HOUSE OF ASSEMBLY

Tuesday, October 5, 1971

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

DEATH OF GOVERNOR

The SPEAKER: I wish to inform the House that I have this day received from Lady Harrison, widow of our late Governor, and her two sons a letter of appreciation for the action taken and the tribute paid by the House on the occasion of the death of Sir James.

QUESTIONS

A.W.U. BUILDING

Mr. HALL: In the absence of the Premier, can the Deputy Premier say how much the Government is paying for the Australian Workers Union building in Flinders Street which it has bought? I assume that the building has been valued by the Land Board and that the Government has adhered to such valuation. However, my interest (and I am sure the public's interest) is in the actual cost to Government, bearing in mind that the Government is to present free of charge to a consortium, for the purpose of building a hotel, the Victoria Square site bought by a previous Government. Therefore, it would appear that this sum of money—

The SPEAKER: Order! The honourable Leader is commenting.

Mr. HALL: I therefore submit my question concerning the total cost of the A.W.U. building and the method of valuation.

The Hon. J. D. CORCORAN: The Government has purchased the A.W.U. building and, from memory (I will get the exact figures for the Leader of the Opposition), I think the price paid to the A.W.U. was $90,000. Although the Land Board valuation of the building and the site was, I think, $55,000, the Government made an *ex gratia* payment to the A.W.U. of the difference between that valuation and $90,000. The reason for this was that in 1961 the Playford Government purchased from, I think, the Oddfellows Lodge the building alongside the A.W.U. building for $100,000. That building was on the site of the present Reserve Bank building, and I think the Government negotiated with the A.W.U. for rights in respect of the lane that separates the Reserve Bank building from the A.W.U. building. In those negotiations, the then Premier (Sir Thomas Playford) gave in writing an assurance to the A.W.U. that its building would never be compulsorily acquired. The Government requires the A.W.U. building, as part of the development of the area, for office accommodation in future, and the Leader may realize the Government's position concerning negotiations for the building. In fact, I believe the Government was lucky to purchase the building at the figure referred to and that it was not forced to pay the figure initially asked by the A.W.U., namely, $100,000 or $110,000. The price paid by the Government for the A.W.U. building was $90,000 and the Land Board valuation was, I think, $55,000. For the reasons I have outlined to the Leader, the difference was made up by an *ex gratia* payment.

OH! CALCUTTA!

Mr. MILLHOUSE: Can the Attorney-General say what action, if any, the Government intends to take over the staging of *Oh! Calcutta!* at the Flinders University in the next few weeks? It has been reliably reported to me that it is intended to stage this revue (I think it is called) at Flinders University on October 17 under the aegis of a society called the Flinders University Society for Everything (Fuse for short). I have been handed (and I believe this to be not a hoax but genuinely the intention of the promoters) several roneoed sheets, part of one of which states:

> The first function of this new society will be the presentation on the Flinders campus of a somewhat infamous titillating revue. This performance, which is at present scheduled for October 17, will be an Australian premiere, and will have a full professional cast. All members of the university communities who are concerned at recent events which eroded our rights to see whatever performances we choose are invited to become members of Fuse.

Membership applications at $3 a head are invited from students from Flinders and Adelaide Universities and from people outside. As I say, I believe this to be a genuine intention—

The SPEAKER: Order!

Mr. MILLHOUSE: —and not a university hoax. Although the Attorney-General and I know that the university students—

The SPEAKER: Order! The honourable member for Mitcham is commenting. The honourable Attorney-General.

The Hon. L. J. KING: I have no knowledge of the matters referred to by the honourable member, but I will look into them.

SEAT BELTS

Mr. LANGLEY: Can the Minister of Roads and Transport say when it is hoped that the compulsory use of seat belts in South Australia will become law?

The SPEAKER: Order! As the subject of the question asked by the honourable member is also the subject of a Bill being debated in another place, I shall have to rule the question out of order.

GOVERNMENT OFFICES

Mr. COUMBE: Can the Minister of Works obtain for me details of the annual cost to the Government of office accommodation rented in Adelaide for Public Service departments and of what will be the cost of the office space to be occupied in the new building being completed in Waymouth Street, where I understand several departments will be accommodated at about the end of this year?

The Hon. J. D. CORCORAN: Information about the cost of accommodation rented by the Government in the metropolitan area is contained at page 140 of the Auditor-General's Report as follows:

> The Government has leased for varying terms up to 1993 accommodation for departments in a number of city buildings. The amount being paid for rental in terms of the leases for 25 premises exceeds $800,000 a year, with one lease in process of negotiation with anticipated annual rental of $158,000.

That would be the present situation. I think the accommodation referred to is in Allen Commercial Building, 12 floors of which will be occupied. The Government intends to develop the block bounded by Victoria Square, Flinders Street, Wakefield Street, and Gawler Place for future office accommodation, and negotiations are fairly well advanced for the first of those buildings, which is in Flinders Street and which will replace the building occupied by the Registrar of Births, Deaths and Marriages and, I think, the Education Department building. I will obtain the information about future requirements that the honourable member has sought in the second part of his question. I take it that the honourable member requires information covering the next five years, and he will appreciate that it is fairly difficult to find out about any surplus that we may have after providing office accommodation of the type that I have mentioned. However, I shall be pleased to try to get the information.

MUSIC FESTIVAL

Mr. CLARK: Can the Minister of Education say whether more publicity can be given to the schools music festival? Last evening, with other members, as part of an appreciative audience I had the opportunity to hear and see the schools music festival, and this festival seems to me to be better and better each year. The performance was magnificent and anyone who was fond of children would have his heart elevated by enjoying the string orchestra, the recorder bands, beautiful playing by solo artists, and magnificent singing by children. I ask the question because persons who have not seen the printed programme would not have noticed that station 5AD will make a recording of one of the performances and the proceeds from sales of this recording will go to assist the music society in providing the music festival. I also understand that a large part of the performance will be shown on television during day-time viewing hours. It may be appropriate for the Minister to make a statement about this festival, to give additional publicity to the sale of the records, and also to give people who otherwise might not know about it the opportunity to see the telecast.

The Hon. HUGH HUDSON: It is a pleasure to hear the member for Elizabeth waxing lyrical on his experiences last evening. I attended the music festival on Saturday evening and I must say that, as was the case last year, I thoroughly enjoyed the performance. I agree with the honourable member that the standard achieved is extremely high and is improving each year. As the honourable member has said, a special recording will be made of one of the performances and, in addition, the Australian Broadcasting Commission is telerecording a special programme for showing on channel 2, I think between 3 p.m. and 4 p.m. on Sunday, October 24. I certainly hope that the media will give additional publicity to this festival and to the standard that has been achieved. I have been told reliably that the standard that we achieve in this State in this area compares favourably with that achieved in other States, and this is a tremendous credit to all involved. I point out that 10 choirs from various primary schools take part each evening. This involves about 420 children each evening and, as the festival extends over a full week, the total number of children involved in the choirs is about 3,000, and that makes no allowance for the number of additional children involved in the various recorder ensembles and the string orchestras, or the individual artists who contribute. The Music Branch of the Education Department has done a worthwhile job in this area and gains the full co-operation of the various schools and of the parents. There is a packed house every evening, and that alone indicates the importance of this event in the yearly music calendar. If any additional publicity can be given, I will see that it is given.

TEACHERS' RETIRING AGE

The SPEAKER: Before calling on the member for Davenport, I should like to extend to her a warm welcome on her return to this State. I hope that, as a result of her holiday abroad, she will feel the benefit of it and be able to pass some of her knowledge on for the benefit of South Australia.

Honourable members: Hear, hear!

Mrs. STEELE: Thank you, Mr. Speaker. It is a delight to be back in this quiet spot after visiting one of the greatest countries in the world. I have learned a tremendous amount which, if I am given the opportunity to express in this place, may be of benefit in respect of some of the issues we have to face as a Parliament. I thank you, Mr. Speaker, most sincerely, and I am glad to be back in South Australia.

Can the Minister of Education say when the Government intends to introduce legislation to provide for a common retiring age for men and women teachers? The Minister has previously indicated that a substantial revision of the Education Act was likely to be undertaken this year (it has been under consideration for some years) and that the matter of a common retiring age was likely to be considered. I believe the Minister is aware that women teachers feel the present discrimination of different retiring ages for men and women very keenly, and more so as the end of the school year approaches, because with the retirement age for women still set at 60 years many senior women holding promotion positions and nearing retirement age and wishing to continue their service in the department must lose any hope of promotion and accept positions as assistants if they wish to continue their career. I believe the Minister is sympathetic in this situation. He has indicated that this matter would be considered and that the change would mean an amendment to the Superannuation Act and to other Acts.

The Hon. HUGH HUDSON: The matter of a common retiring age has been considered for some time. The Government realizes the need for the introduction of a common retiring age for men and women teachers, and the details of the broad proposal that will be adopted have been worked out and agreed to by the Institute of Teachers. I wrote to the President of the institute today, indicating the Government's attitude on the matter. The broad proposal is that, when the Act is amended, new entrants into the service will have the option of retiring either at 60 years or at 65 years, which is the same age as applies in respect of any male teacher. Under the existing provisions women may retire at age 55 years, and that provision will be maintained for those who have already elected to retire at that age. However, for those who have not so elected a date will be fixed, associated with the passing of the Bill through Parliament, as the final date on which an election can be made by any teacher to retire at age 55. After that date has passed the option of retiring at age 55 will terminate. The problem as to when we can introduce this scheme is tied up with the proposed rewriting of the Superannuation Act. The honourable member will be aware that it is intended to move from the present unit scheme of superannuation to a percentage scheme, which will incorporate cost-of-living adjustments for retired public servants and retired teachers. As this is an important change in the principles governing superannuation in this State, the drafting problems are extensive. The present time table indicates that the new proposal will not be ready before the end of next year. It seems that, if interim amendments are made to the Superannuation Act, the consequences will be a delay in the complete redrafting of that Act and in introducing the new scheme. As many people now employed by the Government and many retired employees of the Government are greatly interested in the nature of the Superannuation Act, it is considered that no delay can be tolerated in preparing the new scheme.

The Hon. D. N. Brookman: How long are you going on for?

The SPEAKER: Order! Interjections are out of order.

The Hon. HUGH HUDSON: I am giving the honourable member for Davenport a detailed reply to her question. I am sure that she will appreciate the reply even if the member for Alexandra does not.

The SPEAKER: Order!

The Hon. HUGH HUDSON: Consequently, the proposal for a common retiring age for men and women teachers cannot be introduced until the Superannuation Bill is finally drafted and introduced in Parliament. This will involve a delay: I am sorry about that but, at this stage, there is nothing that I can do about it.

INCINERATORS

Mr. HARRISON: Has the Minister of Labour and Industry a reply to my question of August 26 about the safety of a type of incinerator on which the flue is reported to have exploded?

The Hon. D. H. McKEE: An investigation has been made into the safety of the type of incinerator to which the honourable member referred. The incinerator is constructed to a design approved by the Agriculture Department as suitable for use in country districts. However, the flue pipe manufacturers report that the asbestos flue should not be used where the temperature exceeds 450°F, and recommends the use of a metal flue for the first length. This is not done by the manufacturer, probably on economic grounds. Although the manufacturer claims to have produced 10,000 units without previous complaint, there is the possibility of a potentially explosive situation if moisture comes in contact with the asbestos flue pipe that is subjected to direct flame and temperatures above 450°F. No legislation in this State controls the manufacture of domestic incinerators.

WEANER WEIGHT TRIALS

The Hon. D. N. BROOKMAN: Has the Minister of Works a reply from the Minister of Agriculture to my question of September 21 about the weaner weight selection trial research programme?

The Hon. J. D. CORCORAN: My colleague has supplied the following report:

The programme referred to is a feasibility study of performance recording in selection of sheep-breeding stock for meat production. The technique has been suggested as offering greater efficiency in the selection of breeding stock. Sheep are selected on the basis of their weaning weight at about four months of age. Adjustments are made for such variables as date of birth, type of birth, and age of the dam. In early 1969, all State Agriculture Departments agreed to test the feasibility of performance recording. If successful, this might lead to the establishment of testing schemes in each State. South Australia commenced a study with seven co-operating studbreeders using five different sheep breeds at their 1970 lambings. Finance was largely provided by the Australian Meat Research Committee. The study involves two phases: first, testing the practicability of performance recording in the field; and, secondly, developing computer programmes.

While there are still field problems, the most time-consuming task has been the writing of computer programmes, and the "debugging" of these programmes. Unfortunately, the officer directly responsible for the project resigned in mid-August. However, co-operating breeders have been assured that the study will not be abandoned. On September 14, my colleague received a deputation of stud sheep breeders participating in the trials who were concerned that, because of this officer's resignation, the project might be dropped. He assures me that when a suitable officer can be appointed, the study will continue as planned, and in the interim period the assistance of other Agriculture Department officers will permit the project to continue at a reduced rate.

APPRENTICES

Mr. BROWN: Can the Minister of Labour and Industry say in what trades apprentices are now being trained under the block release training scheme and whether his department intends to increase the number of apprentice trades covered by this type of training? It has been reported in Whyalla that during this year fitter and turner apprentices have been successfully trained under the present scheme and that boilermakers will be similarly trained under the scheme next year.

The Hon, D. H. McKEE: A scheme of block release training was introduced in Whyalla during 1971 on an experimental basis for fitting and turning apprentices employed by Broken Hill Proprietary Company Limited. Under this scheme, apprentices spend 10 weeks in the apprentice training shop of their employer, followed by 10 weeks' full time at the Whyalla Technical College. These "blocks" of 10 weeks are then repeated, and it is expected that apprentices being so trained will complete the educational requirements for their technical college certificate about 15 months after commencing training. (Three years is the normal time taken to complete the technical college certificate.) At present the introduction in 1972 of block release training for apprentice boilermakers in Whyalla is being considered as is the introduction next year of block release training for selected groups of apprentices in a few trades in the metropolitan area. If proceeded with, these will also be on an experimental basis but no final decision has yet been reached. The experiment has proved successful with improvements noted in the interest and attitude of apprentices, resulting in reduced absenteeism. The gap between the best and weakest students has been narrowed, as help has been readily available for apprentices experiencing greater difficulty.

SOUTH-EAST ELECTRICITY

Mr. RODDA: Can the Minister of Works say by what date the electricity reticulation scheme will be completed and an electricity supply available to all residents in the hundreds of Killanoola, Comaum, Monbulla and Penola as a result of the takeover of the Penola electricity supply undertaking? On Sunday, amidst the ravages that occurred in my district, as well as in the Minister's district, I visited this area and, ironically, it seemed that the only people receiving a continued supply of

power were those whose properties were not connected to the scheme. However, much credit is due to the trust, which soon had the power supply restored. As the Minister is well aware, however, people keeping lighting plants going are rather anxious to have their properties connected to the scheme and, from my observations, I believe that contracts have been let for the work to be carried out in this area. Although I acknowledge that the contract work has been interrupted by the unseasonable conditions being experienced this late in the year, I should be pleased if the Minister could say when the properties concerned will be connected to the scheme.

The Hon. J. D. CORCORAN: I shall be happy to take up the matter with the Electricity Trust and to get the forecast requested by the honourable member. However, as he has already said, this may be difficult, because of the prevailing conditions in the South-East. In fact, flying over the area last Friday, I noticed that it seemed to be one large swamp from just south of Kingston to Mount Gambier. Like the honourable member, I regret that people in his district were inconvenienced last Sunday, some people being inconvenienced for most of the day, because of a failure in the electricity supply. However, I think that the fact that there were winds of a velocity of up to 70 miles an hour explains the reason for what occurred and the resultant inconvenience suffered.

MORPHETT VALE WATER SUPPLY

Mr. HOPGOOD: Will the Minister of Works take up with the Engineering and Water Supply Department the possibility of giving householders more adequate notice of interruptions in their domestic water supply? Certain householders in the Morphett Vale area were without a water supply for some hours yesterday, and it has been put to me fairly forcibly that in this sort of circumstance it is possible that certain domestic electrical appliances could go wrong as a result of being emptied of their water supply, the householder not being aware that the supply was not being replenished from the mains.

The Hon. J. D. CORCORAN: I can understand the anxiety of the honourable member's constituents in these circumstances. I will certainly ask the department why these people were not notified, although it could well be that this did not involve a planned repair job: it may have resulted from a burst pipe or something of that nature. However, I will ascertain the exact cause and, if there has been any discourtesy on the part of the department, I will see that the matter is rectified.

CONSTRUCTION SAFETY

Mr. EVANS: Has the Minister of Roads and Transport a reply to my recent question about construction safety and first-aid equipment that may be available in connection with work on the South-Eastern Freeway?

The Hon. G. T. VIRGO: At least three Highways Department employees engaged on construction of the South-Eastern Freeway are qualified first-aid officers. First-aid equipment is available on the job, and vehicles are available which are suitable for conveying any injured personnel to hospital or to a doctor. In addition, telephones are installed at two locations, and emergency telephone numbers are prominently displayed near each telephone.

MORGAN DOCKYARD

Mr. WARDLE: Has the Minister of Roads and Transport a reply to the question I recently asked about resiting the Morgan dockyard?

The Hon. G. T. VIRGO: Preliminary investigations into the feasibility of establishing the Highways Department dockyard at Murray Bridge have included the assessment of several possible sites suitable for such a purpose. At this stage, however, the final site has yet to be selected.

Mr. ALLEN: Can the Minister of Roads and Transport say how much money will be saved annually by relocating the Morgan dockyard at Murray Bridge? The Minister has in this House announced the Government's decision to relocate the dockyard but he has not said how much money this will save annually.

The Hon. G. T. VIRGO: I have not the specific figure available but I will try to get it for the honourable member. While dealing with this subject, I should like to make one point plain to the honourable member and to the House. It has been alleged that the Government's decision to transfer the dockyard from Morgan to Murray Bridge was made on the basis of political advantage.

Mr. Gunn: Hear, hear!

The Hon. G. T. VIRGO: The honourable member would say that, because that is the way his mind thinks, unfortunately.

Mr. Jennings: Thinks?

The Hon. G. T. VIRGO: I am sorry if I do other members an injustice by saying that the honourable member's mind thinks. Perhaps I should have said that that is how it works.

The Hon. D. N. Brookman: Answer the question.

The Hon. G. T. VIRGO: The member for Alexandra should keep quiet. He did not ask the question and the matter has nothing to do with him, because he probably has no interest

in that area. The Government based its decision on a report from one of the most efficient departments in South Australia, and those who desire to peddle the belief that it was made on the basis of politics are doing nothing other than slandering the Highways Department, and I resent references of that kind.

BIRDWOOD HIGH SCHOOL

Mr. GOLDSWORTHY: Has the Minister of Education a reply to my recent question about the Birdwood High School oval?

The Hon. HUGH HUDSON: Consultants engaged by the Public Buildings Department have submitted designs, drawings and specifications for civil works, including drainage of the oval at Birdwood High School. Some alterations to these designs are required, and it is expected that these will be completed in sufficient time to call tenders in about two months. This should enable work to commence early in 1972.

BEACH EROSION

Mr. BECKER: Can the Minister of Environment and Conservation say when we can expect urgent action by the Government to replace sand on our metropolitan beaches? I have been inundated with reports from people who are concerned at the appalling conditions of the beaches at Glenelg North and Glenelg South. I understand that the Minister received the Culver report late last year, and also received the final report from the beach and foreshore protection committee about three months ago, but we have had no positive action.

Mr. Gunn: The Minister's in trouble on this.

The Hon. G. T. Virgo: How would you know!

The SPEAKER: Order! The honourable member for Hanson, by leave of the House, is making an explanation. Honourable members on both sides have an obligation to maintain silence. The honourable member is entitled to receive courtesy from honourable members on both sides.

Mr. BECKER: Thank you, Sir. We have not yet had any definite or positive action from the Government towards replenishing sand on these beaches.

The Hon. G. R. BROOMHILL: I have been surprised at the audacity of the honourable member in the attitude he has been adopting recently. I have seen reports that he has called for urgent action by the Government in regard to beach protection. I point out that the Government accepts the fact that some work is urgently required with regard to our metropolitan beaches. The reason for this is that, for many years, this State had a Liberal and Country League Government, which permitted development along the foreshore and the removal of sand dunes. It permitted and even encouraged industry to mine sand and carry it away from the beaches. So, when the Labor Government came into office in 1965, the position at our beaches was critical. At that time, the then Minister of Works asked the Adelaide University to undertake a study to see what should be done in this direction. During the term of office of that Government, the Premier introduced the Planning and Development Act, certain provisions of which protected the remaining foreshores of our beaches. To have a Liberal member now demanding that the Government take urgent action is almost laughable. Once the Culver report was placed before this Government, we immediately commenced to evaluate it. That having been done, legislation is now being prepared to implement the proposals set forth in that report. I have previously informed the member for Hanson that I hope that this legislation will be dealt with this session. In addition, the Government has made available $250,000, assuming that we will implement the recommendations made by Mr. Culver.

