HOUSE OF ASSEMBLY

Wednesday, November 10, 1971

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

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

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

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

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

DISTINGUISHED VISITORS

The SPEAKER: I notice in the Speaker's Gallery a visiting delegation from the United Kingdom Branch of the Commonwealth Parliamentary Association. The delegation comprises Mr. P. M. Hordern, M.P., Mr. R. L. Mawby, M.P., Mr. T. Oswald, M.P., Mr. M. Shaw, M.P., and Dr. the Hon. S. C. W. Summerskill, M.P. On behalf of the House of Assembly, I warmly welcome our fellow Parliamentarians from the House of Commons and trust that their stay in South Australia will be as pleasant to them as it is gratifying to us. The leader of the delegation is Mr. Mawby, and I invite the honourable Premier and the honourable Leader of the Opposition to introduce him as the representative of all our distinguished visitors.

Mr. Mawby was escorted by the Hon. D. A. Dunstan and Mr. Hall to a seat on the floor of the House.

QUESTIONS

GOVERNMENT INSURANCE

Mr. HALL: Can the Premier say by how much Government Insurance Office premiums will be below those of private insurance companies? A report of the Premier's statement concerning the Government Insurance Office, which is soon to operate for public business, states, in part:

> The commission's aim was to keep premiums at a reasonable level and to ensure, by competition, that the public received adequate service.

From that statement it would appear that the Government Insurance Office would tend, by competition, to lower the insurance premiums now charged to the public by private insurance companies.

The Hon. D. A. DUNSTAN: No report has been made to me by the Government Insurance Commission that premiums charged to the public will be below those charged by the tariff companies. Indeed, I would anticipate at the outset that they would generally be at the level of the rates of tariff companies. However, future increases in premiums by the commission would naturally be carefully looked at to see whether costs could be so absorbed that premiums could be kept down effectively. At this stage, I do not anticipate that at the outset of its business the premiums of the Government Insurance Commission are likely to be below those generally of tariff companies.

Mr. MILLHOUSE: Will the Premier say what inducements the Government Insurance Office will offer to attract business?

Mr. Jennings: Honesty, for one thing.

The SPEAKER: Order!

Mr. MILLHOUSE: I do not know whether that is a reflection on every other insurance company in business in South Australia.

The SPEAKER: Order! The honourable member is commenting, and interjections are out of order.

Mr. MILLHOUSE: In reply to the Leader, the Premier said that the State Government Insurance Office would not be offering lower premiums, at the beginning at least.

The Hon. D. A. Dunstan: I said I didn't anticipate it.

Mr. MILLHOUSE: He said that he did not anticipate that premiums would be lower than those offered now by tariff companies and other insurance companies.

The Hon. D. A. Dunstan: I said "by the tariff companies".

Mr. MILLHOUSE: I see. Perhaps the Premier can clarify whether he believes the rates will be lower than those offered by other companies. If that is not anticipated to be the case, will he say what other advantages to attract business to it the Government Insurance Office will be able to offer?

The Hon. D. A. DUNSTAN: I would expect that the disastrous failure of several insurance companies in this State, affecting many people insured (and I would have thought, with the wide practice in law that the

honourable member has, that some of his own clients would have been affected), would induce people to insure with an insurance office that is guaranteed by the State Government in the same way as the State Bank and the Savings Bank are guaranteed. Indeed, indications are already coming to us that this is very much the case. At any rate, peop'e insuring with the Government Insurance Office know that, where they have an insurance policy and a proper claim, the claim will be paid.

Mr. Millhouse: Are you suggesting that that is not the position now?

The SPEAKER: Order! Interjections are out of order.

The Hon. D. A. DUNSTAN: If the honourable member does not remember how many insurance companies in South Australia have failed disastrously in the last few years, I can only say that he is most extraordinarily blinkered.

Mr. Goldsworthy: How many?

The Hon. D. A. DUNSTAN: If the honourable member wants to know the number of failures, I will get him a completely accurate report on the total of these and the amounts of the policies that have not, in fact, been paid.

Mr. Millhouse: As a percentage of the whole business in South Australia?

The Hon. D. A. DUNSTAN: Not as a percentage of the whole: as an actual amount.

Mr. Clark: One failure is enough, anyway.

The Hon. D. A. DUNSTAN: The honourable member seems to think that it is a solace to someone who does not get his insurance policy paid to know that someone else in South Australia does get his policy paid.

Mr. Millhouse: I didn't—

The Hon. D. A. DUNSTAN: Then why is the honourable member talking about proportions?

Mr. Millhouse: Do you—

The SPEAKER: Order!

Mr. Millhouse: —expect the Government Insurance Office to prevent this from happening?

The SPEAKER: Order! The honourable member for Mitcham has asked a question of the Premier and when the Premier is replying he deserves the courtesy of this House to have his reply received in silence. If the honourable member wants to ask any further question, he is at liberty to ask it, because our Question Time in South Australia is most liberal, extending for two hours. However, the honourable member for Mitcham cannot monopolize the whole of Question Time with interjections and I ask him to cease interjecting. The honourable Premier.

The Hon. D. A. DUNSTAN: Thank you, Mr. Speaker. The inducement which the Government Insurance Office offers and which obviously many South Australians wish to take advantage of, judging by applications already made to the office, is the fact that the office is guaranteed by the Government and the people know that their policies will be paid. In addition to this, as with other Government instrumentalities in Australia, there is a widespread feeling in this community that community effort has advantages and that the payments that the Government Insurance Commission can make towards semi-government loan money investment in South Australia will be of advantage to the whole community, as is the case elsewhere in Australia. I appreciate that the honourable member has been opposed to community effort of this kind, but frankly I think that, even in his own district, he will not find majority support for that view.

FESTIVAL HALL

Mr. COUMBE: Can the Premier state the amount of the additional costs of the festival hall referred to last week (I saw an announcement but I have not the figures) and can he tell the House what is now the estimated final cost of the project, compared to the original cost? Further, can he say when the festival hall project will be available to be occupied?

The Hon. D. A. DUNSTAN: The contracting authority for the festival theatre, which is the initial project in the total scheme, is the Adelaide City Council. I have not had a report from the council about any escalation in the cost under the rise and fall clause in the contract, but I understand that, because of increases in labour costs, the overall estimated cost has increased by about $200,000. The honourable member would be aware that last year there was an escalation of about $750,000, which was totally met by the Government. I have not yet had any application from the Adelaide City Council. The expected date of occupancy is November next year, when the festival theatre will be commissioned, and it will be open to the public early in 1973.

Mr. Coumbe: Could you get those figures for me?

The Hon. D. A. DUNSTAN: Yes.

MIGRATION

Mr. LANGLEY: Will the Premier take up with the Commonwealth Immigration Department the case of Mr. Nigel Joseph, who came to Australia as a non-assisted migrant? In addition, could State Government officers help in this matter? As the Joseph family has now settled in South Australia after a controversial entry, I am sure that any help would clear the air for the public in South Australia.

The Hon. D. A DUNSTAN: I shall certainly be happy to take up this matter, which has already received attention from members of Cabinet, particularly from the Deputy Premier. It appears to be the policy of the Commonwealth Government for people who are judged to be of a certain colour of skin to be disqualified by that fact from obtaining assisted passages. Mr. Joseph, who was refused an assisted passage, has paid his own fare. However, whether we can now get assistance retrospectively from the Commonwealth Government remains to be seen. I took up the previous case concerning Mr. Allen, a West Indian engineer who married an English woman and who was refused an assisted passage on this ground: that the colour of his skin was different from that of other migrants, although his qualifications and ability to settle in this country were just what we want under our declared immigration policy. I will write to the Commonwealth Minister for Immigration, although I know that the Deputy Premier has previously done this. From previous performance I cannot hold out to the honourable member much hope that I shall be able to obtain anything more for Mr. Joseph than the Deputy Premier has been able to obtain.

AFRICAN DAISY

Mr. EVANS: Has the Minister of Environment and Conservation a reply from the Minister of Agriculture to my recent question concerning African daisy and the regulations relating to its control?

The Hon. G. R. BROOMHILL: My colleague states:

The decision to transfer the weed African daisy from schedule 3 of the Weeds Act in respect of the Stirling, East Torrens, Burnside and Mitcham areas was taken after detailed and protracted discussions with departmental weeds officers, and after conferences with the local government bodies concerned. I assure the honourable member that the decision was not an easy one, and I am well aware of the problems inherent in the proposed alterations to the present control policy. I am also acutely conscious of the large sums of money which have been, and would have to be, spent by Hills councils and landowners in endeavours to eradicate this weed, and in view of the obvious failure which has attended attempts so far to control it, I am of opinion that it would be unfair, unreasonable and uneconomic to persevere with the present policy. In fact, I think that to continue as we have been would be merely "throwing good money after bad". I am confident that when the proposed changes are implemented, councils will continue to adopt a responsible attitude to this weed's control in their areas, and I should hope that landholders will do likewise. Every effort will still be made to eradicate it on Crown lands, and I would expect intensified programmes on arable land.

TERTIARY FEES

Mr. PAYNE: Can the Minister of Education now announce to the House the result of the Government's considering further assistance for tertiary students involved in the projected fee rises at South Australian tertiary institutions, especially the South Australian Institute of Technology?

The Hon. HUGH HUDSON: The Government has approved a further extension in the fees concession scheme for students attending either of the two South Australian universities or the South Australian Institute of Technology. The total sum now available under the scheme for 1972 will be $240,000, which represents a doubling of the amount allowed for fees concessions in relation to this year. As a consequence of this change there will be a substantial alleviation in the means test applicable under the scheme, and part-time single students who were previously not covered will now be entitled to a concession of up to one-third of the value of fees payable. In addition, this year all part-time students who are employees of the State Public Service will be entitled to a full refund of fees for subjects successfully passed in approved courses.

This matches the provision which applies in the Commonwealth Public Service and also now in a number of private companies. I am hopeful that other private companies, whose employees are part-time students at either university or at the Institute of Technology, will consider adopting similar arrangements. In view of these changes, the Government will be repeating its request to the University of Adelaide and the Institute of Technology to raise fees for 1972 by one-sixth. I will be writing to the Chairman of the Fees Concessions Committee informing him of the extra sum available so that the alleviation of the means test can be finally determined by the committee.

In addition, an approach will be made to the Commonwealth Minister for Education and Science for support to alter the basis of assistance that the Commonwealth Government gives universities and colleges of advanced education from the present $1 for every $1.85 to a $1 for $1 basis in relation to current university and institute costs. If that change is made by the Commonwealth Government, it will be possible not only in this State but in all States for all tertiary fees to be abolished.

BLOOD ALCOHOL TESTS

Dr. TONKIN: Can the Minister of Environment and Conservation, in the absence of the Minister of Roads and Transport, say whether further steps have been taken to require blood alcohol samples to be obtained from all victims of fatal road accidents and to correlate these findings with the circumstances surrounding each accident? An article in the latest edition of the *Medical Journal of Australia* by the Victorian Police Surgeon (Dr. J. H. W. Birrell) states, in part:

It is essential that routine blood alcohol estimations be carried out on all traffic accident victims who die within six hours of the crash, and that these levels be subsequently correlated with scientific responsibility for the crash on a continuing basis.

This matter having been raised in the House previously, I understood that the Attorney-General was to obtain a report or that he would consider this matter. In any event, one of the factors revealed in the article regarding the series of cases investigated by Dr. Birrell is that "little appears to be gained by getting another occupant of a car to drive after a communal drinking session". This came about from a study of road fatalities in which both the driver and the passenger were killed. It is only by taking these steps that we will learn more about the cause of road accidents.

The Hon. G. R. BROOMHILL: I know that several questions have been asked about this matter recently and I shall be glad to refer this question to the Minister of Roads and Transport and ask whether he will consider the article referred to by the honourable member when he makes his reply.

PARA HILLS EAST SCHOOL

Mrs. BYRNE: Can the Minister of Education say whether a decision or recommendation has been made by the Public Buildings Department concerning access from Milne Road to the school buildings at Para Hills East Primary School? On July 22, in reply to a question, the Minister said that a report could be expected soon and that action would then be taken to initiate negotiations to purchase the land recommended by the Public Buildings Department to provide the required access.

The Hon. HUGH HUDSON: I shall be pleased to look at the problem for the honourable member.

HOUSING TRUST POLICY

Mr. NANKIVELL: Can the Premier say what industrial assistance has been given by the Housing Trust to industry in this State? In view of the economic and social changes now taking place in the rural areas of the State and the need for many people to obtain either part-time or full-time employment if they are to continue to live in the country, has any effort been made to persuade companies wishing to establish in South Australia to establish in country areas? If this suggestion has been made to the companies that are applying for assistance, what has been their reaction?

The Hon. D. A. DUNSTAN: The Housing Trust has made available factory premises in a variety of ways, including mortgage, long-term lease with a right of renewal, a term lease with an option to purchase, offering the client company purchase on a reducing-balance principle during the term of the lease. The majority has opted for a term lease with an option to purchase on a reducing-balance basis. Presently the total annual rent charged by the trust is a figure equivalent to 12 per cent of the total capital cost for a term of 15 years. This includes both interest and the amortization of the loan. These provisions are secured by a memorandum of lease. The company purchases an option to purchase at any time during the term of the lease on a schedule of outstanding balances which range from the total capital cost on the commencement of the first year to an amount less than the rent due in the fifteenth year.

The Industries Development Branch of the Premier's Department and the Housing Trust both try to interest companies wishing to establish in South Australia in country areas. In some cases we have been successful, as in the case of Fletcher Jones & Staff, which has agreed to establish at Mount Gambier. That will help the employment situation in that city. Generally speaking, secondary industry seeks to establish close to transport facilities and to its industrial supply base, and it is not by any

means easy to induce companies to go into country areas where they will have not only additional transport problems but where they will not be close to the base of their industrial supplies. Recently, we have been negotiating with a company that has previously had experience in working in a large country city in South Australia and it has been proposed to move its complete Australian operation here. We tried to interest the company in establishing in that country city but the company would not accept that it should do this, and opted for establishment either at Elizabeth or at Lonsdale. There is a real problem on this score in achieving decentralization, because we cannot say to people, "You cannot establish here. You must go to a country area." They can easily reply, "We won't come to South Australia at all." I assure the honourable member that wherever we can induce industry to establish in country areas we do so. In addition, the Industries Assistance Corporation has power, specifically in relation to country areas, to make grants for research and establishment of a kind not available to industries in the metropolitan area, and that is made known to any industry that is considering coming to this State.

Mr. RODDA: Will the Premier, as Minister in charge of housing, take up with the Commonwealth Government the need for additional funds to provide the extra housing that will be required to accommodate people who have been displaced from the land and who, for one or more reasons, must leave their present place of abode? In my district, to my knowledge six people have had to leave their farms recently, but they have been able to obtain housing: two in regional towns, and four in the metropolitan area. Every time I have approached the Housing Trust on their behalf, the trust's officers have expressed concern that this could be the forerunner of an unsatisfactory state of affairs caused by the displacement of such people. After studying the replies that have been given in respect of applications, I believe that only one in four is being considered, so the other three that are rejected could cause a real problem to the Government and to the State. There will be a real need for additional funds to provide extra housing.

The SPEAKER: Order! The honourable member is commenting.

Mr. RODDA: As this serious matter is worrying all people in rural areas, I should be pleased if the Premier, as Minister in charge of housing, would give this matter his most careful attention.

The Hon. D. A. DUNSTAN: I assure the honourable member that I have taken up, not once but repeatedly, with the Commonwealth Government the suggestion that additional funds be made available for housing, and all State Housing Ministers have made approaches along those lines.

Mr. Rodda: For this specific purpose?

The Hon. D. A. DUNSTAN: Not only for this purpose, because this is only one of the areas in which additional pressure has been exerted on State Governments for housing. At present, we have the heaviest demand on public housing in the history of the State. Because the Commonwealth Government would not increase the allocations available for housing—

Mr. Gunn: Are you blaming the Commonwealth again?

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

The Hon. D. A. DUNSTAN: When the honourable member wants help in his district, where he is not so much concerned about housing, he goes to the Commonwealth Government and says, "I want some money from you." But when anyone else wants money the honourable member says, "Let's not blame the Commonwealth Government because it refuses to consider the matter." Every Housing Minister (including Housing Ministers of the honourable member's political complexion) has said to the Commonwealth Government, "It is impossible for us to build houses in Australia to the present level of requirement, unless you increase the total base sum provided for the States."

