**OUTBACK AREAS COMMUNITY DEVELOPMENT TRUST BILL 1978**

**Legislative Council, 15 March 1978, page 2211**

Second reading

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

**The Hon. T. M. CASEY (Minister of Lands**): I move: That this Bill be now read a second time. Its purpose is to establish a trust, the main functions of which will be to foster, direct and facilitate development projects in remote areas which do not lie within municipalities and districts established under the Local Government Act, 1934-1977. The Government’s initiative in this field is in recognition of the special difficulties faced by people in isolated districts. In recent years the Government has been called upon to provide facilities which are normally organised by local government in many of the outback towns. Most of the Far Northern areas of the State are not subject to local government and rely heavily upon the activities of local community groups and other civic organisations. The establishment of the trust is intended to support and further encourage the activities of such groups.

As well as carrying out development projects and providing services to outback communities, the trust will be responsible for examining proposals for loan and grant assistance and recommending on the disbursement of such funds to local community groups in the unincorporated areas. In addition, it is intended that the trust consider the upgrading of communication facilities in all remote areas of the State, including those which are incorporated. It is intended that the trust will rely heavily on local community groups in establishing needs and priorities in the outback areas. The Bill anticipates this mode of operation. The Bill also provides the trust with the power to borrow and the Government has undertaken to service the first $1 000 000 of such debt. The trust should also benefit from the normal range of financial assistance provided to local government through the South Australian Local Government Grants Commission and other Government sources. I seek leave to have the explanation of the clauses inserted in Hansard without my reading it.

Leave granted.

Explanation of Clauses

Clauses 1, 2 and 3 are formal. Clause 4 sets out definitions of terms used in the Bill. Clause 5 establishes the trust and sets out its basic powers as a body corporate. Clause 6 provides for the appointment of trust members and the terms and conditions upon which they hold office. Clause 7 deals with the remuneration of members. Clause 8 provides for the appointment of a Chairman of the trust, and clause 9 sets out various procedural measures relating to the conduct of trust business. Clause 10 is concerned with the validity of acts of the trust, and the liability of trust members. Clause 11 provides that any trust member who has an interest in any contract made or contemplated by the trust shall disclose such interest to the trust and thereafter refrain from any deliberations relating to the contract in question. When such a disclosure is made, the contract is not liable to be avoided by the trust on any grounds arising from the fiduciary relationship between the trust member and the trust. Clause 12 provides for the execution and proof of trust documents. Clause 13 is concerned with officers of the trust, who are to be appointed and to hold office under the Public Service Act, 1967-1977.

Clause 14 provides that the trust shall be subject to the general control and direction of the Minister. Clause 15 sets out the specific functions of the trust. These include carrying out development projects and providing services to local communities, making grants and loans to community organisations, and otherwise fostering their development and work, exercising such local government functions as may be assigned under the Act and improving communications to country districts, either within or outside the area, subject to the operations of the trust. In subsection (2) of this clause, the Governor is empowered to apply, by regulation, specific provisions of the Local Government Act, 1934-1977, to the trust and its area. Clause 16 provides that the trust may delegate any of its powers or functions to any of its members or officers.

 Clauses 17 and 18 set out the trust’s powers to borrow and invest, and the former provides that the repayment of any moneys borrowed by the trust may be guaranteed by the Treasurer. Clause 19 requires the trust to present a budget of estimated receipts and payments to the Minister in respect of the financial year immediately following. Clause 20 provides that the accounts of the trust shall be audited once a year by the Auditor-General. Clause 21 requires the trust to submit an annual report on its operations to the Minister and provides that such report, together with the trust’s audited accounts, shall be laid before both Houses of Parliament. Clause 22 provides that offences against the Act shall be dealt with summarily, and clause 23 empowers the Governor to make regulations under the Act.

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