It is not true to say that I have had for three months the final report of the beach and foreshore protection committee. That committee has given me an interim report and, recently, its final report. Its recommendations having been considered, only last week a firm decision was made whether that money should be allocated to various councils for sand source survey work so that the Culver report could be implemented. It has amused me somewhat to see the honourable member apparently informing every television station in the country that he will be attending beaches, and to see him trotting down to the beach each week with the Culver report tucked under his arm. He then demands that the Government implement that report, whereas during the recent Loan Estimates debate he said that the Government would be stupid to implement the Culver report and to put sand on the beaches because that sand would be washed away; he said that the only way to deal with the matter was to provide groynes. The Government will do what is required in this direction; we are treating the matter urgently. However, I believe that if we accept the suggestions of the honourable member we will be back where we were under Liberal Governments.

SMART ROAD

Mrs. BYRNE: Can the Minister of Roads and Transport say whether there has been any change in the policy of the Highways Department with regard to financial assistance being allocated for the upgrading and improvement of the section of Smart Road between Seymour Avenue, Modbury, and Dillon Road, Tea Tree Gully, and whether assistance has been sought by the Tea Tree Gully council? On December 1, 1970, in reply to my questions of October 27 and November 5, 1970, the Minister said that, because of the peculiar nature of the development along Smart Road, Modbury, with the Myer shopping centre and the Modbury Hospital concentrated at its western end, the road was divided into two categories for the purpose of determining whether financial assistance was to be allocated by the Highways Department for upgrading and improvement work. The section between the North-East Road and Seymour Road was of arterial significance and, accordingly, had been widened to a point near the hospital boundary. As the section between Seymour Avenue and Dillon Road primarily serves local residents, no substantial departmental assistance could be justified in the light of other needs throughout the State.

The Hon. G. T. VIRGO: I will look into the matter and provide information for the honourable member.

COOPER CREEK

Mr. ALLEN: Can the Minister of Roads and Transport say when work will commence on the causeway to be erected over the Cooper Creek on the Birdsville Track? No doubt the Minister knows of the difficulties that arise when this creek floods the Birdsville Track. From information available this morning, I believe the present flood is still about 15 miles from the causeway, and it is expected that the crossing will flood in about a week. Station owners living beyond this crossing are worried that when the present flood arrives they will be unable to transport stock across the crossing. Therefore, they are anxious that the causeway be commenced so that work can be finished before the next major flood.

The Hon. G. T. VIRGO: I will obtain a report for the honourable member.

PROPER BAY

Mr. CARNIE: Will the Minister of Marine investigate reports of pollution resulting from the discharge of waste from the Government Produce Department into Proper Bay, Port Lincoln, and, if it is found that pollution results from this source, will he take steps to solve the problem?

Mr. Gunn: How about Broken Hill Proprietary Company Limited at Whyalla?

The SPEAKER: Order! I do not wish to interrupt the honourable member for Flinders, but it is impossible for me to hear what he is saying. Has he finished his question?

Mr. CARNIE: Yes, Sir, but I wish to make an explanation. Recent reports from oyster divers who have dived in this area for some years indicate that serious pollution could be occurring over a wide area of Proper Bay. They claim this is shown by the depleted stocks of oysters and by the fact that their wet suits have a putrid smell after they have dived in the area. The Minister recently issued a press release stating that Port Lincoln waters were free of pollution and safe for swimming, but the testing stations on which this report was based do not extend as far as the area of the outlet from the Government Produce Department. A local health officer recently conducted tests which seemed to show a very high bacteria level in the water at Proper Bay. My question is not directed so much from the point of view of swimming, as this has never been a swimming beach but, if oysters and perhaps other fish are being depleted because of pollution, this matter should be investigated urgently.

The Hon. J. D. CORCORAN: As the honourable member has said, tests were recently carried out at Port Lincoln by the Engineering and Water Supply Department, but they were in connection with the sewerage outlet. Apart from the area that is taboo to swimmers, it is perfectly safe for that purpose. I will have the matter of the effluent from the Government Produce Department's works checked by the Marine and Harbors Department. In fact, as Minister of Marine, I am responsible for taking action regarding pollution of the sea, certainly within the three-mile limit or within a port, and I will certainly have the investigation that the honourable member has requested carried out and obtain a report for him. I take the opportunity to comment on what the member for Eyre has said about B.H.P. Company Limited. I want to make perfectly clear to the House that there is not, and never has been, any proof that that company was responsible for the deposit of cyanide in the sea off Whyalla. I hope that that is clear to the honourable member and, if he

wants to go around alleging that B.H.P. Company Limited was responsible, he can take the company on and see where he finishes.

KINGOONYA SCHOOL

Mr. GUNN: Has the Minister of Education a reply to my question regarding the provision of video tape recorders at the Kingoonya school?

The Hon. HUGH HUDSON: Video tape recorders are provided at secondary schools outside television range so long as they have suitable electric power. However, they are not supplied to primary schools. A set has been made available for each Inspectorial District for use in inservice education. One video tape machine has been on loan to Cook Primary School as an experimental project during the latter half of 1971. Arrangements have been made for this machine to be used in 1972 at the Kingoonya as well as the Cook and Tarcoola Primary Schools. Each school will have the use of it for one term. The Audio Visual Education Centre will supply the school with suitable video tape material.

WATER QUALITY

Dr. TONKIN: Will the Minister of Works ask officers of the Engineering and Water Supply Department to try to correct the filthy state of water circulating in the mains in the Burnside and Tusmore areas? It seems that at about this time each year the water in that part of my district becomes particularly filthy and almost impossible to drink. A considerable amount of sediment forms in the bottom of any glass or other receptacle in which water is left standing for any length of time. When the matter is brought to the attention of the department, employees of the department flush or reverse flush the mains, relieving the situation for a short time, but the water soon reverts to the original condition. In the past few weeks I have received a spate of complaints about the condition of the water in this area, and I think the member for Davenport will receive similar complaints, now that she has returned. Can the Minister say whether permanent action can be taken to relieve this situation?

The Hon. J. D. CORCORAN: The honourable member would be fully aware that the permanent action of which he speaks would be nothing less than the provision of a complete filtration scheme for the whole metropolitan area, for which the latest estimate of cost is about $35,000,000 to $40,000,000. Of course, that matter would require much consideration and, in fact, provision of the scheme would have to be agreed to by the people, because they would have to pay the additional costs involved. This problem occurs not only in the honourable member's district but also in other parts of the metropolitan area. It is partly due to the heavy intakes into the reservoirs, and the honourable member's district may be served from the Kangaroo Creek reservoir, which is relatively new. Because it is new, the run-off from the banks takes with it a large amount of soil. Consequently, the water is extremely dirty in appearance, but I assure the honourable member that it is perfectly safe from a health point of view.

The Hon. D. N. Brookman: How much longer will you be?

The SPEAKER: Order! Interjections are out of order.

The Hon. J. D. CORCORAN: I am replying to a question asked by the member for Bragg. I know what the member for Alexandra is thinking, but he can ask me a question later if he wants to do so. I will see whether immediate relief cannot be given to the constituents of the honourable member.

The Hon. D. N. BROOKMAN: Can the Minister of Works say what progress the Government is making in cleaning the reticulation mains of the water supply system? I understood that, at the last election, the Labor Party gave a public undertaking that, if elected, it would clean the water pipes in order to clean the water in the Adelaide water supply. In listening to the Minister's reply to the member for Bragg, I could not detect any reference to that matter. Although the member for Bragg had asked about dirty water, the reply he received seemed to me to be the usual reply of a Minister of Works, as it related to turbulence—

The SPEAKER: Order! The honourable member is commenting.

The Hon. D. N. BROOKMAN: As the Minister completely omitted to refer to what the Government was doing to honour its public undertaking, I ask him now what it is doing about it.

The Hon. J. D. CORCORAN: I am offended to think that the honourable member was not satisfied with my reply to his colleague the member for Bragg. I think it proper to point out that the colour of the water is due largely to the new reservoir at Kangaroo Creek, in that area. There is no question of that, and whether the pipes were cleaned would have little effect on the colour of the water.

The Hon. D. N. Brookman: Have they been cleaned?

The Hon. J. D. CORCORAN: Yes, there has been a pipe-cleaning programme. In fact, about three or four months ago I was taken to a suburb where various methods of pipe-cleaning were in progress. The method was to force a plastic sponge-type material through the pipe, and this was done with great effect. This method is being used in cleaning pipes of various sizes throughout the suburban area. However, I will get an up-to-date report for the honourable member and tell him how many pipes have been cleaned.

Dr. TONKIN: Can the Minister of Works say whether the Government has now changed its policy, which it announced in December, 1970, to filter Adelaide's water supply? In the *Advertiser* of December 5, 1970, the Minister is reported as announcing plans to establish a filtration system, to cost between $35,000,000 and $40,000,000, over an eight-year period. The Minister added that it was the logical next step when pollution of our water supply was under control.

The Hon. J. D. CORCORAN: The honourable member has a vivid imagination. If he had read all of the report, he would have seen that this was not an announcement by me that the Government would proceed with the proposition. I invite the honourable member to read the whole article properly, and he will realize that what I am saying is correct. I did not announce on behalf of the Government that the proposal would proceed: having said that we were considering it, I stated what was involved and what the cost would be.

Dr. Tonkin: No decision was made?

The Hon. J. D. CORCORAN: No decision has been made up to the present.

STRATHMONT CENTRE

Dr. EASTICK: Will the Attorney-General ask the Chief Secretary what delays exist in respect of full-time or part-time admission of patients to the Strathmont Centre and what plans the Government has to relieve any deficiency in accommodation that now exists? Constituents of mine who are the parents of a mentally retarded child aged three years and three months have approached me. The child, which has been receiving attention at the Adelaide Children's Hospital almost weekly since the age of 12 months and has also been under the care of the local medical practitioner, is unable to walk or even move unaided. A letter from the medical practitioner states that the child needs some sort of institutionalization for at least part of the week and her only hope is to wait at least two years for admission to Strathmont, but 280 other persons are ahead of her on the waiting list. The letter also states:

> This child cannot walk and won't walk. She is three years old and cannot talk and her performances are limited. The mother has to carry her or wheel her in a pram wherever she goes. They are not trying to shirk responsibility: they need help and they cannot get it.

I also point out that, from discussion with the parents of this child, I know that they earnestly desire to have the child in their care at all times but that they require the assistance that some form of part-time hospitalization is likely to afford, particularly in respect of training the child in toilet necessities.

The Hon. L. J. KING: I shall refer the question to my colleague and get a reply.

WUNKAR RAILWAY LINE

Mr. NANKIVELL: Will the Minister of Roads and Transport review the decision on the closure of the Wunkar railway line? I have been told in correspondence that the tramway from Paringa to Chowilla has now been transferred to the State Government for the recovery of salvage. I understand that this was part of the original arrangement and that the State Government and the River Murray Commission have now reached agreement on the matter, resulting in that track and the sleepers, which are near the line in question, being now available. As one of the problems associated with the reconstruction of this line was the high cost of materials that had to be provided, I am wondering whether this comparatively low-cost material (I presume the line and the sleepers are of good quality) can be used to reconstruct the line. I understand that the length of line involved is almost similar to the length between Wanbi and Wunkar.

The Hon. G. T. VIRGO: This proposal has already been considered and, in fact, it is one of the many matters that I have on my desk to deal with. Although the cost of replacing the line with other than new material would be much less, regrettably the amount of money involved would still be significant. However, no decision has been made on it. The suggestion for the restoration of the line as far as Wunkar has been under active consideration for at least four months, and I hope that a decision will be made soon.

COMPULSORY UNIONISM

Mr. MILLHOUSE; Can the Minister of Labour and Industry say what action, if any, the Government intends to take over the stopping of beer deliveries to the Seven Stars Hotel because of the employment there of non-union labour? In the last few days I have been approached by two of the hotel's employees seeking help in the predicament in which they find themselves. Mr. Dillon (Secretary of the Liquor Trades Employees Union) some time ago asked the 14 or so employees of the hotel to join his union, but they were all disinclined to do so. He then approached the licensee and put pressure on him to act contrary to section 91 of the Industrial Code. However, the licensee told his employees to join. He had his solicitor speak to them to point out the benefits, if any, of joining a union and to repeat the advice that they should join. However, I understand that only one employee has joined: the result is that beer deliveries to the hotel, both from South Australian Brewing Company Limited and from Cooper and Sons Limited, were discontinued last Thursday. It has been pointed out by the employees who have separately approached me that, if this situation continues, the hotel will eventually have to close and they will lose their jobs. This is a clear attempt to intimidate people into joining a union by putting pressure on their employer.

The Hon. D. H. McKEE: I am completely unaware of this matter. The unions have not been in touch with me. This matter must be ironed out by the unions and the licensee.

The Hon. G. T. Virgo: And the breweries.

The Hon. D. H. McKEE: Yes, as I think they would be involved in negotiations. However, I cannot see how the Government can involve itself in such a situation.

MURRAY FLOODING

Mr. COUMBE: Has the Minister of Works seen the reports, as recent as today, of extensive flooding of the Murray River near Albury as a result of the large volume of water coming down from the Australian Alps and of the extensive local rains? It has also been reported that further heavy rains are expected in that area. Will the Minister investigate this matter to see whether, as a result of the flooding in that area and the further expected rains, any danger is likely to occur from flooding in the Murray within the borders of South Australia?

The Hon. J. D. CORCORAN: Although I have not seen the reports referred to, in view of the honourable member's question I shall be happy to seek information from the Engineering and Water Supply Department on the effect the situation may have during the next five weeks and to report to him.

GLENELG TRAMWAY

Mrs. STEELE: Can the Minister of Roads and Transport say what plans the Government has for the future of the Adelaide-Glenelg tramway, the retention of which could be one of the major solutions to the problems involved in the future communications system of Adelaide if it is intended at some time to provide a rapid transit system? Recently, in the United States of America I travelled about 15,000 miles by road, so I had a good chance to study its transport situation. I only hope that we shall be spared some of the nightmare developments in road systems that I have seen there. At the proper time I could speak at great length on this subject. I had the opportunity, as I know the Minister also did, of riding on the Lindenwald rapid transit system out of Philadelphia, on which passengers travel 14 miles in 18 minutes. This system has proved to be an outstanding success. I also had the privilege of spending a day with the Bay Area Rapid Transit officials, who put themselves at my and my son's disposal and took us over the whole system. It is obvious to me that rapid transit is one of the major solutions to our transport problems. I believe that this is one development that we should study closely in South Australia, as we have the nucleus of a rapid transit reserve in the present Adelaide-Glenelg tramway reserve. Can the Minister indicate whether the Government is considering some form of rapid transit development, which has certainly been the answer to some of the traffic problems that have faced the vast American cities?

The Hon. G. T. VIRGO: The question of the future of the Glenelg tramway has been raised previously, and I have said then (and I have much pleasure in repeating today) that I hope we will never see the day when the Glenelg tramway reserve is used for anything other than a public transport system. I have been considering the practicability of extending the operation of this system as a feeder for the south-west suburbs or, alternatively, as an extension into other areas of the south-west suburbs. At this stage I do not have any positive details to bring before the House, other than to say that this matter is being actively considered and that the Glenelg tramway certainly will serve as an important final unit of any future public transport system. Like the honourable member, I was privileged

to see many public transport systems operating in the United States of America. I think it is at Cleveland, in a place called Shaker Heights, that there is a public transport system, called a rail rapid transit system, that is exactly the same as the Glenelg tram system, and it serves that community extremely well. It is interesting to note that it is operated by a private company that makes a profit, but that is another aspect of the matter. Like the honourable member, I have been saying for a long time that I hope we will not destroy Adelaide by building freeways similar to those built in the United States. I think that, if more people saw how freeways operated in that country, they would change their present opinions. I draw the attention of the House to a report on the front page of the Melbourne *Age* of Tuesday, October 5, in which the Victorian Liberal Cabinet has announced it will have a switch from freeways and it has instructed its planners to give public transport first priority. I congratulate the Victorian Liberal Government on its decision, and I hope that all members of the Liberal Party in South Australia join the member for Davenport and support the South Australian Government in its intention to put public transport first.

PETROL STATIONS

Mr. GUNN: Will the Premier consider introducing legislation to prevent the indiscriminate building of service stations in country areas? Concern has been expressed to me by a constituent, who owns a service station in a locality in which no other service stations operate as it provides an economic operation for one station, that another company intends to build a service station near his, thereby depriving him of his income.

The Hon. D. A. DUNSTAN: Apparently the honourable member has not read the political history of this State.

Mr. Gunn: I want a reply, "Yes" or "No".

The Hon. D. A. DUNSTAN: I will tell the honourable member what has been done and the efforts that have been made by members on this side. As a private member in 1955, at a time when it was still possible to prevent the proliferation of one-brand petrol station arrangements, I introduced a Bill that would have established a licensing system similar to that which existed in New Zealand and which would have retained private ownership and competition in the retailing of petrol in South Australia. The suggestion that the honourable member is now making is the same as the proposal I put forward, but my suggestion was bitterly rejected by the then Leader of his Party (Sir Thomas Playford) as a gross interference with the right to private enterprise of the oil companies that should have been able to do what they liked about retailing their petrol!

Mr. Jennings: They had a gentleman's agreement somewhere!

The Hon. D. A. DUNSTAN: Nothing more happened in that matter, other than that the oil companies took over private interests and produced 40 per cent too many petrol selling outlets in South Australia for the economic marketing of the product now marketed in this State, until a Labor Government took office, and we obtained an agreement with them that there should be a moratorium on the future building of petrol stations in certain areas of the State, specifically the metropolitan area. That agreement was allowed to lapse when the Labor Government left office, and the proposals of the petrol resellers, to reduce over a period the number of petrol stations and of uneconomic marketing activities that were increasing the price of petrol to the people of South Australia, were denied. The present Leader of the Opposition specifically told me in this House that he would not enforce the agreement that had been reached between the resellers and the petrol wholesalers and he said that petrol wholesalers were still to be allowed to disregard it. That information is contained in *Hansard.* It was only when this Government took office again that we obtained an agreement with the petrol wholesalers (under threats of specific action under the Prices Act against those who would not comply) that uneconomic marketing activities would be carefully reduced, and that in specified areas of the State no additional petrol outlets would be built. This arrangement does not extend to all areas of the State: for the most part it applies to built-up areas, but if the honourable member has an instance where there are already sufficient economic outlets for the sale of petrol, and where uneconomic and unnecessary outlets are being built that will reduce the gallonage of existing stations, I shall be grateful if he gives me details and I will discuss the matter with the petrol company.

ABORTION

Dr. TONKIN: Will the Attorney-General ask the Minister of Health what follow-up procedures are available to those women who seek an abortion and have an abortion refused? It has been reported that many women who are refused an abortion at public hospitals, and

who do not know much about family planning or contraceptive techniques, are thereupon sent out into the community without future help. It would be a great help to them if a standard form of referral to the woman's general practitioner or a family planning clinic was adopted.

The Hon. L. J. KING: I will obtain this information.

LAND RESUMPTION

Mr. McANANEY: On behalf of the member for Rocky River I ask the Minister of Works whether he has a reply from the Minister of Lands to my colleague's recent question about the resumption of land.

The Hon. J. D. CORCORAN: The Minister of Lands states that in 1965 the Crown Lands Act was amended by the insertion of section 271d, which provides that the owner in fee simple of land unencumbered may transfer or convey that land to the Minister of Lands, who may accept the land on behalf of the Crown. It was not intended that the amendment would relieve landholders from any existing liability for unpaid rates and taxes, as it was considered that this would interfere with the taxing authorities' rights under the relevant Acts under which the charges were imposed. All registered interests must be discharged before a transfer is accepted. Because the motive for such transfers in most cases is to avoid the continuing liability for rates and taxes, it is considered reasonable that the owners be charged for the work involved. The fees are (1) for preparation of the transfer, $6; and (2) for registration in the Lands Titles Office, $4 where one title is involved and $1 for each additional title on the one instrument of transfer. In cases where it is considered that payment of these fees would impose hardship on the transferor, the Lands Department is prepared to accept responsibility for the preparation and registration fees. However, the onus is on the transferor to establish hardship.

As an alternative, some transferors may prefer to make their own arrangements for preparation of the memorandum of transfer, and in these cases the appropriate registration fee only is required. Land may also be transferred back to the Crown under section 65 of the Land Tax Act, which provides that the owner in fee simple of land unencumbered, except by land tax due thereon, may transfer or convey that land to the Commissioner of Land Tax, who shall accept the land on behalf of the Crown. Any inquiries regarding transfers under this Act should be made at the Land Tax Division of the State Taxes Department. Under the Crown Rates and Taxes Recovery Act, in any case where any Crown rates or taxes in respect of any land have been due and owing for not less than three years the Crown rating or taxing authority may request the Minister of Lands to exercise the powers conferred on him by the Act for the purpose of recovering the said Crown rates and taxes. The Act requires the owner to be given three months in which to pay the outstanding rates, and if they are not paid the land is offered for sale at auction. Costs incurred by the Minister, rates and taxes, mortgages, encumbrances, etc., are discharged from the proceeds of the sale, and the balance is paid to the owner. Land not sold at the auction is generally transferred to the Minister. Until he receives a request from the Crown rating or taxing authority, however, the Minister has no power to commence proceedings under this Act.