The only increase we have had from the Commonwealth Government is some assistance to offset the interest rate, but the total sum has not increased from the beginning of the term of the previous five-year agreement. Now, we do not even have an agreement with the Commonwealth Government, which has refused to meet us to talk about an agreement. I assure the honourable member for Victoria that we have taken this matter up with the Commonwealth Government. With the money at present being allocated to the State by the Commonwealth Government for housing, we are building fewer houses than we could build five years ago, simply because the allocation has not been increased, whereas the cost of and the demand for housing have increased. I appreciate the problem the honourable member is facing, but I assure him that, as Minister in charge of housing, I face

daily the problem of the desperate need of people for public-assistance housing, because the present cost of housing is such (even though it is lower here than anywhere else in Australia) that the average family man cannot meet it. I have done what the honourable member has asked me to do and I assure him that I shall continue to do so. However, I shall be grateful for the honourable member's assistance in making representations himself in this area if he can get the Commonwealth member for his district to take up, in the Commonwealth Cabinet, the need for a far higher priority in expenditure on housing than the priority that has been accorded to the present Commonwealth Minister for Housing, who is simply told by Cabinet how much he may have and is not allowed even to discuss the matter with Cabinet. Then we might get more funds for housing.

Mr. McANANEY: As the member for Hanson has lost his voice, I desire to ask a question on his behalf. Will the Premier, as the Minister in charge of housing, consider reducing the rent paid by South Australian Housing Trust tenants when they reach retiring age? The honourable member has been approached by a constituent acting on behalf of several of his neighbours who are tenants of trust flats on Anzac Highway, Camden Park. The constituent and his neighbours are paying about $10 a week rent and they now ask that, rather than have to move to another suburb to rent pensioner flats at about $5 a week, consideration be given to reducing their present rents when they reach pensionable age, thus avoiding their having to move from one block of trust flats to another and to make new friends, etc. Considerable costs, such as removalist fees and the cost of new soft furnishings, would be saved if the tenants could remain, at reduced rent, where they are now living.

The Hon. D. A. DUNSTAN: I shall have the matter examined and obtain a report for the honourable member.

SCHOOL BORROWINGS

Mr. CURREN: Can the Minister of Education say when regulations will be promulgated in respect of the 1970 amendments to the Education Act that enable Government guarantees to be made in respect of borrowings by school committees or school councils to provide amenities? Also, when will the school loans advisory committee be appointed and when will it commence operations? I have been told by members of at least two high school councils in my district that they wish to participate in this scheme and are awaiting with interest the commencement of the scheme.

The Hon. HUGH HUDSON: Regulations were approved by Executive Council last week with respect to the establishment of a school loans advisory committee, and I think that those regulations were laid on the table of the House last week. This means that the regulations now have the force of law and, as a consequence, the committee can be appointed and the first application for assistance under the arrangement can be considered. I am sure that all members will appreciate that the scheme is now coming into operation, because it will place schools in a much healthier position in financing their share of the cost of any capital project they wish to undertake.

SERVICE STATIONS

Mr. MATHWIN: Can the Minister of Labour and Industry say what arrangements are being made for the opening of service stations to sell petrol during the Christmas and new year holiday period?

The Hon. D. H. McKEE: A firm decision has not been made. However, this matter is being considered and there will be a special day in the Christmas holiday period for the opening of service stations in order to give service to the motorist. I assure the honourable member that service will be available to the public over the Christmas holidays.

WATER EXTENSIONS

Dr. EASTICK: Can the Minister of Works say what criteria the Engineering and Water Supply Department uses in determining priorities for water supply extensions? Some of my constituents, particularly in the Gawler River and Kangaroo Flat area, who are unable, or have been unable, to obtain water extensions were surprised to find that a major water extension had been made to an international speedway at Virginia. Currently there is an extension from a point at Salisbury North to the Bolivar caravan park, which is being developed alongside the sewerage reserve. The fact that extensions are being made available to commercial enterprises when individual rural producers have been denied extensions is causing these people some concern.

The Hon. J. D. CORCORAN: I think it has been the policy now for some time that no further services, either direct or indirect, be extended into the area referred to by the honourable member. Cabinet approved the supply of water to the international speedway. After

an approach was made to me by the Premier as a result of an approach made to him about establishing the speedway, as Cabinet considered that this facility would be of benefit to the community generally it was decided that an exception would be made in this case and a water supply granted. As this happened some time ago, I am amazed to think that the honourable member has only now raised this question. On several previous occasions, when I have received representations similar to those contained in the honourable member's question, I have told those people exactly what I am telling the honourable member now. The decision to do this was made by Cabinet on the basis that this facility would be of benefit to the community generally.

POLICE FORCE

Mr. VENNING: Has the Attorney-General a reply from the Chief Secretary to the question I asked some time ago about the enforcement of law and order in northern areas of the State?

The Hon. L. J. KING: My colleague states that the staffing of police stations is based on their respective work loads, which are assessed regularly as part of a continuing work study programme, with the information gained enabling personnel to be deployed to the best advantage. In some cases, reductions become necessary, whilst in other circumstances increases in strength are indicated and required. Police work in the Jamestown police district (which includes Caltowie) justifies the employment of only the one constable. It is not considered that the policing of the district has been impaired by the withdrawal of the second man.

WHEAT QUOTAS

Mr. GUNN: Will the Minister of Works ask the Minister of Agriculture when the appeals committee intends to commence handling appeals in connection with growers' wheat quotas for the coming harvest, and how long it is intended to take to service such appeals?

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

GLENELG SEWAGE PIPES

Mr. BECKER: Has the Minister of Works a reply to my recent question about the sewage pipes at Glenelg North?

The Hon. J. D. CORCORAN: The honourable member will be pleased to know that I have decided not to put him on the staff. The progressive lowering of the beach in front of the Glenelg treatment works is causing concern for the safety of the Glenelg outfalls. All three pipes are now fully exposed on the beach and the settlement of anchor blocks has already caused the failure of two blocks, and a third is cracked and is required to be repaired. Furthermore, some weeping of joints at the drop manhole is occurring. No permanent remedial measures have been adopted pending decisions regarding beach replenishment proposals. However, the severe fall in beach levels recently has required that alternative protective measures be investigated. The alternatives under consideration are as follows: the replacement of the existing outfalls by new outfalls, probably laid below rock level, which would be very expensive; and the strengthening and stabilizing of the existing outfalls by the provision of piled supports across the beach and into the shallows.

LITTLE PARA RESERVOIR

Mr. GOLDSWORTHY: Can the Minister of Works say when a decision will be made whether or not the Little Para reservoir will be built? During the last session, when I asked a similar question, I pointed out to the Minister that considerable hardship was being experienced in my district with regard to the water supply and related problems. Permission to subdivide is being refused because these areas lie in the watershed of the proposed reservoir, but considerable doubt exists whether this reservoir will be built. On that previous occasion, I was told that a firm decision would be made by mid-October. In answer to a related question I asked a week or two ago, the Minister said that no decision had been made. As no decision has been made (as it was previously stated that it would be) by mid-October, can the Minister now say when a decision will be made?

The Hon. J. D. CORCORAN: The honourable member will appreciate that this is a complicated matter; on the other hand, I appreciate the anxiety of those constituents of the honourable member who would be directly affected by the construction of the Little Para reservoir. I will inquire of the Director and Engineer-in-Chief and find out again for the honourable member whether a decision is imminent; if it is I will try to make it as quickly as possible.

GOVERNMENT OFFICES

Mr. COUMBE: Has the Premier a reply to my recent question about which departments will occupy Allen Commercial Building (or, as it has been renamed, Adelaide House) and the cost involved?

The Hon. D. A. DUNSTAN: The Public Stores Department moved into leased accommodation in the building on October 18, 1971, and it is planned to establish the Labour and Industry Department, Government Insurance Office, Department of Further Education and the Planning and Design Division of the Public Buildings Department in the building progressively through to March or April, 1972, as further floors are completed. The cost of leasing this accommodation is $335,569 a year. The accommodation in Grenfell Street will be vacated by the Labour and Industry Department when levels 13 to 15 become available in Adelaide House.

KALYRA LAND

Mr. EVANS: Has the Minister of Environment and Conservation a reply to my recent question about land at Kalyra offered for auction by the Kalyra trust?

The Hon. G. R. BROOMHILL: The land referred to lies opposite and south of the Kalyra Sanatorium at Belair and is understood to have an area of about 23 acres. It is included within a living zone on the Metropolitan Development Plan and within a proposed residential 1C zone on the draft planning regulations prepared by the city of Mitcham. The draft regulations are currently on public display. The majority of the land is steep, with grades of one in four or steeper. The most suitable land for building is on the Gault Street frontage. The State Planning Authority's programme of land acquisition is confined to the major open space proposals included in the Metropolitan Development Plan. Funds are not available for the purchase of other land. The National Parks Commission has also investigated this area and finds it to be quite unsuitable for national parks purposes because of its size and loss of native shrub layer. The Public Parks Act administered by the Minister of Local Government enables the Government to subsidize the purchase of land by councils for the provision of public parks. Should the Mitcham council wish to purchase the land the Government would be willing to consider granting a 50 per cent subsidy based on the Land Board valuation.

DRUGS

Mr. MILLHOUSE: I should like to ask a question of the Attorney-General, as I believe that he represents the Minister of Health in this place. What research is being undertaken in South Australia to chart, identify and measure the nature and extent of the drug problem here?

The SPEAKER: I think the question that the honourable member is asking was asked yesterday.

Mr. MILLHOUSE: Well, I think not, Sir.

The SPEAKER: Will the honourable member take his seat? I ask the Attorney-General whether that question was directed to him yesterday.

The Hon. L. J. King: Yes, Mr. Speaker.

The SPEAKER: The question is out of order. The honourable member for Frome.

Mr. MILLHOUSE: I take a point of order. The question asked by the member for Bragg was about drugs, but it was not this question, because I checked on it.

The Hon. L. J. KING: I desire to explain that I thought you asked me whether the question had been directed to me, Mr. Speaker. I did not intend to convey that the same question had been asked yesterday. I think it was not: I think the question asked by the member for Bragg was different.

The SPEAKER: I will permit the honourable member for Mitcham to ask the question.

Mr. MILLHOUSE: Thank you. Last Saturday morning's *Advertiser* contains, on page 2, a report by Mr. Stewart Cockburn headed "Secret drug world is now serious here." You probably read the report, Mr. Speaker, and will agree that it paints a most serious picture of the situation in South Australia. Towards the end of the report, Mr. Cockbum states:

> What most startled me during my own inquiries was the discovery that virtually no worthwhile research is being done in South Australia to chart, identify and measure the nature and extent of the drug problem.

Because of that paragraph in the report and the gravity of the situation, and perhaps even more the potential gravity of the situation, I ask this question.

The Hon. L. J. KING: I share the honourable member's concern in regard to the problem of drug dependence and its possible prevalence in this State. I know that the Minister of Health has given his attention to the matter, and I shall find out from my colleague what has been done in the direction referred to by the honourable member.

Dr. TONKIN: Can the Minister of Education say at how many schools lectures or talks on drug dependence have been given by officers of the Public Health Department since the campaign to inform young people of the hazards of drug dependence was introduced?

The Hon. HUGH HUDSON: I will get a report for the honourable member.

MORGAN DOCKYARD

Mr. ALLEN: In the temporary absence of the Minister of Roads and Transport, will the Minister of Environment and Conservation try to obtain a reply to a question I asked in this House on October 5 about the removal of the dockyard from Morgan to Murray Bridge? About five weeks ago, when I asked the Minister what annual savings in costs would be effected by the removal of the dockyard, the Minister promised to obtain a reply. I am surprised that this information is not available readily, because surely the department must have carried out much investigation about the savings before deciding to transfer the dockyard.

The Hon. G. R. BROOMHILL: I shall be pleased to bring the honourable member's question to the attention of the Minister of Roads and Transport as soon as he is available.

SCHOOL BOOKS

Mr. GOLDSWORTHY: Can the Minister of Education say whether the book scheme for upper secondary classes is compulsory and whether the Education Department has issued a directive to that effect?

The Hon. HUGH HUDSON: As far as I know, all schools are participating in the scheme. I know of no directive having gone out from the Education Department on this matter. Certainly, I think parents would expect, in relation to any school, that the opportunity for reduced costs would be made available to them. As far as I am aware, all schools will be participating in the scheme, but I will certainly check this point for the honourable member. I should like to add that there is no compulsion on parents to participate in the scheme. T should be interested to hear the honourable member's views and whether he supported the introduction of the scheme with the objective of reducing costs to parents.

AGRICULTURAL MACHINERY

Mr. VENNING: I ask leave to make a personal explanation.

Leave granted.

Mr. VENNING: Yesterday, when replying to a question I had asked requesting him again to consider classifying a bulk field bin as an item of farm machinery, the Minister of Roads and Transport stated:

I regret that the honourable member has apparently emulated the member for Mitcham in seeming to attack an officer of the department. I expect you, Mr. Speaker, heard the same remark as I did: that is, that the Acting Secretary of the Road Traffic Board did not know what he was talking about when he wrote the letter. If that is not criticism of an efficient officer, I have never heard it. I repeat that 1 regret that the honourable member has chosen to descend to the level of criticizing efficient officers.

I should like the House to know that I make no apologies for making my comment on the letter written to the General Secretary of the United Farmers and Graziers of South Australia Incorporated and signed by R. Pitt, Acting Secretary of the Road Traffic Board. Furthermore, in the interests of the people that I represent in this place and of the farming community in this State, I will try at all times to remove any injustices which are imposed or which remain unresolved.

PHARMACY BREAKINGS

Dr. TONKIN: Can the Attorney-General—

Members interjecting:

The SPEAKER: Order! The honourable member for Eyre is continually interjecting and I cannot hear what is being said. When the member for Rocky River rose to ask leave to make a personal explanation, I could not hear him because of interjections by the honourable member for Kavel. Honourable members must learn to conduct themselves properly in this Chamber and to extend courtesy to a colleague asking a question.

Dr. TONKIN: Will the Attorney-General ask the Chief Secretary whether any steps are being taken to combat the present wave of pharmacy breakings in South Australia, what drugs have been stolen in these breakings, and what proportion of these drugs has been recovered as a result of police activities? This year there have been many pharmacy breakings: in another place, in answer to a question, it was stated that there were six breakings in 1969, 11 in 1970, and 53 already in 1971. This has caused extreme alarm throughout the community.

The Hon. L. J. KING: I will refer the question to the Chief Secretary, who will obtain the required information from the Police Department.

EMPIRE TIMES

Mr. MILLHOUSE: Can the Attorney-General now give the House any information about the prosecution of those concerned with a recent issue of the *Empire Times*? Some weeks ago I raised the question relating to two issues of the *Empire Times* (the Flinders University paper), and the last information given the House by the Attorney-General was that he was awaiting a report from the police about

the possibility of prosecutions. I have raised this matter several times and on each occasion the Attorney has said that the report has not arrived.

The Hon. L. J. KING: A report has been received from the police about what they have been able to ascertain from their inquiries. I have referred the matter to the Solicitor-General for his opinion on whether the information and evidence obtained is sufficient to support a prosecution.

KNIFE PRICE

Mr. LANGLEY: Will the Premier investigate the difference in price of an all-purpose knife charged by two stores? Recently a constituent contacted me about the difference in the price charged for this article, which at one store was available for $1.49 and at the other store for $2.99.

The Hon. D. A. DUNSTAN: I shall have the matter investigated.

ACCIDENT PROSECUTIONS

Dr. EASTICK: Can the Attorney-General obtain from the Chief Secretary information about the circumstances in which it is decided whether or not police action will be taken against the person in charge of a vehicle that hits another vehicle from the rear? The Minister will appreciate that in some circumstances the decision whether insurance will be paid without argument as a result of an accident is guided by the court decision. A constituent who was driving a motor vehicle in a restricted area on the Main North Road was hit from behind, forcing his vehicle over a 44gall. drum, through the air, and over a culvert under construction. This resulted in $1,450 damage being done to the car. The police have not seen fit to prosecute the person driving the car that hit the car from the rear and, because there is no comprehensive insurance on the car that was struck from behind, difficulty is being experienced in determining the compensation that will be paid.

