possibility of having a concrete path constructed from the Dernancourt Infants School to the dual timber frame building erected near the main building to give dry access to the classrooms? I first asked a question about this matter on July 30, 1969, when the then Minister of Education said that the Public Buildings Department had been asked to attend to it. I raised the matter again on November 25 last, when the Minister of Works, in the absence in the country on business of the Minister of Education, stated in reply that he would see that the matter was attended to as soon as possible. I have asked two Ministers about the matter and have been told twice that it was being attended to. However, when I visited the school today, I found that this had not been done.

The Hon. HUGH HUDSON: The honourable member has obviously trodden a thorny path with this question and we will see whether we cannot improve that and solve the problem to which she has referred.

TORRENS RIVER

Mr. COUMBE: Will the Minister of Works say whether he is aware that complaints have been made that sewage is being discharged into several parts of the Torrens River? Residents and the local board of health have complained to me that, owing to failures in the sewerage system, sewage is being allowed to discharge into the Torrens River, particularly in the Walkerville area and both upstream and downstream from the Gilberton swimming site, resulting in grave pollution of the Torrens River, which is dammed by the weir to form the Torrens Lake in Adelaide. I ask what action the Minister has taken or intends to take to overcome this unsatisfactory position regarding pollution that is causing grave concern and could be a menace to health in the Walkerville district, which I represent, and also in Adelaide. I cannot stress the seriousness of the problem too strongly and I ask the Minister to act on it urgently, as it is attacking Adelaide's only river, which we know is used widely for sporting and other activities.

The Hon. J. D. CORCORAN: This problem is no more serious now that it was when the honourable member was Minister of Works, and the honourable member cannot deny that. However, he will be pleased to know that only recently the Government announced that it had referred to the Public Works Committee a scheme involving an expenditure of $5,000,000 to upgrade the system in this area, because of the very problems that the honourable member has mentioned. The system is just not adequate to cope: it is very old. However, the department has acted to give adequate warning at any time when an overflow occurs. An electrical device is involved and I have been told several times that workmen are on the scene quickly to clean up any solids that may be deposited as a result of any overflow. An overflow occurs usually after heavy rain, or something of that kind, when storm water is lying about. Until the whole system is upgraded, as is provided for in the scheme that has been submitted to the committee, the department can do little else.

Mr. Coumbe: Can't you take satisfactory measures about the problem?

The Hon. I. D. CORCORAN: If the honourable member can suggest any measures, we shall be pleased to examine them. We have engineers who are qualified for this work and, so far as I know, no temporary measures can be taken. The whole system will have to be upgraded. I can only say that the Government has taken the necessary action, which is the action I have described, to solve the problem, and it may be some time before the problem will be solved because, as the honourable member knows, a time factor is involved, and I do not see that we can do more than we have done.

CLARE SEWERAGE

Mr. VENNING: Can the Minister of Works say when a decision will be made about the attitude of the Government towards the financing of effluent systems in country areas? The Minister of Health, when recently in Port Augusta, told the Port Augusta council that the Public Health Department would design and survey the scheme which would take in the two-thirds of Port Augusta not already served by effluent drainage. Mr. Shard said that the State Cabinet would consider soon a request by the council. I refer particularly to the township of Clare, which for some time has been looking for assistance to provide such a facility. The people of Clare are concerned when they hear a statement such as this made by the Minister when they are battling to obtain results. Can the Minister say when Cabinet will consider its attitude towards assisting areas outside current legislation, which has been provided in respect of catchment areas that are assisted by the Government?

The Hon. J. D. CORCORAN: As the honourable member said in the latter part of his explanation, the current policy of the Government is to assist councils on the Murray River and in water catchment areas, or councils on anabranches of the Murray, such as at Meningie and Goolwa. Because of the problems faced by towns such as Clare, I believe it is necessary to review that policy. It appears that Clare cannot solve its problems without assistance, that is, without a unit subsidy above the $30 which applies. The honourable member would know that I have met with the Clare council and I have told it that we will do everything possible to help. Early next week I will confer with the Minister of Health and the Minister of Local Government to solve the problem. The Ministers will then report to Cabinet and within two weeks should be able to inform the honourable member of the Government's decision in this matter. I hope that the decision will be such that we shall be able to help the council located in the honourable member's district.

ADELAIDE MEDICAL SCHOOL

Dr. TONKIN: Can the Minister of Education say whether the Government has communicated with the Australian Universities Commission regarding the proposed reduction in entry quota to the medical faculty of the University of Adelaide, and what steps the Government intends to take to relieve the growing shortage of medical practitioners until graduates from the Flinders Medical School are available to the community in, it is hoped, 1982? Considerable concern has been expressed by members of the medical profession and by the community generally about the proposed reduction in the entry quota for the Adelaide University Medical School. The problem is compounded because of selection on academic performance (not necessarily ability), which results in these people tending to stay in academic circles rather than going out into the community as general practitioners. This is a matter of extreme concern to the community generally and I believe that something will have to be done before 1982 to relieve the problem.

The Hon. HUGH HUDSON: I would make absolutely clear that there has not been a reduction of the entry quota to the Adelaide University Medical School in comparison with the position two years ago. A temporary increase in the entry quota was arranged with the Adelaide University at both first and second-year levels in respect of last year and this year, taking it up to the end of this triennium. The increase agreed at that time was from 120 to 135 students although, as I pointed out to the Adelaide University, prior to the mid-1960's it was always claimed that, because of the lack of resources, it would not be possible to increase the quota beyond 120. However, at one stage the faculty of medicine at the Adelaide University was prepared to contemplate a quota of 150 but by that time the decision had already been taken to go ahead with the Flinders medical project. The problem that arises is simply as follows. It is admitted that there will be difficulty in getting the necessary medical staff for the Flinders medical centre in the initial stages prior to Flinders producing more graduates. The temporary increase from 120 to 135 as agreed by the Adelaide University was to provide temporary assistance with new graduates who we hoped would be available to staff the Flinders medical centre.

The Adelaide University has informed us that a permanent increase in the quota to 135 would require new capital extensions to the medical school. The Australian Universities Commission has taken a position which I believe is hard to contravene in regard to this matter in that, because of the extremely heavy commitment involved in future years with the Flinders medical centre and because of the probability of difficulty in relation to other university and hospital projects, it is not possible to go ahead at this

stage with a rebuilding programme of the Adelaide University's medical school. I am sure that the honourable member will appreciate the problem created by the necessity of financing the Flinders project which, at the hospital level, will involve the expenditure of about $33,000,000. A project of this magnitude has never been undertaken previously and the expenditure on the project will peak heavily in the years 1974, 1975 and 1976, and those would be the years in which, if the Adelaide University agreed to a permanent increase in quota, it would require money to be spent on the medical school. It is simply a matter of not being able to get both together, and the tragedy of the situation is that the matter of the quota at the Adelaide medical school was not broached by the university at a significantly earlier date, because if such decisions were to be adopted, they should have been made in the early 1960's or the mid-1960's.

PORT LINCOLN SILO

Mr. CARNIE: Will the Minister of Roads and Transport say what is the reason for employees of the South Australian Railways taking details of grain deliveries at the Port Lincoln silo? Periodically, during the recent harvest, S.A.R. employees have been stationed at the silo intake point in Port Lincoln, noting details of ownership, source and size of grain deliveries. Farmers on Eyre Peninsula have always been free to deliver grain where they wish and, in many cases, they deliver to Port Lincoln because of high rail freight charges compared to those of road transport. There is mounting concern among farmers in my district that this investigation is a prelude to some form of zoning or control. I should like to know who authorized this action, what is its purpose, and whether it is intended to erode further, through some action by the Government, the freedom of these people.

The Hon. G. T. VIRGO: I will obtain a report for the honourable member. I shall be able to read the question; I could not hear it, because of the gabble from the member for Bragg.

UNEMPLOYMENT

Mr. ALLEN: Can the Minister of Works, representing the Minister of Lands, say whether any provision has been made in the Commonwealth rural unemployment grants scheme in regard to districts outside local government areas and, if provision has been made, whether unemployed Aborigines qualify under such a scheme? If they do qualify, will he say how they apply under the scheme? The Minister of Environment and Conservation will agree that much work can be carried out in Northern towns outside local government areas. I have in mind towns such as Marree and Oodnadatta where an accumulation of rubbish covers many acres. Cleaning up this rubbish would provide much work for unemployed persons in the area. I believe that the Minister will be pleased to hear that the Commonwealth Government is about to take steps to clean up some of the accumulated rubbish in the Marree area but, apart from that, much work will be left around the town for the people concerned.

The Hon. J. D. CORCORAN: Although the Minister of Lands notified me that the honourable member would ask this question, he has informed me that, unfortunately, he could not get a complete report on the matter. However, I hope that the report will be available tomorrow and, in any event, I will bring it down as soon as possible.

Mr. VENNING: Is the Minister of Education aware that people cannot live by education alone? In the last publication of the *South Australian Teachers Journal* there is a photograph of the Minister next to headlines which state:

There is no doubt our affluent society can afford quality education for every one of its members.

There are now many qualified members of our society who cannot use their education and learning as a means of earning a living or getting a job. A constituent of mine in Rocky River has recently completed his education in electrical engineering. About six months prior to completing his studies, he was informed that he would be employed by the Electricity Trust and, having been given that understanding, he got married. However, towards the end of last year he was informed by the trust that his services would not be required. He is now living on his wife's earnings as a nurse. This person then applied to the Commonwealth Social Services Department for social service benefits, because he was unemployed, and he was asked whether his wife earned over $17 a week. He said she did and he was informed that he would not be paid social service benefits. I ask this question of the Minister, knowing that he is concerned about the portfolio he holds, but I should like him to realize that, whilst his ambitions may be high, people cannot live entirely on education, and there has to be a balance in the activities of

a Government. I should like him as a member of the Government to ensure that the resources of this State are expended in such a way that a better balance may be achieved.

The Hon. HUGH HUDSON: The member for Rocky River is always puzzled. He is apparently arguing now that, because a person cannot live by education alone, the Government should reduce expenditure on education and provide more in the way of social services, so that the gentleman in his area can get a job. I should like to give the honourable member some advice.

Members interjecting:

The SPEAKER: Order! The honourable member for Rocky River has asked the Minister of Education a question and is entitled to hear the reply in silence. I ask honourable members on both sides of the Chamber to contain themselves so that the member for Rocky River can be properly informed on the matter.

The Hon. HUGH HUDSON: I want the honourable member to appreciate that this advice is given with a fatherly interest in his welfare and in the welfare of his constituents. First, I suggest to him that the Australian community is sufficiently well off to provide not only quality education but also enough jobs for all. Secondly, I suggest to him that he inquire of the Electricity Trust to find out just what was the problem that resulted in the job no longer being available for his constituent. Thirdly, I suggest that the honourable member tell his constituent to apply again to the Commonwealth Social Services Department, because the basic rate of unemployment relief has been increased by $7, and I think that would increase by $7 the permissible earnings of his wife; it could well mean that he would qualify for unemployment relief where previously he could not. The final advice I give the honourable member and his constituent is that they vote Labor at the next Commonwealth election.

LED ZEPPELIN

Mr. MATHWIN: Will the Attorney General investigate the case in which many people, especially teenagers, have been refused reimbursement of their ticket money as a result of the cancellation of a certain musical show (I apologize for using the word "musical")? Some weeks ago, the group called Led Zeppelin, sponsored by a leading television channel and radio station came to Adelaide to perform at Memorial Drive on a Friday evening. This show was cancelled because of rain, but the group staged the show on the following day (Saturday), on the understanding that the people who were unable to attend on Saturday would have their ticket money refunded. Tickets cost $4.50 on average and, when one of my constituents applied for a refund, he was told that there was no refund; the group had moved on to another State. Will the Attorney General investigate this matter?

The Hon. L. J. KING: Yes. I have had complaints about this matter and the facts, as I understand them, are as they have been related by the member for Glenelg. It seems that the ticket (indeed, I have seen the tickets) bore the words "Station 5AD and Channel 7 present Led Zeppelin", but at least in one case a person seeking a refund was informed that, in fact, the only responsibility was with the group Led Zeppelin, which had left the State and taken with it the proceeds of the performances. The result is that people who bought a ticket for the Friday evening performance and paid their money but did not get what they paid for found, when they sought a refund, that it was not available. I have already taken up the matter, in my capacity as Minister responsible for the Places of Public Entertainment Act, with Station 5AD and Channel 7.

The language on the ticket appears to indicate clearly that there was a contract between Station 5AD and Channel 7 and the person paying for the ticket, and I should have thought there was little doubt that people who did not get what they paid for were entitled to get their money back. I am awaiting a reply in the case I specifically took up at the request of another member of this House, and no doubt the reply to that request will throw some light on the case referred to by the member for Glenelg. I should think that if these people took legal advice they would be advised that they had a right to recover the money but the difficulty concerning small sums is that litigation is not a practical proposition. In these matters, all I can do is bring to bear what influence or pressure I can on the radio station and television channel for the people to get a refund.

SEX SHOPS

Mr. BECKER: Can the Attorney General say whether any complaints have been received following the opening of two sex shops in Adelaide? Will he say whether the activities taking place in those shops are being

supervised in order to determine whether pornographic articles and erotic items are being sold? Will he also say what steps are being taken to ensure that such items are not being sold to persons under 18 years of age?

The Hon. L. J. KING: I have not had any complaints, and I do not know whether the police have. I understand that the police have inspected both shops, although I have not had any report suggesting that anything illegal is being done in relation to these shops. Beyond that, I have no information about the matter, but I have no doubt that, if the police have detected or do detect the commission of any offence, they will report the matter.

GAWLER FLOODING

Dr. EASTICK: Will the Minister of Works say what decision has been reached regarding the cause of the Gawler River flooding on August 29, 1971? Further, what permanent corrective steps have been taken to minimize the likelihood of a repetition? I refer to a report on the subject (dated November, 1971) by the Engineer for Investigations (J. S. Gemy) and the Engineer, Investigations Branch (P. J. Manoel), of the Engineering and Water Supply Department. The report is a comprehensive document indicating that much survey has been undertaken since the event, and it highlights the fact that certain of the recording apparatus used by the department was deficient on the day of the flood. Notwithstanding all the information available in the report, the document does not indicate what caused the flooding, and that is why I ask the question. Having some knowledge of the alterations to management that have already been effected, I ask the Minister to indicate what are those managerial alterations so that the properties especially of people downstream from the South Para reservoir may be safeguarded against a repetition of the flooding in the future.

The Hon. J. D. CORCORAN: I am still studying the report, which the honourable member knows is lengthy. As the honourable member has read the report closely, he must have attempted to draw his own conclusions.

Mr. Gunn: He is entitled to, isn't he?

The Hon. J. D. CORCORAN: That is right. There is no conclusion in the report, but there are conclusions which I am studying myself. The conclusions drawn as a result of the report were not included in the report itself, so the honourable member has the added task of reading them later. I have not read the report fully and until I have done so I cannot discuss it with the Engineer-in-Chief. I have given an undertaking that I will do this so that any steps that can be taken to avoid a recurrence can be taken before next winter. The only other thing I can do is to send a message up top and tell it not to rain too much.