GOVERNMENT PRODUCE DEPARTMENT

Mr. CARNIE: Can the Minister of Works, representing the Minister of Agriculture, say whether the preliminary report of the committee of inquiry into the operations of the Government Produce Department is yet available? On August 17, in reply to a question I had asked, the Minister said that the committee hoped to provide, by the end of September, at least a preliminary report of its investigations. I realize that it is only just past the end of September but, as this matter is of great concern to all producers on Eyre Peninsula, I ask whether the report is yet available and, if it is, whether it will be made available to members.

The Hon. J. D. CORCORAN: I will refer the matter to my colleague and let the honourable member know.

WEST TERRACE BUS STOP

Mr. BECKER: Has the Minister of Roads and Transport a reply to the question I asked on August 19 about a bus stop on West Terrace?

The Hon. G. T. VIRGO: The bus stop on the western side of West Terrace, adjacent to the cemetery, is essential to serve the city near Sturt and Gilbert Streets. The movement from the bus stop to a position in the lane against the median, in order to turn right into Grote Street, is sufficient distance for the lateral movement to be made in relative safety. Accident statistics for the western carriageway since that carriageway was widened in June, 1970, show that only nine minor accidents

have occurred, and only one of these involved a bus. This accident was not associated with the problem mentioned by the honourable member. It appears that there is no satisfactory alternative position for the bus stop and, in view of the extremely low accident record, it is considered that no further action is warranted.

GOATS

Mr. McANANEY: In the absence of the member for Rocky River, I ask whether the Minister of Works has a reply from the Minister of Agriculture to the honourable member's recent question about goats.

The Hon. J. D. CORCORAN: The Director of Agriculture has informed me that at this stage in the development of a goat industry it is difficult to justify the appointment of a full-time officer in the Agriculture Department to service this small industry. It appears that the request made to the honourable member was from the South Australian Branch of the Goat Breeders Society of Australia, which has about 50 registered members who run Saanan, Toggenberg or Anglo-Nubian breeds of goat, all milking breeds. The local branch cannot provide figures on the number of animals its 50 members have registered, as registration is made directly with the federal office of the society in Sydney, but numbers are understood to be small. Subject to vacancies and provided they meet the conditions laid down by the Committee for the Improvement of Dairy Cattle, goat breeders are eligible to participate in herd-recording schemes. The Dairy Adviser for the central districts is available for advice on milk production from goats. Angora goats are registered with the Angora Goat Breeders Association of Australia, whose State Publicity Officer states that Australian Angora numbers would not exceed 3,000 and that at least 10,000 would be required to justify the establishment of a mill to process the mohair. Therefore, it can be seen that, should the associations of milking breeds and Angoras be amalgamated, numbers would still be small. In recent months, considerable publicity being given to levels of profitability claimed from mohair production compared to wool, the Livestock Branch has received and dealt with from three to six queries a month, relating to mohair production and management of angoras. Inquirers are provided with a comprehensive range of literature. An article on "The Future of Mohair Production", prepared by Mr. P. M. Carr, Livestock Adviser, was published in the May, 1971, issue of the *South Australian Journal of Agriculture.*

SCHOOL BOOKS

Dr. EASTICK: Can the Minister of Education say whether his department has changed its policy on the availability of free books and/or materials to dependants of totally and permanently incapacitated pensioners? I have been given what is obviously a stereotype letter, to which is added either "Sir" or "Madam", the date, and the signature of the Free Books Clerk. That letter, which in this case is dated September 28, 1971, states:

> Dear Sir, I refer to your application for free books and/or materials. As you are a T.P.I. pensioner and receiving an education allowance for your child/children, it is not possible to give your application any further consideration.

The personal letter submitted to me which accompanied this letter from the Minister's department indicates that the person concerned has been a T.P.I. pensioner for nine years and that during the whole of this period his child (a 15-year-old girl) had been receiving the benefit of free books and/or materials. However, an application lodged with the department recently was acknowledged in terms of the letter that I have just read to the House.

The Hon. HUGH HUDSON: I will look into the matter for the honourable member, including the amount of the education allowance paid to T.P.I. pensioners with children of schoolgoing age, and bring down a reply as soon as possible.

LERP

Mr. NANKIVELL: On September 21, in reply to the members for Hanson and Victoria, the Minister of Environment and Conservation suggested that the increase in the lerp population was due to the deteriorating condition of the trees as a result of their being placed under stress, perhaps following a series of bad seasons. This seems rather odd because, in the Tintinara-Keith area, where pink gums are being severely attacked by this insect at present, the seasons, especially the last three, have been comparatively good for the trees. Therefore, I am concerned that the answer given may not be the proper answer, and that we still probably do not know enough about this insect; we are only surmising that the problem is due to the health of the tree. I understand that work on this matter has been undertaken by Dr. White of the Zoology Department of the Adelaide University but that his activities are limited by a restricted budget. Apparently he is able to do only limited work at specific times. Some time during the next month or so, it is intended to start aerial droguing to try to study the flight movements

of the insect. In view of the importance to the environment of these areas of controlling this insect, I ask the Minister to consider supporting the work of Dr. White, if necessary, so that a more detailed investigation can be made and a solution to the problem found as speedily as possible before most (not some) of these trees actually die.

The Hon. G. R. BROOMHILL: True, when I replied recently to the question of the member for Victoria I pointed out that Dr. White had been consulted by the Agriculture Department and had supplied some information as a result of the studies he had made. I understand that the honourable member is requesting that Dr. White be approached and that additional finance be made available through the Agriculture Department to hasten research into this matter. I shall be happy to take up the matter with the Minister of Agriculture to see what can be done.

RURAL ASSISTANCE

Mr. FERGUSON: Will the Minister of Works ask the Minister of Lands whether those engaged in all aspects of primary production are eligible for rehabilitation under the rural assistance scheme? A constituent of mine has received the following letter from the Rural Industry Assistance Authority:

I wish to advise that on the recommendation of the Rural Industry Assistance Committee the Minister of Lands has declined your application for assistance in terms of the Rural Industry Assistance (Special Provisions) Act, 1971. In accordance with the agreement between the Commonwealth and the State of South Australia, the committee is not able to say that you have been operating in a sphere of primary production which has suffered greatly from the effects of the current rural recession nor can it suggest any form of debt reconstruction which would enable you to service your commitments and reach the stage of commercial viability within a reasonable time.

The Hon. J. D. CORCORAN: I will take up the matter with the Minister of Lands and bring down a report.

SPINNING WHEELS

Mr. RODDA: Will the Minister of Education consider granting requests of schools for spinning wheels? The wool industry is in dire circumstances, and there is a big interest amongst housewives and young female students in spinning wheels. Only last week a course was conducted at Raywood at which instruction was given to craft teachers from schools throughout the State. I understand that spinning wheels are in short supply in this country (and that is not hard to understand), but I believe there is a source of supply in New Zealand. Although this is not gimmickry, gimmicks are popular at this time, and the Minister may be able to make a valuable contribution in an abstract way to this ailing industry by taking advantage of this interest in the spinning of wool, wool being the life-blood of Australia. If the Minister looks favourably at this suggestion, he may start something that will get the nation back on its feet again.

The Hon. HUGH HUDSON: I am a little puzzled how gimmickry, by producing the life-blood of the nation through a spinning wheel, will get us back on our feet again. However, I shall be pleased to look into the matter and to bring down a reply.

ANGASTON ZONING

Mr. GOLDSWORTHY: Will the Minister of Environment and Conservation find out what progress is being made with regard to the zoning plan for the Angaston council area and when the plan will be completed? I have received from the council a letter which expresses some concern about the ramifications of subdivision in other council areas, as this subject had some publicity recently. I should like to know the position with regard to this area, especially what progress is being made in work on the zoning plan and when it will be completed. I understand that the council has contacted the Minister directly, although he may not yet have received the letter. As the council has asked me to raise the matter, I ask him to obtain the information for me.

The Hon. G. R. BROOMHILL: Although I have not yet seen any letter from the council concerned, I shall be pleased to examine the matter and to provide the honourable member with a report on what stage it has reached.

PRISONERS AID ASSOCIATION

Mr. EVANS: Will the Premier, as Minister in charge of housing, ask the Housing Trust to make a rental house available to the Prisoners Aid Association so that, when the association requires emergency accommodation, it will be available readily? I understand that the association could pay the rent for a house, but it often needs emergency accommodation, which is not available. As this association does much good work for prisoners who are released from our gaols to become citizens in the community and who are trying to make good again in society, I consider that this organization should be encouraged. As I also consider

that the Housing Trust should help the needy in relation to housing, I ask the question, hoping that the trust will assist by making a house available to the association for the purposes that I have mentioned.

The Hon. D. A. DUNSTAN: I will examine the honourable member's proposal and discuss it with the trust.

YOUTH RELEASE

Mr. MILLHOUSE: Will the Minister of Social Welfare explain to the House how officers of the Social Welfare Department came to allow a 17-year-old boy, who had been found guilty of manslaughter last year of a six-year-old girl, to visit his home from McNally Training Centre, contrary to the Minister's instructions that the boy be placed in secure custody? In the past few days there has been much publicity about this matter since it was referred to in a report in the *Sunday Mail* that also mentioned the alarm of those living near the house occupied by the boy's parents. That report contains a short statement by the Minister, part of which statement is as follows:

I gave directions that he be taken into custody and kept in secure custody, as I concluded that was necessary for the protection of the public. I have no knowledge of his being allowed out of McNally.

In subsequent newspaper reports the Minister has repeated the purport of that statement. I can understand the distress of the boy's family at the publicity on this matter, but the public is entitled to know the full facts about it, and especially to have an assurance from the Minister that this sort of thing, this ignoring of his authority and express direction, will not happen again, in the case of either this boy or any other boy or girl placed under the Minister's control.

The Hon. L. J. KING: The position is that this boy was convicted of manslaughter, on a plea of guilty, in March last in respect of a crime committed in May, 1970. Mr. Justice Zelling's order was that he be committed to the care and control of the Minister until he reached the age of 18 years and that thereafter he enter into a recognizance to be of good behaviour for a period of three years and submit to such psychiatric treatment as might be prescribed. The boy was allowed to go to his parents' home pending assessment and decision as to his management. That was on March 25, 1971, and on April 5 the matter came to my notice, with the relevant reports and assessments. It seemed to me then that, because he had committed this crime in the circumstances in which it had been committed, it was important that he be kept under supervision. I do not want that statement to be misunderstood: I think it would be a great mistake to regard this boy as being anything in the nature of a vicious killer, and I think his parents have been subjected to great distress as a result of some of the publicity that has been given, much of which is inaccurate.

This is an extremely pathetic case. The circumstances in which the crime was committed show that this boy is obviously of substandard intelligence and is intellectually retarded, and he obviously had only a limited capacity to appreciate the enormity of what he did. Indeed, the facts show that what he really did was an immature response to teasing: the case was as pathetic as that. Indeed, much of his trouble is that he has what the psychiatrist described as a low tolerance to teasing. It is really a very sad case. There is no question here of our dealing with some sort of vicious killer. To disabuse the public mind in case some apprehension might have arisen as a result of the publicity, may I say that the crime had absolutely no sexual connotation: it was an irresponsible and immature response to what most children would accept as fairly normal teasing. Nevertheless, because it happened and because those circumstances could conceivably be reproduced, it seemed to me to be important that the boy have supervision; this decision was based also on observations of the psychiatrist who examined him.

At the same time, the Director of Social Welfare directed that he should be kept personally informed of any decisions regarding the boy's management. He was therefore, on my direction, transferred to McNally and placed in the mending shop, where he worked in the general section. It appears from reports I now have that he absconded from that section on two occasions for short periods and, on both occasions, he committed offences not involving violence but involving motor vehicles. On both occasions he was brought before the court and committed to the institution for two years. As things stand now, he is due for release in June, 1973. As a result of those two abscondings, he was transferred to the security section at McNally. The Treatment Review Board at McNally, which reviewed this boy and his programme and the reports on him, decided that it was important for his management and to help him settle down and prepare for his future return to the community that he should have contact with his family. Therefore, arrangements were made that he visit his family under supervision.

He was conducted to his home by a probation officer, left with his parents, collected from the house of the probation officer and returned to McNally. I think there was a breakdown here, because the Director of Social Welfare was not told of this arrangement. I am not sure, however, that the terms of the direction that the Director be kept personally informed of the decisions necessarily covered this situation. It was a decision made on the Treatment Review Board's assessment. The board is charged with the specific responsibility of assessing the McNally inmates and deciding on a proper programme for their management. Although I was not aware of these arrangements at the time, now being aware of them I approve of them. I do not see anything dangerous in this boy's being conducted, under supervision, to his home, left with his parents under supervision there, and returned, under supervision, to the institution.

I cannot see that there was any danger to anyone involved. I think it would be most unfortunate if this boy were deprived of all human and family contacts in circumstances that might help prepare him to return to the community. What has brought this matter to a head, as I understand it, is that last week he was brought into the city by an officer to be examined by a psychiatrist. It was necessary to wait for transport in the city and, while in the city, he gave the officer the slip, absconded again, and was apprehended and brought before the court again.

Undoubtedly this boy is a great problem. Knowing now what has taken place, I cannot be critical of the officers who decided to allow him to go, under supervision, to his home. It is important to remember that this boy has to return to the community not later than June, 1973, which means that he must be prepared for his return to the community. It also means that it is useless simply to cage him up, so to speak, and cut him off from his contacts with his family and the community outside. Somehow he must be prepared for return to the community, and this is a difficult problem facing those who are charged with the responsibility for his management.

I think in this case that the course taken was the proper one. It is important that he be not left without supervision and it is important for the protection of others that, until he is thoroughly assessed and until the authorities can be satisfied that there is no danger of a repetition of the crime that led to his committal, he be not out in the community unsupervised. However, it is another thing to say he should not go home, under proper supervision, because he is not of a violent disposition or is not an unmanageable person: he is simply a boy who should be under supervision, because of the danger that if he were unsupervised some teasing situation might arise and his low tolerance to teasing might lead to the sort of outbreak that caused the death of the unfortunate little girl.

I appreciate readily the concern of people in the neighbourhood who may not have a full appreciation of all the factors involved in the situation and who may have fears that are really unwarranted. However, I cannot agree that the officers who decided that this boy should go home on three occasions, under supervision, can possibly be criticized for that decision. Because of the public concern involved and because of the difficulties of the case, I have now directed that the boy is not to be granted leave, either under supervision or not under supervision, without my personal knowledge and approval. This matter will have to be reviewed from time to time. The boy and his family have been subjected to the publicity which has arisen and which I really think does not do anyone any good. However, I agree with the member for Mitcham that, the matter having been explored publicly as it has been, it is necessary for the public's reassurance that a full explanation be given. For that reason, I have tried to give it.

The Hon. D. N. BROOKMAN: Would it not have been better if the Minister had ascertained these facts about the boy and the actions of the department before he made a public statement in the *Sunday Mail* which clearly implied criticism of his departmental officers? The only person who can defend a public servant is the Minister himself, because public servants, in almost all cases, cannot make public statements. Generally speaking, the Minister ascertains the facts in his department before he makes a statement. If it appears that his department has erred, he will usually at least say, "I will call for a report," but make no other comment unless the facts are established. In this case, the Minister said:

> I gave directions that he be taken into custody and kept in secure custody as I concluded this was necessary for the protection of the public. I have no knowledge of his being allowed out of McNally, and I shall obtain an immediate report on the matter.

That can only be accepted by a conscientious departmental officer as a criticism of his actions. The Minister has now established

to his satisfaction that the action was a sound one. I am asking whether it would not have been better to find that out first before making the public statement.

The Hon. L. J. KING: The reply to that question is "No", but I should like to comment on the suggestion in the honourable member's question that what I was reported to have said in the *Sunday Mail* implied some criticism of departmental officers. Obviously, that is not so.

The Hon. D. N. Brookman: Only in your mind.

The Hon. L. J. KING: The honourable member has asked a question, and perhaps he would be good enough to allow me to reply. A journalist from the *Sunday Mail* read to me a story that he intended to publish in the *Sunday Mail,* indicating that this boy had been home at weekends (under supervision, I think, the story ran, but certainly at weekends). The journalist asked me what the situation was, and I said that I recalled the case and I recalled that I had given directions that he be taken into McNally Training Centre and kept in secure custody, or some such expression. The journalist said, "Well, you know the story is that we have this information that he has been out at weekends." I said, "I have no knowledge of that but I will get a report." Subsequently, the statement appeared that I had no knowledge of his being out of McNally Training Centre and that I would get a report: that is accurate, but there was nothing to suggest that I was critical that he had been out of McNally. I did not know whether he had been out of McNally, and had no information about the accuracy of the newspaper story. All I knew was what the journalist said. I did not know whether it was accurate in the first place, and I did not know what the facts would be to justify his being out if the story were true. It was a simple statement of fact as to what I last knew of the matter. I had no knowledge of the matter and had no knowledge of his being out of McNally. It was a statement of fact, and I indicated that I would find out and make a further statement. There was not the slightest criticism of any departmental officer, because it would have been absurd for me to have criticized anyone without knowing the facts. The member for Alexandra has a pretty vivid imagination if he can read into that statement any criticism of anyone, or if he can read that into a simple statement that I had no knowledge of whether the boy had left McNally Training Centre.

FITZROY INTERSECTION

Mr. COUMBE: Will the Minister of Roads and Transport obtain a report on the proposed installation of traffic lights and on the road reconstruction work at the intersection of Jeffcott Road, Torrens Road, Park Terrace, Fitzroy Terrace, and Cotton Street, near Fitzroy? As the Adelaide City Council, the Hindmarsh corporation, and the Prospect council seem to be involved (and, no doubt, the Highways Department), can he also ascertain how the cost of this work is to be allocated?

The Hon. G. T. VIRGO: I shall be pleased to obtain that information for the honourable member.

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

The SPEAKER: Call on the business of the day.

AIR TRIPS

Mr. ALLEN (on notice):

1. How many air trips were made by members of the South Australian Parliament last financial year, as a result of the Government's approval of six flights a member within South Australia?

2. By whom were the flights made, and how many flights were made by each such person?

3. What was the total cost to the State of such flights?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. Thirty-five trips.

2. Legislative Council: The Hon. J. M. Cooper 1; Hon. M. B. Dawkins 2; Hon. R. C. DeGaris 3; Hon. R. A. Geddes 2; Hon. Sir Lyell McEwin 2; Hon. V. G. Springett 3; and Hon. C. R. Story 1.

House of Assembly: Dr. B. C. Eastick 2; Mr. S. G. Evans 2; Mr. R. R. Millhouse 6; Mrs. J. Steele 2; Mr. D. W. Simmons 2; Dr. D. O. Tonkin 2; and Mr. R. S. Hall 5.

3. $628.20.

FLINDERS HIGHWAY

Mr. GUNN (on notice):

1. When will tenders be called for the sealing of the Flinders Highway between Talia and Streaky Bay?

2. When is this section of road expected to be completed?

The Hon. G. T. VIRGO: Depending on funds available, and completion of preconstruction activities, it is expected that (1) tenders for the first phase of work for the sealing of the Flinders Highway, between Talia and Streaky Bay, will be called in March, 1972, and (2) sealing should be completed by April, 1974.

EYRE HIGHWAY

Mr. GUNN (on notice):

1. What plans has the Government to seal the Eyre Highway after the Ceduna-Penong section has been completed?

2. Is the Government giving consideration to asking the Commonwealth Government for a long-term loan to finance this work?

The Hon. G. T. VIRGO: The replies are as follows:

1. I have repeatedly said in this House and elsewhere that the State will continue with the building and sealing of the Eyre Highway using the maximum road funds that can be allocated to this important highway.

2. This Government has consistently approached the Commonwealth Government in an endeavour to have work on the Eyre Highway proceeded with at a reasonable rate. On September 14, 1971, in *Hansard* at page 1378, I replied to a similar question from the honourable member, and indicated that many requests had been made to the Commonwealth for financial assistance. Each one of these reasonable requests has been refused by the Commonwealth, but this Government is continuing to press the Commonwealth for funds to seal this part of National Highway No. 1.

COOBER PEDY COURTHOUSE

Mr. GUNN (on notice):

1. When will the new courthouse be built at Coober Pedy?

2. Why has there been such a delay in commencing this urgent project?

The Hon. J. D. CORCORAN: The replies are as follows:

1. It is expected that tenders for the construction of the courthouse will be called in December, 1971, and that construction will be completed by July, 1972.

2. The court forms part of an overall police-court development scheme, expenditure for which has been allowed on the 1971-72 Loan Estimates. No undue delay has occurred.