The Hon. L. J. KING: The duty of the police in deciding whether to launch a prosecution in relation to a road accident is to consider, first, whether there has been a breach of the law and, secondly, whether a prosecution would be advisable as a means of enforcing respect for the law. The police are not concerned with the civil consequences of the accident, and the civil rights of the parties would not enter into the matter from the point of view of a police decision whether to prosecute. Although I should not think that there would be any other special considerations regarding a collision that involved one car running into the rear of another, I will refer the honourable member's question to the Chief Secretary to see whether anything can be added to that.

CHOCOLATE PRICES

Mr. RODDA: On behalf of the member for Hanson, who has laryngitis, I ask the Premier whether the Government will consider requesting confectionery manufacturers to mark the weight on the wrapping of all chocolate bars retailing for 5c or more. I have in my possession several bars of a wellknown chocolate confectionery. The first bar was purchased for 11c from a delicatessen; the second was purchased from another delicatessen for 11c, but is smaller and weighs ¾oz. less; and I also have a twin pack of the same bar, purchased from a supermarket for 18c, each bar therefore costing 9c but being smaller in size. I understand that the price of the chocolate bar was increased recently, with little publicity, and that there has been no announcement regarding change of size or weight. This question is asked in the interests of consumer protection.

The Hon. D. A. DUNSTAN: These things are not under control and, at any rate, under a price control system one fixes a maximum price but that does not stop people in competition from selling below that price. In fact, I should have thought that the honourable member would be keen to encourage competition in this area. However, I will get a report from the Prices Commissioner.

LARYNGITIS

Mr. JENNINGS: I had intended to ask the member for Hanson a question because he has laryngitis and I wanted to take advantage of that. However, as he is not here, I will have to wait for another time.

SEX EDUCATION

Mr. GUNN: Can the Minister of Education say whether it is intended to include sex education in the 1972 school curriculum and, if it is, will he say what steps may be taken by those parents who object to this form of education? I have been approached by one of my constituents who says he has been informed that this subject may be included in the school curriculum next year but who is opposed to such a move, because he does not believe that it is the Education Department's duty to interfere in this regard and to provide this type of education.

The Hon. HUGH HUDSON: I never cease to be amazed at the rumours which the honourable member manages to uncover and which seem to circulate in his district. If sex education courses are to be introduced next year as part of the ordinary curriculum, it is strange that I have not heard anything about it until now. I suggest that the honourable member do a bit of quiet checking with officers of the department before he gives any additional currency to rumours of this nature. At present sex education is undertaken through the family life movement, and these courses are available normally after school hours, young people usually being accompanied by their parents. Having attended one of the lectures given in this way, I point out to the member for Eyre, so that he may be able to pass it on to his constituent, that they are tastefully done, and I can only recommend them to him and his constituent. Indeed, it certainly raises in my mind the future role of sex education in the curriculum so, while I say that I know of nothing planned in relation to 1972, that would not and could not be taken to mean that at no stage in the future will the department ever be involved in including sex education as part of the curriculum.

METRIC CONVERSION

Mr. COUMBE: Has the Premier a reply to the question I recently asked about metric conversion in South Australia?

The Hon. D. A. DUNSTAN: Metric conversion would involve amendments to about 400 sections in 56 Acts during the next two years. Unfortunately, metric conversion in the weights and measures field cannot be dealt with in the same manner as was used in decimal currency where this was achieved, in the main, in one Act. In an endeavour to reduce the work load on Parliament, departments have been instructed to incorporate system international units of measurement in all new and amending legislation for this and subsequent sessions of Parliament unless there are substantial reasons to the contrary. There will be occasions when conversion cannot be included in current legislation for reasons that units are not known, or other decisions need to be taken before conversion can be contemplated. It will be necessary to introduce a new Weights and Measures Bill to restrict the use of certain metric but non-system international units, as the present Weights and Measures Act would permit the use of all metric units, which is contrary to the directions of the Metric Conversion Board. It is hoped to introduce a new Weights and Measures Bill during the current session, as it is desirable that this measure be passed as early as possible.

CLARE HIGH SCHOOL

Mr. VENNING: Will the Minister of Education obtain a report on the road approach to the new Clare High School? I should like the Minister to know that there is no catch in this question, and I should like him to obtain a report expeditiously before someone is killed in the area.

The Hon. HUGH HUDSON: The reply to the honourable member's question is "No", but I am willing to obtain a report on the safety of the road approach.

EARTHMOVING WORK

Mr. GOLDSWORTHY: I have a question for the Minister of Roads and Transport, who is not here and, as his proxy is not now here, if there is a second proxy I will direct it to him. Will the Minister of Labour and Industry ascertain why the Commissioner of Highways now refuses to supply the Earthmoving Contractors Association of South Australia with revised reimbursement rates for councils where plant is hired for roadmaking, etc., and will he see whether these details can be supplied when requested? A long-standing arrangement has existed between the association and the Highways Department whereby this information would be supplied. This is evident from a perusal of the correspondence in the matter dating back to 1965 and, in fact, officers of the association have been invited to make a submission to the Highways Department. This information, which has been supplied to members of the association in the past, is not now available to them. Will the Minister ascertain why this amicable agreement no longer exists, and will he see whether the agreement, which is of some value to the earthmoving contractors, can be reintroduced?

The Hon. D. H. McKEE: I will pass the honourable member's question on to my colleague.

GARDEN SUBURB

Mr. MILLHOUSE: My question concerns the Minister of Local Government but, as it is on a matter of policy, I direct it to the Premier. Has the Government come to a conclusion about the future of the Garden Suburb of Colonel Light Gardens?

The Hon. Hugh Hudson: Wouldn't it be possible—

Mr. MILLHOUSE: The Minister of Education may think this is funny, but it is very important to a number of my constituents and also to some constituents of the member for Mitchell. I do not regard the Minister's interjections as humorous: they are frivolous and silly. I wish you would stop the Minister interjecting, Mr. Speaker. When a Minister interjects we are blamed for answering the interjection, but when we interject we are blamed for interjecting. Last week, the Minister of Local Government—

Members interjecting:

The SPEAKER: Honourable members must adopt a more responsible attitude in this Chamber. It is not always possible to see the words flowing from the lips of honourable members, but I always endeavour to give all honourable members the utmost courtesy. There are far too many interjections and there arc far too many would-be Speakers. If honourable members conducted themselves better it would be unnecessary to be constantly calling them to order.

Mr. MILLHOUSE: Last week the Minister of Local Government laid on the table of the House the Annual Report of the Garden Suburb Commissioner, and at several points in the report—

Members interjecting:

The SPEAKER: Order! There is far too much audible conversation. Honourable members must be seated. It is not possible to hear what the honourable member is saying.

Mr. MILLHOUSE: At several points in the report Mr. Sellars (Garden Suburb Commissioner) refers to the lack of a conclusion on this matter. Admittedly, his report is dated June 30. Part of the report states:

> The committee appointed in December, 1968, to inquire into and report to the Minister of Local Government on the practicability and desirability of the amalgamation of the Colonel Light Gardens suburb with the city of Mitcham completed its report and submitted it to the Minister in July, 1969. As at June 30, 1971, no decision has been made concerning the future of the suburb.

The final sentence, which is most relevant, states:

> If the present administration is to continue it can be anticipated that ever-increasing costs will have to be met by comparative increases in the rate, as this is the only source of revenue available.

The rates are already higher than those in the city of Mitcham, which surrounds the Garden Suburb, and I think it is unnecessary for me or the member for Mitchell to stress the urgency of reaching a conclusion on this matter. The Commissioner has been raising the matter since his first report in 1957 and he refers specifically to it in his report in 1958. I therefore ask the Premier, as the Leader of the Government, whether or not a decision has been reached and, if so, what it is. If a decision has not been reached, can he assure me that the matter is being considered with a view to reaching one?

The Hon. D. A. DUNSTAN: I think that the Government is proceeding with all that due haste in this matter which was displayed by the honourable member's Government when it was in office. However, this is not something that can be disposed of in a short time because, as the honourable member will know, many complicated interests are involved and whatever decision is made someone will be unhappy about it. However, I will refer the matter to my colleague and see whether I can get a reply.

Mr. MILLHOUSE: Has the Minister of Works been able to come to a conclusion and have work put in hand on the hall in the Garden Suburb? Under the heading of "Hall", in his recent report the Garden Suburb Commissioner states:

> Consideration has been given to the renovation of the Garden Suburb hall, but no finality has been reached in this matter.

On several occasions (I think during this session, but certainly in the previous session), the Minister of Local Government has lauded the Minister of Works for his co-operation in this matter, hinting at, but never giving details of, plans for renovating the hall. Such work is sadly overdue, and I must take a share of the responsibility for this.

The Hon. J. D. CORCORAN: Initially, the Minister of Local Government approached me because the hall to which the honourable member has referred had been declared unsafe. The Minister asked me whether I would make available officers of the Public Buildings Department to inspect the hall, make recommendations, and draw up plans for the renovations required. To the best of my knowledge, this was done by the department. However, I do not think it was ever intended that my department would carry out this work at no cost to the Garden Suburb Commission. It may have been that we were to do the work on a cost basis. However, I will check the matter for the honourable member and see what progress has been made.

A.N.Z. BANK

Mr. HALL: Can the Premier say how much it will now cost the Government to support the purchase of the A.N.Z. Bank building in King William Street, how much the renovations will cost, and to what use the building will be put?

The Hon. D. A. DUNSTAN: The answer to the first question is that, although I consider finality is close, it has not quite been achieved; therefore, it would not be appropriate for me to reveal the figure that is currently being negotiated. The latter two matters will depend on the first.

EDUCATION ADMINISTRATION

Mr. COUMBE: Can the Minister of Education explain the restructuring of the top administration of his department? Previously, the top administration comprised the Director-General, the Deputy Director-General, and a number of directors and assistant directors of divisions. Following the Karmel committee's recommendation, a Department of Further Education was established, and this has naturally altered the structure of the department. I am not interested in the names of persons involved, but I should like the Minister to explain to the House the pyramidal structure of his department, because I am sure this would help members generally.

The Hon. HUGH HUDSON: The Department of Further Education, which is now being established, will take over the functions of the Technical Division of the Education Department. Broadly, this concerns the work of the adult education centres and the technical colleges. It is expected that this is the area in the Education Department which is likely to expand most rapidly in the future: it is certainly the area where, comparing Australia with Western Europe, for example, the greatest deficiency in our standards has been demonstrated. Apart from that, a second Deputy Director-General is being appointed but, as there can be only one Deputy Director-General under the present Education Act, the second Deputy-Director will go under the title of Assistant Director-General until the Act can be amended, and the salary of the Assistant Director-General is identical with that of the Deputy Director-General. When the additional appointment has been made, the responsibilities of the Deputy Director-General will be divided so that there will be one Deputy Director-General in charge of schools and a second Deputy Director-General in charge of resources, personnel matters, buildings, and the provision of various services. That, broadly, is the main consequence of the change that has taken place. The other provisions regarding educational services, primary, secondary and technical schools, and administration and finance will stay as they have been in the past, except that there will be a change on the services side with respect to physical education.

METER READING

Mr. EVANS: Has the Minister of Works a reply to my recent question concerning attacks by dogs on meter readers? In asking this question, I want to make clear that I support the idea of the meter readers not having to take risks in this regard.

The Hon. J. D. CORCORAN: On January 29, 1971, a meter reading was taken at Mr. Walker's premises; this covered a period of 25 days and the account was $5.92. On April 29, 1971, the meter reader did not enter the premises because of the presence of the dog, and an estimated account for $20.37 was rendered, based on the January account. For the same reason, an estimated account for $25.75 was sent in August. On October 29, the meter reader obtained access to the premises and an account for $84.83 was sent; this was in accordance with the actual meter reading. Obviously, the previous two estimated accounts were too low because the January reading covered only a short period and was not typical of later consumption, which covered the winter period.

AGRICULTURAL MARKETING OFFICER

Dr. EASTICK: Can the Premier say whether the Government has considered appointing an officer experienced in agricultural product marketing to head such a department in the Agent-General's office in London? With the entry of the United Kingdom into the European Common Market, it has been said that a grave danger will exist of Australia, including South Australia, losing some of the advantages of placement of its agricultural products. However, it has also been said that there will still be a market for such products in Europe, including the United Kingdom, if they are properly promoted. Can the Premier say whether this matter has been considered and whether such an officer has been or will be appointed?

The Hon. D. A. DUNSTAN: All the oversea officers of the Premier's Department,

including those of the Agent-General, give their attention to the marketing of South Australian products, including agricultural products. Indeed, only recently I received reports from the Agent-General about markets for South Australian meat in England and our experiences in marketing there. These and other matters have been reported on in some depth. However, in our Agriculture Department we do not have officers responsible largely for marketing. The honourable member will know that we have an Agriculture Department, which is staffed by about 300 personnel mainly concerned with advice on production, but no section of the department really deals with marketing.

This has been a matter of great concern to the Government, but no action will be taken by the Public Service Board on this matter until the department's aims and objectives have been fully examined. We are taking that course now, because it is the Government's view that concentration on marketing of products is essential. However, it is not intended to appoint additional officers overseas specifically concerned with agricultural marketing. Our oversea officers are concerned with the whole range of South Australian products, both secondary and primary. What they need are briefs from South Australia on marketing matters, and this is what the Government is currently examining.

DAYLIGHT SAVING

Mr. RODDA: Has the Premier received complaints from country people about the effect on news telecasts of daylight saving? Since the advent of daylight saving about two weeks ago, some of my constituents have told me that they do not now see a newscast or the famous, current and topical *This Day Tonight* programme. I believe they have even missed some of the Premier's announcements thereon. This has been their loss.

The Hon. G. R. Broomhill: Why have they missed them?

Mr. RODDA: These people, who help to keep the State going, start by the clock and knock off by the sun during the harvest period. I therefore ask the Premier whether he will consider giving a lead in this matter, because these newscasts should be put back one hour to cater for the hard-working rural people who do so much good for the State.

The Hon. D. A. DUNSTAN: It is an interesting thought. However, since the advent of daylight saving I have not received any complaints from rural areas on the difficulty of viewing of newscasts or on any other score in relation to daylight saving, which seems to have had wide public acceptance. If it is true that the honourable member's constituents are working much longer hours than usual, or that they are engaged in unusual activities beyond those they would normally undertake at that hour of the day or night and are therefore missing important announcements, I will discuss this matter with the Government press officers and ask whether they can communicate with the mass media to see whether a better service of one kind or another cannot be given the honourable member's constituents.

Mr. GUNN: Can the Minister of Education say how many schools have altered their time table in order to help solve the problem, brought about by daylight saving, in the case of small children who have to travel long distances in buses to school and who have to commence their journeys in the dark? In reply to the member for Victoria, the Premier said that daylight saving had been accepted by the public. That may be so, but it has still had a serious effect, especially in areas such as the West Coast where these children must catch the school bus in the dark.

The Hon. HUGH HUDSON: I do not know of changes in time tables, but I will check on the matter.

NURSE TRAINING

Dr. TONKIN: Will the Attorney-General ask the Chief Secretary whether any student nurses at the Royal Adelaide Hospital, the Queen Elizabeth Hospital or any other Government hospital are still required to attend hospital lectures in their own time or whether all lectures are now arranged in on-duty hours?

The Hon. L. J. KING: I will refer the question to my colleague and obtain a report.

SCHOOL COUNCILS

Mr. GOLDSWORTHY: Can the Minister of Education say whether any decision has been reached regarding the composition of school councils?

The Hon. HUGH HUDSON: This matter is still being considered. However, I hope that a recommendation will be considered by Cabinet next Monday and that an announcement can be made next week.

DEEP DRAINAGE

Mr. VENNING: Can the Minister of Works say what is the cost per normal household to people or to authorities who have the amenity of deep drainage?

Further, can he say how that cost compares with the $30 per normal household connection in respect of a country effluent scheme, a sum which, evidently, under Government policy is the limit figure? An effort is being made in Clare to get an effluent scheme under way, and the Minister would know about the problems being encountered.

The Hon. J. D. CORCORAN: I will have a direct comparison made for the honourable member. All I can say now is that the cost of deep drainage to the average householder would normally be much more than the cost of an effluent drainage scheme. The decision taken by the Government to subsidize councils when the cost to the individual householder was more than $30 was taken, I understand, because that sum was less than the cost that would normally apply for deep drainage.

MILANG RAILWAY

Mr. McANANEY: As the Strathalbyn council is interested in buying some of the land involved, can the Minister of Environment and Conservation, in the absence of the Minister of Roads and Transport, say when the Milang railway line will finally be closed by Act of Parliament?