A.N.Z. BANK BUILDING

Mrs. STEELE: Can the Premier say to what use the old Australia and New Zealand Bank building in King William Street for which the Government paid $750,000 will be put? On Saturday next the Premier is to open the festival exhibition of "Colonial Times", which is a graphic review of South Australian colonial life and which is appropriate to this building. I am not aware of an announcement having been made as to the future use of the building. I wonder whether consideration has been given to retaining the gracious ground floor chamber as a reception room for important State and other outstanding functions. The Premier will be aware that unlike Victoria, where they have Queen's Hall in Parliament House, and Canberra, where they have King's Hall (both of these halls are used for Government entertaining), this Parliament House is unsuited for Parliamentary and State dinners and receptions for important people visiting South Australia. Whilst in Toronto recently I visited the Assembly Room, a building similar to the A.N.Z. Bank building which has been restored to the decor of the period of its construction and which is now used for this purpose. I wonder whether consideration has been given to this, and I also wonder whether the Premier is in a position to make an announcement as to what use it is intended to put this building.

The Hon. D. A. DUNSTAN: I will make an announcement on Saturday and I hope the honourable member will be there to hear it.

Mr. Coumbe: Which is more important—Parliament or the opening?

The Hon. D. A. DUNSTAN: This will be a festival occasion and it is appropriate to make an announcement at that time, when the building will be renamed and certain announcements will be made about its future use. I hope when the honourable member hears what is going to be done with this magnificent building, the purchase of which I gather she entirely approves—

Mrs. Steele: I am delighted.

The Hon. D. A. DUNSTAN: I am delighted that the honourable member is delighted and I hope she will spread her delight amongst some of her colleagues. I hope the honourable member will believe we are doing a good job in the use to which we will put the building for the benefit of South Australian people.

POINT PEARCE MISSION

Mr. FERGUSON: Can the Minister of Aboriginal Affairs say whether the Aboriginal Lands Trust has decided on a policy regarding operations at Point Pearce? If not, when is it expected that policy decisions will be made and the Aboriginal Lands Trust take control of the Point Pearce reserve? I ask this question because it is now a year or two since it was announced that the Aboriginal Lands Trust would assume control of Point Pearce. Not only residents on the mission are interested in what is going on, but members of the community who live near the reserve are also interested and would like information about it.

The Hon. L. J. KING: The matter of the Point Pearce project is receiving my constant attention and it is the Government's desire that it be transferred to the Aboriginal Lands Trust and the project proceed at the earliest possible moment. The difficulty arises from the fact that the scheme recommended by the Scott committee, which was commissioned by the Government with Commonwealth funds to investigate the project, involves the provision not only of State Government funds but also of Commonwealth funds and so far the Commonwealth Government has not been prepared to indicate that it will contribute towards the project. Many conferences have taken place at various levels with the Commonwealth Government; we have been in constant touch with Commonwealth officers in this regard; and I have corresponded with the Commonwealth Minister. I still hope that the Commonwealth Government will be persuaded to contribute towards this project because without Commonwealth funds it will be extremely difficult to develop it in the way recommended in the Scott report. Nevertheless, I wish to make clear that the Government is committed to the transfer of Point Pearce to the Aboriginal Lands Trust. A tentative time table has been drawn up but I cannot disclose its details until further discussions have taken place. It is certain, however, that the Government will proceed with the transfer and with the project at Point Pearce, but the degree to which the project can be implemented will depend on the Commonwealth's decision as to funds. I can only hope that we will get an early Commonwealth decision and that it will be favourable towards this project which is of such great importance to the residents of the Point Pearce reserve.

M.V. *MAREEBA*

Mr. HALL: Has the Minister of Marine a report on the M.V. *Mareeba*?

The Hon. J. D. CORCORAN: I promised the Leader yesterday I would try to obtain a report on this matter. The officers of the Department of Marine and Harbors have no wish to obstruct anyone desiring to develop a passenger service in South Australian waters. On the contrary, they welcome such development. However, it is their duty to ensure that any passenger vessel that plies for hire is seaworthy, and properly equipped with life-saving, fire-fighting and pumping equipment. It must be fully capable of carrying the certified number of passengers and crew without risk or danger. That is what the public expect and rightly so. The Government would be open to severe criticism if a mishap occurred to a passenger vessel because of laxity in the imposition of such requirements.

Before a passenger vessel can ply for hire, it must have a certificate of survey which can be issued only on the declaration of the appropriate surveyors. The surveyors must satisfy themselves as to the seaworthiness, stability, safety, etc., of the hull and machinery, and the completeness of fire-fighting, life-saving, pumping and navigation equipment. The Marine Act provides for an appeal on the part of an owner to a court of survey should he feel aggrieved in respect of the requirements or attitudes of the surveyors. As I said in the House yesterday, Mr. Wilson, the owner of the *Mareeba,* was informed of his right to appeal; in fact, I sent the necessary form to him. Honourable members know that this was not completed or returned. From that, I think it can only be judged that Mr. Wilson, in his own judgment, must have decided either that the requirements were not unreasonable or that it was too much trouble to appeal against them.

The owner applied to the department on October 19, 1971, for a survey of his vessel. Late in October a preliminary internal examination was made on the vessel whilst it was afloat. It was observed that the hull stringers were subject to serious rotting; the hull planking was rotten in a number of places; the

copper fastenings of the planking showed signs of severe deterioration in the bottom section of the hull; and the fabricated plywood bottom longitudinal girders were rotten in a number of places. This information, together with a detailed list of the work necessary on the hull and machinery and a list of the necessary lifesaving and other safety equipment, was supplied to the owner early in November, 1971. The list was most comprehensive and covered 10 pages of closely typed detail. For the information of the Leader, I point out that I have a copy of these requirements. So that members can see these requirements if they wish to do so, perhaps it would be appropriate if I tabled a copy of them. Members will then see that there was no lack of detail; in fact, according to the surveyor, who is an expert in the field, a tremendous amount of work was necessary in order to put the vessel in suitable order.

So much for the owner's statement that a clear definition of what was required was not available to him. Let us look at the statement that the department demanded that he replace the overnight accommodation. I am informed that the owner was told the vessel was unsuitable for carrying berth passengers as envisaged by him and, in view of that, the under-deck cabins with plywood divisions, which constituted a fire hazard, should be dismantled. At no time did the department demand that the accommodation be replaced. Also, it was evident that adequate provision for emergency escape from the under-deck space was lacking. If the owner desired to refit the under-decking spaces, he should submit his proposed alternative arrangements to the department for approval. In the light of the owner's advice to the Director of Marine and Harbors during September, 1971, that he intended to use the vessel only for day excursions, the department's surveyors surveyed the vessel to determine the maximum number of deck passengers to be carried having regard to the space available. The Leader yesterday made great play on the question of the Queensland certificate of survey for the *Mareeba.* Let us look at this in its true perspective.

The vessel was under survey by the Queensland authorities, who originally granted a certificate for 24 passengers for the Townsville-Weipa area. The vessel was engaged on prawn processing, and I may inform the House that the 24 so-called passengers were in fact female prawn processors. The Queensland surveyors were not altogether happy about making a declaration of seaworthiness, as the vessel was not in very good shape. This explains the six-month period of the current survey. Survey certificates are usually issued for 12 months. The *Mareeba* is a timber vessel and is 28 years old. I may say that the British Board of Trade and the Commonwealth Department of Shipping and Transport have recently altered their survey regulations to exclude timber construction for passenger vessels. The continued use of timber for passenger vessels in this State therefore constitutes a writing down of generally accepted standards for this type of vessel, and the department must be absolutely certain that all the timber is sound in any such vessel it approves for passenger services.

The Leader yesterday referred to Commonwealth surveyors in Townsville. I am informed that the survey carried out by these people was for the delivery journey from Queensland to South Australia when the vessel came around without any fare-paying passengers. For the information of the Leader, I conclude with the following message received this morning from the Senior Shipwright Surveyor of the Department of Harbours and Marine, Townsville:

The *Mareeba* originally carried passengers on the Queensland coast, but has been engaged on prawn processing since 1969. Owners had been requested to do quite a lot of repairs last year. Department was even at the point of knocking the vessel back even in that category when she was suddenly sold.

SEWERAGE INSPECTION NOTICES

Mr. SLATER: Can the Minister of Works find out whether, during the past 12 months, following inspections and notices sent to persons who have committed breaches of sewerage regulations, any prosecutions have been undertaken by the Engineering and Water Supply Department?

The Hon. J. D. CORCORAN: I will get the information for the honourable member.

NORTH ADELAIDE TRAFFIC

Mr. COUMBE: Can the Minister of Roads and Transport say whether he or the Highways Department has had discussions with the Adelaide City Council about future traffic proposals and road planning for North Adelaide? This matter is of great concern to many residents of North Adelaide. As a result of any discussion held with the council, can the Minister say what is to be the future planning, especially with regard to Margaret Street, LeFevre Terrace, and the extension of LeFevre

Terrace to the junction at Robe Terrace, Fitzroy Terrace and Main North Road, and can he comment on the future of O'Connell Street? I believe that the Minister will be aware of the problem, which has aroused great interest, especially in North Adelaide, because it affects the flow of traffic through North Adelaide. This is traffic from the whole of the north of South Australia as well as local traffic travelling between various suburbs.

The Hon. G. T. VIRGO: As far as I know, discussions are currently proceeding on this matter, which I think is the subject of a fairly detailed study by the Adelaide City Council. If I can obtain any further information for the honourable member, I will bring it down for him.

SCHOOL COUNCILS

Mr. RODDA: Can the Minister of Education clarify the position of headmasters as *ex officio* members of high school and area school councils, under the new set-up which the Education Department is currently effecting? Over the weekend, some interested parents have raised with me the question whether a headmaster, because he is an *ex officio* member of a high school or area school council, is in fact a voting member. Although I believe that the Minister intends that he shall be a voting member, I have been asked to have the matter clarified by the Minister in Parliament, and I am sure he is capable of clarifying it. This has raised some curiosity amongst the parents, and I shall be pleased if the Minister can clear up the matter for me.

The Hon. HUGH HUDSON: All members of these new councils, including the headmaster and the teachers who are elected to the councils by their fellow teachers, will be full voting members. I want to make that quite clear. There will not be any such thing as having some voting members and some non-voting members. The councils are designed to be a blend of parent representation and school staff representation to give an effective organization to run the school and be a body that ultimately will be able to take greater responsibility for the school. I think that, if the honourable member also cares to study the details of the new councils, he will notice that, apart from the co-opted members, in each case the elected parent representatives comprise a majority and can be in a minority only if, on the motion of the council, up to two additional members are co-opted onto the council, so the parent representatives would have to concur in a situation in which they were not a majority on the school council.

Mr. WARDLE: Will the Minister agree that co-opted members can be co-opted from a variety of people during the one council term? I presume that there will be no limitations on the length of time that a co-opted member can serve, so that, if a high school council has a building project on which it would like the advice of a builder for three months of the year, it can have such a member and then, when it solves its building problem, if it has a gardening problem and would like expert advice from a gardener, there will be no reason why the first co-opted person could not be thanked for his services and released and the gardener co-opted to give his service to the council for the next five or six months. I am eager to know whether or not the Minister agrees that this position will obtain, or whether a person co-opted will be co-opted for the whole period for which other members are elected to the council.

The Hon. HUGH HUDSON: I think that the honourable member has not really thought the problem through. Clearly, we will not lay down to the school council that, if it wants an architect, a gardener or a student to attend a meeting and give advice in a non-voting capacity, it cannot do that. The question is the composition of the voting members of the council. The matter of co-opting relates to the co-option of people who will be given a vote. If they want advice from any person, they can get it readily without giving that person a vote on that issue and on other issues as well. I suggest to the honourable member that he explain to anyone who approaches him on the matter that the power of co-opting is intended, first, to give the council some freedom with respect to people who have been associated actively with the school in the past and who may not qualify for membership under new arrangements. Secondly, it is intended to give the school council some degree of freedom in relation to individuals that the council considers may be of great value to it as members of the council and who would be willing to become members. For example, a school may be located in a certain local government area but may have a significant number of children from another local government area, and that school council may traditionally have had relationships with the local government officials in that other local government area. This could occur, for example, in relation to Murray Bridge and the Meningie District Council. The power of co-opting would permit the Murray Bridge High School Council to co-opt someone from the Meningie District

Council to help in relation to the interests of parents from Tailem Bend. This is the purpose. Private individuals, local government people, and so on, may have been of great help to the school, and this arrangement is designed to enable those established connections to be maintained and also to enable the school to develop other permanent connections with other people who are capable of making a great contribution to the school.

CLARENDON RESERVOIR

Mr. EVANS: Will the Minister of Works give a guarantee that no further public moneys will be spent on the Clarendon reservoir or any other new reservoir until a new water rating system has been operating and we have had an opportunity to assess the effect that the new system has on water usage in the metropolitan area? My question relates to a question that I asked yesterday, when the Minister said that he agreed with me to some extent on this subject. However, I am still concerned that, with improved technology, within a few years we may be able to desalinate water, thus avoiding the need to inundate large areas of the Hills. The *News* contains an announcement about a proposal for new reservoirs other than the Clarendon reservoir, and I am concerned that we may be spending public money unnecessarily at this stage and in future may find that we have wasted this money. If a new rating system reduces considerably the consumption of water in the metropolitan area, we may find that the reserves held at present are large enough to meet requirements for many years.

The Hon. J. D. CORCORAN: I do not believe that I can give that guarantee.

PORT LINCOLN SHOPPING

Mr. CARNIE: Will the Minister of Labour and Industry say why it was considered necessary to hold a poll on shopping hours in Port Lincoln, when the Government obviously intended to act concerning the alteration of shopping hours throughout the whole State? Yesterday I asked the Minister a question in three parts on the shopping hours poll in Port Lincoln, and the question that I have now asked was one of those parts. Unfortunately, the Minister overlooked that part of the question, giving me no reply, so I have repeated it today. Will he please reply to it?

The Hon. D. H. McKEE: It was decided to hold a poll, and I understand that this is normal where some people oppose the abolition of a shopping district or centre. This is the reason for holding the poll: when there is opposition, it is necessary to hold a poll of the people to determine their wishes, and that is exactly what we have done.

Mr. Carnie: But you—

The Hon. D. H. McKEE: Does the honourable member want me to reply to the question? I have told him the position: when a number of people object to the abolition of a shopping district a poll is necessary, and that is exactly what has taken place.

Mr. Carnie: You're saying it is mandatory.

The Hon. D. H. McKEE: The decision of a poll is mandatory.

PUBLIC WORKS EXPENDITURE

Mr. McANANEY: Has the Treasurer a reply to the question I asked yesterday about Loan expenditure?

The Hon. D. A. DUNSTAN: The arithmetic of the honourable member takes no account of the normal seasonal influences on the flow of public works expenditures, and figures quoted on the basis he has used, which assumes that an even one-twelfth of the year's proposed expenditures will be incurred in each month, are misleading. Expenditures simply do not occur in that way. In the first place, with a programme expanding from year to year there will normally be a general trend upwards with expenditures in the latter months of the year being heavier than in the early months. In the second place, June is always a heavy month for actual payments as various settlements are made and this tends further to push up the proportion of payments in the latter part of the year. In the third place, January, the holiday period, is always a month of relatively light payments, so that figures taken at the end of the seven months will normally be well below a direct pro rata calculation. Last year, 1970-71, we had spent about 46 per cent of the year's eventual Loan expenditure by the end of December and about 52 per cent by the end of January, with the remaining 48 per cent being expended in the last five months. This year we are running a little ahead of last year with about 48 per cent being spent by the end of December and about 54 per cent by the end of January.