SCENIC ROAD

Mr. HOPGOOD (on notice):

1. What length of the 73-mile scenic road, proposed on page 204 of the metropolitan development plan, has to date been sealed and sign-posted?

2. When is it expected that this work will be completed?

The Hon. G. T. VIRGO: The replies are as follows:

1. About 30 miles has been sealed. Signs were provided by the Royal Automobile Association and erected by the local councils over the existing portions of the road from Gawler to Kangarilla. However, signs on the unsealed section within the Tea Tree Gully council area were recently removed by the council. This council had sought road grants for 1971-72 for sealing two sections of Range Road North, but as the council rated the sections as priority 8 and 9, this precluded any serious consideration of the allocation of grants, as available funds permitted grants to be allotted to only the first three priorities.

2. Sections will be completed as funds are available for the work.

T.A.B.

Mr. BECKER (on notice):

1. How much was paid to the Chairman and members of the Totalizator Agency Board for salaries and expenses, respectively, last financial year?

2. What was the average number of tickets issued by that board a customer transaction for the year ended June 30, 1971?

3. What was the average amount a customer transaction for the year ended June 30, 1971?

4. How many males and females respectively did the board employ as at June 30, 1969, June 30, 1970, and June 30, 1971?

5. How many males and females were employed part-time at each of these dates?

6. What investments has the Totalizator Agency Board made since its inception?

7. Why is the Totalizator Agency Board conducting on-course totalizators in the metropolitan area?

The Hon. L. J. KING: The replies are as follows:

1.	Gross fees $	Travel expenses $
R. Irwin (Chairman)	4,200.00	—
C. Haigh	525.00	—
A. Durward	525.00	110.00
J. Porter	475.55	—
J. Henderson	441.10	160.00
R. Phillips	441.10	—
F. Needham	441.10	40.00
R. Lee	441.10	—
P. Alsop	275.00	—
W. Hill-Smith	49.45	10.00
E. Hambour	84.93	20.00
H. Lee	84.93	—
V. French	84.93	100.00
C. Reid	84.93	—
Total	$8,154.12	$440.00

2. Average tickets a customer transaction for year ended June 30, 1971, 3.8.

3. Average amount a customer transaction for year ended June 30, 1971, $4.79.

4. Permanent board staff:

	Year ended June 30, 1969	Year ended June 30, 1970	Year ended June 30, 1971
Male . .	32	33	31
Female .	46	43	47

5. Part-time board staff:

	Year ended June 30, 1969	Year ended June 30, 1970	Year ended June 30, 1971
Male . .	26	64	56
Female	562	495	601

6. Board investments:

	$	$
For year ended June 30, 1967		Nil
For year ended June 30, 1968		Nil
For year ended June 30, 1969		
Money market.....	350,000	
Racing and trotting clubs	50,000	
		400,000
For year ended June 30, 1970		
Money market.....	950,000	
Racing and trotting clubs	54,000	
		1,004,000
For year ended June 30, 1971		
Money market.....	1,350,000	
Racing, trotting and greyhound clubs.....	86,100	
		1,436,100
To September 30, 1971		
Money market.....	650,000	
Racing, trotting and greyhound clubs.....	101,100	
Shares in company . . .	150,000	
		901,100

7. Clubs have requested the board to operate the on-course totalizator on their behalf.

FILM CLASSIFICATION BILL

The Hon. L. J. KING (Atorney-General) obtained leave and introduced a Bill for an Act to provide for the classification of films intended for public exhibition, and for other purposes. Read a first time.

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

That this Bill be now read a second time.

It provides for a new system of film classification. Its primary objective is to create a restricted film classification, which will be legally enforceable. It will be an offence for a theatre proprietor to admit persons between the age of six years and 18 years to films which have been classified as restricted. In the last decade there has been a marked change in the treatment by motion picture producers of matters of sex and violence. Incidents which were formerly depicted symbolically or by indirect allusion are now depicted explicitly. In many cases, one suspects, this type of treatment is adopted not because of any contribution which it makes to the artistic value of the film but because of a desire to increase box-office takings by an appeal to prurient and sadistic impulses. There are, however, undoubtedly many cases in which adult themes are presented with honesty and integrity and in which the explicit treatment of sex and sometimes violence is important to the proper treatment of the subject. Opinions as to the legitimacy of the explicit treatment of sex and violence on the screen differ very widely. Individual judgments inevitably differ as to the moral and aesthetic issues involved in the subject generally and in relation to particular films.

In an area in which opinions differ so markedly, the judgment as to what an adult person is to see and hear must be left to the individual judgment of that person. The State has neither the right nor the competence to dictate moral and aesthetic values to its citizens. Subject to considerations of public decency, the law ought to recognize and respect the right of individual citizens to make their own moral and aesthetic choices. The State does, however, have an important duty towards the immature. Adult citizens can judge for themselves and reject unworthy appeals to prurient and sadistic impulses. The young lack the experience and judgment to detect and reject the spurious in favour of the authentic. Their values and attitudes may be dehumanized and debased before they have reached a sufficient degree of maturity of judgment to be able to assess and reject the base exploitation of sex and violence for profit. There are, moreover, many films which, although excellent in themselves, are unsuitable for the young by reason of the adult nature of the theme or the explicit presentation of scenes of sex and violence. Classifications which are merely advisory have not been successful in excluding children from unsuitable films. If adults are to have increasing freedom to make their own choices, it is the more important to ensure that those who make the choices have reached adult age. The preservation of freedom of adult choice and the protection of the young from exploitation are equally important objectives and both are aimed at by this Bill.

The idea of a restricted classification has received wide support from all sections of the community, including both church groups and civil liberties groups. Though the Bill was resolved from discussions between the responsible Ministers in the Commonwealth and the other States, the Commonwealth has agreed to undertake the classifications. There will be four classifications: (A)—for general exhibition;

(B)—not recommended for children; (C)—for mature audiences; and (D)—restricted. The first three classifications will be advisory only but the fourth classification, namely, restricted, will be legally enforcable. The object of the Bill is to give legal force in South Australia to the Commonwealth classifications. The concept of a corresponding law is used for this purpose. The Commonwealth classifications will probably be made under an Australian Capital Territory ordinance or possibly under the corresponding New South Wales law. When this is known, a proclamation will be issued in South Australia designating the appropriate corresponding law and thereby giving legal effect in South Australia to the Commonwealth classifications.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides for the Act to commence on a day to be fixed by proclamation. Clause 3 contains a number of definitions necessary for the purposes of the Act. Clause 4 provides that a film shall not be exhibited in a theatre unless a classification has been assigned to the film under a corresponding law, or by the Minister. Clause 5 prohibits the unauthorized alteration of a film after it has been classified. Clause 6 makes it an offence for an exhibitor to admit a child between the age of six and 18 years to the exhibition of a film bearing a restricted classification. It is, however, a defence to a prosecution if the defendant proves that he took reasonable precautions to prevent the admission of immature children contrary to the provisions of the Act and he, or a person to whom he entrusted the duty of admitting persons to the theatre, believed on reasonable grounds that the child in question was under six years of age or over 18 years of age. The clause also provides that it is an offence for the child to obtain admission to the exhibition of the film. I intend in Committee to limit that offence on the part of the child to children between the ages of 16 years and 18 years.

Clause 7 provides that exemption from provisions of the Act may be granted in respect of a film or class of films. Clause 8 provides that advertising matter used to publicize a film must bear a statement of, or a symbol denoting, the classification. Clause 9 makes it an offence for a person to advertise a film to which no classification has been assigned. Clause 10 is an evidentiary provision. Clause 11 provides that a member of the Police Force, or an authorized person, may enter a theatre to determine whether the provisions of the Act are being complied with. Clause 12 provides for the summary disposal of proceedings for offences under the Act. Clause 13 provides that, where a body corporate is guilty of an offence under the Act, any member of the governing body of the body corporate who knowingly authorizes or permits the commission of the offence shall be guilty of an offence and liable to the penalty prescribed for the principal offence. Clause 14 provides for the making of regulations.

Mr. HALL secured the adjournment of the debate.

STAMP DUTIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 30. Page 1862.)

Mr. RODDA (Victoria): On Thursday I was canvassing the inability of the community to stand up to the imposition that this sort of legislation would foist on it. In this regard, we have two types of people: those who can pass on their costs and those who cannot. Clause 11 is the operative part of the Bill, the increase involved being 100 per cent. It is difficult to see from the Bill just what the Treasurer will get in extra revenue. However, this case could be similar to that of the previous increase in land tax, and the Treasurer may receive more than he expects. Although that may be good from the Treasurer's point of view, it is not so good from the point of view of people who have to pay the tax. Although I do not deny that the Treasurer has the right to increase taxation in order to run the State, I would fail as an Opposition member if I did not point out the impost that this will be for people who must bear it and can do nothing about it.

With regard to a conveyance or transfer on the sale of any property, when the value of a property exceeds $12,000 the rate will be $150 plus $3 every $100 or fractional part of $100 of the excess over $12,000 of that amount or value, and that represents a 100 per cent increase. That is more or less the pattern of the Bill. The $4,150,000 expected by the Treasurer will certainly be provided by the measures in the Bill; I believe the sum collected will be greater than that. It behoves Opposition members to issue a warning that this sort of legislation could result in a buyers' resistance and a down-turn in the economy. The Government must bear the responsibility for increasing this tax. This is an inflationary measure, which will not add to the prosperity of the nation but will rather detract from it. Before the Government has finished its term of office, it may have to

curtail expenditure on some of the things that the Treasurer has said he will not deny the people. People on the land (and that is the part of society from which I come) have of necessity had to curtail investment, expenditure and expansion. I reserve my judgment on this type of legislation.

Mr. EVANS (Fisher): I wish to refer particularly to the clause relating to the increase in stamp duty on the application to register a motor vehicle. One section of the motor vehicle industry has been severely attacked by the Government since it came into office. In 1969, the Minister of Education, the Minister of Roads and Transport, Senator Don Cameron and the Commonwealth member for Hindmarsh (Mr. Clyde Cameron) were members of a group that asked the Steele Hall Government to help commercial motor vehicle operators, especially tip-truck operators. At that time, Labor members supported criticism of the rates paid by those operators to Government and semi-Government departments, as these operators were in dire straits. Yet now, no more than two years later, the Government, including the Minister of Education and the Minister of Roads and Transport, is increasing the registration of commercial motor vehicles by 30 per cent, when the average increase for all other motor vehicles, other than motor cycles, is 17 per cent.

Although Labor members supported these operators in 1970, when that Party was trying to get elected, now that it is in Government it regards them as fair game. The two Ministers to whom I have referred are now capable of putting to Cabinet the point of view of these people, on behalf of whom they previously made representations. In addition, the stamp duty of those operators who require a truck costing $20,000 has been increased by over 125 per cent from $200 to $455. That is the sort of treatment that the Government has given this group of individuals who work hard over long hours and who provide the State with one of the most efficient transport operations in Australia, possibly more efficient than that provided by Government departments. But the Government's attitude to this group is this: "Let us bleed them dry." The Government will make it so difficult for these people to operate that some trucks will be unsafe, because, as a result of this increase, the operators will not be able to afford to carry out necessary repairs. Operators cannot increase their own charges, so no doubt some will go out of business.

On any vehicle over eight tons a road tax must be paid and the operators do not pay that tax only when their vehicle is loaded: they pay it on the return trip as well, when the vehicle is unloaded. At every opportunity, the Government has taxed this group of workers. At least the faces of the Minister of Education and the Minister of Roads and Transport should be red following this episode, considering what they said previously about helping this industry. Now they take the opportunity to support the Government in bleeding the industry dry. My colleagues have raised the necessary points on the other facets of the Bill increasing stamp duty on other sections of the community, but on this aspect I intend to try to amend the measure so that there will be a reasonable difference between the increases in relation to commercial vehicle operators and those relating to private motor vehicle owners. I do not support the Bill at this stage and I will try to amend it in Committee.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I want to reply only briefly to some members opposite who have suggested that there is inconsistency between the Government's attitude on this occasion and our Party's condemnation of certain stamp duty changes that were made when we were in Opposition. I point out first that, on the matter of charges on hire-purchase time-payment agreements, the Government has made clear that it does not intend that these imposts will be carried on in charges to the general public.

In fact, I have already had a consultation with the finance conference on this matter, indicating that we expect that the industry will absorb these charges, that what is stated in the legislation will apply, and that the Government will act if these charges are passed on to the general public. The intention is that this charge will apply to the industry the same as the tax upon premium incomes applies to insurance companies.

In relation to the other charges (for instance, the charges in relation to land transactions), I point out to members opposite, who have suggested that these are in similar form to those previously imposed by Liberal Governments, that the taxes and charges to which we objected when we were in Opposition were at flat rates across the board and hit small transactions, in consequence, much more than they hit larger transactions.

They were designed specifically to raise larger amounts from the less wealthy groups

in the community and, of course, in taxing mortgages at all levels, as they did, rather than taxing land transfers, they exempted most of the large lending transactions on land, since most of those did not take place by way of mortgage. Only the smaller people in the community were being hit by those taxes.

However, in this Bill the smaller land transactions and mortgages, those of the size undertaken by the average working man or citizen in this community, will not be touched. It will be the larger transactions, those of the more wealthy in the community, that are taxed directly. The objective of these propositions is that those in the community who can best afford to pay will be required to pay, but in fact our objective constantly has been to graduate the taxation.

Bill read a second time.

In Committee.

Clauses 1 to 10 passed.

Clause 11—"Amendment of second schedule of principal Act."

Mr. HALL (Leader of the Opposition): After comparing some of the increases in taxation elsewhere with the position in this State, I am concerned about this clause. In explaining the Bill, the Treasurer stated:

It gives effect to the review of rates imposed under the principal Act in accordance with proposals contained in the 1971-72 Revenue Budget. As I explained then, the Government had concluded that the raising of charges was inevitable if the prospective deficit were to be kept within manageable limits. Indeed, the movement in this area is significantly less, and will have less impact upon our community, than the movement that is currently taking place in Liberal Government States elsewhere in Australia.

My inquiries about the charges provided for by this clause lead me to believe that that statement is entirely deceitful, and intentionally so, because the Treasurer is increasing taxation in significant areas to a much higher degree than the other States intend to do. The Government is departing from the important principle that has been followed in this State of levying taxation at a rate basically lower than that in the other States. The fact that South Australia must rely on the Grants Commission and that it receives higher reimbursements than the two major States shows that we cannot afford to impose the type of taxation that the other States impose.

Clause 11 (h), which deals with conveyance or transfer, deletes the present charge and inserts a charge of $3 for every $100 or fractional part of $100 in the case of amounts of value more than $12,000. Therefore, for a conveyance of more than $12,000, the tax is 3 per cent, which is not a nominal or minimal charge.

Let us consider the two wealthy States of Australia that the Treasurer refers to when he says that the impact of taxation here is less than is occurring in other State Governments that are led by Liberal and Country Party coalitions. In Victoria, the previous stamp duty on land transfers was 1¼ per cent up to $7,000 and 1½ per cent over $7,000. The new rates will be 1½ per cent up to $7,000, 1¾ per cent from $7,000 to $15,000, 2 per cent from $15,000 to $100,000, 2¼ per cent from $100,000 to $500,000, 2½ per cent from $500,000 to $1,000,000, and 3 per cent over $1,000,000. The Treasurer has said that all land transfers in excess of $12,000 will be taxed at 3 per cent. What is he doing to South Australia: raising this form of tax above that of probably the wealthiest State of Australia? The Treasurer has also said that this taxation measure will have a lesser impact than in other States, but where is it lesser? The tax on mortgages, cheques, instalment purchase and credit, conveyances on marketable securities and on motor vehicles will have no less impact than in Victoria. This is nothing short of deceit. The Bill is one of the major revenue-raising pieces of legislation on the various charges the Treasurer has increased. Although I reluctantly supported the Bill at the second reading, I now oppose this clause because of the misleading and deceitful information the Treasurer gave in his second reading explanation.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The Leader's self-induced anger is always interesting to observe. Apparently, he has omitted to examine the fact that the lower levels of mortgages are not only taxed in Victoria, whereas they are not taxed here, but there has been an increase on them. The smaller mortgages comprise most of the mortgage transactions which occur in this State and which are entirely free of taxation. I suggest that the Leader consider the provision more carefully.

The Committee divided on the clause:

Ayes (23)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Noes (19)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans,

Ferguson, Goldsworthy, Gunn, Hall (teller), Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin and Wardle.

Pair—Aye—Mr. Burden. No—Mr. Venning.

Majority of 4 for the Ayes.

Clause thus passed.

Clause 12—"Further amendment of second schedule of principal Act".

Mr. EVANS: I move:

In subclause (1) (b) to strike out "but does not exceed $2,000".

I ask the Treasurer to make this concession to the heavy motor vehicle section of the industry. This concession, if granted, would not result in the loss of much revenue but it would be appreciated by truck operators, who are being taxed out of existence.

The Hon. D. A. DUNSTAN: I cannot accept the amendment. I have discussed this matter with the industry and with the Under Treasurer, and I regret that I cannot accede to the request to re-examine it.

The Hon. D. N. Brookman: Is this to be passed on?

The Hon. D. A. DUNSTAN: Yes. No provision is made for it to be passed on: that matter will be the responsibility of the concerns involved.

Mr. EVANS: I ask the Treasurer to discuss this matter with the Prices Commissioner so that a more satisfactory method of paying these operators can be achieved.

The Hon. D. A. DUNSTAN: The question of payments for tip-truck operators does not arise from stamp duty provisions. For the grapegrowing industry only are minimum payments prescribed. The Prices Act has no provisions to prescribe minimum charges, and the Government does not intend to embark on a system of minimum charges and price maintenance in service industries.

Mr. HALL: The Treasurer makes a mockery of his previous claim that he legislates for the small people. He is increasing taxation to a greater degree than it is being increased in Victoria. The details of the recent Victorian Budget, which was released on September 1, indicate that the rate of stamp duty on the registration and transfer of motor vehicles will not be as great as the rates to be imposed in this State, because on motor vehicles with a value of over $1,000, the duty doubles. The Treasurer has spoken often about the motor vehicle industry and its advantage to South Australia, but he is now imposing a taxation increase of 100 to 150 per cent. Whereas Victoria has limited tax to 1½ per cent, our tax is to be 2½ per cent when the value of the vehicle is more than $2,000. No doubt this is the method used by the Treasurer to raise the 17.3 per cent increased Budget expenditure, but it will use up our State's capital. Obviously, the Treasurer is overtaxing the people of this State, because he cannot maintain a 17.3 per cent increase in expenditure each year without imposing increased taxation. No doubt there will be further increases in this type of taxation, as the Treasurer sustains a rate of increase in State expenditure that has not occurred in any other State.

The Treasurer has given no details of how much money is to be raised in each category of these tax imposts, and has not stated how much will be obtained in a full year of operation of these taxes. This information should have been available in his Budget speech, but he seems to have avoided the responsibility of making known these details. Apparently it would have been embarrassing to admit publicly that he intended to charge higher taxation than that being charged by Victoria. The question being widely canvassed is how much longer we can economically bear the Treasurer's increased charges. How can we offer competition to other States and to oversea countries when additional basic taxation measures are introduced that will hit not just the wealthy but also every person down the street? It makes mockery of the Government's claim that it intends to manage the State's finances in a responsible way: it is totally irresponsible to raise basic taxation at a higher rate than the rate applying in Victoria.

Mr. EVANS: I ask the Treasurer in all sincerity to consider this amendment in line with the benefits he can offer those engaged in the industry concerned, so that they may operate their vehicles efficiently and safely. In addition, I ask the Minister of Roads and Transport, who is concerned about road safety, to consider this aspect and to support an industry he was willing to support in 1969, when he was in Opposition.

Mr. McANANEY: I support the amendment. It is laughable to hear the Treasurer claim that this State would progress because it would have cheaper costs than in any other State when, at the same time, transport costs represent one of our most serious problems. Unlike the position existing in other States the bulk of goods produced in South Australia is carried by road transport; indeed, the bulk of

the State is served by road transport rather than the railways and, as a result of this tax, additional costs will be incurred. There is no justification for imposing a tax that will increase transport costs and hamper the activities of the people concerned. There may be some justification for imposing a tax in order to improve roads, but I strongly disagree with the Treasurer's attitude to this matter. Also, I strongly object to the average family man's having to pay an additional sum.

Mr. GOLDSWORTHY: In 1964, the Treasurer said that the proposed new impost on motor vehicles, not only new but also second-hand, would fall most heavily on the working sections of the community; yet now he persists in saying that these imposts, including those provided under this clause, will fall on the better-off sections of the community. He is being completely deceitful in this regard.

The Committee divided on the amendment:

Ayes (19)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans (teller), Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Venning and Wardle.

Noes (23)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, Payne, Simmons, Slater, Virgo, Wells, and Wright.

Pair—Aye—Dr. Tonkin. No—Mr. Burdon.

Majority of 4 for the Noes.