The Hon. G. R. BROOMHILL: I will refer the question to my colleague.

FLOODING

Dr. EASTICK: Has the Minister of Works yet obtained information about a solution to the problem that arose when the South Para river flooded on the occasion of the reservoir release? The Minister said previously that there was a considerable volume of water, the source of which was not completely understood, and that officers of his department were undertaking a series of surveys and were visiting the area to try to determine the source of the water and possible action to be taken in future. The post-flooding management of the reservoir has been most appreciated by people living downstream, especially those living in the Gawler area, who believe that every effort has been made by the Minister's department to prevent further flooding of their land. However, like me, they wish to know whether there is any explanation of the phenomenon that occurred on that weekend.

The Hon. J. D. CORCORAN: I have not had a detailed report from the department on the measures that were taken immediately after the Sunday on which the flood occurred. I think that I pointed out at the time that neither the department nor I desired to use the dam as a flood control dam, because the cost of building these dams is great and they cannot be used properly as dams if we have to keep them at a low level when they should be full. As the honourable member pointed out, however, in order to ensure that the flooding that occurred on the Sunday in question was not repeated, the level of the dam was lowered by, I think, 100,000,000gall. so that there would be room to manoeuvre. At the same time, steps were taken to carry out surveys in an area, the name of which escapes me, where there had evidently been very heavy rain about which the department was not aware. I will obtain a detailed report for the honourable member and give it to him.

KARMEL COMMITTEE REPORT

Mr. GOLDSWORTHY: Can the Minister of Education say what decisions have been made with regard to the South Australian Institute of Technology, in the light of the Karmel committee's recommendations and the submissions made by the staff association of the institute?

The Hon. HUGH HUDSON: I have made announcements on that matter before, and the position is still the same.

OATS

Mr. McANANEY: Will the Minister of Works ask the Minister of Agriculture when he intends to introduce legislation relating to oats? Further, will he obtain figures of the annual export of oats in each of the last 10 years, as I have not been able to obtain that information from any other source?

The Hon. J. D. CORCORAN: I will inquire of my colleague.

COMPANIES COMMISSION

Mr. MILLHOUSE: Will the Attorney-General explain to the House the policy of the Government with regard to establishing a companies commission? When I spoke in the second reading debate on the Companies Act Amendment Bill, I canvassed the matter extensively, referring to the recommendations made, in two reports of the Eggleston committee, for the establishment of a companies commission. I said that I believed that it was most important that this matter should be considered seriously. The Minister in his reply to the second reading debate did not mention a companies commission at all and I have been waiting for the matter to go off the Notice Paper so that I could ask him directly in this way.

The Hon. L. J. KING: The establishment of a companies commission is bound up with the part the Commonwealth Government will play in the future with companies legislation. The honourable member himself referred to the significance of the views expressed by the judges of the High Court in the Rocla Pipes case and the possible implications to company law in Australia. We are all conscious of the work of the Senate Select Committee that has been inquiring into matters relating to companies and the securities industry. I think that the establishment of a companies commission or some equivalent to the Securities Exchange Commission in the United States of America, to which the honourable member has previously referred, is bound up with the future of the securities industry rather than with company law as such. True, the Eggleston committee recommended the establishment of a companies commission and I believe that much can be said for those recommendations but, as long as company law is in the hands of the States, I doubt the practicability of such a commission. To establish a companies commission operating within South Australia would be an unnecessarily elaborate and expensive exercise.

The Registrar of Companies, under the Bill which has passed through this House and which now goes to another place, is charged with many of the responsibilities that would be discharged by a companies commission, if one were in existence. As long as South Australia is legislating for company law within this State it is unnecessary and perhaps undesirable, at any rate from the point of view of the expense involved, to establish a companies commission distinct from the Registrar of Companies himself. However, whatever may be said in favour of establishing in South Australia an institution or machinery along lines similar to the Securities Exchange Commission of the United States of America at a national level, as long as we are legislating within South Australia for South Australian companies the functions can be fulfilled adequately by the Registrar of Companies.

CALLINGTON WATER SUPPLY

Mr. McANANEY: Can the Minister of Works say when an investigation is likely to be made on the extension of the main from Murray Bridge to Hahndorf, which will be finished in about two years, into the Callington-Hartley area?

The Hon. J. D. CORCORAN: I will check up. I did see something on this matter recently, but I will find out for sure.

MISREPRESENTATION BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to provide criminal sanctions against misrepresentation in certain commercial transactions; to expand the remedies available at common law and equity for misrepresentation; to amend the Sale of Goods Act, 1895-1936; 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 is designed to overcome a number of deficiencies in the law relating to misrepresentation and arises out of recommendations made to the Government by the Law Society and the Law Reform Committee. This Bill contains provisions which form part of the Government's programme of consumer protection and general legislative protection to members of the public in their dealings with commercial organizations. It is designed to give the public additional and more effective protection against commercial misrepresentation.

Experience has shown that the present law of misrepresentation does not provide adequate protection for the general public. A victim of misrepresentation cannot claim damages for his loss unless he can prove that misrepresentation was made fraudulently. Fraud is often very difficult to prove. The present Bill enables damages to be claimed for a misrepresentation by which a person is induced to enter into a contract, without proof of fraud. This will make it immensely more difficult for those who impose on the public by dishonest methods to escape liability by reason of difficulties of proof.

A further deficiency in the present law is that it enables commercial organizations to take advantage of their superior bargaining power to insert clauses in a contract which exonerate them from liability for misrepresentation. This defeats the whole purpose of protective legislation. This Bill provides that such a clause is to be of no effect unless the court thinks that in the circumstances of the case it was a reasonable provision to insert in the contract. I assume that in cases where a member of the public is dealing with a large commercial organization the court will not regard an exclusion clause as reasonable.

Where the parties are on equal bargaining terms and the contract is arrived at after a process of genuine negotiation, the court may well regard an exclusion clause freely agreed upon with full knowledge of its effect as reasonable. Civil remedies are not of themselves sufficient to protect the public against exploitation by way of misrepresentation. Unscrupulous

traders rely on their experience that most members of the public do not follow up their legal rights and do not take the necessary legal proceedings to enforce them. Criminal sanctions are required to give real teeth to legislation designed to protect the public against misrepresentation.

This Bill therefore creates offences and imposes penalties on those who use misrepresentation as a method of business to cheat the public. The enactment and enforcement of this legislation will do much to improve the standards of honesty and integrity in business and will give the public a much needed protection against unscrupulous business methods. The substantive provisions of the Bill are divided into three separate Parts, and I shall generally deal with each Part before turning to the provisions of the Bill in more detail.

Part II provides for criminal sanctions against misrepresentation in commercial transactions. The need for such sanctions was recently highlighted by a case in the Supreme Court *Athens-McDonald Travel Service Proprietary Limited v. Kazis.* In that case a Cypriot migrant to Australia planned and saved over many years for a holiday in his native land for his family and himself. Instead of an enjoyable respite from the cares of his daily work, he suffered protracted uncertainty and worry as a result of the inadequacy of the travel arrangements. In fact, the actual holiday bore very little relationship to the representations of the travel agent.

Similar cases occurred in England prior to the enactment of the Trade Descriptions Act in 1968, but the incidence of such cases in that country was greatly reduced after the enactment of that Act. The possibility of criminal action has very substantially reduced the fraudulent propaganda that had previously been used by unscrupulous travel agencies to deceive the unwary. Part II, which is based on the Law Reform Committee's recommendation, does not follow the same form as the English legislation but should accomplish effectively the same result.

The Bill provides that where a misrepresentation is made in the course of a trade or business for the purpose of causing or inducing any person to enter a contract, or to make over or transfer any real or personal property, the person by whom the business is conducted and the person by whom the misrepresentation is made shall each be guilty of an offence. The Bill provides, however, appropriate defences where the defendant is innocent of any blameworthy act or omission.

Part III arises from a recommendation made by the Law Society to the Government. The Law Society recommended that the United Kingdom Misrepresentation Act should be enacted in this State with certain suggested amendments. The purpose of this proposal is to expand the remedies available at common law and in equity for misrepresentation. It has long been recognized that there is a number of inadequacies and deficiencies in this area of the law, and it is hoped that the new provisions will go some distance towards eliminating them.

Where a contracting party is induced by misrepresentation to enter into a contract, he may be entitled to rescind the contract on the ground of that misrepresentation. The law, however, recognizes certain bars to the exercise of this right of rescission. For example, if the contracting party has affirmed the contract by acting as if the contract were subsisting after he has discovered the misrepresentation, or if a third party has for valuable consideration obtained an interest in the subject matter of the contract, the right of rescission may be lost. There are, however, certain bars to rescission which are generally recognized as being technical rather than arising from the necessity to protect who might be adversely affected by the rescission. The Bill removes these technical impediments.

Part III also provides for a contracting party the right to seek damages for misrepresentation that has induced him to enter into a contract on a false basis. A complementary provision empowers a court or arbitrator to award damages in lieu of rescission where a right to rescission has been established. It is felt that damages may be a simpler and more appropriate remedy in many instances.

Part III also contains a provision to restrict the right of a contracting party to exclude the consequences of his misrepresentation by placing an exclusion clause in the contract. Such a provision is to be of no effect unless the court thinks that in the circumstances of the case it was a reasonable provision to insert in the contract. Thus, a large organization with bargaining power that overwhelms the free negotiation of contractual terms by the other party to the contract is prevented from imposing conditions that will exonerate it from liability for misrepresentation.

Part IV makes a number of technical amendments to the Sale of Goods Act, which I

shall explain in dealing with the provisions of the Bill in more detail. The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 provides for the new Act to come into operation on a day to be fixed by proclamation. Clause 3 deals with the arrangement of the Act. Clause 4 imposes criminal sanctions against misrepresentation made in the course of a trade or business for the purpose of inducing a person to enter into a contract or to make over or transfer any real or personal property. Where it is proved that a misrepresentation in fact acted as a material inducement to any person to enter into a contract, or to pay any pecuniary amount, or to make over or transfer any real or personal property, and some consideration passed as a result to the representor, or the trade or business in which he was engaged, a presumption arises, in the absence of proof to the contrary that the misrepresentation was made for the purpose of achieving that end.

Under subclause (3) the defendant is given a defence if he proves that the person making the representation believed on reasonable grounds that it was true, or, if the defendant is not the person by whom the representation was made, that he took all reasonable precautions to prevent misrepresentations being made by persons acting on his behalf, or in his employment. Subclause (5) provides that, where a body corporate is guilty of an offence under the section, each member of the governing body of the body corporate who knowingly authorizes, suffers or permits the commission of the offence shall be guilty of an offence and liable to the same penalty as the body corporate. Subclause (7) provides that the new section does not apply to an advertisement that is subject to the provisions of the Unfair Advertising Act, 1970.

Clause 5 deals with interpretation. It makes clear that in Part III of the new Act a reference to a court will include a reference to an arbitrator acting in pursuance of the Arbitration Act. Clause 6 removes certain bars to the exercise of a right of rescission. It provides that the fact that a misrepresentation has become a term of the contract, the fact that a contract has been performed, or the fact that conveyances, transfers or other documents have been registered at a public registry office in pursuance of the contract, shall not act as an impediment to rescission.

There is some authority in the case of *Leaf v. International Galleries* (1950) 2K.B.86 for the proposition that where a misrepresentation has attained the status of a contractual term, the right to rescission is lost, and the party subjected to misrepresentation has to rely on a common law action for damages. This principle seems to create an unjustifiable distinction between cases in which the misrepresentation has become embodied in the contract, and cases in which it has not. The distinction is accordingly removed by this clause. The second bar to rescission removed by this clause arises from the case of *Section* v. *North-Eastern Salt Company Limited* (1905) 1Ch. 326. This case held that although a contract may be rescinded after it has been fully executed where the misrepresentation has been made fraudulently, it cannot be so rescinded in the absence of fraud.

This distinction has been criticized on many occasions by judges and academic writers and, in view of the fact that there seems no adequate justification for the distinction, it is removed by the Bill. The third bar to rescission dealt with by the Bill, namely, that conveyances, transfers or other documents have been registered at a public registry office in pursuance of the contract is largely an expansion of the second ground. In view of the fact that it is separately referred to as a distinct bar to rescission in certain authorities, the Bill deals specifically with it in order to make it clear that it has no further validity as a bar to rescission. Clause 6 (2) is inserted as a precautionary measure in order to ensure that the new clause will not be construed as creating a right of rescission where the exercise of such a right would affect the interest of a third party who has in good faith and for valuable consideration acquired an interest in the subject matter of the contract. Subclause (3) provides that the remedies available under the Land Agents Act and the Business Agents Act are unaffected by the new provisions.

Clause 7 is designed to expand the remedies at present available at common law and in equity for misrepresentation. Subclause (1) provides that, where a contracting party is induced by a misrepresentation to enter into a contract and any person would, if the misrepresentation had been made fraudulently, be liable for damages in tort to the contracting party subjected to the misrepresentation in respect of loss sustained by him as a result of the formation of the contract, that person is to be so liable to the contracting party, in all respects as if the misrepresentation had been made fraudulently and were actionable

in tort. However, under subclause (2) a defence is established if the person by whom the representation was made had reasonable grounds to believe, and did believe, that the representation was true or the defendant was not the person by whom the representation was made and did not know, and could not reasonably be expected to have known, that the representation had been made, or that it was unirue.

Thus, where a person loses money by reason of a contract that he has been induced to make in consequence of misrepresentation, he may, if the misrepresentation resulted from inadequate inquiry or caution on the part of the representor, recover damages. Subclause (3) expands the powers of a court or arbitrator when dealing with proceedings relating to the rescission of a contract. It provides that where a right to rescission is proved to exist, the court may, in lieu of giving effect to the right of rescission, award damages to compensate the party who has suffered loss by reason of the misrepresentation. Subclauses (4), (5) and (6) deal with incidental matters.

Clause 8 seeks to control a contractual device by means of which a contracting party may seek to escape the legal consequences of misrepresentation. It provides that a clause in a contract purporting to exclude liability for misrepresentation shall not be effective except to the extent that the court or arbitrator may think that a reliance on it is justifiable in the circumstances of the case. This question will no doubt be determined by reference to the relative bargaining power of the parties to the contract. Clause 9 provides that Part III of the Act is not to apply in respect of a misrepresentation or a contract made before the commencement of the new Act. Part IV of the Bill contains amendments to the Sale of Goods Act. These amendments were suggested by the United Kingdom Law Reform Committee in its tenth report as being necessary to make the Sale of Goods Act consistent with its proposals for amending the law relating to misrepresentation. The amendments first make the right to reject specific goods for breach of a condition depend on whether the buyer has accepted the goods and not on whether the property has passed to him; and, secondly, they ensure that the buyer shall not, by doing an act inconsistent with the seller's ownership, be deemed to have accepted goods until he has had an opportunity of examining them.

Clause 11 amends section 11 of the Sale of Goods Act. Subsection (3) at present provides that, where a contract of sale is for specific goods and the property has passed to the buyer, the breach of a condition to be fulfilled by the seller can be treated only as a breach of warranty and not as a ground for repudiating the contract. This is clearly inconsistent with the principle asserted by the Bill that a right to rescission should exist notwithstanding that a contract has been executed. Clause 12 amends section 35 of the Sale of Goods Act. This section deals with the time at which a buyer of goods is to be taken to have accepted them. The amendment merely makes it clear that, where the buyer has not had a reasonable opportunity to examine the goods subject to the contract, the legal consequences flowing from acceptance of the goods do not operate until that opportunity has been afforded.

Mr. MILLHOUSE secured the adjournment of the debate.

STATUTES AMENDMENT (EXECUTOR COMPANIES) BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Bagot's Executor Company Act; the Elder's Executor Company's Act, 1910, as amended; the Executors Company's Act, 1885, and Executors Company's Amendment Act, 1900, as amended; and the Farmers' Co-operative Executors Act, 1919. Read a first time.

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

That this Bill be now read a second time.