I do not think the honourable member would seriously suggest that a Government could or should change this established seasonal pattern and spend its Loan moneys

at the rate of one-twelfth each and every month. He knows that it could not work. Of course, this year the normal upswing in payments in the last five months of the year will be accentuated by the expenditure of the additional funds secured at the recent Premiers' Conference and already allocated by Cabinet to provide both essential works and increased employment in housing, construction of Government buildings, etc. The February figures showed some small indication of that greater upswing which is occurring this year.

BUILDING REGULATIONS

Dr. EASTICK: My question is directed to the Minister of Local Government and concerns the Building Act passed last year. Why have copies of the proposed regulations to the not yet proclaimed 1971 Building Act not been made freely available to local councils for their scrutiny? Some copies of the proposed regulations are circulating in the community, but local councils, as such, have not been given a copy of the proposed regulations. Organizations and individuals who have received copies of these regulations have until March 31, 1972, in which to submit comments to the appropriate authority. One organization that has had the opportunity to peruse these regulations has now offered copies of the document (which runs to about 200 pages) at 12c a page. This means that a local council that will be responsible for the workings of this Act, and whose building inspector and other officers will be tied to the provisions of the regulations as well as to the provisions of the Act, is being offered the opportunity to purchase copies of this document and has not had the same opportunity to scrutinize it as have other bodies. Worry has been expressed by some councils located outside the jurisdiction of the Planning and Development Act because, under the new regulations, they will have no opportunity to appoint referees for certain of the provisions that they have under section 9a of the present Act. Why should these local councils, which will be so vitally involved with the processes of this Act and its regulations, be denied the opportunity to comment at this stage? Further, is it too late for the situation to be corrected to allow local councils the opportunity that certain other organizations have had?

The Hon. G. T. VIRGO: I am not personally aware that local councils have not been provided with copies of the proposed regulations. A considerable time ago a list was submitted to me of many organizations and, if local councils were not included in that list, all I can say is that I missed picking up that discrepancy. I will look into the matter.

Mr. Coumbe: They would have to administer the regulations.

The Hon. G. T. VIRGO: Of course, and they should have been given an opportunity to look at the regulations. I was not aware that they had not been given that opportunity. If that is the position, I accept full responsibility. I am not trying to duck-shove the responsibility. I will look at the matter and try to bring down information.

SUNNYSIDE SWAMP

Mr. WARDLE: Will the Minister of Environment and Conservation have examined more recent figures in regard to the testing of water at Sunnyside Swamp? In November last the Minister was good enough to give me figures concerning the quality of water in Sunnyside Swamp which it was believed was identical to the quality in the Murray River prior to pumping out on to the swamp. I understand that several tests have been made since that time by the appropriate authority which has its headquarters at Murray Bridge, where the records are kept. I believe that on one occasion the test showed over 2,500 parts a million and on another occasion over 3,000 p.p.m.

The Hon. G. R. BROOMHILL: I shall be pleased to comply with the honourable member's request and inform him of the outcome.

RURAL DOCTOR SCHEME

Dr. TONKIN: My question on this occasion is again directed to the Attorney General, representing the Minister of Health, although I gather that we have another medical expert in the House. As an interim measure to help relieve the current shortage of doctors in the country, will the Government encourage the establishment of a rural doctor scheme similar to that operating in New South Wales? This scheme encourages doctors to go to the country by providing from the community a house and surgery, an interest-free loan from the Government to help in regard to establishment costs, and some support from specialists from nearby centres. My previous question, which was answered so ably by the Minister of Education, was not really replied to at all; he dealt with the quota system, and I am sure that the Minister did not intend to imply that the Government was taking no steps, by ignoring that part of my question.

I hope that the Government does not have this irresponsible attitude, and I should be grateful for a reply from the Minister of Health.

The Hon. L. J. KING: I will refer the matter to the Minister of Health.

GOVERNMENT ACCOMMODATION

Mr. BECKER: Can the Minister of Works say what steps the Government has taken to reduce the amount of pre-occupational rental office accommodation required for various Government departments? I quote from the Auditor-General's Report for the year ended June 30, 1971, at page 140, under "Public Buildings Department". Under the subheading "Properties Rented for Departmental Accommodation", the Auditor-General states:

For a number of properties the pre-occupational capital expenditure incurred or to be incurred has been high and substantial sums have been paid in rentals prior to occupation. In two cases cleaning was paid for buildings not yet occupied. A few illustrations are quoted to exemplify the matters set out above:

Property A—Annual rental $61,877—pre-occupation rent (approximately seven months) $32,424. Capital expenditure before occupation, $121,152.

B—Annual rental $107,424—pre-occupation rent, $74,017. Estimated capital expenditure before occupation, $170,654.

C—Not yet occupied—annual rental — $80,275—pre-occupation rent Jo June 30, 1971, $23,305. Estimated capital expenditure, $187,300.

D—Not yet occupied—annual rental commencing July 1, 1971, $45,405. Estimated capital expenditure $75,000.

The total pre-occupation rent involved in those four illustrations is $129,746. Will the Minister say whether there cannot be suitable co-ordination between the Government and the owners of premises rented by Government departments in order to avoid this ludicrous waste of public money?

The Hon. J. D. CORCORAN: I am impressed with the final phrase "ludicrous waste of public money", but I am afraid that the honourable member does not know much about the way buildings have to be rented by the Government. It is not always possible for the Government to have sufficient finance to put up its own buildings and, bearing in mind the member for Hanson's vast knowledge of banking, I think he understands this and knows that from time to time it is necessary for the Government to rent accommodation. Although the Auditor-General in his report said that we were renting far too much accommodation, he did not say how we could solve the problem or how the Government could obtain more funds, bearing in mind its commitments in other areas. We are currently planning development in Victoria Square, taking in Gawler Place, Flinders Street and Wakefield Street, and this will lead to the erection of two major office blocks, which may relieve some of the need to occupy rental accommodation. However, it may not provide that relief, because the demand for office space will grow in future. I point out that it will probably be about 1980 before we can finally construct these buildings. There are problems involved because often buildings rented by the Government have been used for a different purpose from that which they were intended for. This means that major alterations have to be made to the interiors and there have been unnecessary delays. We do not want a report from the Auditor-General similar to the one we had this year and the department has been given that message loud and clear.

Mr. McAnaney: The Auditor-General is being instructed.

The Hon. J. D. CORCORAN: I am not telling the Auditor-General not to report it: I am just telling the department under my control to make sure that the Auditor-General is not put in a position where he has to report. In other words, the things that led to that report should not happen again. That is not putting the Auditor-General under instructions.

CEDUNA COURTHOUSE

Mr. GUNN: Can the Minister of Works say when work will commence on the new courthouse facilities at Ceduna? The local justices of the peace have threatened to withdraw their services if a reasonable effort has not been made to complete the building by June 1, 1972.

The Hon. J. D. CORCORAN: The Attorney General earlier announced that the Government had decided to provide Samcon buildings on two sites at Ceduna. The main reason for delay was the examination of the feasibility of reverting to solid construction but the Police Commissioner and the Attorney General are convinced that Samcon buildings will fulfil adequately the needs of the police and court officials in Ceduna. This tender was let to Fricker Brothers and I believe the

completion time is 24 weeks. In the interim, negotiations have been proceeding and yesterday I sent to the Attorney General a minute suggesting that he agree to the renting of the Freemasons hall at Ceduna to serve as a temporary court until the new facilities are available. I hope that this will solve the problems the honourable member has outlined in respect of the justices of the peace.

RURAL RECONSTRUCTION

Mr. ALLEN: Will the Minister of Works ask the Minister of Lands how many applicants who have been accepted for assistance under the rural reconstruction scheme have declined that assistance when informed of the conditions laid down by the department? The Minister of Lands, who gave progressive figures of the scheme in another place yesterday, said that 154 cases had been accepted, with a total payment of $2,800,000, and 169 had refused. I have been told that many applicants have refused the aid because of conditions set down by the department.

The Hon. J. D. CORCORAN: I will take the matter up with my colleague and bring down a report as soon as possible. It may take a little time for research, but I know the Minister will expedite his reply.

PUBLIC SUPPLY AND TENDER ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

At 4 o'clock, the bells having been rung:

The SPEAKER: Call on the business of the day.

LAW OF PROPERTY ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney General) obtained leave and introduced a Bill for an Act to amend the Law of Property Act, 1936-1969. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

It implements recommendations of the Law Reform Committee upon two separate subjects. First, it relaxes to some extent the law relating to the execution of deeds. It provides that, where a document is expressed to be a deed and is duly signed or marked by a party to the deed, and attested by a witness who is not a party to the deed, then it will be deemed to be duly executed by that party. Thus sealing of a deed is no longer required. Further, even if the deed is not duly executed it may be enforced against a party to the deed if he has taken a benefit thereunder.

Secondly, the Bill gives a mortgagor certain protections. A mortgagee is required, before exercising rights of sale or foreclosure in respect of mortgaged land, or before entering into possession of mortgaged land, or appointing a receiver in respect of mortgaged land, to give notice to the mortgagor alleging some breach of covenant or condition by the mortgagor. Where the breach is capable of remedy, the mortgagor is to be given at least 28 days to remedy the breach. Where the mortgagor does remedy the breach, the mortgagee cannot exercise any rights of the kind to which I have referred against the mortgaged land. A similar provision deals with the case where the mortgage provides that, if the mortgagor is in default under the mortgage, then moneys due under the mortgage will fall due for payment at an earlier date than otherwise. The mortgagee is prevented from claiming the benefit of such a provision unless he has given the mortgagor a proper opportunity to remedy his default. Further, the mortgagor is empowered in proceedings instituted by the mortgagee or by himself to ask for relief against the enforcement of the mortgage against the subject land. This provision is similar to provisions of the Landlord and Tenant Act which empower a court to relieve against forfeiture of a lease where a tenant is in default.

New provisions are inserted which require a mortgagee on request to inform a mortgagor of how the amount of any demand made by the mortgagee against the mortgagor is arrived at. A mortgagee is prohibited from binding the mortgagor with collateral covenants that would extend beyond the time at which the mortgage debt is extinguished. Finally, the Bill provides that any covenant by which the mortgagee might seek to enforce a personal right to repayment of moneys after foreclosing against the subject land, and without reopening the foreclosure, is void. This is not normally possible in equity. In other words, if the mortgagee seeks to sue the mortgagor personally for the mortgage debt, he is normally required to give him an opportunity to redeem his security. However, the Law Reform Committee considered that, by reason of a provision of the Real Property Act, the possibility of a personal action without

reopening the foreclosure might arise. That would clearly be undesirable, and the Bill accordingly eliminates this possibility.

The provisions of the Bill are as follows: Clauses 1 and 2 are formal. Clause 3 repeals and re-enacts section 41 of the principal Act. The new section contains the more extensive provisions relating to the execution of deeds which I have previously explained. Clause 4 enacts new sections 55a and 55b, which contain the protections for mortgagors to which I have referred.

The Hon. D. N. BROOKMAN secured the adjournment of the debate.

JUSTICES ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney General) obtained leave and introduced a Bill for an Act to amend the Justices Act, 1921-1969. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

It contains a number of very significant amendments to the Justices Act designed to expedite and modernize summary procedures. The Bill extends the system of "hand-up" briefs, existing at present under the Criminal Law Consolidation Act in relation to carnal knowledge cases, to preliminary examinations generally. Where an accused person comes before a justice charged with an indictable offence, he usually does not attempt seriously to resist the allegations of the witnesses for the prosecution at that stage. He is content to discover the extent of the prosecutor's case and reserve his defence until he is subsequently charged before a judge and jury. In such cases it seems futile to require the prosecutor to produce his witnesses for oral examination when they will not in any event be subjected to serious challenge at that stage.

It is much less troublesome to tender written affidavits of witnesses to the court so that the court can decide whether a *prima facie* case has been made out, and the defendant may receive notice of the allegations that may subsequently be made against him if he is committed for trial. This procedure is at present available to the court under section 57a of the Criminal Law Consolidation Act in relation to carnal knowledge cases. It has worked well, and there seems no reason in principle why it should not be applied to other preliminary examinations. The Bill accordingly provides for the extension of the principle to preliminary examinations generally. It includes ample safeguards for the defendant, empowering him to require that a witness appear for cross-examination where he desires to test the witness's statement at the preliminary examination.

The Bill also seeks to expedite summary procedures where the defendant neither appears nor returns to the court a written plea of guilty. At present, the court is required in these circumstances to hear formal evidence of the matters alleged against the defendant. This means that many witnesses are put to the trouble of attending proceedings which are merely formal in nature, and the defendant himself suffers because he must pay not only the fine imposed by the court but also the witness fees. The Bill provides for a system under which the court may proceed *ex parte* in the absence of the defendant and may regard the allegations contained in or accompanying the summons (as served upon the defendant) as sufficient evidence of the matters alleged against the defendant. It is important to note that the court is, in such cases, empowered to proceed only upon the basis of allegations of which the defendant has received notice.

Under the provisions of the principal Act, a court of summary jurisdiction is empowered to deal summarily with certain of the less serious indictable offences known as minor indictable offences. The court itself determines whether it should deal with the case or commit the defendant for trial on indictment. This seems unduly to restrict the rights of an accused person. The Government considers that a person charged with an indictable offence should always have the right to elect to be tried before judge and jury. The creation of the District Criminal Court means that sufficient judges are now available to handle any increase in the number of jury trials that may result from this extension of the rights of an accused person. Accordingly, the Bill provides that an accused person charged with a minor indictable offence may, at any time before the completion of the case for the prosecution, elect to be tried by judge and jury. If he makes that election the summary court shall complete the proceedings as a preliminary examination and, if it finds a *prima facie* case established, commit the defendant for trial on indictment.

A further amendment provides that all appeals from courts of summary jurisdiction on proceedings relating to minor indictable offences should be heard by the Full Court unless the appellant specifically requests a hearing before a single judge. This amendment is

justified by the fact that the questions of law and fact arising upon the hearing of minor indictable offences are frequently just as intricate and difficult as are those arising upon the hearing of more serious offences.

In dealing with appeals against sentences imposed in courts of summary jurisdiction, the Supreme Court has, on occasions, been embarrassed by the fact that it has been unable to take into account other penalties imposed upon the defendant for interrelated offences. The judges have considered that the Supreme Court should be empowered to take into account the totality of punitive and reformative measures applied by the primary court and should not be limited by the restricted nature of an appeal to merely one sentence which may, when considered alone, appear excessively severe or lenient but which, when considered in its proper context, appear entirely appropriate. Accordingly, the Bill enables the Supreme Court, in considering an appeal against sentence, to look beyond the sentence actually subject to appeal and consider all penalties and other orders made by the primary court against the defendant. The Bill also rectifies provisions of the principal Act dealing with the payment of witness fees, and makes various procedural amendments.