Amendment thus negatived; clause passed.

New clause 6a—"Declaration of approved vendors and provision for payment of duty on monthly returns."

The Hon. D. A. DUNSTAN: I move to insert the following new clause:

6a. Section 31o of the principal Act is amended—

(a) by inserting after the word "Commissioner" firstly occurring in paragraph *(b)* of subsection (4) the passage "with respect to instalment purchase agreements entered into before the commencement of the Stamp Duties Act Amendment Act, 1971,"; and

(b) by inserting after the word "statement" lastly occurring in paragraph *(b)* of subsection (4) the passage "and at the time of lodging the statement with the Commissioner with respect to instalment purchase agreements entered into on or after the day of such commencement pay to the Commissioner as duty on that statement a sum equal to $1.80 per centum of the difference between the sums set out in the statement".

After the Bill was introduced, the Commissioner of State Taxes became aware that the section dealing with duty payable on monthly returns with respect to instalment-purchase agreements needed amendment in conformity with the policy of increasing the rate of duty on the individual transaction. This new clause amends section 31o of the principal Act in order to provide that the existing rate of duty of 1½ per cent will continue to apply in respect of instalment purchase agreements entered into before the Bill becomes law, and that the new rate of $1.80 per cent will apply in respect of such transactions entered into thereafter.

New clause inserted.

Title passed.

The Hon. D. A. DUNSTAN (Premier and Treasurer) moved:

That this Bill be now read a third time.

Mr. HALL (Leader of the Opposition): This is a most significant Bill, because I believe it indicates a real departure by the Government in its attitude towards taxation. This is also a departure for South Australia because, as a result of the provisions in the Bill, it will be a high taxation State. Therefore, the principle on which South Australia built its long-term success has been abandoned explicitly in this Bill. The Government has tried to abandon this principle by stealth, without telling the public what it is doing. In his second reading explanation, the Treasurer deliberately misled the House in an effort to achieve the sort of apathy in the community by means of which he could cloak such a serious move. Those who study the economic progress of South Australia in the future will look back to this Bill as significant. October 5, 1971, will be recognized as a bad day for the State, for we are abandoning one of the greatest means of attracting industries to come to the State or to expand here.

In the Bill, we are saying that our economy will stand taxation at a higher level than is stood by the richest State of Australia. Opposition members know that the State will not bear this level; in the years to come our warning will be found to be justified. In two ways the Treasurer has increased taxation on items that significantly affect many people in South Australia, and he has increased the level of taxation beyond that which applies in the wealthier State of Victoria. Sir Henry Bolte, who has been much maligned by the Treasurer, is able, under his Liberal Government, to offer his citizens a much lower rate of motor vehicle registration and stamp duty on the purchase of a motor vehicle and a lower tax

on conveyances than is the case in South Australia. But that is not much of an achievement, as Sir Henry has not had a lot to compete with.

The change that the management of this State is undergoing today is not trivial; it is a change in principle that must be recognized by those who study Government finance in South Australia. It is a black day for us when taxation is increased to a greater level than applies in Victoria. Therefore, I entirely change my view from my expression on the second reading, that view being based on words uttered that were simply not true. I will vote against the third reading.

Mr. EVANS (Fisher): I, too, oppose the third reading. The Bill has come out of Committee virtually in its original form. The Treasurer has often stated the need to give every assistance to the motor vehicle industry. He has taken other Governments to task for imposing sales tax to a level that he has said is not acceptable. As instigator of this Bill, he has raised the double standards he usually raises. With regard to the motor vehicle industry, we asked for only one small change in the Bill, but the Treasurer would not protect manufacturers and users of motor vehicles to that small extent. By his action, to some degree there will be buyer resistance to the sale of motor vehicles, whether they are to be used for a commercial or a private purpose. The Treasurer knows that he cannot now say that he is prepared to help the motor industry. He knows that he has a double standard, and so have members of his Party, who have not spoken at any stage during this debate. At least we are honest in our attitude and approach to the overall problem of keeping our costs low enough to encourage industries to come here. That is something that the Treasurer cannot say honestly, although he may say it in other ways.

Mr. MILLHOUSE (Mitcham): I oppose the third reading. Although I have not spoken previously, I support what has been said by the Leader and the member for Fisher. The Treasurer has been guilty of his usual actions and deceit in the way he has presented the matter to the House; his own words condemn him. In his Budget speech, he estimated how much extra these taxation measures would cost the people of the State, and I commented on them at the time. They will cost $4,150,000 in a full year, even this year costing $2,250,000. That money will come out of the pockets of the people of the State. It is all very well for the Treasurer to do as he has often done in the past and use the emotive word "wealth", saying that these extra imposts will come out of the pockets of the wealthy: they will not. There are so few wealthy people by any standard in our community as to show that that is absolutely inaccurate and cannot be sustained for a moment.

In any case, what does he mean by the term "wealthy"? He has used it for many years, never once trying to define what he means by it. It is a lot of nonsense. The fact is that all members of the South Australian community will feel the effect of these imposts. Our industry will feel it; Chrysler Australia Limited and General Motors-Holden's have already been referred to. As the Leader said, our taxation framework is, in some respects at least, heavier now than that of competitors in Victoria, and that is a bad thing for the people of the State. The only way we have been able to compete successfully in attracting industry here (in establishing and retaining industry) has been to have a lower cost structure. This is a step at least towards losing that advantage which we have had.

Mr. VENNING (Rocky River): I oppose the third reading. I am amazed when I read the Labor Party's policy speech delivered prior to the last election, which states:

We'll set a standard of social advancement that the whole of Australia will envy.

No other State will envy South Australia in having these additional taxes. Normally, people do not mind a certain amount of fair and just taxation. They consider that to be an investment in their State. However, the way this Government is wasting money willy-nilly shows that members opposite do not know the value of money. As individuals, they have never had to conduct a business of any consequence that would show them the value of money. The whole of South Australia, not only the rural sector that I represent, will suffer from this taxation. Unfortunately, although the electors probably will remember this at the next election, it will be difficult to turn the clock back, and that concerns me. I oppose the Bill strongly.

Mr. GOLDSWORTHY (Kavel): I, too. oppose the third reading. The Treasurer has not seen fit to reply to the statements that I have made in this House on three occasions, namely, that he must consider the working people of this State to be the wealthy people. When these matters were being considered, the Treasurer stated that these imposts would fall most heavily on the wealthy people. I look

forward to the time when the press nails him for some of his statements that he is taxing the wealthy. We all know that that is nonsense, and I do not think the people are as gullible as the Treasurer thinks, but I hope he will be nailed for his statement that he attacks the wealthy. In 1964 he said that the imposts applied then would hit the working man, and the conclusion obviously is that he thinks the working man is the wealthy man.

Mr. RODDA (Victoria): We are about to step into the ashes of poverty. Although members opposite may laugh at that statement, this centrally-situated State, with its low-cost structure, has been a place to come to but this legislation makes it a place to keep away from. We are no longer able to enunciate the edifying principle that we have been so proud of, as the central State. A deaf ear has been turned to constructive amendments moved by members on this side, and we now wait to see what the Government will do when it is considering other constructive amendments that will be moved before the measure finally becomes law. This Bill contains fangs and teeth that will tear down the fibre that has made South Australia what it is today. I do not say this idly, because I, like the member for Rocky River, represent people who cannot pass costs on, and we will be tramping around with no green grass to eat.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I am interested to know that we have imposed fangs upon people, that we are tearing down the fibre of the community, and that we are putting the people into the ashes of poverty.

Mr. Rodda: That's true.

The Hon. D. A. DUNSTAN: The greatest benefit to the House from that speech is a memorable mixed metaphor.

Dr. Tonkin: It is a humorous subject?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I find the ersatz anger of members opposite to be amusing. I do not think for a moment that their anger is genuine, because there is nothing genuine on which to base it. Since members are talking about true statements and honesty, they had better examine their own statements and remember that, when these taxation measures have been imposed, the per capita taxation in South Australia will still be significantly lower than it is under Liberal Governments in New South Wales or Victoria. They should also remember that several taxation measures proposed in the Liberal Government States are not contained in the Labor Party's proposal.

I also remind members opposite that repeatedly before the last election I stated, on behalf of this Party, that the expenditure on services in this State was not sufficient and that additional revenues would have to be obtained. Members opposite have never made a similar statement when they have been in Opposition. When they came to Government on the last occasion, having promised the people of South Australia not one increase in taxation but only decreases, they proceeded to impose the heaviest increase in taxation across the board that this State has ever known, and I include the taxation measures of this Government in that statement.

Mr. Hall: That's not true.

The Hon. D. A. DUNSTAN: Yes, it is. There has not been, in the first year of office of any other Government, the kind of thing that members opposite did when they took office. What is more, it was taxation across the board, not graduated.

Mr. Hall: That statement isn't accurate.

The Hon. D. A. DUNSTAN: The Leader knows that it is true. We have seen how members opposite go to the public without saying that taxation will be increased or telling the people what to expect, and then putting the boots into the smaller section of the community and refusing to tax in the areas of premium income of insurance companies, to increase succession duties on the larger estates, or to impose graduated taxation. Members opposite, by their policy, have charged the smaller people more than the wealthy, yet those members today have the effrontery to say that the present Government is a two-timing Government, even though we had told the people that there would be marked increases in taxation to provide the expenditure for the services that we would put into effect. I am amazed not at the effrontery of members opposite but at my moderation in reply.

The House divided on the third reading:

Ayes (24)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan (teller), Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, McKee, Payne, Ryan, Simmons, Slater, Virgo, Wells, and Wright.

Noes (19)—Messrs. Allen, Becker, Brookman, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall (teller), Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Pair—Aye—Mr. Burdon. No—Mr. Carnie.
Majority of 5 for the Ayes.

Third reading thus carried.

Bill passed.

DOOR TO DOOR SALES BILL

Adjourned debate on second reading.

(Continued from August 12. Page 771.)

Mr. MILLHOUSE (Mitcham) moved:

That this Order of the Day be read and discharged.

The SPEAKER: It is not regular to discuss the merits of the Bill, let alone foreshadowed amendments, on a motion for the discharge of an Order of the Day: the debate must be strictly confined to the object of the motion.

Mr. MILLHOUSE: I shall confine myself strictly to the object of the motion, which is that this Order of the Day be read and discharged. I have taken this unusual step because of the Attorney-General's actions in placing on the file today such extensive amendments to the Bill that the whole principle on which it has been drawn has been altered. I must be entirely fair to the honourable gentleman and say that late last Thursday afternoon, I think, he had given to me a photostat copy of the amendments so that I personally could examine them. As a result, I was able to take advantage of the Attorney's action. However, other members have not had that advantage, as is obvious from the file itself. If one looks at the file one sees that the Attorney-General's amendments were printed yesterday but were not placed on the file until today. The amendments, which are complicated, run to seven pages. It was only at about 10.30 a.m. today when the Assistant Parliamentary Counsel handed me some comments explaining the purport of the amendments to be moved by the Attorney-General. Those comments help, but they do not explain in detail the effect of the amendments. It is wrong that members should be asked at a few hours' notice to consider amendments that completely alter the principles on which the Bill has been drawn. We have not had time to study the amendments; by "we" I mean the generality of Opposition members and myself, although I have been in a somewhat less difficult position.

Mr. Evans: The public doesn't get a look in at all.

Mr. MILLHOUSE: No. This Bill has been on the Notice Paper since August 12. As on the very day that it is to be brought on for debate nearly two months later its whole concept has been altered, one sees the extraordinary situation in which we are now placed.

Mr. Hall: Yet another about-face by the Government.

Mr. MILLHOUSE: Yes. I do not complain about that: I complain about the lateness of the amendments being placed on file. The second point is the matter of procedure. You, Mr. Speaker, have ruled many times (and it has been the invariable custom of the House) that amendments on file must not be canvassed during the second reading debate. If we are to go on at this stage with the second reading debate, we shall be debating a Bill which we all know but cannot discuss and which has been altered so radically as to make the second reading debate entirely unreal. If the second reading debate is to mean anything (and I hope that the Government will honour the words we hear from it so often that Parliamentary procedure and procedures of this House mean something), the only way that can be achieved is by the Bill's being withdrawn and redrafted by the Attorney-General to incorporate the extensive amendments he has put on the file. Then we shall be able to debate the true principles on which the Bill is now to be based (but we cannot do that now), and we shall be able to see the effect of the amendments the honourable gentleman has placed on the file.

The Government has allowed two months to elapse since the introduction of the Bill. It would not take long for what is largely a mechanical process that has already been partly if not fully undertaken by the Parliamentary Counsel in drafting the amendments. It would not take long for the Bill to be redrafted, incorporating these amendments, printed and reintroduced. Then we should be able to have a proper debate on it. If that were done, we, as members of the House, and the public, too, would know what the Bill was all about.

Mr. Coumbe: We can't refer to the amendments in the second reading debate.

Mr. MILLHOUSE: No. We will be debating a Bill based on principles that the Government has abandoned. This would make a farce of the second reading debate the Attorney-General had planned for now, because of the difficulties of procedure I have dealt with latterly. We cannot debate what is truly the Bill now because we have had little time to consider the effect of the amendments. I have not been able to consider all of them fully, because some of them are technical. I ask the House to accept my motion which, in effect, is a direction to the Government to withdraw the Bill, to redraft it, and to

reintroduce it so that we can have a debate on it that will mean something.

Dr. TONKIN (Bragg): I second the motion, which I think is directed toward a commonsense approach to the present situation. I have become accustomed, since I have been a member, to be given little time to consider amendments, but perhaps that is a fact of Parliamentary life since the present Government has been in office. It seems that we will be debating a subject that we know has been changed. Even the second reading explanation of the Attorney-General will no longer apply, and we shall not be able to refer to it with any degree of meaning. I think the only thing to be done is to redraft and resubmit the Bill.

The Hon. L. J. KING (Attorney-General): I oppose the motion. I think it is of some consequence to trace the events that have taken place in connection with this Bill. As the member for Mitcham said, it was introduced a considerable time ago and allowed to remain on the Notice Paper. This was done deliberately so that the parties interested in the matter would have the chance to study the Bill and to make representations about it. Indeed, many submissions have been received and I have been interviewed by several deputations about the subject matter of the Bill. I make no apology for this: I think it is a perfectly correct approach to a Bill of this kind, and the result is that certain amendments have been placed on file. Last Thursday I told the member for Mitcham, who has the carriage of the matter, as I understand it, for the Opposition, that it was desired to proceed with the debate on this Bill today. I told him that there were extensive amendments, and that, although a print of them was not available, I understood that they would be placed on members' files on Friday. I said that I could supply him, and any other Opposition member who desired it, with a type-script of those amendments.

I asked the member for Mitcham whether any Opposition member other than he would require them, and he said that he was not aware of any other member who would want them. I asked the Parliamentary Counsel to supply the honourable member with a copy. At no time then or since have any Opposition members suggested that, because of the amendments, they would be unwilling to proceed with the debate today. Indeed, the arguments of the member for Mitcham amounted mostly (with one exception) to arguments for a deferment of the debate to enable the amendments and their effects to be considered. That is one thing: if a request had been made (or indeed, at this stage, if a request is made) I would have been willing to consider it. However, to my mind the suggestion that the Bill should be withdrawn is pointless. The fact is that a second reading debate would be concerned with the principle of protective legislation in relation to door-to-door sales and with the principle that is underlined, namely, the idea of a cooling-off period.

Mr. Coumbe: We can't use your second reading explanation, though.

The Hon. L. J. KING: The honourable member could use it and debate the principles of the Bill.

Mr. Coumbe: But we can't.

The Hon. L. J. KING: Suggested amendments are on members' files.

Mr. Coumbe: Yes, but we can't talk about them.

The Hon. L. J. KING: The honourable member has no need to. There could be a perfectly sensible and intelligent second reading debate on the principles of protective legislation in respect of door-to-door sales, and the situation is no different from the many other cases in this House where amendments have been moved in Committee both by the Minister in charge of the Bill and by Opposition members. The position about debating the amendments is no different from what the position would have been had I not put the amendments on file. The member for Mitcham has on file amendments relating to the machinery for the cooling-off period that would have raised exactly the same issue, and would have put him in the same position of not being able to refer to those amendments during the second reading debate. The issues raised by the amendments are capable of being debated and are best debated in Committee when the amendments are before members.

It seems to me that the businesslike way to approach the matter is to debate the second reading. If members take the view that there should be no provisions concerning door-to-door sales they have the chance to vote against the measure *in toto*. If it is considered that there should be some provisions in respect of door-to-door sales, and members wish to say something about those provisions, they will have the chance in Committee when the amendments are dealt with.

It seems to me that the sensible way is to proceed with the second reading debate, and then deal with the amendments in Committee. If the second reading is carried and the House goes into Committee, I intend to move that the Bill be amended *pro forma.* This will have the effect (as I understand the procedure) that the Committee is exhausted, and at a later date the Bill as amended *pro forma* comes to a new Committee to be considered in the usual way. This gives everyone the chance to consider the amendments and to see them in their context in the Bill when debating the Bill in Committee.

When I spoke to the member for Mitcham he did not say he wanted more time, nor has he said that since, until this afternoon. I am not clear whether he has said it now, but there has been no suggestion of rushing this Bill. It was left on the Notice Paper deliberately to enable submissions to be made. When I gave the member for Mitcham notice that I wanted to proceed with this Bill today, he did not say either then or after reading the amendments that he wanted more time. If he had said that, I would have discussed the matter with the Premier, as Leader of the House, but no such suggestion was made.

It seems to me that there is no need for any further time on second reading, although I agree that members should have more time available to study the amendments before being asked to deal with them in Committee. Consequently I intend to follow the procedure of amending the Bill *pro forma.* I oppose any suggestion that we should go backward: one seeks to carry a Bill forward not backward and going backward by withdrawing and reintroducing the Bill seems to me to be absurd. I ask the House to vote against the motion.

The Hon. D. N. BROOKMAN (Alexandra): All members should object to the House of Assembly being used as no more than a notice board for Government legislation. The Minister introduced this Bill in the normal way and explained its clauses. Later, he brought in a set of amendments, several of which oppose the clauses. The Minister is asking us to oppose at least two clauses that were detailed in the second reading explanation. However, we cannot debate what the Minister intends to do in Committee; we can only debate the measure he has introduced. I have received many representations concerning this Bill; indeed, I have had more representations on this measure than on almost any other Bill considered over the last several months at least. People, as well as I, are interested to know what is going on, but one would think that we in the House would be in the centre of things, whereas we are not. The Minister has said he has been having discussions with people outside the House and has, as a result, made several changes. He has been discussing the measure with everyone except members, who have been completely ignored.

Mr. Langley: Why don't you ask for a deputation?

The SPEAKER: Order!

The Hon. D. N. BROOKMAN: I think private members such as the member for Unley should have the guts to get up and claim their rights in this place.

The SPEAKER: Order! The member for Alexandra must confine his remarks to the motion before the Chair, and I am not going to permit him to canvass what members on either his side or the other side should do. The honourable member for Alexandra.

The Hon. D. N. BROOKMAN: I am pointing out that a deferment is no good. Of course, we want more time, but that is no solution: the solution is to read and discharge the measure and to try again. Too often, the Government introduces a Bill and allows the public to comment on it without discussing it with the Opposition; then the Government comes along and radically amends the measure. We have at present a national problem regarding the delivery of faulty new motor cars, and a national survey is being conducted among the owners of these cars who complain of faults that occur after they have taken delivery of the car and who take the vehicle back under warranty to have all sorts of things patched up. If it is not a scandal, it is at least discreditable to the makers of various items.

Yet that is what the Government is frequently doing: it introduces legislation which, is so bad that it later asks the House to oppose some of the clauses of its own Bills, and that is what is being done now. I think the only logical way in which the Minster can get out of this situation is to support the motion, so that the measure may be redrafted, introduced again and explained in detail, as in the case of the final draft of his second reading explanation; and members should then be allowed to discuss the measure. This is not only a matter concerning the Opposition: it concerns every member of the House. I have no doubt that, as in the case

of members on this side, many private Government members have received protests about the various aspects of this legislation. Are they going to sit back and merely let the Government insert many amendments which will completely alter the sense of many parts of the Bill but which we cannot discuss? The Minister is now asking us to oppose clause 8, so that part of the second reading explanation seems to be—

The SPEAKER: Order! We are not discussing the second reading.

The Hon. D. N. BROOKMAN: The Minister said that he had shown these amendments to the honourable member, and we know that they were printed yesterday. The member for Mitcham has on file many amendments which are dated September 22 and which were drafted in accordance with what he understood to be the Bill that the Government wanted passed. I support the motion.

Mr. COUMBE (Torrens): In supporting the motion, I point out that anyone who has done any homework on the Bill, based on the Minister's second reading explanation, and who has now for the first time today seen the amendments on file, has to recast his thinking completely because, while I am not allowed to refer to the amendments, their effect is to alter radically many of the concepts of the Bill. Apart from those sitting on the Government front bench, which members have had time to consider this fully? I have only been able to consider the matter briefly, and I should have expected a Government backbencher at least to express views similar to those expressed by members on this side. How does one frame a second reading speech when at least two amendments oppose the clause in question?