There are four statutory executor companies carrying on business in South Australia. They are (a) Bagot's Executor and Trustee Company Limited, which operates within the provisions of the Bagot's Executor Company Act which was passed in the year 1910; (b) Elder's Trustee and Executor Company, Limited, which operates within the provisions of the Elder's Executor Company's Act, 1910, as amended by the Elder's Executor Company's Amendment Act, 1915; (c) Executor, Trustee, and Agency Company of South Australia, Limited, which operates within the provisions of the Executors Company's Act, 1885, the Executors Company's Amendment Act, 1900, and the Executors Company's Amendment Act, 1915; and (d) Farmers' Co-operative Executors and Trustees, Limited, which operates within the provisions of the Farmers' Co-operative Executors Act, 1919. The legislation within which each company operates is in similar terms. It gives each company power, *inter alia, to* obtain grants of probate

and letters of administration in its own name, to hold property in joint tenancy, and to charge for their services within the limits prescribed by the legislation. It also requires the company *inter alia,* to deposit with the Government investments as security for the performance of its obligations and to comply with stringent audit requirements, and it imposes on the directors and managers of the company certain personal obligations. Unfortunately, the legislation, not having been amended for well over 50 years, is in some important respects deficient and out of date and is in need of amendment to enable the companies to operate profitably and at the same time to give adequate service to their clients.

The main provisions of this Bill are designed (a) to clarify the provisions of each principal Act in relation to the basis upon which an executor company may charge for its services; (b) to provide for the establishment and conduct by executor companies of common funds; and (c) to facilitate the conduct by executor companies of their day-to-day business without reducing the protection afforded by the legislation to beneficiaries. At present each company makes a charge, as to capital, of a commission on the value of the assets committed to the company's management and, as to income, a commission on the income. Each of the companies publishes a scale of charges which is within the limits prescribed by its enabling Act. All the companies, however, are under considerable pressure of increasing costs. This Bill does not increase the limits of charges prescribed by the original enabling Acts but enables the company, in the case of a continuing trust, to charge the rate of commission that would be applicable when the commission becomes payable rather than a rate that would have applied when the trust became effective. Any charges in excess of the published rates may be made only with the approval of the court.

Another feature of the provisions relating to commission chargeable by an executor company under this Bill is that (a) where assets are specifically devised or bequeathed without any intervening life or other intervening interest or condition that would postpone the distribution thereof for over 24 months or (b) where assets are distributed *in specie* within 24 months after they have vested in the beneficiary, the commission would be chargeable on the probate value of those assets, but (c) where assets are devised or bequeathed subject to an intervening life or other intervening interest or condition that postpones the distribution thereof for over 24 months, or (d) where assets are distributed *in specie* after the lapse of 24 months after they have vested in the beneficiary, the commission would be chargeable on the value of those assets as at the date of distribution. It happens that, in long trusts, prudent administration can result in an increase in the value of assets, and it seems reasonable that the company's remuneration should be related to these values rather than to the values at the date of death. Provision is also included in the Bill for an executor company to be paid, for carrying on a business or undertaking, such remuneration as the court thinks fit.

As to the provisions for the establishment and conduct by executor companies of common funds, the Government considers that beneficiaries should be entitled to expect from professional trustees a better than average investment performance. There are existing provisions for common funds but these are far from being sufficiently extensive for modern conditions and lack certain essential provisions. The best result from investment cannot be achieved without a pooling of the funds of estates and other trusts of similar nature. It would be of particular advantage for small estates with limited funds. A common fund of mortgages, for instance, would open the field for these investments considerably by lending for longer terms than are now convenient at better rates of interest and with a wider spread of risk and greater flexibility from the individual estate's point of view. A common fund of other trustee securities would enable the seizing of investment opportunities which cannot be grasped when one has to make separate investments of separate trust moneys, often in small amounts and in different securities, as occasion permits. As to the provisions for facilitating the conduct by executor companies of their day-to-day business, some of the provisions of the enabling Acts are archaic. The provision that all affidavits, etc., and appearances required to be made by each company must be made by its manager personally involves a considerable and unnecessary imposition on the manager's time. These responsibilities could well be delegated to and capably carried out by other senior and responsible officers.

Additionally, the audit requirements and the returns required from the companies are out of line with modern practices, and these have been brought into line and simplified to meet present day needs. The Bill also contains a

provision that enables an executor company to hold its own shares in a representative capacity. This is now not permissible without affecting the capital structure of the company. An executor company is also given power to issue certificates under seal as to the fact that administration has been granted in respect of an estate. The new provisions in this Bill do not go beyond provisions already contained in legislation in other States, and the Government is anxious to assist the executor companies to the extent proposed in this Bill. The Government also intends examining the Trustee Act with a view to introducing amendments that could improve the existing legislation governing trusts and trustees generally. I shall deal more particularly with the provisions of the Bill as I explain its clauses.

Part I, which consists of clause 1, is formal. Part II, which consists of clauses 2 to 20, deals with the amendments to Bagot's Executor Company Act. Clauses 2 and 3 are formal. Clause 4 repeals and re-enacts section 2 of the principal Act which up-dates the definitions for the purposes of the principal Act. Clause 5 amends section 5 of the principal Act by altering the reference to a person of the age of 21 years to a reference to a person of the age of 18 years. Clause 6 re-enacts section 7 of the principal Act which empowers the court or the Registrar of Probates to act upon an affidavit made by an officer of the company. An officer of the company is defined to be one of the senior executive officers of the company. Under section 7 as it now stands the court can act on the affidavit of the manager only. Clause 7 makes a drafting amendment to section 12 of the principal Act. Clause 8 makes consequential amendments to section 15 of the principal Act. Clause 9 repeals section 16 of the principal Act and enacts new sections 16, 16a and 16b in its place. New section 16 deals with commission chargeable by the company. New section 16a deals with the time when commission becomes payable, and new section 16b deals with additional fees for carrying on a business.

Clauses 10 to 13 make statute law revision amendments to the principal Act. Clause 14 enacts new sections 22a and 22b of the principal Act. New section 22a contains the provisions relating to the establishment of common funds by the company, and new section 22b excludes from the application of Division V of Part IV of the Companies Act any existing fund or any existing or future common fund established in the books of the company. A recent amendment to the Western Australian legislation contains a similar provision. Division V of Part IV of the Companies Act deals with unit trusts, and a common fund referred to in this Bill could well be caught up in that Part of the Companies Act unless it were expressly excluded. Clause 15 makes a consequential amendment and a decimal currency conversion. Clause 16 makes a decimal currency conversion. Clause 17 clarifies section 26 of the principal Act. Clause 18 alters a reference to the age of 21 years to a reference to the age of 18 years. Clause 19 inserts three new sections in the principal Act. New section 27a enables the company, when acting in a representative capacity, to hold its own shares. New section 27b enables the company to issue certificates under seal as to the granting of probate or administration and the acceptance of such a certificate by the courts, etc. New section 27c provides that the powers conferred by this Bill have retroactive application. Clause 20 repeals the forms contained in the first and second schedules to the principal Act and replaces them with new and more simplified forms which achieve the same purposes.

Part III, which consists of clauses 21 to 35, deals with the amendments to Elder's Executor Company's Act, 1910. Clauses 21 and 22 are formal. Clause 23 corresponds to clause 4. Clause 24 alters the reference to the age of 21 years to a reference to the age of 18 years. Clause 25 clarifies section 10 of the principal Act. Clause 26 alters the reference to the age of 21 years to a reference to the age of 18 years. Clause 27 corresponds to clause 6. Clause 28 enables a senior executive officer of the company to perform the duties at present cast on the manager of the company. Clause 29 corresponds to clause 9. Clause 30 corresponds to clause 14. Clause 31 makes a consequential amendment and a decimal currency conversion. Clauses 32 and 33 make decimal currency conversions. Clause 34 corresponds to clause 19. Clause 35 corresponds to clause 20.

Part IV, which consists of clauses 36 to 51, deals with the amendments to the Executors Company's Act, 1885, and to the Executors Company's Amendment Act, 1900. Clauses 36 and 37 are formal. Clause 38 corresponds to clause 4. Clause 39 clarifies section 3 of the principal Act. Clause 40 corresponds to clause 6. Clause 41 corresponds to clause 8. Clause 42 corresponds to clause 9. Clause 43 corresponds to clause 14. Clause 44 corresponds to clause 15. Clause 45 makes a decimal currency conversion. Clause 46 corresponds

to clause 19. Clause 47 corresponds to clause 20. Clauses 48 and 50 alter the references to the age of 21 years to references to the age of 18 years. Clause 49 makes a consequential amendment. Clause 51 makes a decimal currency conversion.

Part V, which consists of clauses 52 to 66, deals with amendments to the Farmers' Co-operative Executors Act, 1919. Clauses 52 and 53 are formal. Clause 54 corresponds to clause 4. Clauses 55 and 57 alter references to the age of 21 years to references to the age of 18 years. Clause 56 makes a consequential amendment. Clause 58 corresponds to clause 6. Clause 59 is a consequential amendment. Clause 60 corresponds to clause 9. Clause 61 corresponds to clause 14. Clauses 62 and 63 make decimal currency conversions. Clause 64 corresponds to clause 19. Clause 65 inserts in the principal Act a new section 32, which corresponds to new section 27c inserted in the Bagot's Executor Company Act by clause 19. Clause 66 corresponds to clause 20. As it is a hybrid Bill, it should be referred to a Select Committee of this House.

Mr. MILLHOUSE (Mitcham): When my Party was in Government, requests were made to us for amendments to this Act, and we put the matter in hand. Unfortunately, there was insufficient time before we went out of office to draft the amendments and to introduce an amending Bill. I am glad that this Bill has at last been introduced, but I am sorry that it has taken so long. However, no doubt it would have taken even longer had it not been for the prodding that has occurred from time to time in the last session and in this session. As it is a hybrid Bill, it must, as the Attorney has said, be referred to a Select Committee. Because of the desire of the companies for a speedy passage, I do not intend to debate the Bill now. I support the second reading.

Bill read a second time and referred to a Select Committee consisting of Messrs. Becker, Keneally, King, McAnaney, and Slater; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on November 18.

ACTION FOR BREACH OF PROMISE OF MARRIAGE (ABOLITION) BILL

Returned from the Legislative Council without amendment.

FILM CLASSIFICATION BILL

Returned from the Legislative Council with amendments.

BARLEY MARKETING ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 18 (clause 5)—Leave out "and".

No. 2. Page 2 (clause 5)—After line 22 insert the following:

and

(d) by striking out from subsection (8) the word "three" and inserting in lieu thereof the word "five".

The Hon. J. D. CORCORAN (Minister of Works): I move:

That the Legislative Council's amendments be agreed to.

The substantial amendment is to increase from three to five the number of members to constitute a quorum, and I see no objection to this.

Motion carried.

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 4. Page 2773.)

Mr. BECKER (Hanson): The Bill is a flow-on from the Public Service Act Amendment Act, which granted four weeks annual leave to State Bank of South Australia officers. Most Australian workers are awaiting a decision by the Commonwealth Conciliation and Arbitration Commission in relation to four weeks annual leave. Four weeks annual leave has already been granted to officers in the Rural Bank of New South Wales. It also applies to more than 10 per cent of the Australian work force, excluding those who already have it for shift work and for climatic or remoteness disabilities. This short Bill has the commendation of the Board of Trustees of the Savings Bank of South Australia. In his second reading explanation, the Premier said:

The Board of Trustees has informed the Government that it has decided in principle that all officers should be allowed four weeks annual leave, and clause 2 of the Bill seeks to give effect to that decision, which accords with Government policy.

I have pleasure in supporting the second reading.

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

PRICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 4. Page 2774.)

Mr. HALL (Leader of the Opposition): I support the Bill because it is the continuation of a process of price control that we have had in South Australia since 1948. The Premier said:

> Maximum prices are currently fixed for a number of items some of which are important to family groups and people on low incomes, and others of which affect rural industry costs.

The reason why prices should be limited to reasonable levels are only too well known. Much fiction is disseminated about price control in South Australia, especially by the Government. When my Party was in office we knew that price control amounted to profit control, and it has been applied, somewhat indiscriminately, to some industries and not to others. For that reason, it is not an equitable control and in some cases it has not prevented the rise in costs that has occurred in South Australia. This is illustrated by the rapid rise in costs in this State, the only State that has price control. If one looks at the rising costs one finds a very disturbing situation under Labor in office.

I now present an analysis of the prices of grocery items taken over an eight-month period from March until November this year, the year in which we are experiencing a Labor Administration. The table is as follows:

Item	March, 1971 $	November, 1971 $
2 lb. butter	1.00	1.08-1.12
1 packet breakfast cereal	0.34	0.34
1 doz. cans baby food	0.96	1.08
2 toilet rolls	0.28	0.29-0.32
2 lb. rice	0.25	0.26
2 cans powdered milk	0.32	0.32
2 packets jelly crystals	0.12	0.14-0.16
½lb. tea	0.27	0.30-0.32
1 lb. frozen peas . .	0.27	0.27-0.30
8oz. cheddar cheese	0.24	0.23
30oz. can pineapple pieces	0.34	0.35
12oz. full cream milk	0.39	0.40
26oz. tomato sauce . .	0.35	0.40
24oz. breakfast cereal	0.33	0.35

This table shows that there has been a rise from $5.45 for those goods to $5.81 or $5.95, depending on the brand. This increase ranges from 6.6 per cent at the lowest point to 9.2 per cent at the highest point, even after the so-called discounting at supermarkets, which was much publicized earlier in the year. What is price control doing for South Australia?

Mr. Venning: It must be the Government.

Mr. HALL: The honourable member raises an important point. We know how much the Government has been a factor in increasing costs to the detriment of the families who receive lower incomes and to whom the Premier refers in his second reading explanation. The fact that between $23,000,000 and $25,000,000 is to be raised in new taxes and charges imposed by the Government in its short term of office is reflected in the prices that people have to pay for goods. Many of these costs have yet to be passed on.

The higher stamp duties that will apply in the case of delivery vans (the rate is higher than that which applies in Victoria) will be reflected in the price of the goods that these vans carry. All the other increases in stamp duties will also be reflected in future prices. Therefore, the Government is an important factor in these increasing costs to which the newspapers refer each week. These prices are to the detriment of lower-income earners. We have previously dealt with the position of this State compared to that of the other States. It is no use the Government's arguing that it does good by maintaining price control when it increases taxation in certain cases to rates higher than those applying in States that do not have price control.

Mr. Venning: It's a sad story.

Mr. HALL: Yes, as the headlines show. The fact that food prices are increasing is in no way reflected in the return the producer gets for his goods. The producer's share of the market price has declined not only in percentage terms but also, in many cases, in absolute terms, yet the increase in prices continues.

Mr. Wright: You should prove that.

Mr. HALL: Let the honourable member look at the lamb or mutton market if he wants proof.

Mr. Wright: You didn't refer to meat prices before.

Mr. HALL: I will not pursue the argument, as the honourable member is undoubtedly biased. In his explanation, the Premier also states:

> As stated last year, prices of a number of commodities in this State are still below those in other States but there is continual pressure to lift local prices to interstate levels.

What example has the Premier set? Not only has he set an example of increasing costs to the level in other States but he has also increased them above that level in

important areas of taxation, so it is of little use for him to claim a special advantage for this State when he sets out to destroy that advantage. In setting out his case for continuing the Prices Branch, the Premier states that the branch investigated 1,505 complaints from consumers. Of this number, refunds or reductions were made in 612 cases amounting to $40,448. What the Premier did not say was how much it costs to run the Prices Branch in South Australia. Last year it cost $182,000 to maintain the branch and to obtain a total reduction of $40,000 for those who complained.

The Hon. D. A. Dunstan: Come off it. The Auditor-General—

Mr. HALL: Those figures are correct, and the Premier can quote the Auditor-General's report if he likes. However, for everyone who complains the cost is $120, and the cost of each successful complaint is $300. If 600 cases received a reduction of $40,000, the yield for investment in each case is not very good. The Premier also used complaints made about used car sales to justify continuing the branch in its present form. In view of the legislation to deal with the sales of second-hand motor vehicles, I should not have expected the Prices Commissioner much longer to be concerned with these sales. Therefore, I should not have thought that this item should be included amongst the reasons for continuing the branch.

The Premier states that the Bill seeks to alter the title of the Prices Commissioner to the South Australian Commissioner for Prices and Consumer Affairs. In this case, I support the Premier, for he is following Liberal and Country League policy. If he cares to read our policy speech delivered before the last State election, he will find that we had an item headed "Consumer Protection" and that we said we would act to protect the buying public by appointing a Commissioner of Consumer Affairs. Therefore, I applaud the Premier for following the policy of the previous Government in this matter. The Government will have to look carefully at the structure of the department, properly assessing the goods in relation to which control should be continued. In important cases control is of a fictitious nature. As the Premier knows, when he is requested to allow an increase in prices, if he is reasonable he cannot refuse to allow the increases if they are the result of inescapable cost increases in the industry. By this means, the Premier tends to become simply an automatic approver of price increases.