The provisions of the Bill are as follows: Clauses 1 and 2 are formal. Clause 3 enacts new section 39b of the principal Act. This new section obviates the need to call formal evidence of the administration of a bond in proceedings in which the fact that the bond exists is not really disputed. Clause 4 enacts new section 62ba of the principal Act. This is the provision to which I have previously referred under which a court may proceed *ex parte* on the basis of allegations contained in a complaint where the defendant neither attends nor returns a written plea of guilty. Clause 5 amends section 62c of the principal Act. Where a court of summary jurisdiction determines to proceed *ex parte* it is prevented from imposing a sentence of imprisonment. Some doubt has been raised whether this provision prevents the court from imposing a sentence of imprisonment in default of payment of a fine. Such a restriction was certainly not intended, and the amendment accordingly clarifies this point.

Clause 6 enacts section 62d of the principal Act. This new section is designed to facilitate proof of a defendant's previous convictions. The prosecutor may serve on the defendant a notice stating particulars of previous convictions that may be alleged against him at the trial. When he has received the notice a reasonable time before the hearing, it may be tendered in evidence and the court may accept the notice as evidence of the matters alleged in it. Clause 7 repeals and re-enacts section 72 of the principal Act. At present, only a party to summary proceedings is entitled to obtain copies of depositions, convictions, orders and other similar documents. There may be other persons (for example, insurance companies) with a legitimate interest in the proceedings. The amendment enables a special magistrate to approve the issue of documents of this nature to any person who satisfies him that he has a legitimate interest in the proceedings.

Clause 8 repeals and re-enacts section 81 of the principal Act. The new section modernizes the provisions relating to imprisonment for default in the payment of fines. The value of money has decreased very significantly since the present provisions were enacted, and an amendment is accordingly urgently needed. The provision provides for a maximum of one day's imprisonment for each $10 of the fine, with an upper limit of six months imprisonment. Clause 9 provides for the system of "hand-up" briefs, which I have previously explained. Clauses 10, 11 and 12 contain consequential amendments. Clause 13 invests an accused person charged with a minor indictable offence with the right to elect to be tried by jury.

Clause 14 amends section 140 of the principal Act. This section stipulates the sittings of the Supreme Court or the District Criminal Court to which an accused person is to be committed for trial or sentence. At present, the sittings of the Supreme Court are those sittings which commence first after the expiration of seven days from the date of the committal order. But the period is 14 days in the case of the District Criminal Court. The amendment provides for a uniform period of 14 days in both cases, with power for the court to increase or reduce the period. Clause 15 repeals sections 158 to 160 of the principal Act. These sections deal with the payment of witness fees. However, they relate only to proceedings in respect of indictable offences. No provisions exist for the payment of witness fees in respect of summary offences. The provisions of these sections are repealed and are re-enacted by clause 21 in a form capable of general application.

Clause 16 provides for an appeal in proceedings for a minor indictable offence to be heard

by the Full Court unless the appellant specifically asks that the appeal be heard by a single judge. Clauses 17 to 19 modernize the appellate procedure. The amendments are to some extent consequential upon the previous amendments. Clause 20 enables the Supreme Court in considering an appeal against sentence imposed by a court of summary jurisdiction to take into account and, if it thinks fit, to vary other interrelated sentences. Clause 21 invests a court of summary jurisdiction with power to award witness fees in all proceedings.

Mr. COUMBE secured the adjournment of the debate.

HIGHWAYS ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Highways Act, 1926-1971. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

It deals with a number of matters, of which the most important and significant are summarized as follows: First, it confers on the Commissioner, subject to the approval of the Minister, power to operate a sea transport service. Honourable members will recall that last year the Commissioner was authorized to operate a sea ferry service to Kangaroo Island and, with this end in view, the ship *Troubridge* was purchased by the Government. At the time, it was realized that this service would have to operate at a loss, in economic terms, but the clear necessity of providing a link to the island made this loss acceptable.

However, investigations have suggested that, if the *Troubridge* service is extended to Port Lincoln, the loss can be substantially reduced since certain heavy dead-weight cargoes, such as cement, building materials, steel, etc., can be carried economically with a resulting benefit to the Eyre Peninsula community as well as the community of the island. An added virtue of this proposal is that, since such cargoes cannot economically be carried by road transport, the interests of road transport operators will also be advanced. Secondly, the power of the Commissioner to close roads has been increased. In the context of modern highway development the procedures set out in the Roads (Opening and Closing) Act are not really satisfactory for the Commissioner's purposes, and accordingly certain alternative procedures are proposed.

Thirdly, the provisions regarding compensation for persons injuriously affected by the proclamation of controlled-access roads and resumptions for road widening have been clarified to the end that a proper balance be struck between the public need for improved roads and the private rights of owners affected. Fourthly, certain amendments are proposed to the principal Act that are consequential on the responsibilities imposed on the Commissioner, by amendments to the Road Traffic Act, in relation to traffic control devices. I interpolate here that the Road Traffic Act Amendment Bill will be introduced tomorrow. Finally, the situation regarding the provision of "means of access" to controlled-access roads has been clarified.

I will now deal with the Bill in some detail. Clauses 1, 2 and 3 are formal. Clause 4 inserts definitions of "local access road" and "means of access", which are necessary for the purposes of the Bill. Clause 5 inserts in section 20 of the principal Act two new provisions which deal with the general powers of the Commissioner. The two additional powers conferred on the Commissioner are (*a*) a power to operate ferry services; and (*b*) a power to operate a sea transport service. The reasons why it is desirable that the Commissioner should have power to operate a sea transport service have been canvassed earlier. The conferring of a formal power on the Commissioner to operate ferry services proper has also been thought desirable at this stage since in one sense at least a ferry over, say, a river can be regarded as a type of extension to a road.

Clause 6 amends section 27a of the principal Act, which deals with the right of the Commissioner to exercise the powers of a council under the Roads (Opening and Closing) Act, 1932, as amended, in connection with main roads. This limitation to main roads is now inappropriate as the Commissioner may well have a responsibility for roads other than main roads. Clause 7 is quite an important provision, in that by inserting new sections 27aa, 27ab and 27ac it provides a code for the closing of roads outside the provisions of the Roads (Opening and Closing) Act, 1932, and also for the extinguishment of easements or restriction covenants. The proposed new provisions are reasonably self-explanatory, but I draw honourable members' particular attention to paragraphs (*b*) and (*c*) of new section 27aa, which relate to notice and compensation. New section 27ab sets out the precise effect of a proclamation closing a road, and new section 27ac casts certain duties on the Registrar-General. The provisions proposed to be

inserted by this clause are not new in the legislation of this State and in fact are derived, to a considerable extent, from sections 39, 40 and 41 of the Housing Improvement Act, 1940-1970, where not dissimilar problems may be encountered.

Clause 8 again merits close attention. This clause, which amends section 27b of the principal Act, slightly extends the power of the commission to acquire land. At present by this section the power may be exercised only for the purposes of widening a road, but paragraph (*a*) of this clause extends this power to cover the case where it is necessary to make any deviation of a road. Paragraph (*b*) modifies somewhat the right of an owner whose land is subject to acquisition under this section to demand that the land be acquired forthwith. It is proposed that this right may be exercised only where the land is clear of buildings. Honourable members will appreciate that road widening proposals are often very long-term proposals and the department's financial resources could be considerably strained if it was unexpectedly faced with a demand for the immediate acquisition of land on which substantial buildings are erected when that land may be required only 10 to 20 years hence. Paragraphs (*c*) and (*d*) of this clause merely make it clear that the expression "building" or "structure" includes, respectively, part of a building or structure. Clause 9 is in the nature of a formal amendment and is intended to give full effect to section 27c of the principal Act, which relates to endorsements on certificates of title, in relation to Crown leases and agreements. No change of principle is envisaged by this provision. Clause 10 is intended to ensure that proclamations declaring a road to be a controlled-access road will be as informative as possible, and clause 11 is intended to ensure that as far as possible owners of land likely to be affected will receive individual notifications. Clause 12 amends section 30b of the principal Act and provides that the closing date for claims for compensation shall occur 12 months after the injurious effect on property occurred. Previously, the period ran from the day of the proclamation of the controlled-access road. This provision should be of considerable benefit to claimants for compensation since in the past it has often not been clear just what injurious effects will follow the proclamation.

Clause 13 extends the power of' the Commissioner to close or control access to roads abutting or adjacent to controlled-access roads. The extension of this power is necessary to ensure that movement on the controlled-access roads is facilitated. Proposed new subsection (2) ensures that the fact that a means of access that existed has been closed off by an owner shall not confer on a subsequent owner of the land the right to open that means of access. Clause 14 sets out in some detail the powers of the Commissioner to construct means of access to land abutting a controlled-access road or to authorize the use of existing or proposed means of access and to close off or alter any existing means of access. It may be noted that the provisions relating to compensation will apply to any direct injurious effect on land flowing from the Commissioner's decision in this area. Clause 15 contains drafting amendments consequential upon other provisions of the Bill. Clause 16 is a drafting amendment only.

Clause 17 amends section 31 of the principal Act, which relates to payments into the Highways Fund, and will ensure that any revenues that arise from the new operation by the Commissioner will accrue to the Highways Fund. Clause 18 authorizes payments from the Highways Fund of the costs necessary for and incidental to the operation of ferry and sea transport services, and proposed new paragraph (*a*) provides for expenditure on traffic control devices. Clause 19 contains amendments consequential on the proposal to adopt the metric system of measurement by changing references in section 35 from "mileage" to "distance". Clause 20 amends section 36a of the principal Act by repealing an exhausted provision and making a metric conversion in that section. Clause 21 provides a suitable head of regulation-making power to cover any regulations that may be necessary in cc*.mection with any ferry or sea transport service. In the nature of things any regulation made under this head of power will, in common with all other regulations, be subject to Parliamentary scrutiny.

Mr. COUMBE secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (LICENCES)

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1971. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

It makes some very important changes to the Motor Vehicles Act. The principal amendments relate to the implementation of a system of licence classification. These amendments are designed to ensure that a person who drives a motor vehicle of a certain kind possesses the necessary standard of skill to manage that vehicle without endangering the safety of the public. Ancillary amendments are inserted to establish a minimum age of 18 years at which a person may qualify to drive heavy commercial vehicles. The Bill also provides for short-term permits, the licensing of manufacturers of number plates, the establishment of a consultative committee to which the Registrar may refer certain important or contentious matters, and a minimum age at which a person may become the registered owner of a motor vehicle, and makes a number of other formal amendments.

In the interests of road safety and standardization of road laws in Australia, provision is made for classification of drivers' licences similar to those recommended by the Australian Road Traffic Code Committee and endorsed by the Australian Transport Advisory Council. Before 1961, a standard licence was issued in this State authorizing the holder to drive any type of motor vehicle. In recognition of the special skills required to handle heavy vehicles, the Motor Vehicles Act Amendment Act (No. 2), 1960, provided for a separate class A licence for those who demonstrated by practical test their ability to drive vehicles weighing more than three tons. This system in which all other drivers are classified as class B has operated since July, 1961.

The effect of the Bill is to carry this principle further by providing a numbered system of additional classifications. Under the new system, the Registrar of Motor Vehicles will require appropriate tests or other evidence of competency before authorizing applicants for licences to drive either articulated vehicles or motor omnibuses. Five classes of licence will be available. Most drivers who drive only motor cars and light commercial vehicles will convert to a class 1 licence. Those who wish also to drive heavy commercial vehicles but not articulated vehicles, omnibuses and motor cycles may convert to class 2. A class 3 licence will extend the privileges of a class 2 licence to include articulated vehicles. A number 4 or 5 classification may be issued either in association with a class 1, 2 or 3, or separately. Endorsement of a licence with class 4 will authorize the holder to ride a motor cycle, while class 5 will permit the driving of omnibuses.

Licences in force when the Act comes into operation will continue for their period of currency under the same conditions as they were issued. The Registrar will have discretion to change classes on the renewal of the licence within the first 12 months of the operation of this legislation on receipt of reasonable evidence of competency or upon satisfactory test results. New applicants for licences will be tested in vehicles appropriate to the class desired. It is proposed to adopt the following procedures in converting existing classes of licence to the new classes. Those holding existing B class licences will automatically convert to class 1.

Those holding existing B class licences restricted to motor cycles only will automatically convert to class 4. Persons holding a current A class licence who had passed a practical test since tests were introduced in 1961 will convert automatically to class 2. The remaining A class licence holders (that is, those who had not passed a test) will convert automatically to class 1. Any person who requires endorsement for a class of licence over and above these automatic conversions will be required to pass a test or to present satisfactory evidence of experience and competence.

Under existing legislation, the Registrar of Motor Vehicles has no authority to permit the use of vehicles on roads in unusual emergencies. Situations frequently arise in which owners are required to go through the laborious procedure of fully registering a vehicle and then cancelling the registration and obtaining a refund perhaps after only one or two days use. This is not only inconvenient to the person but is cumbersome and unnecessarily time-consuming for the department. This Bill authorizes the Registrar to issue permits for periods not exceeding three days in circumstances in which he is satisfied that it would be unreasonable or inexpedient to require registration.

There are various situations in which this can occur. For example, a visitor from another State who is stranded with an expired registration may require some authority to enable him to return home. There have also been cases of a stolen vehicle being located in South Australia and the owner wishing to obtain an authority to remove the vehicle to his home State. Another example is that of a country property owner who purchases a vehicle for use of the engine on his property or for use as an off-road vehicle, and he merely wishes to do the one trip to the property.

Provision is made similar to that already existing with respect to permits issued under sections 14, 17 and 18 of the Act, namely, that the person may be exempted from the duty to comply with any specified provisions of this or any other Act relating to road traffic. This is designed to enable a person to be relieved of unnecessary burdens where limited use of a vehicle is involved, for example, the carrying of number plates. In licensing manufacturers, it is intended to require certain conditions to be met, for example, suitability of premises and equipment, standard of plates, keeping of records and the maintenance of an effective service.

Parts III and IIIA of the Motor Vehicles Act give the Registrar of Motor Vehicles discretion in the issue, cancellation or suspension of drivers' licences, tow-truck operators' certificates and driving instructors' licences. When such discretion is exercised on the grounds of character or conduct, it is inappropriate that it should rest upon the opinion of one official. The Bill provides for a committee of review to decide these cases where the Registrar considers that there is doubt or that the circumstances of the case or the interests of the applicant justify referral. Provision is made in this Bill for a minimum age of 16 years for registered owners of motor vehicles.

An owner under the Motor Vehicles Act has various responsibilities that cannot be carried out by a very young person who may not have reached the age of reason. It is inappropriate for a person who is not old enough to obtain a driver's licence to be recognized as the owner of a vehicle.

Clause 1 is formal. Clause 2 provides for the commencement of the amending Act. It should be noticed that the new provisions relating to licence classification are to come into operation on a date to be fixed by proclamation. Clause 3 inserts a number of definitions that are required mainly for the purposes of two amendments to be made by the Bill. The definition of "Minister" is consequential on the next clause, which repeals section 6 of the principal Act. This definition merely tidies up the references to "the Minister" in the principal Act and does not indicate any intention to vary the administration of the Act. Clause 4 repeals section 6. Clause 5 provides for the issue of short-term permits.