The SPEAKER: Order! The honourable member cannot canvass the amendments as he is proceeding to do.

Mr. COUMBE: Very well, Sir. Having made that point, I cannot complete my notes and make a reasonable second reading speech on the matter on the file. Therefore, it is reasonable for the House to carry the motion. After all, it would not take long to have the Minister's amendments incorporated in the measure and the Bill reprinted. I think that the Attorney-General, who is in some difficulties in other directions at present, might regain some of his former lustre if we—

The SPEAKER: Order! The honourable member cannot canvass that matter. He must restrict his remarks to the motion.

Mr. COUMBE: As one who usually gets many Bills to consider, one naturally takes the second reading explanation as being gospel regarding the Government's intentions, and bases one's speech, either for or against the legislation, on the second reading explanation made by the responsible Minister. However, we cannot rely on that explanation here; the matter has been turned around, and, under your correct direction, Sir, we are not allowed to refer to it in the second reading debate. In all sweet reasonableness, surely the Government would withdraw the measure, incorporate in it the Attorney-General's amendments and then re-introduce the Bill. Indeed, the Attorney-General might be supported. I wonder how many Government members have fully considered the measure in its new form. Have they been able to prepare a reasoned second reading speech? I doubt it. It is because of that, and principally on procedural lines and on the basis that members have not had an opportunity to give this matter the attention it deserves, that I support the motion. This Bill will affect many people in their day-to-day living; I refer to the purchaser, quite apart from the vendor.

Dr. EASTICK (Light): The details of what the Attorney-General has said will be available in the *Hansard* proofs tomorrow, but his speech revolved around the words "It seems to me". He used that phrase several times and gave us to understand that it seemed to him that there was no need to be worried, that there was no need to doubt his assurance, and that there was no doubt about the course that he suggested. It seems to me (if I can borrow the phrase) that we are being asked to participate in a farce!

Mr. MILLHOUSE (Mitcham): Although the Attorney-General has opposed this motion, he has given no cogent reason for his opposition, and one can only conclude that this is yet another occasion on which the Government is showing its contempt for the proper procedures of this House by not allowing for a debate on the principles of the Bill in the second reading stage and a debate on the detail in the Committee stage. If this motion is not carried, in the second reading stage we will have to debate principles that we know are being abandoned, because the most controversial matter in this Bill is the cooling-off period and whether the contract should be confirmed or repudiated on the basis that we want or whether it should be repudiated afterwards, as the Bill provides.

The Attorney brushed over the procedural difficulty inherent in what I had said, and gave it no thought at all. No Government backbenchers have spoken on this motion, and one wonders whether they have any interest in the Bill and whether they want to debate it at all, or whether they are willing to let it go without saying anything about it.

Members interjecting:

The SPEAKER: Order! The honourable member for Mitcham is capable of making his own speech.

Mr. MILLHOUSE: The Attorney-General has said that I may ask for a deferment, but I do not ask for that. That is not what I want. I want a clean draft of the Bill so that we can debate it, knowing what it contains, and experiencing no difficulty. If the Attorney will give a deferment, why will he not give a deferment that will allow the Bill to be redrafted and submitted again? If time does not matter, why can we not have a redraft?

My amendments were on the file on September 22 and all members have had the opportunity to see them, but that opportunity has been denied in the case of the Attorney's amendments. Therefore, I hope that even at this stage the Attorney-General will show some common sense and courtesy to members of both Parties and to the people, so that there may be a real and proper debate on this measure, not only in Committee but also on second reading.

The House divided on the motion:

Ayes (19)—Messrs. Allen, Becker, Brookman, Carnie, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse (teller), Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (24)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McKee, Payne, Ryan, Simmons, Slater, Virgo, Wells, and Wright.

Pair—Aye—Mr. Coumbe. No—Mr. Burdon.

Majority of 5 for the Noes.

Motion thus negatived.

[Sitting suspended from 6.2 *to* 7.30 *p.m.]*

The SPEAKER: The honourable member for Mitcham.

The Hon. G. T. Virgo: Where are all the members of the Opposition? Have they got more troubles within their Party?

The SPEAKER: Order!

Mr. MILLHOUSE (Mitcham): I heard the Minister of Roads and Transport interject.

The Hon. G. T. Virgo: I was speaking to my Leader.

Mr. MILLHOUSE: Have I the call?

The SPEAKER: Order! The member for Mitcham.

Mr. MILLHOUSE: The control of door-to-door selling is not an issue between the two sides of the House. South Australia is the only State in which there is not control generally of door-to-door sales, and even here we have had, since 1963, control of the door-to-door sales of books under legislation introduced by the present Leader of the Opposition—legislation which, I notice by the present Bill, was to be repealed but on which the Attorney-General has had a change of heart. Now I understand that the Book Purchasers Protection Act is no longer to be repealed. Hitherto, that is the only area in which there has been protection. Had the former Liberal and Country League Government stayed in office, it was my firm intention to recommend to Cabinet that legislation on this topic should be introduced into Parliament, and we would no doubt have followed substantially the recommendations of the Rogerson report, that is, the Report of the Adelaide University Law School on the Law Relating to Consumer Credit and Moneylending, to which the Attorney-General referred in his second reading explanation. The Attorney referred to the chapter in the report on door-to-door selling, and I intend to quote a couple of passages from the report on the matters which are most relevant to us in our consideration of the Bill. Page 61 of the report, under the heading "(2) The Mechanics of Cancellation", states:

> The contract is of course valid unless and until the consumer notifies his wish to cancel it.

That is obviously as it should be; but the Attorney-General was cleverer than that when he introduced the Bill we are now debating: he intended to provide, although he has now had a change of heart, that the contract would be of no force until after the cooling-off period had expired and there had been a confirmation by the purchaser of the contract; that provision was certainly never contemplated by the Rogerson committee. The foolishness of that provision, even though the Attorney-General thought he was being clever, is emphasized by the passage I have just quoted. The report continues:

The length of the cooling-off period provided in existing legislation varies from one to 10 days. We consider that seven business days is an ample cooling-off period and recommend that such a period be adopted.

The Bill now before us contains a cooling-off period of between seven and 16 days, whereas the Rogerson report refers to seven business days (a most unusual phrase and one which is not capable of any close definition), but I do not blame the Attorney-General for not accepting seven business days. Presumably, it is seven days, excluding Saturdays and Sundays, but one does not know. Now, in the amendment the Attorney-General has foreshadowed, he is providing for eight days. The Rogerson report continues:

Legislation should precisely define the method of calculating this period, *e.g.,* seven business days, expiring at midnight on the seventh day, calculated from the day after receipt by the consumer of a notice informing him of his rights, or of his receipt of the goods, whichever is the later.

We have not gone into all that, and I have not had a chance to look into the amendment. The extract I have just quoted is under the heading "The Mechanics of Cancellation", and it underlines the Opposition's contentions, which are embodied in my amendment, that the cooling-off period should be used to give the purchaser a chance to repudiate, if he wishes to do so. In connection with the next heading "Consequences of Cancellation", the Attorney-General and I will probably be at odds when we debate the clauses. The report continues:

We believe that the provisions of the United Kingdom Act in this respect are largely satisfactory. These provisions, broadly, provide that the consumer is bound to redeliver the goods which he agreed to purchase, only at his own premises, following a request in writing signed by or on behalf of the person entitled to possession of the goods. The consumer is, however, bound to take reasonable care of the goods for a period of 21 days beginning on the date of service of the notice of cancellation.

The Attorney-General has not provided for that; he now provides that the goods cannot be "destroyed or disposed of". That, again, is an imprecise turn of phrase that will give rise to much litigation. What is meant by the term "destroyed"? If the member for Davenport is prevailed upon by a good salesman to buy a new vacuum cleaner and she uses it in her house for a couple of days and then decides that she does not want it, when she notifies repudiation of the contract she has a duty not to destroy or dispose of the vacuum cleaner. What if she cunningly takes out the motor or part of the motor? Has she destroyed the vacuum cleaner? I do not know. This matter will be a fruitful field for litigation unless it is cleared up by an amendment.

To me, destroying means taking away the essence of a product so that, in this case, it is no longer a vacuum cleaner. If one takes out the motor or the rubber band that drives the motor, is one destroying it as a vacuum cleaner? I do not know, but I raise this problem as one that must be faced. The real point upon which there has been such an outcry and upon which so many representations have been made to Opposition members and, I know, to the Attorney-General and the Premier relates to the cooling-off period. In his second reading explanation the Attorney-General spent much time canvassing the question of whether the cooling-off period should allow a repudiation, as is done in similar legislation in other States, or whether it should provide an opportunity for thought and, at the end of it, there can be a confirmation. It is rather amusing now, in the light of what has happened, to read his explanation beginning at the bottom of the right-hand column of page 769 of *Hansard,* as follows:

It will be noted that the notice of confirmation must be given after seven days from the day of execution and before 16 days after execution.

The explanation continues to nearly the bottom of the left-hand column of page 770, because the Attorney has five dreadful things that can follow if the cooling-off period is simply an opportunity for repudiation. Apparently, he does not think now that they are as dreadful as he did when he wrote this speech. I would have taken issue with him on these things, and, as he probably now admits, he was a bit too clever in his drawing of this Bill, because as was pointed out to us by many people, particularly by the Direct Selling Association of Australia, this Bill, as it stood, would virtually mean the end of door-to-door selling in South Australia. A letter to me from this organization signed by Mr. George McKay, the Vice-President, states:

In the meantime, I put before you the associations's comment on this Bill which we considered, and as a result it will have a most disastrous effect on the direct selling industry.

We had representations from that organization and members of it came to see me in deputation. They saw the Attorney-General, who gave them no clues as to what he intended to do. We had representations from Electrolux Proprietary Limited, the Housewives Association, the Retail Traders Association, and others. They were all to the same effect, that the

Bill as it was drawn in its cleverness would be disastrous to direct selling in South Australia, and would mean the end of the employment of those now engaged in what is worth while and convenient to the general public. Also, I had inquiries from those involved in the insurance business, wondering whether or not insurance is meant to be covered in the definition of services included in the Bill. It is by no means clear to me whether a contract of insurance is intended by the Government to be a form of service that is caught under clause 5. Services as such are not defined in the Bill, although services are included in the definition of goods. This is one of the matters that I should like the Attorney to clear up when he speaks, and also whether it is intended that insurance contracts are covered.

Clause 6 *(e)* (and I do not think this is one of the clauses that is to go out of the Bill now) provides that the Act does not apply to any contract or agreement, or any contract or agreement of a class, for the time being declared by proclamations to be a contract or agreement or class of contracts or agreements to which this Act shall not apply.

This gives the Government the chance to exempt anything: we have no idea what is to be exempted, but perhaps insurance is to be exempted. What is exempted—the selling of vacuum cleaners and cosmetics, and the practice, which I understand is widespread in country areas, of stock agents and others calling at properties and leaving what is apparently required there, even though the owner or manager may not be present? What is in the Government's mind regarding clause 6 (c)? I would have been much happier if the exemptions were spelt out so that Parliament could examine them and decide what should be included and excluded. I mentioned the Rogerson report and said that we were *ad idem* on this matter. At the last election, the Labor Party had something in its policy speech about this matter, but this Bill represents only half of what it said it would do. This Government, which honours its promises—

The Hon. J. D. Corcoran: But we aren't finished yet.

Dr. Tonkin: I think you might be, you know.

Mr. MILLHOUSE: They will be finished by the next election.

The SPEAKER: Order!

Mr. MILLHOUSE: In its policy speech the Labor Party said that door-to-door sales legislation, providing for a compulsory cooling-off period, would be introduced. Well, we have got that, but the Leader of the Labor Party did not say what the nature of that cooling-off period would be. No-one dreamed that the Bill would be drawn as it was originally. Be that as it may, it was also stated in the Labor Party policy speech that legislation providing for the licensing of door-to-door salesmen would be introduced. However, there is not a word in this Bill or in the Minister's second reading explanation about that, yet the Minister of Works says that the Government is not finished. Therefore, if one is to take the Minister of Works at his word, one must assume that another Bill dealing with door-to-door salesmen is to be introduced.

The Hon. D. N. Brookman: And another sheaf of amendments.

Mr. MILLHOUSE: Perhaps, now that they have been reminded of their policy. I hasten to say, however, that I do not support that policy. I would oppose those amendments. However, I suggest that this Government, which is so fond of saying that it was elected on a policy enunciated by the then Leader of the Opposition, at least owes it to the South Australian public to say whether or not it intends to license door-to-door salesmen. However, that was one of the notable omissions from the Attorney's speech. Now that the Government has shown some common sense and has put on file amendments (which follow so closely the amendments I had put on file a fortnight or so before those of the Government were put on file, although there is still substantial difference in detail between them) which will allow a cooling-off period for the conventional purpose, there is not so much for one to say during the second reading debate.

As I pointed out before dinner, this debate is to an extent quite unreal, because we are not permitted technically to debate here, at the point at which we should be permitted to do so, the principles upon which the Bill is now founded, because those principles are contained in amendments which are not before the House and at which, technically, we must guess. This Bill is like so many others that we see during the temporary period in office of a Labor Government: it is a harvest for lawyers. It is so complex that I doubt that any lay person will ever be able to understand it. I forecast that the Bill will give rise to much litigation, following quarrelling about rights and duties, who stands where, whether the

article has been destroyed or whether it has just been slightly changed in nature.

The Hon. J. D. Corcoran: You won't be disappointed, will you?

Mr. MILLHOUSE: From a professional point of view, I shall not be disappointed about it. I am not surprised; this is only one of several Bills concerning which the Government has shown that it is generous towards the legal profession. Having complained when it was out of office that we were introducing extravagant legislation to appoint many more judges and could not afford them, this Government has gone further and appointed even more. Well, that is a good thing for the profession, and I believe that our legal system is now in a far more efficient form than it ever was. But it is rather ironical that this Government should be so busy not only creating judicial positions for members of the profession but also giving them more and more work because of the nature of the legislation it introduces. This Bill will be no exception to that. I suppose that on behalf of the profession I should thank the Attorney-General for his efforts on its behalf. If he would like me to do that, I do it now.

The Hon. D. N. Brookman: Are the people happy?

Mr. MILLHOUSE: With a good prosperous legal profession, they ought to be happy. Who would not be happy in that case? However, these are the few points that I make again in conclusion: first, what are to be the exempted goods and services? Is insurance to be one of these? That, I think, is the main query that I have at this stage, now that the Government has given in on what was the main bone of contention, namely, the matter concerning the cooling-off period. The matter of exempting transactions in which corporations are involved we will have to leave now to the Committee stage. With those few remarks in praise of the Bill (or parts of it) I indicate my support for the second reading.

Mr. CARNIE (Flinders): I do not intend to speak long on the second reading, because the Attorney-General has left us with the opportunity to say little indeed. We have seen yet another example of a complete reversal by the Government regarding its legislation.

Mr. Coumbe: It isn't the first time, is it?

Mr. CARNIE: No, and I am sure it will not be the last. The Government has put on file today amendments. that are a complete reversal of the original meaning of this Bill, and we are now expected to proceed to debate the second reading without having had the opportunity to examine these amendments; indeed, we are forbidden to refer to them. The Attorney-General said he hoped that these amendments would have been on members' files last Friday, and presumably that was supposed to have given us adequate time to study them. However, he knows full well that many members are not in this House on Fridays and Mondays. Therefore, even if the amendments had been put on the file earlier many of us would not have been able to see them until today. The Attorney-General also said that, as the Bill had been left on the Notice Paper for a considerable time (almost two months), this would have given us ample time to study the various provisions. However, by the time the Bill is considered in Committee it will not be the measure that has been on the Notice Paper for two months: in fact, in respect of many clauses it will be quite different. The Attorney-General indicated today that nothing should stop us from debating the Bill on the second reading, as though these amendments were not foreshadowed. This is yet another example of legislation to control another aspect of our lives in this State, and I ask how far it is necessary to go, not to protect people from other people, but to protect them from themselves.

The Attorney, when explaining the Bill, cited a typical situation where a housewife, busy with her domestic duties, went to the front door, where there was a salesman, and the Attorney told us quite a story about the salesman and, although the Attorney does not say so, I suppose the salesman put his foot in the door and forced the housewife to buy something. He completes this reference by stating:

> The effective result of the operation is that the housewife may well find herself having contracted for something she does not really want at a price she cannot really afford.

He indicates from this that the purpose of the Bill in to protect the housewife from the salesman, but I think that, if the Attorney were honest, he would admit that the purpose was to protect the housewife from herself and from here own inability to resist a salesman. Surely, it is easy to say, "No thank you, I do not want it", or if that does not work, to be less polite than that. As I have said, this is another example of legislation purely for the sake of legislation. The introduction of a Bill of this kind impugns the integrity of the vast majority of door-to-door salesmen who are reputable people, selling reputable products.

Of course, we could have the reverse situation, where a housewife (perhaps this same one) went into a store with no intention to buy but to browse, and was fallen upon by a salesman who refused to let her out and forced her to buy something she did not want to buy. I presume that the next piece of legislation will be designed to protect the housewife from this sort of situation, and I would be interested to see what the Government planned to do about that, because the same situation would arise.

We have been told that we are to debate the second reading of this Bill as if the amendments were not foreshadowed. I suppose that this is all we can do. The main provision in the Bill before us deals with a cooling-off period. The provision has been given effect to by members of the direct selling organizations for many years without the need for legislation, but the form in which the Government has introduced this provision is completely the wrong way around, in that the contract will not be binding unless it is confirmed by the purchaser. This is what we are supposed to be discussing. Of course, this is completely unrealistic, as we know that the Government has now come to realize.

I find it difficult to understand why the provision that rescinding of a contract must be done not less than seven days after execution came to be included. When the Attorney had this Bill drafted, did he intend that, even if a customer liked the product, had the cash to buy it, and wanted to buy it, she was not allowed to buy it then? That would have been the effect of this clause, which we hope now will not be included. Surely any legislation brought down here must be designed to protect all the people involved in any transaction, not just one side, but the Bill as presented to us discriminates against one side of the parties involved in transactions of this kind.

Another provision in the clause states that the goods are not to be left; not even a sample can be left for the purchaser to decide whether he or she wants it. How many people would go to the trouble of rescinding, in writing, a contract in not less than seven or in not more than 16 days? Where is the protection for the seller in this case? The Direct Selling Association of Australia, which obviously made representations to the Attorney-General as it did, I gather, to most members, estimated that this clause would have the effect of nullifying 90 per cent of sales made. It appears obvious that the clause did more than the Government intended and that the Government did not realize what effect it would have on the direct selling industry. I should like to think that this was not what the Government intended to do but was simply another case of hasty legislation introduced without proper thought.

I think the proper way to have handled this legislation in the first place would be what is now intended to be done: if the customer decides that he or she does not want the product, the contract is binding unless rescinded. If the customer decides that he or she does not want it, he or she merely has to inform the firm. The member for Mitcham mentioned the effect the Bill in its present form would have in rural areas, and he also mentioned stock firms that carried goods out to farms. Such firms leave the goods with the farmer, and the effect of the Bill would be to render this practice an illegal transaction. The farmer who wanted a vaccine, which in most cases would cost considerably more than $20, for his stock would have to confirm the transaction in writing in not less than seven days or not more than 16 days before taking legal possession of the product, unless he went into the stock firm, which might be many miles away. How ridiculous that would be, but it is provided for in the Bill. Another example is Watkins Products Incorporated and Rawleighs, whose agents travel throughout the extreme outback of the State. In most cases their sales are small, but in total they could easily amount to more than $20, particularly as they call only once or twice a year. It was the intention of the Bill that the seller was to go back within 16 days to confirm the sale, but this could mean travelling perhaps 1,000 miles. That provision, which is also ridiculous, is contained in the Bill. The Attorney-General has left honourable members with very little to speak about until we reach the Committee stage. Because of the foreshadowed amendments, I support the second reading.

Mr. SLATER (Gilles): I support the Bill, which is one of a series of Bills that will provide consumers with protection before they enter into an agreement to purchase unsolicited goods and services at the home or place of employment. I believe that this Bill is long overdue. Of all methods of selling, door-to-door selling lends itself to more abuse than does any other method. As a member of this House, I have from time to time received complaints from constituents regarding the unethical practices of door-to-door sales organizations, and I assume that other members have received similar complaints. Of course,

there are many reputable and ethical organizations that use direct selling from door to door. On the other hand, some unethical organizations use unsatisfactory high-pressure tactics on unwitting people to enforce a sale.