Mr. Keneally: Is that what you were?

Mr. HALL: If the honourable member studies the files, he will see that this is the case. On odd occasions an increase is refused, but the Premier must take a careful view of the matter. Some industries can be handicapped by an undue restriction on their prices, whereas other industries can take advantage of price control. When I first became a member, the then member for Light had built from nothing a successful chain of stores. He often said publicly that price control was one of the greatest assets in his trading life because it created an umbrella under which he could trade extremely profitably.

Mr. Payne: Do you seriously mean that?

Mr. HALL: The member to whom I am referring had first-hand experience and knowledge of his business, so I would rather have his opinion than that of the honourable member opposite. Regarding the petroleum industry in South Australia, there is great confusion connected with price control. The Premier cannot say that retaining the Prices Commissioner in South Australia effectively keeps down the price of petrol here. Although he may say that and try to justify it, he cannot prove it.

When my Government was in office, two major Australian oil companies approached me, imploring me not to remove price control. Members must be fairly obtuse if they cannot understand the value that price control was to those companies. It was, as they stated, a rationalizer of prices: in other words, it prevented competition. These companies were using price control as a level to bring their prices up to rather than entering proper competition on the market.

All members know the competition that occurs in the petroleum industry in advertising products and in the service station business, but there is no proper competition in the market place. True, sporadic moves are made and when a cut-price company from another State first decided to come to South Australia, apparently the Premier opposed it, but I understand that when the matter was publicized his attitude changed to something of support. In the petroleum industry we need competition at the price level, not in advertising. It should not be a case of so-called control that could well be an umbrella under which the petroleum industry profits more than it ought to in terms of competition.

Therefore, in supporting this Bill, I urge the Government to continually re-assess the worth and operation of this control. It has

an effect, because the department is operating and traders who may adopt an unfair attitude know that a customer who is hurt by bad business practices has somewhere to go and someone to whom to look for protection.

I heartily support the change being made by which the Prices Commissioner will be a Commissioner of Consumer Affairs. This is a real step forward in terminology that will help define his position on a long-term basis. We can expect that the system by which Bills are introduced each year will change, and we can look forward to the position of Commissioner of Consumer Affairs being permanent. I think both sides of the House support that.

I support the Bill, bearing in mind that the Government has a responsibility to continually re-assess the worth of the department's activities. The Government must be willing to admit, where price control is failing, that prices should be de-controlled, as well as admitting the need to control some prices. In all this, the petroleum industry looms as the largest matter for consideration, and I urge the Government to investigate the effectiveness of price control in that industry to ensure that it operates to keep prices down rather than up.

Mr. VENNING (Rocky River): I support the Bill, as I have had the opportunity to do each year when similar legislation has been introduced to ratify price control for a further 12 months. However, I am concerned that, since the Labor Party has been in office, prices have been increasing considerably, even from the first day this Government took office. The price of soft drinks was one of the first prices to increase, and prices have been increasing continually since.

I should have thought that a Labor Government, which we know to be Socialist, and all the rest of it, would have held prices in this State, with the aid of the Prices Branch. However, in South Australia, which, as the Leader has said, is the only State in Australia with price control, our prices and costs have increased seriously until they are as high as those elsewhere in Australia. This situation concerns me. I have supported price control for a long time. It has been the policy of my Party, as shown by the records, and it still is our policy. Whilst there has been some opposition, in the main members of my Party have supported price control and I adopt that attitude as a representative of the primary producers of this State, knowing that they cannot hand on their costs but must rely on supply and demand.

When the Leader was speaking, the member for Adelaide, by way of interjection, referred to meat prices. Let me tell that honourable member that today the producer is getting only half as much for his lamb and mutton as he got 20 years ago. We all know how costs have increased for the man on the land. True, the price of meat to the consumer has increased, but that is because of the wage and cost structure that has been brought about and encouraged by this Government. The Bill provides for the following change in the definition of the Commissioner:

> "the Commissioner" means the South Australian Commissioner for Prices and Consumer Affairs appointed for the purposes of this Act.

I do not mind what alteration is made each year or at any period during the year. I do not mind alterations being made to the Act to assist the consumers in this State and I would not object if the Act were amended once a week, as long as the amendment made was effective for the consumers. However, as the Leader has explained clearly in regard to the situation in South Australia at present, one views with concern and regret that under this Government prices in this State are getting out of hand.

Mr. McANANEY (Heysen): I oppose the Bill. Anyone who has studied economics or examined what has happened in the world in the last 20 or 30 years can see no case for any form of price control. Possibly this is an illegitimate Bill: we may be able to use a more severe word. It provides for control of prices and then provides for a guaranteed minimum price. It does provide some consumer protection, and this is good. But is consumer protection control necessary in the case of a person who enters a contract unwisely or in a case where a person does not have a price quoted to him initially and then objects to the price that is quoted later?

In some cases the powers that the Prices Commissioner has had have made him a kind of arbiter to deal with over-charging arising from a purchaser's neglect to find out the proper price. When there is competition, price levels will be on a reasonable basis. I can quote from *Hansard* of about a fortnight ago to show that the Prices Commissioner in this State has said that. If a competitor increases the price of his product, the person concerned approaches the Prices Commissioner. However, I have never really worked out on what margin of profit the Commissioner bases his calculations. It has been claimed that

the Commissioner has made a great achievement regarding the price of petrol, yet travelling around the city we see advertisements claiming substantially reduced petrol prices that are far below those assessed by the Commissioner as a fair price.

There was a classic example of this situation in Australia after the last war, when it was impossible to have everything controlled, there being price control only on essential lines. I had to import galvanized iron piping from Germany, as fencing could not be obtained here and essential commodities were under rigid price control, but one could walk along Rundle Street and buy all the junk in the world which was not under price control. If we interfere with the supply and demand of goods, we will bring about inequality in supply and, if the supply of a commodity is reduced, its price will be increased. We see letters in the newspaper objecting to the price of plumbing, one of the few prices of its type that are controlled. Once price control is introduced, the margin of profit can be reduced excessively. This situation applied in France to the detriment of the French economy. There must be some incentive to produce, and if we assist every company, including the one that makes a loss as well as the one that makes a profit, we see that the return on capital is not much above the fixed interest rate that Governments will pay on money they borrow.

There is no big profit margin overall. The member for Rocky River and I place an emphasis on different matters in this respect. I believe in restrictive trade practices legislation but, even though the Commonwealth Government has maintained a high employment rate and general stability in the economy which is the envy of the world, it did not introduce sufficiently strict restrictive trade practices legislation. However, I am pleased to see this week that the penalties under this legislation have been increased. I think that if the States introduced uniform restrictive trade practices legislation we would achieve indirect control over prices. If there is genuine competition, the margin of profit will not be high. Even though there has been an uproar regarding the increased price of many foodstuffs this year, when one looks through a list of grocery prices one sees that, even though wages have increased considerably during the relevant period, there has been little change in those prices. There seems to be a demand for price control when actually there have been no increases at all in the price of many commodities.

Mr. Hawke, who holds some minor position in Australia but who thinks he is running the country, has told the Arbitration Court that wages, as a percentage of the gross national product, remained practically constant for some years. A considerable increase in wages is no advantage to the worker. It is a disadvantage to people in the country such as the member for Rocky River who have to accept a world price for their produce even though the price of everything they buy on the local market has been increased. We must think of what is best for Australia, as the Japanese think of what is best for Japan. The Japanese increase the price of goods on their local market in order to sell cheaply on the oversea market. When in Singapore, the agent, whom I met there, excused his lateness, pointing out that he and another officer had been using a computer to ascertain whether the slight revaluation of the yen would enable artificial fibre to be sold to the people in Singapore. This indicates just how close our prices are to those in other countries.

If we are sufficiently wise to keep down our cost structure (we cannot do this under price control), we can develop a market. Once we achieve large-scale production, prices are brought down through the more thorough use of machinery, with the result that we can expand and become a great nation, but we have no chance of achieving this under the present system. Guaranteeing a minimum price to the wine producer will land the wine industry in much trouble. When the excise duty was introduced, certain manufacturers increased their prices by an inordinately great amount, and, according to the paper today, I see that some of them are doing well. No-one will be honest enough to say that the excise which has been imposed is less than what the barleygrowers have been paid over the years and have accepted. I do not think red wine is a luxury, but I think sherry is a luxury, because I do not like it. When a guaranteed price is given for a commodity the balance between supply and demand is upset, because over-production is encouraged. In New South Wales one firm is planting 2,000 acres of vines a year.

I know the member for Mawson, who went to university, will agree with me when I say that manufacturers cannot be compelled to buy grapes at a fixed price from the smaller grower, and as a result the smaller grower will be in trouble within a year or two, if he is not in trouble already. When a price is fixed the balance between supply and demand is upset, and one has to look towards the next

step so that the people in the industry know what is going to happen to them when overproduction occurs. The right people must be restricted in their production: people should not be allowed to go holus bolus into the industry.

I know that this Bill will pass. I remember that one night I called for a division on a similar Bill, having been the only one who opposed it. The Australian Broadcasting Commission reporter said that the member for Stirling (as I was at that time) was embarrassed, but I had never felt more proud and happy in my life. Anybody who has studied the situation realizes what difficulties one gets into when one looks for the pot of gold at the end of the rainbow. Someone will always argue that price control is necessary, and say that the leader of the United States Government has fixed wages and prices. The Prices Act fixes maximum prices, but courts fix minimum wages, which people get increased by using blackmail and pressure on the Government. This was put to Mr. Hawke, who plays a minor role in Australia, on a television programme and he looked more vicious and cross than he normally does, because he could not answer the question. It is a fact of life that, although the court fixes a minimum wage with no restriction on maximum wages, under the Prices Act maximum prices are fixed. The only way to keep prices under control is by restrictive trade practices legislation.

I am glad someone has tried to give a logical reason why this Bill should not be passed, because nobody opposite is willing to support the Government with a logical reason for its introduction. The Prices Commissioner claimed that grocery prices had increased this year but said that they did not appear to be excessive. As honourable members know, there is little price control over groceries. He also said that other increases were not excessive: the food group of the consumer price index rose 2.7 per cent while the increase in all commodities in the index in the State rose by 4.9 per cent. However, wages increased by 11.8 per cent. Therefore, it can be seen that these increases may not be considered unreasonable in comparison with the miscellaneous group in the consumer price index, which has increased more than any other group because of increased charges by the State Government. Unfortunately, there was an even bigger increase in another State as a result of its Government's action.

A comparison between wage and price increases indicates that prices have not increased to the same extent as wages have increased. If prices had been increased in comparison with wage increases, the Commissioner would probably have awarded about a 7 per cent increase because, if you have a fixed price, it becomes something that is static in the economy: The Premier, in giving the Prices Commissioner's report, said:

> The average supermarket would carry up to 5,000 different lines in stock. Some months ago, the larger supermarket organizations were written to, requesting that margins on groceries be closely watched, and that they be adjusted where possible in view to limiting price increases.

This is the supermarkets being asked that prices be pegged. He continued:

> Individual complaints from consumers are always examined and, in any case where increases are considered to be unwarranted, adjustments are sought.

These have been limited only in number, and small adjustments have been made. I am not speaking against having a consumer protection expert as an arbitrator to whom these people can go. He continued:

> The grocery industry is highly competitive and there is little evidence of excessive profits being made either by manufacturers or retailers. However, the position will be kept under review.

Over the last eight years, since I have been a member of this House, I have asked about meat prices and about the prices of many other commodities in the interests of the consumer (to be quite honest, I have asked about lamb prices because of my own interests in the land) and the reply has always been the same: that profits are not excessive. It has been said that this Act keeps prices down—

Mr. Venning: But you agree that price control is effective, don't you?

Mr. McANANEY: I have just put a case proving that it cannot be, and never will be, effective.

The Hon. D. A. DUNSTAN (Premier and Treasurer): It has been suggested by some members who have supported this Bill, as well as by the one honourable member who has opposed it, that the price control system in South Australia has little real effect in keeping down prices. If members contrast the movement in prices in Australian capital cities over the last four years, it will be evident to them that the least movement in prices has occurred in South Australia.

Mr. Millhouse: Shouldn't you be making a contrast since the other States abandoned price control? If you do that, it doesn't seem to make much difference.

The Hon. D. A. DUNSTAN: It makes a considerable difference: if the period since 1948 is taken, the difference between South Australia and New South Wales is even more significant than it has been in the past four years. The reason for this becomes obvious to any Minister administering the Prices Act. We have constantly before us, not only in relation to controlled goods but also to those goods where an arrangement is made by the Prices Commissioner that no increase in prices is to occur without information to him, the announced intention of people in those areas to increase their prices to a greater extent than the Commissioner thinks warranted. There have been numbers of occasions during the past year (in fact, it has been occasioned in practically every case where a price rise has been agreed to) in which the price rise sought or announced as intended by a certain industry has been greater than that which eventually occurred after investigation and decision by the Commissioner.

In many cases it was clear that, where industry could absorb cost increases, it nevertheless intended to pass them on if it had not been for the Commissioner's intervention. The last time that uniform price control was discussed at the Commonwealth level was at the Premiers' Conference last February, when the then Prime Minister expressed interest in the possibility of getting some selected areas in which we could jointly control prices: he admitted publicly at the conference that the fixation of petrol prices in South Australia had saved the Australian consumer millions of dollars.

Mr. Millhouse: Could I see the transcript of that discussion?

The Hon. D. A. DUNSTAN: I will see whether I can get it for the honourable member. In fact, the millions of dollars that we have saved, on the Commissioner's calculation, run into something well over a score in a limited period. The reason for this is that we have been able to restrain the cartel operating in Australian petrol sales from seeking the higher prices that would have been charged to the general public. It is suggested that this is not the case, because some people, because of the fixation by the Commonwealth Government of the price of indigenous crude oil to smaller producers, are able to market petrol at a lower price than are the larger producers. It is suggested that this is evidence against the working of price control, but that suggestion only shows a gross lack of knowledge of marketing within the oil industry. True, some of the oil companies have sought, through utterly uneconomic marketing practices, to take some of the market area from other oil companies, but they do it at the expense of higher prices elsewhere, and at the expense of the unfortunate retailer.

Under price control we have been able to exercise market restraint on price increases; this is effective within the terms under which we can operate price control. If we had control of the price of manufacturers' and wholesalers' goods from elsewhere (and we could do this with an Australia-wide price control), the price restraint system would be far more effective. The most extraordinary argument during the debate was the Leader's suggestion that the whole of the cost of the Prices Branch should be split up between the consumer complaints to the branch, and that all the costs of prices investigations utterly unrelated to consumer complaints should be assigned to the consumer complaints. The Leader arrived at the sum of $300 each complaint. If that is the kind of arithmetic the Leader uses, it is not surprising that he makes some of the criticisms of government that he makes.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

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

In paragraph (c) after "subsection (2)" to insert:

and inserting in lieu thereof the following subsection:

(2) Any reference in any Act, regulation, rule or other law or in any order of a court, instrument, agreement or document of any kind, enacted, made or executed before or after the commencement of the Prices Act Amendment Act, 1971, to the South Australian Prices Commissioner shall, unless the context otherwise requires, be read as a reference to the South Australian Commissioner for Prices and Consumer Affairs.

This drafting amendment, arising out of the change in title of the Prices Commissioner, is to ensure that the references to the Commissioner in other Acts, regulations and proclamations shall refer to him by his new title of Commissioner for Prices and Consumer Affairs.

Amendment carried; clause as amended passed.

Remaining clauses (3 to 10) and title passed.

Bill read a third time and passed.

VALUATION OF LAND BILL

Adjourned debate on second reading.

(Continued from October 28. Page 2592.)

Mr. HALL (Leader of the Opposition): The main aspects of this Bill seem reasonable. It consolidates the Government's valuation activities on the basis of economy in administration and to suit the convenience of those who have cause to take note of a valuation. However, it is not an unimportant Bill, because it is possibly the forerunner of alterations to significant aspects of our present taxation procedures. As the Treasurer has indicated in his second reading explanation, the possibility will exist if this Bill is passed that the land tax calculation based on unimproved value will be changed to a calculation based on site or capital values. Therefore, in addition to replacing the revaluing activities of the Government on a more efficient level, the Bill is important for this other aspect.