Clause 6 amends section 20 of the principal Act by establishing a minimum age at which a person becomes entitled to be registered as the owner of a motor vehicle. The invalid registration of a vehicle contrary to the provisions of this section does not affect the validity of a third party policy under the principal Act. Clauses 7 and 8 make drafting amendments to the principal Act. Clause 9 amends section 41 of the principal Act by striking out subsections (3) and (4); these subsections create anomalies when compared with section 54. Under subsections (3) and (4) a person who uses a vehicle of restricted registration contrary to the conditions of registration may be required to pay the full registration fee. However, under section 54 the registered owner may immediately cancel the registration and claim the registration fee back. He could then apply again for restricted registration. *It* is thought better to repeal these provisions for the recovery of registration fees and leave this matter to be dealt with as a criminal offence.

Clause 10 provides for the licensing of number plate manufacturers. Clause 11 provides for the classification of licences in the manner previously described. Clause 12 provides for the Registrar to refer to the consultative committee any contentious question as to the good character of an applicant for a tow-truck certificate. Clause 13 makes a consequential amendment to section 76 of the principal Act. Clause 14 establishes an age limit of 18 years for persons who seek to obtain licences to operate heavy commercial vehicles. Clause 15 provides for the Registrar to obtain the advice of the consultative committee before he exercises certain powers under the principal Act to refuse to issue a learner's permit or licence to an applicant or to cancel an existing licence.

Clause 16 makes a consequential amendment to section 85 of the principal Act. Clause 17 amends section 98a of the principal Act. These amendments are similar to previous amendments relating to tow-truck certificates. They provide for the Registrar to submit contentious matters to the consultative committee for advice. Clause 18 provides for the establishment of the consultative committee. It is to consist of the Registrar or his nominee, the Commissioner of Police or his nominee, and a legal practitioner of at least five years standing. Clause 19 increases to $100 the penalties that may be prescribed for breach of a regulation. Clause 20 provides that a person who drives a commercial vehicle for excessive hours under the new hours of driving legislation is to incur two demerit points for each offence.

Mr. MATHWIN secured the adjournment of the debate.

MOTOR VEHICLES (HOURS OF DRIVING) BILL

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to provide for the control and regulation of the hours of driving of drivers of certain motor vehicles, and for other purposes. Read a first time.

The Hon. G. T. VIRGO moved:

That this Bill be now read a second time.

Mr. BECKER: Mr. Deputy Speaker, I draw your attention to the state of the House.

A quorum having being formed:

The Hon. G. T. VIRGO: For a number of years legislation has been in force in New South Wales and Victoria to limit the hours of driving of passenger and goods vehicles with an unladen weight in excess of two tons. Legislation of this kind has been found to be a necessary adjunct to road safety both in those States and in oversea countries. It is most important that those who drive motor vehicles which require a high degree of skill to manage and are capable of causing extensive damage if not properly controlled should not exert themselves beyond the limits of human endurance and efficiency. If they do so, they endanger themselves and other road users as well. The problem of long hours of driving of heavy commercial vehicles was first discussed by the Australian Transport Advisory Council in 1961. It was recognized then (and has been ever since) that limitation of the hours of driving of commercial motor vehicles was a vital adjunct to road safety. Discussions have since ensued with the Ministers responsible for transport in New South Wales and Victoria and with the transport operators and unions involved. In addition, consideration has been given to the reports of the International Labour Organization. The Act and regulations will very largely implement the recommendations of that organization.

Many accidents which occur in South Australia involve trucks and semi-trailers. No doubt some long distance operators are, in fact, driving for periods beyond the bounds of human efficiency. It is in the interests of the road transport industry and the public that steps be taken in South Australia to limit the hours of driving of commercial vehicles. The Bill now before this House is similar in effect to legislation enacted in New South Wales and Victoria. The legislation basically functions through drivers being required to keep a prescribed log-book relating to the periods spent by them in driving and resting from driving. It is essential that these log-books be of a uniform nature. The form of the log-books will, under this Bill, be prescribed by regulations. It is proposed that log-books will be readily available in country areas and that the price will be uniform with that payable in the other States.

Some passenger transport operators conducting extended tours in South Australia could have difficulty in respect of the rest period of one day in seven, where drivers may be conducting a tour for a period of more than seven days. In the regulation-making powers contained in the Bill there is provision for the exemption of any person or persons of a prescribed class from complying with all or any of the provisions of the Act. The Government has had discussions with the Bus Proprietors Association on this matter and has assured it that its position will be fully considered before the Act is brought into operation. I shall now explain the clauses of the Bill in detail. Clause 1 contains the short title. Clause 2 provides for the commencement of the Bill on a day to be proclaimed.

Clause 3 contains the definitions necessary for the purposes of the new Act. It will be noted that an authorized log-book includes a log-book issued under similar legislation elsewhere in Australia. I would draw attention to the definition of "motor vehicle", which embraces only commercial vehicles of an unladen weight exceeding two tons. This relieves drivers of most local delivery vehicles from the necessity to observe the provisions of the Bill. The clause also contains other explanatory matter and matters of an evidentiary character. Clause 4 limits the hours of driving in the same manner as does the corresponding legislation of Victoria and New South Wales. The driver must not at any time drive continuously for a period in excess of five hours. He must not drive for continuous periods amounting in the aggregate to more than 12 hours within any period of 24 hours. He must have at least five consecutive hours of rest from driving in a period of 24 hours and at least one period of 24 consecutive hours of rest from driving during the preceding seven days or two periods of 24 hours each during the preceding 14 days. (Clause 12 explains how periods of driving are to be calculated.)

Clause 5 requires the driver of a motor vehicle to keep the required records in an authorized log-bock. The book is required to be kept in accordance with the clause and with

the directions contained in the log-book. The clause also requires a driver to supply his employer each week with the duplicate copies of each page of his log-book. This will enable the employer to ascertain what work has been done by the driver.

Clause 6 prescribes the manner in which an authorized log-book can be obtained. The method is simple. The driver merely calls at a police station or other proclaimed issuing depot, identifies himself by production of his driver's licence and produces the log-book last issued to him or a statement that he was never previously issued with one or that the book last issued to him was accidentally lost. The issuing officer makes certain entries in the new log-book that are necessary for administrative purposes.

Clause 7 imposes on the owner of a motor vehicle the duty of obtaining from his drivers the duplicate copies of every record made by them. Clause 8 imposes on both owners and drivers of motor vehicles the duty, when required to do so by an inspector, of producing for examination every authorized log-book or other record required to be kept by him and of permitting the inspector to make copies thereof and endorsements thereon. One of the principal uses of the log-books and records is, of course, to enable the policing authorities to detect with reasonable facility any breaches of the restrictions on the hours of driving and, obviously, the production of such records is essential. Inspectors who have reasonable grounds for suspecting that more than one authorized log-book with unused or uncancelled pages is being carried by a driver of a vehicle are given power to search the vehicle. The other provisions of the clause are designed to facilitate the policing of the measure.

Clause 9 is designed to overcome a common malpractice previously experienced in other States before similar provisions were enacted, whereby drivers would keep more than one log-book and use different log-books for travelling in each State. These would be falsified to make it appear that the drivers had not driven for periods in excess of the restricted periods or exceeded the speed limits. The clause prohibits a driver from having in his possession an authorized log-book other than one lawfully issued to him or a log-book with any original pages missing or more than one log-book containing any page which is unused or uncancelled.

Clause 10 sets out penalties for offences against the new Act. Clause 11 gives drivers certain necessary or desirable defences to charges for offences against the Bill. Paragraph (*a*) protects a driver who exceeds his prescribed driving hours through some unforeseen event and paragraph (*b*) exempts the purely local driver from the necessity to carry and make the records where his employer keeps such records at his place of business.

Clause 12 explains how periods and continuous periods of driving and periods of resting from driving are to be calculated. Paragraph (*d*) of subclause (1) of the clause provides that where a motor vehicle is owned by a primary producer and used in connection with his business all periods during which the vehicle is not in motion on a road are to be disregarded for the purposes of calculating periods of driving that vehicle.

Clause 13 enables interstate drivers, as regards periods of driving and resting from driving before entering this State, to make all entries in their log-books at the time of entering the State. Clause 14 contains general and specific regulations making powers necessary for giving effect to this measure.

I might here mention that the type of log-book intended to be used under this measure and at present in use in New South Wales and Victoria is identical to that in use in the United States of America and throughout Europe. This kind of log-book has been adopted because it has a number of advantages. It is easy to make the record and to ascertain from the record exactly what work has been done and the record itself is not easy to falsify. It will also be familiar to the many European migrants who engage in truck driving almost as soon as they reach this country. The Government believes that this measure, if passed by Parliament, will greatly assist in improving road safety.

Mr. EVANS secured the adjournment of the debate.

COMMUNITY WELFARE BILL

The Hon. L. J. KING (Minister of Social Welfare) obtained leave and introduced a Bill for an Act to promote various aspects of community welfare in this State; to repeal the Social Welfare Act. 1926-1971, the Aboriginal Affairs Act, 1962-1968, and the Children's Protection Act, 1936-1969; and for other purposes. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

Its purpose is to provide the statutory framework for the implementation of the Government policy in relation to community welfare. This policy is based upon the principle that citizens of the State, as members of a single community, owe to one another the obligation of concern and support in the other's problems and difficulties. The State, which is the politically-organized community, must therefore assume responsibility, where necessary, for the welfare of those of its citizens who are in need of welfare support.

The inadequacy of the welfare services available in one particular community was recently subjected to exhaustive study. The inadequacies discovered by the Committee of Inquiry were emphasized by the Report of the Committee on Local Authority and Allied Personal Social Services, which is known in the United Kingdom as the Seebohm report. This is a major report published in 1968 after a three-year inquiry. Although dealing with the English situation, much of the report is of general application. Many of the problems faced by that committee have close parallels in this State. Attention was drawn to (*a*) the unevenness of services in different localities; *(b)* the inadequate range and quality of services available to some sections of the community; (*c*) the poor co-ordination between various agencies providing services; (*d*) the difficulties of access to welfare services for people in need resulting from the lack of information about available services, physical remoteness or bureaucratic or unduly rigid structures and procedures; and (*e*) the need for imaginative insight into emerging social problems and for adequate forward planning.

In its report the committee concluded, "We recommend a new local authority department providing a community-based and family-orientated service, which will be available to all. The new department will, be believe, reach far beyond the discovery and rescue of social casualties; it will enable the greatest possible number of individuals to act reciprocally, giving a receiving service for the well-being of the whole community."

In reviewing the provision of personal welfare services in this State, the Government has moved in much the same direction. The Government has a lively awareness of its responsibility, and that of the community generally, to provide a comprehensive, humane and readily-accessible welfare service. The Government therefore has adopted a plan for the provision of co-ordinated and revitalized welfare services and for the support and encouragement of welfare services already provided by voluntary agencies.

The Department of Social Welfare and Aboriginal Affairs will be renamed the Department for Community Welfare and will be responsible for the implementation of the Government welfare policies. Its objects, as stated in the Bill, will be to promote the well-being of all persons in the community, to promote the well-being of the family as the basis of community welfare; to promote co-ordination of services and collaboration amongst various agencies; and to promote research education and training in community welfare. The State's welfare policies will be centred about the family. The well-being of the overwhelming majority of people depends upon those people being members of a harmonious and well-adjusted family group. Welfare services must be directed, therefore, toward supporting the family unit where it is under stress and toward providing a substitute family environment for those who have been deprived of the opportunity of development and fulfilment in a normal family environment. The fostering of family harmony and cohesion must therefore be a first object of welfare activity. The welfare support that is needed during periods of personal crisis ought therefore to be provided, wherever possible, in a family context.

The community welfare programme that the Government has adopted provides for the progressive decentralization of welfare services. So far as possible the actual contact with the public will take place through regional offices and community welfare centres. These centres will be staffed by trained social workers who will be assisted by trained volunteers, working in teams under the direction of the professional social worker. The community welfare centres will be situated in the main centres of population, and it is intended that the welfare services will thereby be brought close to the daily lives of the people. The centres will become part of the life of the local community. They will be concerned with welfare, support and counselling, juvenile problems, the provision of probationary services, the fostering and adoption of children, the making of relief payments, and other welfare services. Each centre will have a consultative council upon which will be representatives of local government and the voluntary welfare groups operating in the district. In this way it is

hoped that a greater degree of co-ordination between the work of the voluntary groups and the work of the department can be achieved.

It is hoped that, by close contact with the community welfare centre, voluntary groups can provide more effective assistance to those whom they are concerned to help. By co-operation between the voluntary groups and the department it should be possible to identify more readily the welfare needs of individuals and families, and to provide the kind of support which is needed in particular cases. There are many people of goodwill in the community who are enthusiastic about community self-help. The department will enlist and train such persons in a voluntary capacity as community aides so that local communities will contain within themselves persons who are trained to recognize and alleviate social problems.

By degrees the establishment and proliferation of community welfare centres and the closer co-operation of departmental activities with voluntary welfare activities should provide for the community a more comprehensive welfare service than it has ever enjoyed previously. Those who are in need of emotional and social support may be more readily located. Surveys suggest that those who are most in need of these kinds of support do not seek out the welfare agencies. The emotional problems that beset them are themselves likely to inhibit them from seeking out the means of rehabilitation. With the development of decentralized community welfare centres, it is more likely that those in need of support will be located and their problems identified. The facilities of the Community Welfare Department will be available to the voluntary groups where needed, and the departmental social workers will be in a position to put people in touch with local agencies where that is the appropriate course. In this way many of the problems arising from family tension, age, ill health, and loneliness may be eliminated or considerably reduced.

The problem of achieving satisfactory co-ordination of welfare services must not be underestimated. It is necessary to comprehend and grapple with the problem of co-ordinating and developing communications between all persons and organizations working towards the welfare of the community. Research and study will assist a great deal in working towards a solution of the problem, and the department's services will be available to that end. Finally, however, the necessary co-ordination will be the product of practical work done at local level. The structure and functions of the community welfare centre are, I think, well adapted towards achieving the desired co-ordination, both by direct consultation and through the operation of the proposed consultative councils. Emphasis will be placed upon the involvement of local government in the work of the community welfare centres. Many councils are extremely interested in welfare work. Council offices are brought frequently into contact with welfare needs and problems. Every effort will be made to establish close co-operation between the department, operating through the community welfare centre, and the local government body. The consultative council, on which local government will be represented, will provide the machinery for this co-operation.

In very many cases, of course, the crisis that calls for the intervention of social workers, or voluntary charitable workers, arises from ill health. The personal and social problems which flow from illness are many. Problems of employment, housing, family adjustment, and personal adjustment to a changed pattern of life are frequent. It is now well recognized that the treatment of illness involves the treatment of the whole person. Not only must the organic or psychological disorder be treated but regard must be had to the effect that illness has had upon the patient's life and personal relationships. Recovery will be retarded and perhaps prevented by unsolved personal and family problems. A harmonious and well-adjusted personal and family life will greatly facilitate recovery. A man or woman beset by problems of employment, financial crisis, problems of housing, and disruption of personal and family relationships carries a burden that places those treating his condition at a great disadvantage. If the treatment of the physical or psychiatric disorder is accompanied by an attack upon the personal and social problems of the patient, the whole person is treated and the prospects of speedy recovery thereby enhanced.