The Bill is primarily designed to eliminate those tactics and allow a period during which the purchaser has the right to reconsider. Not only is the public sometimes deluded by some door-to-door sales organizations but also occasionally even the salesmen themselves are lured by exaggerated claims about sales commissions that are not always available. The salesmen find that redress is not always possible, particularly when the firms are based in other States or countries and it is difficult to locate the principals. From time to time members have asked the Attorney-General to undertake investigations into the *bona fides* of various organizations. One such organization that comes readily to mind is the Holiday Magic organization. Although pyramid selling is not specifically dealt with in the Bill, ultimately that organization relies on door-to-door sales by those who are described as Holiday Girls. No doubt this is an example of the rackets that have been inflicted on the people of South Australia.

We must also consider the effect of such practices on *bona fide* charitable organizations that from time to time conduct legitimate door-knocking campaigns to raise funds. The South Australian public gives substantial sums to various door-knock appeals. However, it is possible that public charity may be seriously affected and even dried up if some undesirable door-to-door practices are allowed to continue. Already there is a certain amount of public cynicism in this matter, and I believe that the public should be provided with some means of being assured that people involved in door-knocking campaigns are *bona fide* representatives of their organizations. That assurance can be given only if the unsavoury aspects of door-to-door sales are eliminated. The Attorney-General, in his second reading explanation, and the Deputy Leader referred to the recommendations of the Rogerson report; the first paragraph of chapter XXI of that report is as follows:

Door-to-door selling has been the source of frequent complaint, both in Australia and overseas, for many years. Unethical or undesirable door-to-door selling practices in the United Kingdom have been graphically catalogued in Elizabeth Gundery's book *A Foot in the Door* (Frederick Muller Ltd., 1965). The United Kingdom Molony Committee in 1962 stated that the activities of door-to-door salesmen "provoked a greater wrath and indignation among our representors than any other subject." The committee after detailing some of the practices in more common use, concluded: "By whatever proportion of door-to-door salesmen such practices are followed, and with whatever frequency, a considerable volume of evidence insisted that they are widespread (and successful) enough to amount to a serious social evil. The Select Committee of the Ontario Legislature on Consumer Credit in 1965 also found that there was evidence of an abnormally high level of high-pressure, unethical or fraudulent practices employed in door-to-door selling. In Australia, the Victorian Consumers Protection Council, set up under the Victorian Consumers Protection Act, 1964, in its various annual reports to Parliament, has listed a number of unsatisfactory door-to-door selling practices. We have also studied a number of individual complaints in this field which have been received and dealt with by the Victorian Consumers Protection Council. We note that an overwhelming majority of persons making submissions to us favour some action in the field of door-to-door selling. We believe that the conclusions reached by committees of inquiry overseas in this respect are equally justified in Australia.

I think the contents of that paragraph substantiate the Government's position in relation to this Bill. The report, to which the Deputy Leader has referred, mentions service contracts, small sales, the cancellation of contracts, the mechanics of cancellations and so on. The Rogerson report was an extremely comprehensive series of recommendations. I believe that this legislation is long overdue. Many people in the community are aware of the dangers of door-to-door sales. The member for Flinders spoke about protecting people against themselves. It is amazing how many people there are who, despite persistent warnings, still succumb to the unscrupulous methods used in some sales techniques. I think it is a question of human nature in certain regards, because many subtle tactics are used by salesmen and sales organizations and, indeed, at times not so subtle tactics are used to make a sale.

Once the salesman gets his foot in the door many people are persuaded to sign documents that, in many instances, they do not completely understand. They may sign a hire-purchase contract that commits them beyond their means but, at the time of signing the contract, its contents are beyond their immediate comprehension. A door-to-door sale or a hire-purchase contract signed at a person's house means that he does not have a favourable opportunity to compare the value, quality, or price of the article. Basically, the Bill provides the chance to consider a purchase without pressure or coercion, and I believe this

legislation is long overdue. I believe that similar legislation operates in other States, and that the public of South Australia overwhelmingly supports the Government's introducing this legislation.

Members have referred to correspondence received from the Direct Selling Association of Australia, which claims to represent 17 ethical companies engaged in direct selling throughout Australia. Certainly more than 17 companies in Australia are engaged in door-to-door sales, and I wonder why those organizations are not members of the association. As the correspondence mentions 17 companies associated with that association, I believe they are probably ethical companies.

Mr. Harrison: The others are probably non-unionists.

Mr. SLATER: That is probably so. The Bill is aimed primarily at the unethical and fly-by-night organizations involved in door-to-door sales in this State. Only recently, I have received many complaints in this respect about a certain organization. I believe that the South Australian public overwhelmingly supports this legislation, which is certainly a step in the right direction. This Bill provides ethical organizations with every opportunity to continue their activities, while providing adequate protection for the consumer.

Dr. TONKIN (Bragg): What a thoroughly ludicrous situation we have got ourselves into tonight! Would not W. G. Gilbert love this! Maybe W. C. Fields ought to be playing it, because here we have a situation in which we are debating a Bill that we know is not going to be anyway. We are debating a change of mind, possibly by the Attorney-General and certainly by the Government, because the Attorney is not permitted to do anything without Cabinet's approval, and certainly not without the approval of Caucus, which has obviously changed its mind. All members know that but, because of the Attorney's action this afternoon and because he is completely set in his ways and cannot be turned off of them, we are debating something that does not exist: a Bill which basically now means very little.

I suppose the Attorney-General and Government members could blame this on the shortcomings of the Parliamentary system. If they did, they would be doing that system a grave disservice, because the Parliamentary system is as good as the people, and particularly the Governments, serving it. This is a further example of a shilly-shallying, on and off, stop and go point of view. This Government does not know where it is going. I agree with the member for Gilles that most people will support this legislation although not in the form in which it is being debated. The honourable member was perhaps referring to the probable form of the legislation as it finally emerges.

Mr. Mathwin: He knows it!

Dr. TONKIN: He may well do so. However, we do not; we can only assume this. What a ludicrous situation it is that we should be debating a Bill that no longer means anything.

Mr. Clark: You aren't obliged to speak, you know.

The Hon. L. J. King: We will excuse you.

Dr. TONKIN: I have no doubt that the Attorney would like to hear the end of this debate. I am sure he has been sitting uncomfortably on his seat on many occasions during the last few weeks. We have not been kind to the Attorney, but I do not really think that he has deserved any kindness. I think he would have done the House a great service if he had had the good sense to see that it was a good idea to acknowledge his change of mind. No-one minds that: it is when he refuses to acknowledge the fact that it concerns us. Why does he not go all the way and allow the Bill to be redrafted, and then maybe we can discuss it and make more sense out of it? Be that as it may, we are stuck with having to debate the Bill along certain lines.

I think the principle of door-to-door selling is of debatable value to the community, although I think that generally most door-to-door sellers provide a service to the community. One of the memories of my boyhood during the depression years is of pedlars coming to the back door. Even then I was not happy about the plight of those people and the circumstances that forced them to go around to doors, selling various items. I remember that we used to have the fishmonger coming around to the door, and the greengrocer, the general grocer and the butcher used to call regularly. We used to enjoy a high standard of service at the back door, and a good thing it was.

However, during the war this all changed; we had no deliveries, and after the war we developed the supermarket technique. This was a significant change in our way of life, and it was typical of the overall increase in the tempo of life. I think it was the member for Flinders who said that compulsive and impulse buying in supermarkets was a real problem. Of course, this is the whole principle of a supermarket, where the goods are readily

displayed and ready to be taken and put in a basket.

Mr. Mathwin: Would you say we had a compulsive Government at the moment?

The DEPUTY SPEAKER: Order!

Dr. TONKIN: I would not say it was compulsive all the time; sometimes it is impulsive, but I wish it would show a little more responsibility. The loss of the small merchant, whose activities have been swallowed up by the larger supermarkets, has not encompassed every member of the selling profession, and people still come to the door to sell their products. In fact, some organizations have had no retail outlets: I think other members have mentioned them. I refer to Electrolux, and I am sure we all remember the Watkins man. Of course, in the country areas there is a travelling store (the draper), and we have heard about the stock and station agent. These people all provide a necessary service, and I think their activities are regarded by the general community with gratitude; these people provide a service for the community.

In recent years, we have seen other activities, namely, those of other highly organized organizations, which are all directed at making a profit out of providing a direct service to the household. The first of these that I recall involved the Tupperware party. The member for Tea Tree Gully would probably know far more about this than I know, but it always seemed odd to me that one should have a Tupperware party and invite all one's friends and more or less apply a pressure, out of friendship, on all those people to buy at least one item of Tupperware.

Mr. Clark: Which they didn't want.

Dr. TONKIN: This is possibly one of the few times when I agree with the member for Elizabeth: in many cases people do not want these things. No-one questions the quality of that product: undoubtedly, it is extremely good, but I am referring to the way of presenting along these lines by trading on one's friends. Also, some soft drink manufacturers deal direct with the public and, later, especially following the introduction of television, we have had the household electrical appliance salesman.

The latest on the scene have been the cosmetic firms and, although I think some of these organizations should be examined a little (and I think the member for Glenelg has raised this question previously), most of these firms provide a fair and useful service to members of the community, particularly housewives and the mothers of young children, who cannot get out of the house easily. The service that the cosmetic firms provide is not only a convenience but also a morale-boosting one, and this is an effect that cannot be emphasized too much.

The secondary, but nonetheless important, effect is that many people work part-time as sales people, augmenting their incomes. All other honourable members must have been surprised to find, from the representations and telegrams similar to those that I received, how many people were involved in direct selling in South Australia at present. A large proportion of the community, all working on a relatively modest and small scale but all getting some satisfaction and monetary reward from it, are engaged in this work.

I suppose it is silly to speak of the Bill as it stands and to refer to the Attorney's explanation, because we do not know what part of the explanation makes sense, anyway. Apparently much of it does not make sense, judging from the amendments that have been foreshadowed. The Bill that we are debating comprises eight pages and, although I am not allowed to refer to the foreshadowed amendments, they comprise 13 pages tacked on in the file.

Briefly, I can only agree with the points that have been made by my colleagues. I consider that the cooling-off period in the Bill as it stands is too long, and I think that seven business days would be an adequate period, if we are to adopt that definition, or 10 days otherwise. I think that the onus of cancelling the arrangement must be on the would-be purchaser, who must communicate and say, "I am going to get out of this," but that the goods should be left in the meantime. It seems logical that they should be left. Someone may come to a house and say, "Here is a nice new vacuum cleaner," and the housewife may say, "Yes, all right, I need a new one and I will see what my husband says. (This is usually what happens, because the husband must pay). Will you leave it until he comes home from work?"

In those circumstances, the salesman would have to say, "No, I am not allowed to leave it, under the terms of the Act." Thank goodness it now seems that that legislation will not become an Act in the present form. The salesman would have to say, "I would be committing an offence. I cannot leave it." What would be the good of that? The husband would not have a chance to find out whether the goods were worth while. I think the principle is good and that the public must be protected from unscrupulous operators, but in its present form

this legislation, which will be non-legislation, goes too far.

I think it penalizes the legitimate operators and the public. It should provide adequate protection for the public without penalizing the public and without penalizing those people in the direct sales profession who are reputable and, in fact, are members of the public themselves. It is a ludicrous situation, and appears to be evidence of uncertainty on the Attorney-General's part. I cannot believe that the Bill was poorly drafted, because the people who draft Bills can only carry out instructions.

It is pleasing to see that the Attorney-General is open to suggestions by other people. He is prepared to change his mind and to admit that the present Bill is not adequately drafted and that it emphasizes certain wrong aspects; but why does he not come out and say, "Right, this is so. I have changed my mind, because there has been put to me an excellent case for changing the emphasis. Therefore, I am going to have the Bill redrafted and reintroduced"? He has completely spoiled his attitude in my opinion, and I think in the opinion of many members of the House; certainly, in the opinion of many members of the public. He has spoiled his record by his rather juvenile attitude of not accepting what would be a logical and sensible solution, that is, to withdraw the Bill and to redraft it. Although I support the Bill in principle, I do not support it in its present form. I am hoping that, although I am not allowed to say it, the Bill will not be passed in its present form. I wish the Attorney-General would grow up a little.

Mrs. BYRNE (Tea Tree Gully): I support this long-overdue legislation, which I think should have been in operation about 15 years ago. This legislation, which was promised by the Labor Party in its policy speech prior to the last elections, is another example of a promise being honoured. This measure is something that most of my constituents would like to see on the Statute Book; indeed, I should think that most people in the State would welcome this legislation, which is designed to protect the consumer against the unsolicited door-to-door sales transactions that usually take place in the home but sometimes at a person's place of employment. What usually happens is that the consumer, usually a woman, opens the door. As she does not expect to find a salesman there, she is taken by surprise and sometimes caught off guard. This often results in goods being bought at a price the buyer cannot afford, and often the buyer does not even want the goods.

Later, the buyer may find that the price is more than what the goods would have cost in a shop. It is in such cases that protection is required, because some consumers are aged people and some are young people. The member for Flinders has said that we cannot always be introducing legislation to protect people against themselves, that is, against their own weaknesses. However, much legislation is designed to do just that. We cannot do this in all cases, but we should always attempt to give this protection if it is at all possible to do so. No doubt all members have had referred to them cases of a salesman or saleswoman preying on susceptible people. Although such sales people are in the minority, they do exist. We could all quote instances of that. If the member for Flinders were still in the Chamber I would deal with some cases in great detail. Even though he may not have dealt with such cases, I am sure that other members have.

I remember an aged lady telephoning me because she was greatly concerned that she had purchased a water filtration unit as a result of this method of selling. Because the salesman came when she was preparing the evening meal, she became flustered and signed the form. Afterwards, she wondered why she had purchased the product, which she did not really want and could not afford. In another case, the salesman was apparently going to houses and finding out whether they had white ants. He convinced one lady that her house had white ants and she agreed to pay for a very expensive treatment to eliminate the white ants from her house. Because she was blind she did not know whether or not her house had white ants, but the salesman told her it did have them.

Other people who are susceptible to this type of selling are newly married couples. I can remember a case where a salesman called at a house and explained that he was a visitor from another country and that he was calling at various houses to meet the people. The lady of the house had a visitor, and the salesman was invited in and given a cup of tea. Then, after a quarter of an hour, he told them why he was really there. The difficulty then was to get him out of the house. We all know that, once such a salesman gets into a house, it is very difficult to get him

out. I repeat that that type of salesman is in the minority: most salesmen are reputable people representing reputable companies and providing a useful service.

Many reputable salesmen visit areas regularly, and they are welcomed by the householders, who get to know them well. However the consumer must be protected from the unethical type of salesman. In his second reading explanation the Attorney-General said that this Bill repealed the Book Purchasers Protection Act, which has been very useful legislation. I am sure this Bill is warranted and that consumers and salesmen alike will be pleased with it. No reputable salesman has any cause for concern about a cooling-off period. If he has sold a worthwhile product in an ethical manner he has nothing to fear from this Bill.

Mr. McANANEY (Heysen): I strongly oppose the Bill. One wonders whether the Attorney-General and his Party, living in a world of fantasy, really believed that the public would accept the original Bill. Perhaps the thought behind this legislation is that the Government is trying to see how far it can go and what people will accept; but, as reasonable people have objected to the original Bill, the Government has been forced to change its attitude. I do not like door-to-door salesmen, but I think one has to consider this matter with a sense of justice. This method of selling has been used for many years, and it would be inappropriate to introduce legislation that would make this normal practice unworkable for an honest salesman.

I do not agree with the statement of the member for Tea Tree Gully that this legislation will not upset the present system. We have to realize that some people are impressed by a certain type of salesman and buy goods that they do not need. In some cases this is sheer cupidity because they think that they may be getting something to their advantage. I do not sympathize with that sort of person. The person who buys vending machine shares after being told that he will receive a 20 per cent dividend has to accept the consequence of his purchase. We have to admit that there are instances in which people, through their cupidity or lack of knowledge, do something from which we have to protect them. However, they cannot be protected by such a clumsy formula as that set out in this Bill. There should be a cooling-off period to enable them to withdraw from the contract within a reasonable time, providing they have enough energy to take this action.

In any legislation we have to assess the rights of both the seller and the buyer and, as politicians, we have to ensure that the legislation is fair to both sides. The Labor Party, which usually wants to compel someone to do something, is now saying that everyone must be kept in moth balls because they are not capable, but the average citizen would consider himself to be insulted by that attitude. If this is the attitude of the Government, its members do not impress me as people who have enough practical ability to tell someone else what to do. Perhaps the Government has introduced this legislation in order to protect its members, because they may get into trouble as they are so gullible.

Mr. Hopgood: Aren't you supporting the Bill?

Mr. McANANEY: I oppose it. As a result of the effect of public opinion and the efforts of an able Opposition, we shall have a Bill that is acceptable and fair to all groups. I am not allowed to speak about the suggested amendments, otherwise I would give my views of them; but when there is a good officer in the Chair I stick rigidly to Standing Orders. I have found that in most transactions the seller as well as the buyer needs protection, but I do not know whether the Attorney-General intends to move amendments in this respect. The Bill in its present form is a shocking mess, and the Government has been misguided and misinformed in relation to it.

Mr. LANGLEY (Unley): I am sorry that the Opposition has gone to such pains in saying that the Bill is bad and that something is wrong with it. However, I do not remember the Government's having introduced any legislation with which the Opposition did not say anything was wrong. The member for Bragg spoke of things that happened many years ago, and referred to the butcher, the baker and the greengrocer who used to call at the door. However, times have changed, as have selling methods in this State. Years ago sales were effected as a result of personal contact and friendliness. The member for Bragg did not mention time payment or, as it is more fashionably known, hire-purchase. Today, most salesmen like to sell articles on hire-purchase, a situation different from that which obtained many years ago when, if a prospective purchaser did not have the necessary finance to purchase an article, the salesman was not keen to make the sale. However, hire-purchase has been introduced and has been a great help to persons who could not otherwise buy certain goods. Suddenly, persuasive

salesmen are making personal contact with members of the public, particularly with younger and older persons. Surely Opposition members have had experience of a salesman coming to their door with goods for sale and, not liking to reject the salesman, they have purchased an article.

Mr. Carnie: Can't you say "No"?

Mr. LANGLEY: I am not saying I cannot do so, but many people, particularly elderly folk, cannot, merely because the salesman has been too persuasive. This has happened to people in my district. Having been told by an unscrupulous salesman that a vacuum cleaner is not working very well or that a refrigerator is getting old, they have purchased a new article. Although this sort of practice has been noticeable in the last four or five years in relation to electrical goods, it has diminished recently because of the introduction of discount houses. Some people, if they can persuade someone to go along to a motor car firm and make a purchase, receive a $10 fee. Indeed, a person considered to be a prospective purchaser may not be at all interested in buying a vehicle and in many cases cannot pay.

I listened to the remarks of the member for Bragg concerning people travelling about selling cosmetics, an activity which I think is carried out in many districts, and I am sure that it is a help to the ladies concerned. There was recently a meeting of people at which the cooling-off period referred to in this Bill was considered, and one gentleman at that meeting criticized the Bill, claiming that many women would most likely lose their jobs. I must admit that the Avon lady calls at our home; she's a nice woman and my wife does not receive anything she agrees to buy until three weeks afterwards. Whatever was said at the meeting to which I have referred is probably responsible for the present attitude of members opposite, but, in the case of Avon, people do not receive the goods immediately and, if subsequently they do not want them, the goods are taken back without any argument.

Mr. Hopgood: How many buy $20 worth of goods at a time?

Mr. LANGLEY: Not many. The remarks of the gentleman concerned who spoke at the recent meeting were so much out of line that it did not matter. I am sure that the Attorney-General has had representations from people concerned about this matter and that they have been satisfied that their activities will not be affected in any way. Members will be able to consider this matter more closely in Committee and will be able to ensure that, as well as protecting honest sales people, the Bill will protect the buyer.

This Bill represents another part of Labor policy. Under the legislation previously considered dealing with hire-purchase transactions, we inserted a provision to ensure that, so that the person concerned would understand what was happening, both the husband and wife had to sign an agreement in order to make it valid, and I think that in that case there was a provision relating to goods costing more than $20. We must ensure that members of the public are in no way filched. I support the Bill, hoping that it will pass and that it will benefit both the buyers and sellers of goods.

Mr. BECKER (Hanson): I am a little suspicious about certain parts of the Bill. The Attorney-General has said that it is one of a series of Bills intended to extend a degree of protection to the consumer. That is what the Bill is intended to do, but it would do it only in a small way; it is not exactly what we are led to believe it is. Recently I received a publication from a selling company, outlining its operations and stating:

Direct selling—that is, the sales of household products and other services to a customer at his home—is not new in Australia. In the last century and the early part of this century, many goods and services were sold to a customer at his front door. Life assurance and other commodities, such as highly respected household and cosmetic lines, are still sold in this way. In recent months, columns and columns of newspaper space and large amounts of time on radio and television have reported on the activities of many direct selling companies operating in Australia. In some instances, the reports have highlighted questionable or doubtful practices, revealed incidents of people almost bankrupting themselves to join "get rich quick" schemes; have unmasked a structure of selling organization called "pyramid" which has now, in the eyes of news media, legislators and many of the public at large, become a "dirty" word. State Governments are considering legislation to control direct selling, while the Federal Parliamentary Labor Party is recommending an investigation. In the United States, Governments and Government agencies have launched prosecutions into various malpractices by certain direct selling companies and other Government-sponsored investigations in that country are pending.