The Treasurer has also stated that the principles embodied in the Bill are in accordance with the recommendations of the Ligertwood Committee of Inquiry into Land Tax, Council Rates, Water Rates and Probate. Although there are differences in detail, one must agree that this is so. The Treasurer said that these principles were supported by the Stockowners Association of South Australia and the Local Government Act Revision Committee. However, when I spoke to the secretaries of those organizations, neither had seen the Bill. That rather surprised me because, from the Treasurer's reference, I would have expected them to have scanned the Bill or at least possessed it following its introduction in the House. I took the trouble to supply them with a copy, following my inquiry. I found out then that they did not object to the Bill and that the Treasurer was technically right when he said that they agreed with the principles included in the Ligertwood committee's report. I think that both associations studied the Ligertwood report several years ago, their support dating from that study. The Treasurer is correct in saying that he has the support of the two bodies, but I believe he would have been better advised also to have supplied them with a copy of the Bill, since he was using their names in support of the legislation. However, both bodies do not object to the main provisions in and the principles of the Bill.

The Bill contains several important provisions. As the Treasurer has explained, much of the Bill provides for more efficient administration and greater flexibility. The Bill removes the quinquennial aspect of assessment. The Valuer-General may cause to have made a valuation during the five-year assessment, if he believes there is good reason for this. This can have a direct impact on the amount of tax paid by individuals or by certain sections of the community. One can look at what has happened to land tax in recent years and see that, during a period of increasing land values, the five-year assessment caused a stay in the actual impact of those rising values on the unimproved rate. I suppose that this could be said to be beneficial to those paying taxes under those values, in the sense that they were paying at the latter stage on a quinquennial assessment made on a value which was now out of date and which would obviously be lower than that dictated by current market values. In rural areas we have seen a significant decline, in some cases causing land values to fall 50 per cent below the previous value, so that in such cases the quinquennial assessment works the other way. These people have been paying tax on a value higher than current market value. Looking at the rise and fall in one industry over a reasonable span of years, one would seem to be able to justify the Valuer-General's inbuilt flexibility provided in the legislation to make or have caused to be made a valuation during the period of a quinquennial assessment. I have one complaint with the Bill: that the period of objection is limited to one month. I should prefer that period to be at least 60 days, which I think is the present period of objection provided in the Land Tax Act. I can see no reason why that period should be reduced. Certainly on recent occasions we have seen a tremendous reaction amongst rural producers in relation to their land tax valuations. I will not go over the controversy that has existed between the parties in relation to land tax in this State. Suffice it to say that the Government was proved wrong in its first assessment, having had to introduce amending legislation to enable a revaluation to be made. In that case, the period during which objections could accumulate needed to be longer than 30 days. Without examining them, we can certainly say that mainly those objections were justified, because the Government,

by introducing legislation to have another valuation made, admitted that these complaints were generally justified.

One cannot say that the objections were not valid. From my experience of talking to landholders, I believe they certainly needed longer than 30 days. They needed to know what people in similar circumstances with similar properties were doing. In some cases, despite modern communications, in the calendar month following receival of the notice information did not filter through to people who subsequently lodged objections. I urge the Government to accept an amendment that will double the time allowed for objection to be taken to valuation.

The CHAIRMAN: Order! The honourable Leader may not discuss amendments.

Mr. HALL: I understand that: I merely gave notice of amendments that are intended. The question can be raised about how far into our economic life this central valuing authority will go. It is clothed with great powers: it may enter properties at any time to ascertain facts and figures about valuation, and it can call for evidence, which must be supplied. After a valuation, it will give notice (and this is a desirable feature of the Bill) to the property holder. How far will it go in a matter such as succession duties, however? Will we see a different procedure whereby all values for this purpose are centralized, with a valuer from the Valuation Department making this assessment? Will this be different from the present situation in which private valuers are engaged by executors to make valuations of properties involving the administration of estates? As I have been asked this question, I should like the Treasurer to tell me at the appropriate time what are his views about it.

I have received views from the Commonwealth Institute of Valuers, the Valuers Division of the Real Estate Institute of South Australia Incorporated, and from one or two individual valuers in the community, one of whom has said that the right to value a property should not be at any time but should be limited to at least a one-year interval. I can see support for this, although I do not consider that it is strong support. Our experience in this House on land tax shows a demand for inflexibility on the part of the Valuer-General. I have also been told that the centralization of valuing activities in this way is a Big Brother attitude and that all our business secrets will be available from one centralized office, which is objectionable to those who prize private freedom. This matter is subsidiary to the main purpose of giving legislative effect to an exhaustive study of the report of the Ligertwood committee, to which the Treasurer has referred.

An objection has been made to me about site value. The person who spoke to me stated that this is a confusing aspect of valuation. As I am not closely associated with that profession, I cannot comment greatly on the matter, but perhaps in Committee the Treasurer will give further information about the desirability of site value and the use to which it will be put. Generally speaking, my inquiries have shown a favourable response to the Bill and, doubtless, its success or failure will depend largely on how the Valuer-General administers it. I wondered why provision regarding the salary of the head of this department must be included in the Bill.

Mr. Nankivell: He is a Commissioner.

Mr. HALL: Yes, and I suppose that this provision is necessary because of that. However, it seems a little untidy to me to have to resort to this method of bringing salary justice to these people. If the Bill has major faults that I cannot find at the moment, these faults have also escaped the scrutiny of people who are far more closely in touch with these matters than I am, and I depend largely on the advice that I am given.

Dr. EASTICK (Light): I support the Bill, It creates an extremely flexible Act and the degree of manoeuvring room that it permits within the whole ambit of valuation is commendable. It not only accepts the present situation but also foresees activities that soon may be desirable. The Treasurer said in his explanation that councils and other authorities might wish to move from a certain form of valuation and subsequently take up, more particularly, site valuation, which is a component of this Bill.

The other extremely desirable feature of this Bill is that it does not immediately create a new empire. As the Treasurer has said, the opposite is probably the case, and officers no longer needed are transferred to other areas and officers who retire are not replaced. The other major feature is the rationalization in the overall valuation field. The Bill removes the difficulties and differences that have existed for many years in the various taxing departments.

Certainly, as the Treasurer has also said in his explanation, many people have been confused about the method of taxing and

of valuation applying to the Sewerage and Waterworks Acts and in land tax, as well as about the use by councils of the various valuations. In so far as it rationalizes the definitions, the Bill has many advantages in the whole field of taxation and valuation. The Leader has said that the salary of the Valuer-General is provided for in the Bill, and the reason for this has been stated to be that this officer is a Commissioner. It seems unfortunate that on occasions such as this the House deals with the salary of an officer in such a way that the salary may be changed only when Parliament is sitting. This is an inevitable consequence of a person's being a Commissioner, but I suggest that this matter be considered at another time to remove the need for consequential Bills whenever the salary of a Commissioner is being changed. I do not necessarily suggest that the Government should make the alteration out of hand, but I suggest a method to avoid the problems of introducing a Bill and having it passed through all stages.

The word "may" is used in clause 9. Subclause (2) provides that the Governor may remove the Valuer-General from office upon the presentation of an address by both Houses of Parliament praying for his removal. Subclause (3) provides that the Governor may suspend the Valuer-General from office on the ground of his incompetence or misbehaviour, and paragraph *(b)* of that subclause provides that if, within one month of the statement being laid before Parliament, neither House presents an address to the Governor praying for the removal of the Valuer-General from office, he shall be restored to office but that, if either House presents such an address, the Governor may remove him from office. The use of "may" seems to defeat the purpose of bringing the facts before Parliament. Whilst I hesitate to say that "shall" should replace "may", I should like the Treasurer to say why "may" is used, giving the Governor power to override the decisions of the House.

Clause 11 (2) is excellent. The information about the general valuation will be readily and immediately available to any organization that desires it. At present, to collate the various valuations ascribed to a parcel of land, one must go to several sources of information.

The Bill provides that the Valuer-General may decline to proceed to undertake a further general valuation, with the result that unnecessary costs will be avoided. Undoubtedly, the Valuer-General and his officers will continually pay attention to land values in all areas of the State. Clause 17 provides:

(1) The Minister administering any Act or department of Government, a rating or taxing authority or a council may request the Valuer-General to value any land for the purposes of that Act, department, authority or council and the Valuer-General upon receipt of that request shall value the land or cause it to be valued as soon as practicable.

(2) If the valuation is to be used for the purpose of levying or imposing any rate, tax or impost upon the land it shall be made and notice thereof shall be published in conformity with the requirements of this Act.

(3) A valuation, not made for the purpose of levying or imposing any rate, tax or impost upon land, shall not be entered in any valuation roll and the provisions of this Act relating to notice of, and objection and appeal against, valuations shall not apply in respect of such a valuation.

I am puzzled by that provision. One can easily imagine the situation referred to by the member for Kavel: the Valuer-General or one of his officers may be called upon to value land in connection with acquisition of properties by the Engineering and Water Supply Department. Further, the Valuer-General may be called upon to make valuations in connection with acquisition of properties by the Highways Department or practically any other Government department. We have the example at present at Chain of Ponds in the Adelaide Hills, where a value placed by the valuer representing the Government is considerably different from the value placed by an independent valuer. It would seem from the information available that the valuation of the Government valuer is not exactly in accord with the valuation of the Valuation Department. I point to this situation and would like to believe that this subclause does not permit, in any circumstances, the situation whereby a value other than the real value may be used by Government authorities or departments to effect an acquisition or a settlement in respect of some Government activities.

I do not suggest for one moment that there would be any intention on the part of the Valuer-General or his officers necessarily to determine a value other than one they can prove, but if the value they have proved for the purpose of acquisition is a value less than that to be used for taxing purposes, I believe that the lower value should be the value that the person should expect to be applied to the balance of his property for taxing purposes. Throughout the Bill we have the situation that fees will apply for

some activities. I appreciate that these fees will be applied by regulation, but it seems that we are being asked to approve a scheme about which we have no knowledge of what costs may be imposed on various areas that will be affected by the Bill's provisions. Councils have used the values made available by the Valuation Department and, in some instances, the Engineering and Water Supply Department, to determine valuation of properties for council rating. As the fee that has been required in the past has been minimal and satisfactory to councils, I hope that, during the passage of this Bill and the proclamation of the regulations that will follow, we do not find that councils will be called on to contribute unnecessary sums towards State revenue, and that the provisions that have existed will always be available to them.

I am worried, as is my Leader, about the fact that only one month is allowed in which to object to a valuation. I do not accept that this period is realistic, particularly in the situation where people leave their home or property for an extended period (but do not appoint an attorney) during which time other people are not completely aware of their movements and where they may be contacted. I suggest that, in such circumstances, it would be impossible for a person to apply within the time laid down in the Bill. I am aware that, particularly in relation to land tax, the period of time in which an objection may be lodged has not been totally critical, in so far that an objection would be considered invalid if lodged beyond the due date. But in the event of a person's objection being considered invalid, he would not have the other opportunity of going to the Land and Valuation Court. I believe that, in the first instance, every opportunity should be given to a person lodging an objection to have his objection considered valid. For that reason, I hope that this period of time will be extended.

[Sitting suspended from 5.57 *to* 7.45 *p.m.]*

Dr. EASTICK: Clause 25 (4), in part, provides:

> The right of a rating or taxing authority or a council to recover any rate, tax or impost shall not be suspended by reason only of an objection or appeal under this section. . . .

The clause then proceeds to indicate that subsequently, if the appeal is upheld and rates or dues have been paid in excess of those that are necessary, provision can be made for repayment. That is a considerable improvement on the position that has obtained until now.

Many assessments under dispute have revealed the inability of the taxing authority to proceed with the declaration of a rate for the assessment and to proceed with the collection of the rates, taxes or whatever moneys are due. To permit an organization, whether it be a Government one, such as the Engineering and Water Supply Department, or a local government one, to proceed knowing that the effect of an objection will cause no real upset to the subsequent arrangement that may exist between the two parties concerned is an excellent provision. I here indicate that the only area of dispute with the provisions of this Bill that I have had put to me relates to some district councils. It may well be that municipal councils, too, are involved, but some district councils see in this measure a further erosion of the ability of local government to determine its own future. As I see it, there is no provision in this Bill demanding that local government accept a valuation created within this Bill, and the opportunity still exists for any council to make a private arrangement with a valuator so that the district or municipal council may be assessed and the council still retain the right of sitting as a court of disputed assessments or as an assessment revision committee to determine the facts of the local situation and make whatever arrangements it deems necessary.

I personally believe (and I have indicated this to those people who have made known to me their fears) that for a council not to accept the valuations that will be created in the future by the provisions of this Bill will cause an increase in the cost of local government, a cost that it is finding it more and more difficult to meet. In the case of a municipality of which I have some knowledge, the current cost of obtaining an assessment is about $580 to $600 for a five-year period, when the assessment is obtained from Government sources.

To obtain a private valuation of the same council area would involve a cost of about $7,000 and, beyond that, there is the possibility that the council would face a series of objections against the assessment. Further, the council would be involved in the costs associated with seeing that disputed assessment to its finality. The difference between more than $7,000 over five years and $580 or $600 over the same period is so great that I need comment no further on the matter. Councils fear that, under the Bill, there will be an erosion of their authority if, at a subsequent time, the provision that allows them to obtain an

independent valuation is taken from them. I appreciate that we should not presume that that may happen but, as the fear has been expressed to me, I relate it on behalf of those whom I seek to represent. As there are many favourable provisions in the Bill, I support the second reading. In Committee, I hope that an amendment I consider necessary will be approved.

Mr. COUMBE (Torrens): I believe that this fair and reasonable Bill deserves the support of the House. My comments will be based on my experience: as Minister of Works, I was responsible for assessments under the Waterworks Act and the Sewerage Act and, as a person who served in local government for about 11 years, I know something about local government assessments. The purpose behind the Bill is to enable most valuations in the State to be made by the one authority, the Valuer-General. In his second reading explanation, the Treasurer based most of his arguments on the Ligertwood report, most of whose assumptions and recommendations I agree with. It is a pleasure for once to speak on a Bill that does not impose more taxes on the people of the State. Although this Bill relates to taxation procedures, it is a notable exception in that it does not impose additional taxation.

I recall most vividly my experience in 1965 when I put forward a private member's motion based on the Ligertwood report, which the Treasurer is now using as his bible in regard to this legislation. My motion dealt with church properties and schools. I remember that, to my sorrow, the Walsh Government not only defeated the motion soundly but severely criticized me for my temerity in bringing it forward, based as it was, on the Ligertwood report. That report made points about exemptions that could be given regarding certain church property. The Government bases this Bill on that report but, when I submitted a measure in terms of the report, it was not accepted.

I also want to deal with the reference in the Ligertwood report on water rating, which is an integral part of the Bill. I mention here that I have asked several times in this House that another report, the Sangster report, be tabled but the Government has said that it is still considering that report and will not table it. I draw the attention of members to the comment in the Ligertwood report that a large number of witnesses before the committee sought a recommendation that water should be considered as a commodity and should be charged for by measure, like other commodities such as gas and electricity.

Members of this House have not seen the Sangster report, and I appreciate some of the difficulties that the Government is in on that matter. However, I again ask that the report be tabled. It is only one of many reports that we, who represent the people of the State, have not seen, whereas we have a fundamental right to see those reports. I may assuage the feelings of members opposite by saying that I support the Bill because I consider that it is reasonable.

The Ligertwood committee recommended that a central valuing authority be established, under a Valuer-General and with an adequate staff of qualified valuers, and that is provided for in the Bill. The committee also recommended that that authority should make all assessments of the value of land required for the purposes of the Land Tax Act, the Waterworks Act, and the Sewerage Act. The committee also dealt with statutory purposes, private valuers, market value, land tax, water and sewerage rating, and council rating.

I shall deal now with the definition clause, regarding capital values. I do not want to speak on behalf of my colleagues from the country areas, who may have other views. However, speaking as a metropolitan member who has had much experience in local government, I give my personal view that annual value is by far the most equitable and fair type of rating from properties in the metropolitan area. Annual values, in effect, are 5 per cent of the capital value of the property. That seems to be the fairest possible system for the metropolitan area; the situation may be different in country areas, and I do not wish to intrude on the views of country members. Unfortunately, in several parts of the metropolitan area unimproved values are being used for assessment purposes. That has led to much discontent and annoyance among ratepayers in the council areas involved, especially when differential rating has been applied between wards and even parts of wards. I do not intend to cast any reflection on your electoral district, Mr. Speaker, but I point out that the Port Adelaide City Council provides an outstanding example of the problems that are encountered through differential rating.