It is to be remembered, of course, that many problems requiring welfare intervention do not arise from ill health. Even where they originate in a health problem, they frequently take forms which involve a wide range of welfare services. The ill health of the father of a family may, for instance, result in financial and debt adjustment problems, domestic stress, marital discord, and emotional disturbance of the children, with consequent

tendencies to delinquency. We should, therefore, in my opinion, aim for a welfare structure that provides the full range of welfare counselling and services to those in need of such support, whether that need arises from ill health or from some other cause. In most situations, it seems likely that a family is best served by a social worker who is able to assist the family to cope with all the problems that it has to face. Most people are confused and disheartened if they have to deal with a variety of agencies. They feel that none of them has any real appreciation of the overall problem. This feeling particularly oppresses those who are emotionally disturbed or otherwise under stress. Comfort and support are derived from the knowledge that there is a trained and sympathetic social worker who understands the family problem in its entirety and can enlist the assistance of the relevant agencies. This is the type of family orientated welfare service which it is hoped to develop through the community welfare centres.

The development of comprehensive welfare services as part of the life of the local community will facilitate the use of welfare services as part of a total health concept. I suppose that most sick people are treated by general practitioners who practise in the locality in which the patient lives. The ready availability of welfare services in the same locality will make for an easy relationship between the local doctors and the community welfare centre. Doctors will be encouraged to refer patients' problems to the community welfare centre. Social workers will be trained and instructed to work in co-operation with the doctor. In this way both doctor and social worker will be assisted to see and to attack the total problem.

There has been for some years a growing realization of the importance of the work of the almoner and medical social worker in the hospitals and other health institutions. This realization will continue to grow. With it, I think, will grow an awareness of the importance of co-operation between those responsible for the health of a patient and those responsible for the general welfare services of the community. The patient treated in the hospital is a member of the community and, in all but a few cases, a member of a family group or some other group that may be regarded as a substitute for the family. He and his family are therefore within the sphere of interest and activity of the community's welfare services. The need for co-ordination between the efforts of those responsible for the patient's health and those responsible for his general welfare and that of his family scarcely needs demonstration. It is more profitable to devote our attention to the means by which this co-ordination may be achieved.

The problem of achieving satisfactory co-ordination must not be underestimated. It is necessary to comprehend and grapple with the problem of co-ordinating and developing communications between people such as doctors, nurses, volunteers, domiciliary-care workers, home-help workers, social workers and others, not to mention the larger organizational bodies to whom referrals must be made. Research and study will assist a great deal in working towards a solution of the problem. Finally, however, the necessary co-ordination will be the product of practical work done at local level. The structure and functions of the community welfare centre are, I think, well adapted towards achieving the desired co-ordination.

As we attain a clearer grasp of the essential interdependence of health and welfare services, we see the importance of the training of welfare personnel. The quality of the personnel will be the key to the results which are attained. At present, training for welfare and health services is carried out by many organizations with varying standards. Some of the areas of training, such as those relating to mental health visitors and welfare officers, cover much the same ground. Some of the training for volunteers in different organizations is very similar. The interdependence of health and welfare ought to be made real at the training level and I think that in this area a start can be made.

How are we to view the interdependence of health and welfare services in this State at present? The Government has embarked on the implementation of a comprehensive community welfare programme. It is designed to provide, as availability of financial and human resources permits and in co-operation with local government and voluntary groups, adequate welfare services to the whole community. The programme involves, moreover, emphasis upon understanding and providing for the special welfare needs of our Aboriginal citizens, and in this area the interdependence of health and welfare is particularly marked. At the same time, the Government is engaged upon a study of health services within the State. This study is being carried out by a committee under the chairmanship of Mr. Justice Bright of the Supreme Court of South

Australia. This committee has been directed to make recommendations on the administrative structures required to ensure an optimum standard of public and private health services to meet the future needs of the community. The terms of reference continue as follows:

The committee will have regard to a total health concept and will, in particular, make recommendations on requirements regarding:

(*a*) Prevention, diagnosis, treatment and rehabilitation including:

(i) Public health services involving the preservation and conservation of the health of the community including epidemiology; the control of communicable and other diseases; environmental and occupational factors influencing health and welfare; maternal and child health services (including school health services); public diagnostic procedures and health education programmes (including family planning).

(ii) Hospital services; mental health services; services for alcoholism and drug addiction; nursing homes; services for the chronic sick, handicapped and aged; and domiciliary supportive services.

(iii) The development of community health and welfare services and centres including the role of medical specialists and general medical practitioners in private practice, and their links with services provided by public hospitals and government departments.

(iv) Health and welfare services in remote areas.

(v) The participation and involvement of voluntary agencies in health, hospital and welfare services.

(*b*) The education and function and numbers of health personnel in all categories, with particular emphasis on possible changes in role in the future.

(*c*) The organization and co-ordination of public, private and community health, hospital and welfare services at central and regional levels.

(*d*) The examination of future demands for hospital and nursing home service including Government, subsidized, community and private.

(*e*) The future organization and role of medical, dental nursing and other allied health professions and services.

(f) The transport of patients to services and services to patients.

The problem to be solved relates to the methods and machinery by which the health and welfare services of the community can operate in co-operation to provide the total service which the community needs. The experience of the Community Welfare Department as it implements the new programme will assist in the development of appropriate methods and machinery. It will be seen that the Bright committee is directing its attention to the "total health concept" and that its attention is specifically directed to the relevance of welfare services in several of the specific terms of reference. The findings of this committee will be of great importance.

The interdependence of health and welfare and the consequent necessity of co-ordinating health and welfare services are now closely recognized by most authorities. What remains is to devise and develop the techniques and machinery of co-ordination to reflect this interdependence in the services actually provided. The amalgamation of the two departments of Social Welfare and of Aboriginal Affairs will enable a more comprehensive service to be available to all Aboriginal persons, and the decentralization of the departments' services will bring them closer to those persons. The Government is insistent that there should be no discrimination of its services against any ethnic or cultural group, and this is in keeping with the Government's general policy regarding the Aboriginal people. It is highly desirable that Aboriginal persons, as far as possible, especially those living in urban environments, should enjoy and use the same facilities and services available to the rest of the community. The department will, however, continue to provide special services which will operate in favour of Aborigines in order to promote their well-being, both as individuals and as groups and to promote understanding and constructive interaction between Aborigines and other citizens. This will be aimed at assisting them to adjust to contact with the wider community, while at the same time helping them to maintain their cultural identity. In order to ensure that the direction of Government policy and services is in keeping with the real needs of the Aboriginal people, there is provision in the Bill for continuous consultation and co-operation with Aboriginal persons and organizations. The change in the name of the department to that of Community Welfare is designed to emphasize that Aboriginal and non-Aboriginal people are fellow citizens of the same community, with the same rights and obligations. The community's obligation to provide for the welfare of its citizens extends equally to both. The

welfare provision for some Aborigines will no doubt differ from the provision for non-Aborigines in both kind and degree, because of the particular needs of those Aborigines. These needs vary greatly. There is no single Aboriginal problem but a variety of problems according to the development, way of life and outlook of particular Aborigines and groups of Aborigines. Within the framework of the Act, renewed efforts will be made to understand and solve the many special problems of Aboriginal people: employment, housing, health, education and the development of suitable industry on reserves that will enable those who wish to do so to provide for themselves by their own efforts with a minimum of disturbance of their traditional way of life.

Implementation of the policy of the Government regarding family and child care, the welfare and advancement of the Aboriginal people, and the welfare of the community generally, has required a reappraisal of existing legislation. The existing Social Welfare Act had its basis in the Maintenance Act dated 1926; actually some of the provisions are taken from legislation pre-dating the Act. Social attitudes have changed a great deal over the past half century and longer, and several provisions of the Social Welfare Act are considered to be outdated in philosophy and terminology. Similar remarks can be made about the Children's Protection Act, 1936-1939. Further, many of the powers in that Act are provided in the Juvenile Courts Act or the Social Welfare Act. The present Aboriginal Affairs Act was passed in 1962, but some of the provisions of that Act are becoming of less importance as the Aboriginal people are assisted to live independently of any social services on their behalf. Although the Bill necessarily incorporates many provisions from the existing legislation, chief of which is the Social Welfare Act, there are many new clauses which attempt to interpret modern welfare concepts. At the same time existing provisions, where they are outdated, have been deleted, and others have been restated in language more appropriate to current circumstances.

I refer now to the general structure of the Bill. Part I contains preliminary provisions. Part II sets out the basic principles underlying the Bill in the form of general objectives to be pursued by the Minister and the department. There follow powers whereby the department may promote and encourage the welfare of the community in a variety of ways. Part III sets out the manner in which special provision can be made for the well-being of persons through financial and other assistance to individuals and groups in the community. Part IV deals with the role of the department in family and child care. The necessary provisions of the Aboriginal Affairs Act, which have been retained together with some new provisions, have been included in Part V. Part VI repeats the existing provisions in the Social Welfare Act regarding maintenance obligations and Part VII has provisions of general application that are almost entirely regarding maintenance matters.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 provides for the date of commencement to be fixed by proclamation. Clause 3 provides for the repeal of other Acts. Clause 4 sets out the arrangement of the Act which has already been described. Clause 5 includes the necessary transitional provisions. Clause 6 provides the necessary interpretations. There are some amended and some new interpretations. The term "Aboriginal" is defined in a shortened form from that in the existing legislation; terms "assessment centre" and "child care centre" are new; the term "child under the care and control of the Minister" is new and replaces the term "State child" which has acquired some undesirable associations and has been eliminated from this legislation. The "department" becomes the "Department for Community Welfare", and the head of the department will be the Director-General of Community Welfare. The Minister will hold the title of "Minister of Community Welfare". The definition of "near relative" has been amended by deleting reference to grandparents. The present definition of "neglected child" has a long list of subsections, many of which are quite out of date in relation to current social situations. The definition in the Bill has been shortened considerably. The terms "review board" and "youth project centre" are new. The definition of "uncontrolled child" has been amended. Previous references to habits of immorality, vice or crime have been deleted and replaced by a reference to the child's need of correction and control. The definition of "youth project centre" is new and refers to the establishment of non-residential centres, that is, attendance centres for the training of young offenders during evenings and on Saturdays. Subclause (3) is a restatement of existing definition of "child of the family" in the Social Welfare Act. Subclauses (2) and (4) repeat existing sections in the Social Welfare Act regarding polygamous marriages and the effect of variation of orders.

Clause 7 introduces Part II (the promotion of community welfare). Division I sets out the basic philosophy of the legislation by stating the objectives of the Minister and the department as having a responsibility to promote general wellbeing of the community, to encourage the welfare of the family, of the basis of community welfare, to establish and co-ordinate the services and facilities throughout the community, to collaborate with other organizations and agencies working towards the benefit of persons in need or distress, to promote research into community problems, and to encourage education and training in community welfare and generally to foster an interest in the welfare of the community.

Mr. Venning: What about the primary producers?

The SPEAKER: The honourable member is out of order.

The Hon. L. J. KING: Clause 8 provides for the office of the Minister to be established as corporation sole. Clause 9 sets out the general powers of the Minister. Clause 10 provides for the establishment of the Department for Community Welfare and the offices of Director-General and Deputy Director-General of Community Welfare. Clause 11 provides for the delegation of powers by the Minister and by the Director-General. Clause 12 requires the Director-General to submit an annual report to the Minister.

Clause 13 provides that the Minister may appoint community welfare advisory committees. The existing Social Welfare Act requires the establishment of a Social Welfare Advisory Council, and this council has operated since March, 1966. The Act provides that members shall be appointed from amongst persons "who are interested in social welfare activities". The council is required to consider any specific question referred to it by the Minister, or may initiate an inquiry into any other matter of a general social welfare nature. Several reports have been submitted to the Minister over the years. Also, under the Aboriginal Affairs Act the Aboriginal Affairs Board was constituted when that Act came into operation in 1962. The board consists of a chairman and up to six other members appointed by the Governor. No special qualifications are required for appointment to the board. The board is charged with the duty of advising the Minister on the operation of the Act and on measures for promoting the welfare of Aborigines. Both bodies have given valued assistance and advice to successive Ministers. I express my appreciation and, I am sure, that of my predecessors for the insight, industry and conscientiousness of the past and present members of both bodies.

With the amalgamation of the departments there are difficulties surrounding the continuation of both of these existing advisory bodies. The council and the board have different functions and operate in a different way, and it would be inappropriate to attempt to amalgamate them. The amalgamation of the two departments has emphasized the difficulties of securing an advisory body composed of persons expert in all of the complexities of community welfare. It has been decided therefore to delete reference to the existing Social Welfare Advisory Council and the Aboriginal Affairs Board, and those bodies will be abolished under this Bill. In their place, provision is made for the appointment of community welfare advisory committees to advise the Minister on certain questions. Some of these committees will be of an *ad hoc* nature; others considering questions of a different nature may be standing committees. Subclause (3) provides that such a committee will consist of persons with special knowledge or experience of the matter or matters referred to it. In this way the best use will be made of persons having such special expert knowledge, and the Minister will get the best and most up-to-date advice. The department will assist such committees with secretarial, research and any other services and facilities. Clause 14 provides for the terms of office and clause 15 for procedure of the advisory committees. Clause 16 provides for the appointment of community aides to assist in the work of the department. As we all know, there is a very large number of people throughout our community who consistently and willingly assist in the work of a wide variety of welfare organizations aimed at helping all manner of persons who suffer some kind of handicap or hardship. If the total number of hours worked by such voluntary helpers could be computed I am sure that we would all be amazed at the figure. Most non-statutory agencies would not be able to continue to provide their many worthwhile services to the community if it were not for the willingness and dedication of their volunteer workers. Additionally, there are many volunteer workers who already assist various statutory agencies in their work, including the Department of Social Welfare and Aboriginal Affairs. It is considered that

the pool of persons who are interested in community welfare work in a voluntary capacity can be extended by making provision for the training of selected persons and the channelling of their services according to their training and ability. We can never hope to provide out of the resources of the State the comprehensive community welfare service, which is the Government aim. It can be provided only with the assistance and co-operation of voluntary agencies and by the use of voluntary aides. It is proposed that suitable volunteers be trained and that they work in teams, each team under the supervision of a professional social worker. In this way the extent of the services to the local communities from the community welfare centres can be increased far beyond what would be possible if it were necessary to rely entirely on paid social workers. The community, moreover, benefits from the involvement of civic-minded volunteers in the work of the community welfare centres. Clauses 16-20 therefore provide powers for the initiation of such a scheme.

Clause 21 provides that the department may employ its facilities in the education and training of persons in relation to community welfare. This will be in addition to training already available at tertiary institutions. Training will be given to the community aides mentioned above and also to other persons who are interested in working in this field but who do not wish to attend or cannot attend tertiary centres. There is also a great need for the continuous retraining of departmental staff and other persons working in welfare organizations and agencies. The department will collaborate with such agencies and with teaching organizations in providing opportunities for training. I have already emphasized the importance which the Government attaches as part of its community welfare policy to the professionalization of staff through extensive in-service as well as tertiary training. Clause 22 provides that the Director-General shall carry out research into problems of community welfare and into the efficacy of measures taken under this Act for the alleviation of such problems. It is desirable that the department should co-operate with other teaching and training institutions and with other individual persons from time to time in pursuing research in this field and clause 23 enables this to be done.