In one respect, the introduction of this Bill is commendable. I refer to a question I asked the Attorney-General in March this year regarding a book-selling company from New South Wales. The circumstances were that a salesman from the firm called on my constituent at her home, telling her that he had

entered a competition and that, for each person he called on, he would be entitled to 50 or 60 votes a signature, and he told her that he would like her to recommend him to her neighbours and friends. What my constituent did not know was that, in signing the form to give him a vote, she was signing a contract to purchase books and, unfortunately, the subscription for the books was $11.50. My constituent had only $7.50 in cash, which she paid to the salesman, leaving $4 owing, and the salesman said that he would call back later and collect the balance.

After this the woman found that she had been duped and, when she contacted the firm, she was brushed aside. No action could be taken, because the amount of the transaction was less than $20. Perhaps this is one area in which we may have made an error by stipulating a certain amount, thus giving certain types of person the opportunity to carry out these practices. We may term these people as the swift blokes and the sharpies, who will use these loopholes. In respect of transactions up to $20, they cannot be apprehended, and they can operate within the law. I think we should be providing a certain amount and tying the provisions up so that, if fraud is suspected in door-to-door selling transactions, irrespective of the amount involved, members of the community, including elderly people, can have the transaction declared null and void, through the agency of the Government. I think that probably the worst case I have encountered since I have been a member came to my notice earlier this year. A letter from a constituent states:

I am writing on behalf of my mother, who is 89 years of age. On Friday, March 26, 1971, a man called at her flat and told her he had to inspect all electrical equipment. She thought he was from the Electricity Trust of South Australia and allowed him to come in, where he went straight to the kitchen, opened her fridge and told her it was leaking from above and that it could not be repaired. The result of this was he sold her an 11 cub. ft. General Electric fridge for $240, after trade-in was deducted. I feel sure there was nothing wrong with her fridge, as it had been working well. I realize nothing can be done now as far as my mother's purchase is concerned, but I feel I must lay a complaint for the sake of other elderly people like her who live alone. I also know of many instances (and this happened when I was in the bank) in which elderly people have drawn out all the money from their savings account to purchase electrical goods. It is pitiful to see these people duped by salesmen. Another case that comes to my mind was that of a sharp salesman who was canvassing a certain area. He made out that he was from the Electricity Trust and told the people concerned that certain electrical equipment was faulty and had to be replaced. He would ask to see their savings bank book and get them to sign a contract form so designed that underneath it was a bank withdrawal form. He obtained large sums of money by having people sign what they thought was a contract form but which was a savings bank withdrawal form, thereby taking from them all their money and not even supplying the goods. I have known of horrible practices carried out by door-to-door selling. On the other hand, there are salesmen of high ethics. I have never heard complaints about Avon or Vanda Beauty Counsellors, whose employees and supervisors conduct their business on a high plane; they will have little to fear by the provisions in the Bill.

It is also interesting to note a letter received from Associated Studios, which is another area in which the Bill will have some effect. I think that most parents have had the experience of a person offering to take photographs of their family. The circular states:

Under the Tasmanian legislation passed almost three years ago, there were two important points: first, that the Act did not apply to "orders placed at home" under a value of $40; secondly, that the onus was on the purchaser to effect cancellation by certified mail within seven days of placing an order.

The Bill provides for a 16-day cooling-off period, which is beyond anyone's sense of reasoning, because it would make it extremely difficult for someone just starting in business. In other words, the door-to-door salesman would need considerable capital to carry him over the first 16 days.

Mr. Payne: It's supposed to be consumer protection.

Mr. BECKER: I will support consumer protection if it is on a commonsense basis. The Bill provides for a 16-day cooling-off period, whereas one foreshadowed amendment provides for 10 days and another for eight days. It will be interesting to see what compromise is reached. I believe that most direct selling agencies would appreciate a seven-day cooling-off period. The Associated Studios' circular continues:

At least 90 per cent of sales conducted in the home are satisfactory to the purchaser. It is an infringement of a purchaser's basic rights for a Government to dictate to such a large proportion of the market, how they are to go about buying "Goods at home". The requirement that purchasers of goods over a value of $20 must confirm an order not before seven days and not after 16 days, and must

not have paid a deposit, is being totally unrealistic. Most people would forget to write.

I agree with that good point. Also, some people unfortunately would not be capable of putting pen to paper and explaining that they wanted to opt out. Through no fault of their own, migrants find it difficult to speak the language, let alone write it. The letter continues :

Surely the principle of the proposed legislation should be in the purchaser of goods having the right of cancellation by certified mail within seven days of placing such order and receiving a full refund of deposit money.

I would prefer to see the deposit money placed in a trust account, as is done by land brokers. If a door-to-door selling firm goes bankrupt, the deposit money is usually lost. Direct selling firms have contacted all members and expressed their views. We have a right and a responsibility to test views both for and against the Bill to ensure that we arrive at commonsense legislation. The crux of the Bill is the cooling-off period.

Very little has been said about hawkers, who have given, and are still giving, very good service to people in country towns and on outlying stations. When I was a lad, hawkers called at my home to sell haberdashery, and I would hate to see that kind of service eliminated. I oppose the Bill. The best thing to do is to tackle the contentious issues in Committee.

Dr. EASTICK (Light): I oppose the Bill, which is a very poor piece of legislation. I do not deny that there are areas of dispute in relation to door-to-door selling, but I suggest that the Government has adopted a Big Brother attitude in connection with this Bill: its attitude is that people need protection, and Government members are the ones who will protect them. No matter what the legislation ultimately provides, purchasers and salesmen alike will find a way around the situation. It is a fact of life that a person will determine his own destiny and obtain the goods and services he believes he should have, although the law states that he shall not have them.

I have seen the situation where persons have commented adversely against the activities of a company for not arriving to repossess property that they had purchased, because they were embarrassed when the second company they contacted to obtain the same goods to replace those repossessed had arrived with them before the repossessor had arrived. This situation has occurred many times in areas that are known to Government members. The Bill is doomed to failure (and I do not say that concerning the alterations that are to be made to it), because of the terms in which it has been presented. In the second reading explanation the Attorney indicated that certain of the provisions of clause 7 are reinforced in clause 8, in case they were not enforceable. When speaking about clause 11 the Attorney stated:

The existence of a provision of this nature may cause vendors to pause for reflection before making clearly unfounded threats.

Obviously, the Minister is aware that the legislation is at fault and is not so worded that it will necessarily prevent threats being made against persons who involve themselves in such purchasing activities. I suggest that, in some respects, the Minister has tried to relieve the situation with a steamroller, but a garden hand roller would have accomplished the same effect. The only other feature to which I refer in opposing the Bill is the fact that subclauses (1) and (2) of clause 5 introduce the use of "proclamation". The Minister indicated that he will not clearly define once and for all under the powers of this Act the goods referred to in subclause (1), part of which states:

but does not include any goods, services or any rights in respect of goods or services for the time being declared by proclamation not to be included within the meaning of goods for the purposes of this section:

Subclause (2) provides:

The Governor may by proclamation declare any goods, services or any rights in respect of goods or services not to be included within the meaning of goods for the purposes of this section and may by proclamation revoke or vary any such declaration.

The issuing of a proclamation will be a simple method for the Government, because it will not require the action taken to come before the House and be scrutinized before being introduced. True, the proclamation will subsequently be laid on the table of the House, but action will possibly be taken that is not in accordance with the wishes of the elected members of this House. I therefore oppose the Bill.

The Hon. L. J. KING (Attorney-General): I intend to speak only briefly at this stage, the tenor of the debate having indicated that the substantial questions will fall for discussion in Committee. However, there are one or two matters to which I should like to refer. The member for Mitcham raised the matter of the use likely to be made of the clause enabling exemptions to be made by proclamation in relation to certain classes of transaction. I do not think it is possible to say in advance what

sort of transactions will be excluded. The very reason for including in the Bill a power to exclude by proclamation certain transactions is precisely to retain a degree of flexibility, because it is easy to see that, in providing protection in relation to door-to-door sales, the legislation could catch types of transaction that do not need this sort of protection. I have in mind transactions with members of the rural sector, which have been referred to in the debate.

The value of a power to exclude by proclamation certain transactions from the provisions of the Act is that it enables people to say, "Here is a class of transaction in relation to which the purchaser obviously does not need the protection of the legislation, the operation of which would obviously be inconvenient." In those circumstances, the Government will be able to advise the Governor to exclude that transaction by proclamation. This is more in the nature of a reserve power, which can be used with great benefit, to prevent legislation that is designed to protect the community from operating oppressively in some areas.

The member for Mitcham also referred to the matter of licensing. It is intended later to introduce amendments to the Hawkers Act. I am still considering what those amendments ought to be and how the licensing provisions relating to hawkers and door-to-door sales should be approached. I said in reply to questions in the House previously that three views exist: first, that the salesman engaged in door-to-door sales should be licensed; secondly, that organizations employing people to conduct door-to-door sales should be licensed; and, thirdly, that no licensing system at all is needed. Arguments can be put on behalf of all those points of view. The notion of a licensing system is still being considered by the Government, although at this stage no decisions have been made.

During the debate the Government and I have been criticized for having changed our minds about certain matters. I do not intend to go into details of the amendments. However, I take the view very strongly in relation to any legislation, particularly legislation of a commercial reform nature, as this Bill is, that it is extremely important that all sections of the community affected by the legislation should have the opportunity of putting their points of view, and that the Minister and the Government should keep an open mind and be willing to listen to the submissions that are made and to amend the legislation if those submissions indicate that that is the wise course. I do not believe that a sort of stiff-necked stubborn approach to legislation ("This is what we have introduced, so this is what we will stick to, come what may") is of any benefit to the community at all. I feel no shame at all about introducing members to a Bill of this kind; I wear that as a badge of pride. I think it is of the utmost importance to the community that an open-mindedness should be retained. I disagree emphatically with the member for Alexandra, who suggested that the idea of introducing a Bill and allowing it to lie on the Notice Paper, in that time receiving submission from the sections of the community involved, in some way is an insult or a slight to the House. I am completely unable to understand that point of view. It seems to me that it would be a slight to the House to circulate the draft of a Bill of this kind in the community before it had been introduced into the House. I prefer to introduce a Bill into this House before the draft has been seen by the public generally. There are exceptions to that: I think there are certain technical types of legislation (for instance, technical law reform legislation) where it may be appropriate to show the actual draft to the professional or technical bodies that have a special interest in it but, as a general rule, dealing with Bills of a public nature, I think it is undesirable that the draft of the Bill should be circulated before it is introduced into the Parliament.

The practice I have adopted, where I desire to seek the comments of outside bodies before the Bill is prepared, is to circulate the tentative proposals, setting them out simply, and to ask for comments on them. However, as a general rule, I do not think the draft of the Bill should be circulated before it is introduced into the House; I think it is for the Government and the Minister concerned to introduce the Bill first. That means, if the public is to have the opportunity to comment on the Bill, that it must be left on the Notice Paper for a sufficient period to enable that to be done, and the Government must retain an open-mindedness about legislation until it has heard everything that can be said by people who may be affected. The very purpose of using the procedure adopted in this case is to preserve the rights of this House to see the Bill before others see it.

Mr. Millhouse: You didn't canvass this at all in your second reading explanation.

The Hon. L. J. KING: I do not know whether I said then that it would be left on

the Notice Paper, but certainly it was the course that I deliberately took. I welcomed the deputations of people who came to see me to discuss the provisions of the Bill.

Mr. Millhouse: They didn't quite get the impression—

The SPEAKER: Order!

The Hon. L. J. KING: If the member for Mitcham did not get that impression, I am sorry.

The SPEAKER: Order! The member for Mitcham is out of order.

The Hon. L. J. KING: I say emphatically that I wear as a badge of pride the criticism made that the Government has been prepared to receive suggestions and to modify the proposals in the Bill according to suggestions received. At this stage I think I need add nothing further. Substantial matters to be discussed in relation to this Bill will be discussed in Committee, and I will defer any further comment until then.

Bill read a second time.

In Committee.

The Hon. L. J. KING (Attorney-General): I move:

That the Bill be amended *pro forma,* in accordance with the amendments on members' files standing in the name of the Attorney-General.

I point out to the Committee that agreement to this motion will mean that there will be no further proceedings on the Bill in this present Committee. The Bill will be reprinted to incorporate the Government amendments and then members will have available to them the original Bill, a schedule of amendments, and a reprint of the Bill that incorporates those amendments. On a future date this amended Bill will be recommitted and considered in Committee in the normal way and be subjected to the usual examination, discussion and admission of further amendments. This procedure in no way prejudices or curtails members' rights and opportunities but is designed to help a proper consideration of this important measure.

Mr. MILLHOUSE: The prejudice and curtailment have already taken place, of course. It has meant that we could not debate the Bill properly in the second reading stage. I do not oppose this motion, but I utter a word of protest. About a fortnight ago I placed on the file amendments that were substantially the same as those that the Attorney now intends to move, but they have been just swept aside by this motion. The Attorney's amendments, which came on the file today, by this motion override my amendments and I shall now have to go to the trouble of re-drawing them, to fit in with the Bill as it will be on members' files at a future time. This is an action that I do not altogether relish. I suggest that, in a way, it is high-handed. I think the suggestion that I made this afternoon would have been far more preferable and would have allowed us to have a proper debate this evening both in the second reading stage and in Committee.

Motion carried.

Bill reported with amendments.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 29. Page 1786.)

Mr. COUMBE (Torrens): This is a small Bill and I support it. It amends the Industries Development Act in some small ways and repeals a section which was inserted in the principal Act in 1941 and which is now redundant because of legislation that has been passed in the meantime, particularly by the Housing Improvement Act and the South Australian Housing Trust Act. The Bill is one of a triumvirate of Bills before the House that deal with more or less the same subject. It repeals a principal section of the Industries Development Act, which deals with the restriction that now provides that the trust can erect factories only outside the metropolitan area. This Bill brings the provision into line with the other Acts and enables factories to be built anywhere. The Bill has been introduced possibly as a result of the Auditor-General's comments not only this year but in previous years. He has commented on this matter and has described it as an irregularity. This provision will extend the scope of the committee's work considerably, and I know as a result of my experience as a member of the committee of the somewhat difficult position that has arisen in some cases.

The Industries Development Committee has done a valuable job, at least since I have been a member of it: I cannot speak for what has happened in the past, although I know about many of the references that have been made to it. What we are doing in this Bill is putting the Act in order so that the whole of the committee's functions will be contained correctly in the one Act. Section 10 of the principal Act is to be amended by adding a new subclause (2) as follows:

The functions of the committee shall include the investigation of any matters referred to it under or pursuant to any Act and the making of such reports and recommendations thereon as the committee thinks fit.

I trust that this refers to industrial development, although it is not stipulated. I have studied the principal Act and I can only assume that this is the Government's intention, although the provision relates merely to "any matters referred to it".

The Hon. D. A. Dunstan: Referred to it in the way prescribed.

Mr. COUMBE: It is somewhat devious. However, if that is the Government's intention, I support it. The provision looks a little bald, however. The previous Act refers to the Treasurer, whereas the Bill refers to the Minister. I presume that is because not only is the Treasurer involved but so also is the Minister in charge of housing. I agree with the deletion of the part that is being deleted. It is rather extraordinary (and this is no reflection on the Chairman of the committee, who is a personal friend of mine) that the Premier in his second reading explanation said:

The Chairman of the committee has signified that, as long as the committee's role in the whole matter relating to the provision of factories by the trust is clearly defined, there is no objection to repealing the redundant section.

It is a question of whether the House objects, not the Chairman. I have never seen something expressed in this way before. However, I have no objection to this provision. We are now putting this Act into its correct form. The Premier is correct when he says that this Act is not the proper place in which to provide the trust with powers to build factories in certain areas. I agree with this, and the Bill will put things into their proper perspective.

The other two Bills to follow, on which I cannot comment, will clarify the whole position in this regard. I hope that the Industries Development Committee, as a result of the passing of this amending legislation, will be able to function in an even better way than it has functioned in the past to the benefit of South Australia and to industries or prospective industries in the State. We need this type of assistance. As a result of my experience on the committee I know that many applicants have had very worthwhile cases, and they have been closely scrutinized. The corporation can handle the smaller firms, and this committee must handle the bigger ones. I support the Bill and hope that the committee's work will expand and continue to assist industry in this State.

Bill read a second time and taken through its remaining stages.

HOUSING IMPROVEMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 29. Page 1787.)

Mr. BECKER (Hanson): This short Bill updates the principal Act to authorize the South Australian Housing Trust, on the recommendation of the Industries Development Committee, to purchase factories. One wonders just how far we are to go in encouraging new industries to come to South Australia. In connection with the purchase of industrial premises, the Auditor-General's Report for the year ended June 30, 1971, states:

In my last two reports I commented on expenditures of $1,130,000 in 1968-69 and $243,000 in 1969-70 by the trust on the purchase of industrial premises for leasing to various firms with options to purchase.

The funds involved were $596,000 for a property and fixed plant at Croydon Park, $380,000, $154,000 and $200,000 for factory premises at Elizabeth and $43,000 (including improvements) for premises at Gumeracha. In the 1969 report I gave details of the relevant sections of the Housing Improvement Act and an opinion of the Crown Solicitor and stated that "in view of the above opinion that the Act specifically relates to the erection of factories subject to the consent of the Governor on the recommendation of the Industries Development Committee, I consider that the trust did not have the necessary legal authority and consent to expend $1,130,000 of its funds on the purchase of three factories in 1968-69". At that time I was advised that a Bill would be prepared for submission to Parliament. In that Bill it was proposed to give specific powers to the trust to purchase existing factories and remove the restriction as to locality on the power to build factories, in each case subject to reference to the Industries Development Committee. Since my last report there has been no change in legislation on this matter. A further purchase was made in 1970-71 of land and buildings at Mannum at a cost of $15,000.

Because of the comments of the Auditor-General, and as this is a move to encourage new industries to establish in South Australia, I support the Bill.

Bill read a second time and taken through its remaining stages.

SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 29. Page 1787.)

Mr. EVANS (Fisher): I support this short Bill, which carries out part of the functions dealt with in the two Bills we have just dealt with. Its main aim is to amend section 20 of the principal Act by giving the trust power to exercise any power conferred on it by or under any other Act. The member for Hanson referred to the Auditor-General's Report, but he omitted the last paragraph of the section from which he read. I think that this is the most important section and that it is the main reason why the three Bills were introduced, particularly this Bill. The report states:

> These transactions from Housing Trust funds result in giving assistance to industry without Parliamentary appropriation or reference to the Industries Development Committee. Action should be taken immediately to prevent the continuation of illegal operations by the trust in this regard.

That completes the extract from the Auditor-General's Report to which the member for Hanson referred and which relates to action that has been taken by the Housing Trust in the past. That is why this Bill, the Housing Improvement Act Amendment Bill and the Industries Development Act Amendment Bill are before the House: because the trust has, in the opinion of the Auditor-General, been acting outside the law.

The Bill gives the trust wide powers and the right to rent to the Prisoners Aid Society houses that can be made available to persons who have been released from gaol, to enable them to live in reasonable comfort with their families until other satisfactory accommodation is found for them. This is one area in which the trust should act. I have asked a question of the Premier about this matter today, and I refer to it again to ensure that every consideration is given to this organization, which works untiringly for a section of our society, many people in which are misfits. These people should be given every inducement to take their place again in society. I ask the Premier to raise this matter with the trust.

The Bill also enables the trust to exercise any power conferred on it by or under any other Act. In this respect, one must look seriously at the type of material that the trust uses in its house constructions in comparison with that used by private enterprise. Indeed, the same inspectors should be used, if necessary, to adjudicate whether material used by the trust is of a standard comparable to that used by private enterprise. In one instance, a building inspector condemned building material which was considered to be of top quality, although the same material was being used by the trust without being condemned. The inspector concerned condemned a brick that had small surface cracks in it. However, those cracks occurred in the brick merely because of the heating processes through which that brick was put to make it stronger. The higher the temperature the greater is the strength of the brick, but the heat produces more cracks in the surface. A request has been made to use a textured brick containing no cracks. This means that such a brick has been baked at a lower temperature and, therefore, is not of the same strength and will not withstand the stresses that the other brick containing cracks, which had been baked at a higher temperature, would withstand. Decisions such as this are made by our qualified building inspectors.

The Housing Trust should abide by the same rules and regulations as those which other sections of the building industry must abide by. If it does not, it is unfair competition, and there is no guarantee that the trust is building houses of a suitable standard for the people who will purchase or rent them. I support the Bill, which will at least stop one of the illegal operations that the trust has carried out in the past. At least the trust will be able in future to operate legally in this respect.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT

At 9.51 p.m. the House adjourned until Wednesday, October 6, at 2 p.m.