Clause 24 introduces Part II of the Bill which sets out the services and facilities which the Minister and the department may provide towards the wellbeing of the community. Division I provides for the establishment of community welfare centres and community welfare consultative councils. These provisions are quite new and emphasize the role of the department in working closely in local communities in order to make its services more available and more sensitive to community needs. The department does already have a number of district offices in the metropolitan and country areas. It is proposed in the long run that special centres should be built so that the full range of the department's services as they now exist and as they may be provided in the future will be available at those centres and there will be opportunity for co-operation with other Government departments, local government and local voluntary agencies working with the department in the local area. Clause 25 provides for the establishment of community welfare consultative councils. Clause 26 sets out the functions of such councils. It is envisaged that the councils will be able to review local welfare needs, to give advice and guidance to organizations and agencies within the area seeking to provide services and facilities, and to give advice to the Minister and to the Director-General, as necessary. Clauses 27, 28 and 29 deal with the membership of the council. It is envisaged that persons with an interest in the development of services in the local area should be members of councils. Wherever possible there should be at least two representatives of municipal or district councils of the area, and there will be a representative from the department. Clauses 30 and 31 deal with the procedure of such councils. It is foreseen that where such councils are established they will offer a means of involvement for concerned citizens of various backgrounds to join together in regular consultation to consider the scope of local welfare needs and the development, extension or variation of services that may be needed to meet those needs. In this way, they will be able to offer informed and sensitive advice to statutory and other organizations, agencies and persons who are providing or who should be providing services in that area.

Clause 32 introduces Division II (assistance to families and persons in need). This Division largely repeats the provisions of Division III, Part II of the existing Social Welfare Act which refers to State public relief. Throughout the new provisions the phrase "public relief" has

been deleted and replaced with "assistance", as this is regarded as a more general and positive term. Clause 32 provides that the Director-General may assist any family or person in need or distress by providing assistance with money, commodities or services; or he may arrange for a person to receive care or treatment as he may require; or he may receive a person in need into a suitable home. Clause 33 repeats the existing sections 33, 34 and 36 of the Social Welfare Act regarding the recovery from near relatives of the cost of assistance granted to certain persons and the manner in which complaints may be made for the enforcement of orders. Clause 34 is an evidentiary provision similar to section 35 of the Act. Clause 35 repeats existing section 39 of the Act and controls the way in which moneys paid to the department as maintenance may be used towards the repayment of the cost of assistance granted to any person by the department.

It should be noted that section 38 of the Social Welfare Act has been omitted from this Bill. That section gives power for officers of the department to visit children and to inspect their places of residence where those children are members of a family who are in receipt of State public relief. There has been considerable criticism from a number of quarters about this power. The purpose of the provision as it exists is to enable the department to satisfy itself as to the proper care of children in certain circumstances. However, the powers are very wide and can be interpreted as an encroachment on the individual rights and liberties of persons, simply because they are in receipt of assistance from the department. There are other provisions in the Bill and in the Juvenile Courts Act which empower officers of the department and police officers to inquire into cases where it is considered that children are at risk, and in view of this no further specific powers of visitation are required, other than those referring to the visitation of children who are placed under the care and control of the Minister.

Clause 36 provides for the establishment of a community welfare grants fund. Moneys for the fund will be provided by Parliament or from other sources. The existing Social Welfare Act provides that moneys may be made available to subsidized licensed children's homes, and this money in future will become a portion of the community welfare grants fund. For some years a grant has been made by the Government to the National Fitness Council for the training of youth leaders, and in future this money also will be handled through the fund. In addition, an amount will be set aside each year for distribution through the fund for the development of community welfare projects and services generally. It is envisaged that the money from this section of the fund will be applied especially to areas and projects which would be of benefit to the community but where local funds for initial establishment and development are not likely to be available. There will be an emphasis on the provision of suitable facilities for young people where these do not already exist. The fund will not meet running costs but should enable some organizations without strong backing to make a start and, if they meet a need in the local area, they will then be able to finance their own operations. In the present financial year, $100,000 has been allocated for the development of youth facilities. A non-statutory committee has been established to advise the Minister on the distribution of this amount. In future such a sum would be dealt with through the fund.

Clause 37 introduces Part IV of the Bill concerning family care. Division I sets out the services which the department will supply in this essential area of welfare service. Clause 37 states the principle that the family is viewed as the basis of the welfare of the community, and clause 38 provides the general powers of the Minister and the department in working towards that end. Division II provides for the special services and facilities available for the care of children. This Division includes many of the existing powers in Parts IV, V and VI of the Social Welfare Act regarding the facilities available for the care of State children. As mentioned earlier, the title "State child" has been deleted from this Bill and all children coming under official control are referred to as "children under the care and control of the Minister". Most of those children will come under the care and control of the Minister by an order of a juvenile court. They may be children aged from eight to 18 years dealt with as offenders or any child up to 18 years of age dealt with as a neglected child, as an uncontrolled child or as an habitual truant. Subdivision 2 provides powers whereby other children may be received into the care and control of the Minister. Clause 39 repeats the existing section 102a of the Social Welfare Act whereby a parent, guardian or person may apply to the Minister with a request that a child be placed under the care and control of the Minister. This section has been used sparingly in the past, but is of considerable

benefit especially where babies are given for adoption but cannot be placed immediately because of questions about their medical condition, or for some other reason, and the Minister is able to act as their legal guardian until such arrangements can be made. Subclause (5) preventing an order being made under this clause with regard to a child over the age of 15, except with his consent, has been added.

Clause 40 is new. It provides for a child to be received into the care and control of the Minister for a period limited to a maximum of three months. A request may be made by a parent or guardian or, where the child is over 15 years, by the child himself. This provision will provide statutory backing for a practice which has existed within the department for a long time. Because of the residential care facilities which are available within the department, requests are received from time to time by parents that children be taken into care for a period of safekeeping because of emergencies which have arisen in the family. The department will make these arrangements only where no better alternative is available. However, in some situations it is desirable and even essential that parents, or a parent, should be relieved of the care of their children during a period of family crisis in order that the family may be rehabilitated. At the same time there have been difficulties in the past with regard to the guardianship rights of the department concerning such children who have been informally placed in care. This clause will formalize these informal arrangements but, because of the temporary arrangements, will overcome the fear which parents may have that their children have been removed from their care permanently.

Clause 41 repeats subsection 2a of section 102a of the Social Welfare Act and provides that children under official control in another State or Territory of the Commonwealth may be received into the care and control of the Minister in this State. This provision was inserted in 1965 for obvious reasons and since then has been inserted in the legislation of most other States and Territories to provide protection for children under official control moving from one jurisdiction to another. Subdivision 2 which follows provides powers relating to the children who have been placed under the care and control of the Minister. Many of the powers in Part IV of the existing Social Welfare Act are repeated here, together with some new matters. At the same time, certain sections in the existing Act have been deleted, either because they are duplicate powers to those found in the Juvenile Courts Act or for other reasons. For the benefit of members who may refer to the Social Welfare Act, those provisions which are duplicated in the Juvenile Courts Act are sections 100, 101, 102, 103, 103a, 105, 106, 107, 108, 110, 113, 114, 116, and 119. Clause 42 provides that the Minister and the Director-General shall treat the interests of the child as the paramount consideration when making any decision with regard to his care. This provision is new in this legislation.

Clause 43 provides that the Minister shall have the exclusive custody and guardianship of any child placed under his care and control. This repeats the existing section 13 of the Social Welfare Act. There is a number of sections in the Social Welfare Act regarding the manner in which children under the care and control of the Minister may be placed in various forms of substitute care. Sections 109, 111 and 112 deal with children being placed in institutions. Section 128 deals with the power of the Director to place children in private homes and to arrange for their care. Clause 44 draws together these various powers in one statement. Subclause (2) requires that parents should be informed in writing at their last-known address of the manner in which a child is dealt with when removed or placed in any other place. Subclause (3) gives power to the Director-General to remove a child from any situation where he has been placed previously. Subclause (4) gives power for an authorized officer to enter any place for the purpose of removing such a child. Clause 45 gives power for an authorized officer of the department or a police officer to apprehend a child where an order has been given by the Director-General that that child should be placed in a home established by the department. Clause 46 sets out the powers of the Director-General regarding placing of a child in a home and the period for which a child may be detained in such a home. This repeats similar powers in sections 115 and 122 of the Social Welfare Act.

Clause 47 is new. It concerns the establishment of review boards within the department for the purpose of considering and reviewing the progress and personal circumstances of all children under the care and control of the Minister. One of the prime roles of the department is to ensure that, wherever possible, families that have disintegrated at one stage or another should be rehabilitated. In some cases where children are placed in care,

parents may deliberately seek to avoid their future responsibilities. In other cases, some parents feel a deep sense of guilt and, for this reason, may avoid keeping in close contact with the children or with the department. It is essential to ensure that regular reviews be made to ensure that the rights of the children or of their parents are not overlooked. In other cases, children may sometimes be placed in alternative settings, and review is necessary in order to ensure that they are obtaining their maximum benefit and care in that environment. There are at present over 3,000 children under official control of the Minister, and the review boards will carry out regular reviews of each child in his interest and in that of his family.

Clause 48 provides powers whereby the period under which a child has been placed under the care and control of the Minister may be extended. This repeats section 126 of the Social Welfare Act, but the manner of obtaining their extension has been changed. Under the existing legislation the Governor may grant the extension upon the recommendation of the Director. The new provision is that the Director-General may apply to a juvenile court for an order to be made granting the extension. The maximum period of extension is until 20 years in normal circumstances; but, if a legally qualified medical practitioner specializing in psychiatry has certified that the person who is the subject of the proceedings is incapable of managing his own affairs, the court may order that he remain under the care and control of the Minister for a period beyond 20 years of age.

Clause 49 deals with the discharge of children from the care and control of the Minister and considerably extends the existing provisions in section 125 of the Social Welfare Act regarding the release of State children. When a child is placed under the care and control of the Minister, it may be for a number of years. In the case of a very young child the order may be until 18 years of age. It is essential, therefore, that parents should be aware of their rights to apply for the discharge of their children from the care and control of the Minister. In some instances, such discharge from control may be made without any request from a parent, because the department itself is satisfied that the parent or parents are now in a position properly to care for and maintain their children. However, because the Minister is exercising the exclusive rights of guardianship given to him by order of a juvenile court and, because the Minister has power under this clause to determine whether children should be discharged fully from his care and control, it is considered essential that parents should have a right of appeal to a juvenile court against a decision by the Minister not to grant an application for discharge. Subclause (7) provides that an appeal may be made only once a year.

Clause 50 introduces Subdivision 3 concerning foster care. Clause 50 describes the role of foster care as providing a substitute means of family care for children living apart from their own parents. Foster care is regarded as an essential and important part of the department's services in providing substitute care for children. As a first principle, as has already been described, the department works towards the return of children to their own parents. In some cases this is not possible or is temporarily undesirable, and children must live apart from their own parents for a shorter or longer period, or sometimes permanently. Some of these children need residential care, either because they are extremely disturbed or because they have some special handicap. The period of residential care will depend on their progress in that setting and their ability to respond to a substitute family home. In every suitable case the department will attempt to place a child, especially younger children, in a suitable family environment.

Clause 51 requires that foster parents caring for any child under 15 years of age must be approved. This differs from the existing provisions in section 167 of the Social Welfare Act in two ways. First, the age limit has been raised to 15 years. This will be consistent with provisions regarding the licensing of children's homes, and it is felt to be a more suitable age in keeping with the maturation of children and their ability to care for themselves, and also the fact that above the age of 15 years a child may leave school and care for himself. Secondly, the existing provision requires foster parents to be licensed, whereas in the future they will be formally approved by the Director-General. Clause 52 is new. In considering the foster placing of children, it is essential that the interests of the child should remain paramount at all times. It is necessary, therefore, for the Director-General, so far as possible, to satisfy himself that persons who apply to be or act as foster parents should be able to meet a child's needs according to satisfactory standards of child care. This clause attempts to lay down

principles that should be followed by the Director-General in determining whether an application should be approved.

Clause 53 repeats provisions in the existing sections 168 and 171 of the Social Welfare Act. Foster parents must be approved by the Director-General. They may not have more than five foster children under 15 years in their custody, nor more children than approved by the Director-General. Clause 54 lays a responsibility upon the Director-General to satisfy himself as to the welfare of all foster children, and repeats sections 147 and 172 in a less stringent form. Clause 55 follows this up by giving power to the Director-General to enter any place for the purpose of ensuring the proper care of foster children and of offering advice and guidance to foster parents. It is essential in all circumstances that the department should make its services available to foster parents, in view of the co-operative role that both are playing for the care of children, and for this purpose the department should be able at all times to assist both the children and the foster parents. Clause 56 provides for the cancellation of an approval, where the Director-General should give the foster parent 28 days notice before cancelling any approval. This subclause is new. Clause 57 repeats powers in sections 139 and 140 of the Social Welfare Act and requires the foster parent to provide the Director-General with certain information when required.

Subdivision 4 has to do with the provision of homes, assessment centres and youth project centres. The relevant provisions are found, at present, in Part V of the Social Welfare Act. Those provisions empower the Governor to proclaim certain homes for specific purposes. These powers are deleted in this Bill. In future, under clause 58 the Minister may establish homes as he thinks necessary for the care, correction, detention, training and treatment of children. This will enable the department to use in a broad and flexible manner all of the residential care facilities available to it. Children coming into care will be carefully assessed and placed in the residential care setting most suitable to their needs. It is planned that homes will be developed for this purpose to meet the specialized neeeds of certain groups of children. Subclause (2) provides that the Minister may establish assessment centres. These may be of a residential or a non-residential nature. Subclause (3) provides for the establishment of youth project centres. As previously mentioned at the beginning of this explanation these will be non-residential centres of an attendance centre nature where children will attend during some evenings each week and on Saturdays for special training. These are a community treatment facility that will allow children to remain in the community in their own home or some other place but still receive training under a formal supervision order.

Clause 59 provides for the management and control of departmental homes. Clause 60 provides that certain persons shall be entitled to visit departmental homes. Clause 61 provides for the licensing of children's homes other than those conducted by the department. These provisions are similar to those at present appearing in section 162a of the Social Welfare Act, with the amendment that licensing now applies to children up to 15 years of age instead of 12 years of age at present. Clause 62 concerns the cancellation of a licence to operate a children's home. Subclause (2) is new, in that it requires the Director-General to grant 28 days notice before cancelling a licence. Clause 63 requires the licensee of a children's home to keep a record concerning certain particulars regarding each child in the home. Clause 64 provides power for the inspection by the department of children's homes. Clause 65 is new. It requires the licensee of a children's home to obtain a written agreement from any person placing a child in such a home regarding the period the child will remain in the home and the care and control provided for the child while he remains there.

It is appropriate at this point that I should explain to members that two related matters at present in the Social Welfare Act have been omitted from this Bill. These refer to the licensing of lying-in homes (that is, maternity homes) and the visitation of illegitimate children under 12 years of age. The purpose of licensing lying-in homes was to enable the department to inspect places where babies were born and cared for initially and to obtain information about those children and about what became of them after leaving the home. Other authorities have the responsibility of inspecting such places with regard to hygiene and medical requirements. The provisions of the Social Welfare Act require illegitimate children under 12 years of age to be visited in their homes. Provisions exist in the Bill for

inquiring into the circumstances of any child, legitimate or illegitimate, considered to be in danger of neglect, and the provisions regarding lying-in homes and the visitation of illegitimate children are considered to be unnecessary and have been omitted from the Bill.

Subdivision 6 deals with the licensing of child care centres. This is new material in the Bill following a policy decision by the Government to provide that the supervision and licensing of child care centres should come under the department. At present, there is power in the Local Government Act for councils and corporations to pass a by-law to control the operation of child care centres in their areas. Following representations from organizations involved in the work of providing care and training for pre-school children, the Government decided that, in the best interests of adequate child care, the supervision of such centres should properly be the responsibility of the department. One of the major problems under the present arrangements is that there is no consistency in standards between the many centres that have been established. Over the past few years many more centres have been set up, especially in the metropolitan area. It is likely that this form of day care will expand even further and it is essential that the standards of care that are maintained are of the highest order, remembering that these are pre-school children who are looked after in these centres. Persons working in such centres should have adequate training and an understanding of the needs of the very young children in their care. The work of some councils in registering and supervising centres has been good. However, in other places there has been no control or standards have not been consistent. The principles that appear in this Bill have been circulated to interested bodies, and the provisions reflect opinions from some organizations.

Clause 66 requires that any person conducting a child care centre as described must be licensed by the department. Clause 67 empowers the Director-General to cancel a licence after giving 28 days notice to the licensee. Clause 68 will prevent children being kept in a child care centre for an excessive number of hours. The number of hours will be provided by regulation. This clause is necessary, as these centres are established to provide day care and not permanent residential care. Clause 69 requires the licensee to maintain a register of details about each child, and clause 70 provides for inspection of child care centres by the Director-General. Clause 71 makes an additional provision in circumstances where persons may be caring for three or less children in a family environment. Such arrangements do not constitute the business of child care under this legislation and no licensing is required. The arrangements for this kind of child care are usually of a private nature where a few children are cared for in a private home. However, the persons providing such care may find it to their advantage and to the advantage of children to have some kind of official recognition. The clause provides, therefore, that a person may apply for formal approval by the Director-General. The application for approval would be voluntary and a person might care for up to three children in a family environment without the approval of the Director-General.

Subdivision 7 has to do with the protection of children and, in essence, reproduces those provisions of the Children's Protection Act, 1936-1969, that it has been considered necessary and desirable to retain. The first Children's Protection Act was passed in 1899 and some of the provisions were taken from an earlier Act regarding the punishment of juvenile offenders, dated 1872. Many of the provisions, therefore, are quite out of date. Others have been provided for in subsequent legislation, mainly the Social Welfare Act and the Juvenile Courts Act. In particular, penalties against persons illtreating children may be imposed under the Juvenile Courts Act and powers to deal with illtreated or neglected children are provided under the Social Welfare Act and the Juvenile Courts Act. There are existing penalties for placing immoral documents before children, which can be dealt with under other legislation. There are provisions regarding children under 13 being employed in certain dangerous occupations and children under six taking part in public entertainment. Both of these circumstances can be controlled under the Education Act and the Social Welfare Act. Section 14 of the Children's Protection Act regarding the sale of tobacco to children has been retained in this Bill in a later place. There is provision in the existing Act for the corporal punishment of children and these provisions have already been abolished by Act of Parliament. The provisions that have been retained in the Bill are those which were introduced into the Children's Protection Act by way of amendment in 1969 and which have to do with the compulsory reporting of suspected illtreatment of children. This appears in section 5a of the existing Act and

requires any legally qualified medical practitioner or any dentist or any other person declared by proclamation to report the suspected illtreatment of a child. The only amendment is in clause 13 of the Bill where the age of a child to which the provision relates has been raised from 12 to 15 years, and the words "or an officer of the department" included after "member of a police force" in subclause (1) of clause 73. It is believed that some professional persons are loth to report doubtful situations to the police where prosecution would normally follow, but would report such circumstances to the department if they understood that supportive and preventive services would then be available to the parents.

Subdivision 8 includes miscellaneous provisions regarding family care services. Clause 74 provides for the granting of financial or other assistance to any person having the care of any child under the care and control of the Minister or of any child under the guardianship of the Director-General under the Adoption of Children Act. Clause 75 places restrictions upon children living away from the custody of their parents unless they are in approved or authorized circumstances. This repeats existing section 170 of the Social Welfare Act.

Clause 76 deals with children who are absconders from the place where they have been sent by the Director-General. This clause considerably simplifies section 123 of the Social Welfare Act, but subclauses (2) and (3) are new. They provide special powers for dealing with a person who has turned 18 years of age and who is under the care and control of the Minister and who absconds from any home or centre. On conviction he may be imprisoned for a period up to six months. This attempts to deal with situations where young persons over 18 years who have been placed in a training centre may abscond in the belief that by committing a minor offence they may be sent to prison for a shorter period than that which they expected to spend at the training centre. Clauses 77 and 78 repeat existing sections 185 and 186 in the Social Welfare Act and have to do with powers concerning the unlawful taking of a child from any place where he has been placed by the Director-General and the unlawful communication with any child who is under the care and control of the Minister.

Clause 79 is new. Officers of the department are continually making inquiries into circumstances where there is an allegation that a child is neglected, uncontrolled or otherwise in need of care, and at the moment there is no specific authority that would enable them to enter into premises for this purpose. The action taken by officers in this connection is extremely important, and it is essential that they have proper authority to act in this way. Clause 80 repeats existing section 14 of the Children's Protection Act, which makes it an offence to sell tobacco to a child under 16 years of age. Clause 81 repeats powers which appear in sections 132 to 134 of the Social Welfare Act. They provide power for the Director-General to receive and handle money on behalf of any child under the care and control of the Minister. Clause 82 deals with the transfer to prison of a child who is under the care and control of the Minister. A similar power appears in section 122a of the Social Welfare Act. The power is used very rarely but has been found necessary where a particularly difficult young person has not responded to training programmes in an institution designed for persons under 18 years of age. At the same time, there has been uncertainty in the past regarding the status and rights of a State child transferred to prison. The provisions in the clause have been altered therefore to provide that no child under the age of 16 years may be transferred from any home or centre under the control of the department to a prison and, further, that such child shall be eligible for remissions and parole in the normal way.

Part V introduces special provisions relating to Aboriginal affairs. Much of the existing Aboriginal Affairs Act has not been retained in this Bill. Some of the existing provisions are of a protectionist or paternal nature. The powers in other parts of this Bill are sufficient to provide services and assistance for Aboriginals in the same way as for all other sections of the community. At the same time it is recognized that Aboriginal persons, both as individuals and in groups, continue to need certain special assistance in order to enable them to strengthen their identity within the general community. In that regard, clause 83 sets out the general powers and functions of the Minister in promoting the development of the Aboriginal people. Clause 84 repeats the powers of section 18 of the existing Act regarding the establishment of Aboriginal reserves. Clause 85 regarding the management of reserves is new. Subclauses (2) and (3) empower the Minister to grant a licence over any land or premises within an Aboriginal reserve to an Aboriginal person for the purpose

of erecting a dwelling or establishing any industry, business or trade. Clause 86 empowers the Minister to acquire land on behalf of Aboriginals and repeats similar powers in section 21 of the existing Act. Clause 87 provides that a reserve is to be regarded as a public place. This is necessary in order to remove any difficulty concerning police officers carrying out their normal duties on a reserve. Clause 88 replaces section 23 of the existing Act regarding unauthorized persons entering Aboriginal reserves without the permission of the Minister. Subclause (2) provides that the Minister may delegate his power to any Aboriginal council or other association on a reserve. Subclause (4) restricts the exercise of mining rights on an Aboriginal reserve.

Section 26 of the existing Act provides power for an officer of the department to enter any place at reasonable times for the purpose of inquiring into the circumstances of any Aboriginal employed there. This wide power is no longer considered necessary, but clause 89 provides power of entry for any authorized officer into any pastoral lands to inquire into the welfare of an Aboriginal person there. Some of these Aborigines are semi-tribal people who are employed in very remote locations and it is necessary from time to time to inquire into their health and welfare. Clause 90 is new and provides that the Director-General may assist Aboriginal persons and the court where an Aboriginal is being dealt with on an offence.

Clause 91 repeats powers at present existing in section 29 of the Act whereby the Minister is empowered to act as an agent for any Aboriginal person to undertake the general care, protection or management of his property. The Minister may act in this way only following a request in writing by the Aboriginal person. Clause 92 introduces Part VI, concerning maintenance obligations. These provisions are extensive and complicated, and number from clause 92 to clause 235. Other than for some minor amendments to clarify certain procedures, the provisions are the same as those which appear in Parts III and IIIa of the Social Welfare Act. There have been no amendments of any substance or of a policy nature, and I do not intend to comment on the large number of clauses which appear under this heading.

Clause 236 introduces Part VII concerning provisions of general application. Some of the provisions under this heading in the Social Welfare Act have been deleted as they are considered to be unnecessary or undesirable and some merely duplicate provisions of the Juvenile Courts Act. As most of the clauses repeat existing powers, with some minor modifications and clarifications, I will not comment on each clause, but will refer to the existing section in the Social Welfare Act. Clause 236 is new. It provides protection for the Minister and officers of the department against claims for compensation for damages occasioned by a child under care and control.

Clause 237 is section 177 of the Social Welfare Act; clause 238 is section 96U previously found in Part IIIa of the Social Welfare Act; clause 239 is sections 178 and 179; and clause 240 is sections 197, 197a and 197b. Clause 241 is new in this Part, and empowers the Director, with the approval of the Minister, to administer the affairs of certain persons under his control. Clause 242 is section 189a; clause 243 is section 194a; and subclause (1) (c) is new and will enable the department to provide the court with information obtained from outside the State about the earnings of a person in connection with maintenance matters.

Clause 244 is section 194b; clause 245 is section 180; clause 246 is section 180a; clause 247 is section 177a; clause 248 is procedural and replaces section 39c; and clause 249 is section 201. Clause 250 provides penalties for certain offences and replaces section 187; clause 251 provides for regulations to be made; and clause 252 makes provision in relation to contraventions of the Act for which no specific penalty has been provided. It also provides for the summary disposal of proceedings in which offences against the Act are alleged.

Dr. TONKIN secured the adjournment of the debate.

PARLIAMENTARY BUSINESS

The Hon. L. J. KING (Attorney General) moved:

That the sitting of the House be extended beyond 6 o'clock.

Motion carried.

SOLICITOR-GENERAL BILL

The Hon. L. J. KING (Attorney General) obtained leave and introduced a Bill for an Act to provide for the appointment of a Solicitor-General, to provide for the terms and conditions of service of a person appointed to that office and for matters incidental thereto. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

Its purpose is to remove the office of Solicitor-General from the Public Service, to define the duties of the Solicitor-General, and to establish the terms and conditions of his employment as an officer of the Crown. The office of Solicitor-General of this State was created by the previous Government in February, 1969. This was done by simply changing the title of the permanent head of the Crown Law Department from "Crown Solicitor" to "Solicitor-General" and making certain consequential administrative changes within the department. So far as the change in title was concerned, this brought South Australia into line with the Commonwealth and the other States, but the status and duties of the position thus created differed materially from those attaching to the office elsewhere. The new arrangement left the Solicitor-General with considerable departmental responsibilities, including the responsibility for the day-to-day legal advice that is given in the form of written opinions to Government departments on all kinds of subjects. Nor could he avoid the ultimate responsibility for the staffing and training of a small but highly skilled department of professional people.

In the present Government's view, it is desirable that the Solicitor-General should be free of any responsibility for the everyday affairs of a department, so that he may devote the whole of his time to the more important legal matters, including court cases, in which the Government is concerned, and be free for any special duties in which his services might be required. Accordingly, in July, 1970, the Solicitor-General was transferred to the Attorney General's Department, and the Crown Law Department again came under the control of a Crown Solicitor. This, however, had the result of making the Solicitor-General a subordinate in another Government department, and in fact was not intended by the Government to be more than a first step in taking the office of Solicitor-General outside the provisions of the Public Service Act altogether. The purpose of the present Bill is to complete that arrangement.

The office of Solicitor-General is an ancient one. In England he is the second law officer of the Crown, and in modern times in that country he is invariably a member of Parliament. But this was not always the case, and in Australia the Solicitor-General is usually the senior barrister, outside Parliament, in the employment of his particular Government. The Commonwealth, and each of the six States, now has a Solicitor-General as its senior legal adviser. In Queensland and Tasmania he remains in charge of a public service department. In the case of the Commonwealth and the remaining States, he acts solely as a barrister, with no administration or routine duties at all, and has the terms and conditions of his employment by the Crown provided for by Act of Parliament. The purpose of the present Bill is therefore to give a similar standing to the office of Solicitor-General in this State. The provisions of the Bill are based, in the main, on the corresponding legislation of the Commonwealth, New South Wales, Victoria and Western Australia. They are designed to give the office some measure of formal status and practical independence which appears desirable, and also to make the position attractive, in the event of a vacancy, to suitably qualified lawyers in private practice as well as to those in the Public Service. It is of great importance that the office of Solicitor-General should have the status and independence that will enable Government to procure an appropriate leader of the bar to fill the position when that becomes necessary.

I shall now outline the Bill in some detail. Clauses 1 and 2 are quite formal. Clause 3 sets out the definition necessary for the purposes of the measure. Clause 4 provides firstly for the appointment of a Solicitor-General and secondly provides that the present occupant of the office under the Public Service Act, Mr. B. R. Cox, Q.C., will become the first occupant of the "statutory" office of Solicitor General.

Clause 5 provides for the fixing of terms and conditions of appointment and the salary of the Solicitor-General and also formally provides that the Public Service Act will not apply to or in relation to the office. Clause 6 sets out, in broad terms, the duties of the Solicitor-General which are, as has been adverted to earlier, to act as the senior legal adviser to the Crown. Clause 7 provides for the removal from office of the Solicitor-General and is a fairly standard provision and Clause 8 provides for the retirement of the Solicitor-General.

Clause 9 provides for a grant of leave on retirement and is based on a comparable provision in the Supreme Court Act that provides for similar leave or payment in lieu thereof to judges of the Supreme Court. Clause 10 provides for a non-contributory pension under

the Judges' Pensions Act for the Solicitor-General. The provision for a pension of this nature is in furtherance of the Government's intentions that the condition of service of the office will be such as to attract counsel of considerable seniority. Contributory pension schemes are, in the main, not attractive to persons who enter them at an advanced age since in those circumstances they usually entail substantial periodic contributions if a reasonable benefit is to be obtained.

Clause 11 is intended to cover the case where a Solicitor-General is appointed a judge within the meaning of the Judges' Pensions Act and provides that his service as Solicitor-General will be counted as judicial service for the purposes of ascertaining his pension under this Act. Subclause (2) of this clause guards against the possibility of a double pension being paid.

Mr. EVANS secured the adjournment of the debate.

ADJOURNMENT

At 6.9 p.m. the House adjourned until Thursday, March 2, at 2 p.m.