Mr. Jennings: What arises out of that?

Mr. COUMBE: What arises is that I favour the system of annual values. My inquiries show that most South Australian councils support the principle of this Bill.

At the same time, they fear that their authority may be usurped. In other words, the tradition of a council in holding an assessment revision each year will be abolished. This is the opposite of decentralization. A Government that professes to believe in decentralization is now making a move that is the very opposite of that principle. However, in the upshot, councils will undoubtedly benefit from the move, because we will have uniform assessments and uniform valuations. I am sure that that change will save councils considerable costs in connection with assessments. Also, there will be greatei uniformity of assessments within a council's area.

I have had personal experience of lack of uniformity in a council area; in one case a council employed a private valuer to carry out an assessment of the council's area. In recent years that situation has been largely overcome by providing that councils, if they so desire, may use the Engineering and Water Supply Department assessment, upon application. That assessment provides greater uniformity within council areas. We will find in future that a ratepayer's appeal against his assessment will go to the central valuing authority, not to the council. If one considers the philosophy behind this system, one realizes that it has much merit, and councils will probably avoid much acrimony between ratepayers and the councils and certainly they will save council funds, that is, the ratepayers' funds paid to the council. We are considering a Bill that affects many Acts, and perhaps some of these Acts may have to be amended to conform with the provisions of this Bill. We are concerned with the Land Tax Act, the Waterworks Act, the Sewerage Act, and the Local Government Act. As I understand it, under the terms of the Waterworks Act and the Sewerage Act, appeals against annual assessment are required to be lodged officially with the Land and Valuation Court within one month of the gazettal of the assessment.

When considering the definition of annual value of property, we realize that, under the Waterworks Act and the Sewerage Act, it is different from that in the Local Government Act, and my friend, the member for Light who is a prominent member of a council, would appreciate this difference. As I remember, it used to be a seven-year assessment but now we are speaking of a five-year assessment. I am aware of the working arrangement that now exists between a council and the E. & W.S. Department or the Valuation Department, whereby, if the honourable member for Spence (and I selected him because he is the best looking Government member) added to his home during the financial year, his assessment would be varied. His council would advise the E. & W.S. Department and the Valuation Department, because he would have to apply to his council under the Building Act for permission to effect the substantial additions to his home. Eventually, his assessment would be varied. The member for Ross Smith, being a member of a council of which I was a member for some years, would be caught in a similar way if he wished to make substantial additions to his home.

I have studied with much interest the second reading explanation by the Treasurer: he made a rather naive comment when speaking of the fact that now we would have the chance between certain periods to carry out revaluations. I do not object to that, but the Treasurer spoke about declining values of rural property. However, what happens when values increase? The Bill provides for this but, of course, the Treasurer was at pains not to mention this matter. In deference to my friends from the rural sector, I suppose we must wait some years before we will have that effect. I think it is important that we can in future carry out special assessments between the five-year period now contemplated. This would occur to any metropolitan member who had the temerity to build a swimming pool on his property, because he would have to apply to his local council and the value of the property would increase.

In general, the Bill brings together several Acts and puts them under one head. As this philosophy on valuation was agreed to by the Hall Government, I am pleased to see that the present Government is following such a policy. Whereas previously a large section of the E. & W.S. Department was concerned with valuations, this work has now been transferred to the Valuation Department. This was fundamental and just plain common sense. We will now have one valuing authority. The essence of this move is that we should get uniformity throughout the State. Hitherto, various councils have adopted various schemes: the Whyalla council might have adopted a different policy from that of Norwood or Enfield, whereas, under the Bill, one authority will conduct all these affairs. In principle, this is important. I mentioned earlier the Ligertwood report, the bible on which this legislation was based. If one studies the various sections

and recommendations in the report, one can see how the present Government's thinking is conditioned on that committee's recommendations. One section of the report states that the legislation to be contemplated should provide for the creation of the office of a Valuer-General to be appointed by the Governor, for the appointment of valuers to assist the Valuer-General, and for the Valuer-General to be the authority for making assessments under the Land Tax Act, the Waterworks Act and the Sewerage Act, in lieu of the Commissioner of Land Tax and the Minister respectively.

I recall, as Minister of Works, agreeing to the policy of my Government at that time of transferring this authority to a central body. The committee recommended that the Valuer-General should give notice of his assessment and that objections to assessments should be made to the Valuer-General, with an appeal tribunal constituted as provided in the Land Tax Act. This, of course, is the basis of the present legislation. Instead of the ratepayer or the taxpayer being able to apply to a local authority, he can apply only to the Valuer-General. If he is not satisfied with that, he can apply to the court, and a special court is set up accordingly.

Therefore, I suggest to the House that this Bill in principle is fair and reasonable; it should receive the support of the House in principle. My honourable friend and colleague from Light has rightly pointed out one or two matters of concern, as also has my Leader, in regard to appeals. These can be discussed in Committee. Speaking in principle on the second reading stage of the Bill, I indicate that this, to my mind, will be a move forward in securing uniformity of assessment between house and house and property and property. In deference to my rural friends, I qualify that by saying that most of my experience has been in connection with metropolitan property. As I say, in principle this Bill is a move in the right direction. Therefore, I support it.

Mr. McANANEY (Heysen): I support this Bill, in the main. It is a step in the right direction. This session we have had many Bills that were intended to accomplish something but, instead, they made things more difficult; perhaps their disadvantages almost equalled their advantages. We should have a uniform valuation throughout the State and not leave the matter for separate bodies to deal with. At one time I was chairman of a district council when we had a fairly good assessment made, but it was considerably higher than it had been in the past and there were some 300 appeals. That was not a very satisfactory way of dealing with the matter. Having a uniform valuation will still allow the councils to set their own rates and determine their own revenue.

This Bill simplifies things. I see that in the last quinquennium we had an assessment. If my interpretation of the Bill is correct, an area must be assessed every five years. However, it would be possible to do it area by area and make it a continuous valuation rather than have one every five years. I think I am right in reading it that way. When someone advocates land valuation based on production value, I do not think a detailed plan has so far been advanced. Where valuations are based almost entirely on the sale prices of neighbouring property, it works quite well in some areas but, when there has been some subdivision or where there is an area that people engage in primary production and then someone else comes along and buys land with the idea of subdividing it or is willing to buy that land because he wants to establish, say, a horse stud in an area close to Adelaide, he pays for the land much more money than the residents of the area would normally pay for it. In the first reassessment made by the Government in the Hills area, most farmers' incomes had dropped to more or less the same extent as the incomes of farmers in drier areas had dropped. In those drier areas, values were reduced up to 40 per cent. However, in the central district of the Hills, because there had been the odd case of a sale of property to people interested in horses or of a subdivision (and the subdivisions have now ceased, so there is no future subdivisional value still possible), the area was not reassessed but was left as it had been. I believe that was unjust, although under the present system of valuing a valuer could argue that it was right.

I think that in any interpretation of sale values common sense must be applied. In assessing a value, the valuer must consider whether sales in an area have been at a realistic price or whether certain sales have been due to the fact that one person wants to extend his area and is willing to pay more than the true market value to do so. If we are to have accurate assessments, these various facets must be considered when valuations are made. When the new reassessment comes

out, it will be interesting to see whether valuers in the department have taken these matters into account. If they do their job properly, they will consider these matters, making a more realistic assessment.

Other members on this side have analysed the Bill thoroughly. For the reasons I have given, I support the Bill. The member for Torrens referred to annual values. Arguments can be made for and against the annual values system. Being cosmopolitan, I do not look at the matter in respect of one area alone. I am not like members opposite who look at matters from one cock-eyed angle. I think that in the case of every assessment what is fair and just to everyone must be considered. A case can be made out for an assessment on unimproved values even when a person has a block of land in the city and is holding it to sell at a higher value, or when someone does not develop a property he owns in the country. I think a person has a certain obligation to the rest of the community to improve his property. If he does not improve it, there is some justification in dealing with these matters on the unimproved value basis.

On the other hand, it can be argued that if a person develops a place he makes use of the facilities in the area to a greater extent and should therefore contribute more to general revenue. Members opposite say they are progressive because they have introduced much social legislation. Although that is progressive in one direction, nothing has been done to modernize our accountancy system or the way in which we expect people to pay for the services provided. I think that we should be doing something entirely different from assessing land for rates and using those rates to provide for roads. People who use the roads should pay for them rather than having people who own land paying for them. I think the present position is basically unfair and unjust, as I have said for many years. If roads are constructed from money raised from petrol tax, the people who pay that tax will be providing the roads that they use. In that way, a true assessment can be made of whether it is more economic to build roads or railways. I know that you would not like me to deal with railways now, Mr. Speaker, so I may have to depart quickly from that point. I have mentioned it only in passing. Possibly, we will advance sufficiently far for persons in council areas to be charged for such matters as taking rubbish away and sufficiently far for roads to be paid for not from rates that depend on a value (which is guesswork, up to a point) but on the basis of payment that I have mentioned. I support the Bill in general. It simplifies matters and makes a uniform approach.

Bill read a second time.

In Committee.

Clauses 1 to 23 passed.

Clause 24—"Objections to valuation."

Dr. EASTICK: I move:

To strike out "one month" and insert "sixty days".

The amendment is self-explanatory. I consider it to be desirable to have this extension of time for lodging objections. I ask the Committee to accept the amendment.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I am willing to accept the amendment. The present provisions are for 30 days as far as E. & W.S. Department rating is concerned and for 60 days under the Land Tax Act. I have consulted the Valuer-General and, whilst he thinks that 30 days ought to be sufficient time, it does not seem that 60 days will provide any insuperable difficulties. Consequently, I accept the amendment.

Amendment carried; clause as amended passed.

Remaining clauses (25 to 34) and title passed.

Bill read a third time and passed.

CATTLE COMPENSATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

OFFENDERS PROBATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 4. Page 2774.)

Mr. MILLHOUSE (Mitcham): I support the Bill, which seems to have only one finicky little point. We can imagine a judge taking it and wanting to be absolutely sure of the position. As I understand it, it simply means that if a person is on a bond and commits a breach of the bond, even if it is in the last few days of the period of the duration of the bond, he can be brought before the court to be punished, even though that is after the bond has expired. This means that people will not be able to get away with anything in the last few weeks of the period of their bond, if they have been able to get away

with it up until now, and that is open to some doubt. This is not a matter on which I suggest the House need spend much time.

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

DOOR TO DOOR SALES BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 3, line 9 (clause 6)—After "other" insert "higher".

No. 2. Page 4 (clause 6)—After line 15 insert new paragraph *(ga)* as follows:

(ga) to any contract or agreement entered into by a purchaser in the ordinary course of his trade, business, profession or calling;

No. 3. Page 7, lines 27 to 29 (clause 8)—Leave out all words after "shall" and insert "take reasonable care of the goods".

No. 4. Page 7, lines 30 to 31 (clause 8)—Leave out paragraph *(d)*.

No. 5. Page 7, line 32 (clause 8)—After "up" insert "those goods".

No. 6. Page 7, lines 34 and 35 (clause 8)—Leave out all words after "dealer".

No. 7. Page 7, line 40 (clause 8)—After "charge" insert "or duty of care regarding those goods".

No. 8. Page 9—After clause 15 insert new clause 16 as follows:

16. *Regulations*—The Governor may make such regulations as may be necessary or convenient for carrying into effect the provisions and objects of this Act.

Amendment No. 1:

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

That the Legislative Council's amendment No. 1 be agreed to.

This amendment relates to the figure of $20, which was the maximum consideration for a sale that was exempted from the provisions of the Bill as it left this place. At that time the Bill provided for the making of a regulation to vary the figure of $20. In the language of the clause as it left this Chamber it would be open to prescribe an amount of less than $20, and this would probably be ideal in a theoretical sense, because the value of money can theoretically change either way. The Legislative Council seems to take the view that an alteration in the value of money that would require a reduction of $20 is remote, and I think that view is correct. Therefore, I accept the amendment.

Motion carried.

Amendment No. 2:

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

That the Legislative Council's amendment No. 2 be agreed to.

It exempts from the provisions of the Bill any contract or agreement entered into by a purchaser in the ordinary course of his trade, business, profession, or calling. I accept that such purchaser may be expected to be in a position to protect himself, so I consider that it is reasonable to agree to this amendment. I would not have inserted it, because I think some people may, in the course of their calling, need this protection: for example, primary producers.

Motion carried.

Amendment No. 3:

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

That the Legislative Council's amendment No. 3 be agreed to.

This is one of several amendments that have the effect of reversing the provision adopted in this Chamber that relieved the purchaser of any duty in relation to goods that had been delivered pursuant to a contract that was terminated under the provisions of the Bill. Initially, I took the view that it was desirable that goods should not be delivered until the cooling-off period had expired. However, direct selling organizations suggested that they should be permitted to deliver goods, even on the basis that the purchaser took no responsibility for the goods, and I finally accepted that provision. However, the Legislative Council has taken the view that if goods are delivered the purchaser should have the duty to take reasonable care of those goods. I ask the Committee to accept the amendment, but I intend to move an alternative amendment to a subsequent amendment which will make it clear that the right of the purchaser to terminate the contract will not be prejudiced by either his inability to deliver up the goods or his failure to take care of the goods, but that the vendor will retain his ordinary remedies at law in relation to non-delivery or failure to take care as though the purchaser had not entered into a contract to buy the goods but had become a voluntary bailee and, therefore, had a duty towards them. If the proposals I shall put forward are accepted, the final result will be that, if goods are delivered during the cooling-off period, the purchaser will be under a duty to take care of those goods. If he fails in that duty the vendor will have the right to sue him for any damage to the goods as a result of the breach of duty.

If he consumes the goods the vendor will have a right to sue for the reasonable value of the goods consumed, but the purchaser will not be deprived of his right to terminate the

contract simply because he cannot make restitution of the goods to the vendor. The necessity for inserting this special provision is that, under the ordinary law, where a right to rescind a contract exists it can be exercised only if the person rescinding is able to make full restitution; in other words, restore the other party to the same position as he would have been in had the contract never been made.

Motion carried.

Amendment No. 4:

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

That the Legislative Council's amendment No. 4 be agreed to.

This amendment, which is related to the subject matter I have just discussed, is to delete paragraph *(d)* from clause 8 (4). That paragraph entitled the purchaser to use and, in the case of consumable goods, to consume those goods.

Motion carried.

Amendment No. 5:

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

That the Legislative Council's amendment No. 5 be agreed to.

This amendment is related to the matter I have just discussed.

Motion carried.

Amendment No. 6:

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

That the Legislative Council's amendment No. 6 be agreed to.

This is part of the amendment I have discussed previously.

Motion carried.

Amendment No. 7:

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

That the Legislative Council's amendment No. 7 be agreed to, with the following amendment:

Leave out all words in the amendment after "insert" and insert the following words: new subclause as follows:

(4a) A purchaser may terminate a contract or agreement pursuant to subsection (1) of this section, notwithstanding—

(a) that the purchaser is unable to deliver up the goods the subject of the contract or agreement in accordance with the demand made by the vendor or dealer, pursuant to subsection (4) of this section, in the condition in which the goods were delivered to the purchaser, or at all;

or

(b) that the purchaser has failed to take reasonable care of those goods,

but the vendor or dealer shall have the same remedies, at law or in equity, against the purchaser in relation to those goods as he would have had had there been no such contract or agreement and the purchaser was a voluntary bailee of those goods.

It will be seen that the amendment I am asking the Committee to make to the Legislative Council's amendment is radical, because the amendment put forward by the Legislative Council was to insert "or duty of care regarding those goods". I do not follow that amendment because obviously, if the purchaser has become the owner of the goods free of any interest, rate, title or charge, there can be no duty of care. My amendment has the effect of saying that the purchaser is to be entitled to exercise his right to terminate the agreement within the cooling-off period notwithstanding that he may not be able to deliver up the goods (he may have used or lost them, they may have been destroyed, or he may have failed to observe his duty of care in respect of them), but the vendor or dealer shall have the same remedies as he would have had if there had never been a contract and the purchaser had come into possession of them as a voluntary bailee, which means that the purchaser would be obliged to take care of the goods.

The compromise in this amendment, which I ask the Committee to adopt, is that there should be some duty of care on the part of the purchaser but that, if he fails to observe that duty of care, that should not deprive him of his right to terminate the contract, which would make him liable to compensate the vendor. Similarly, if he consumes part of the goods, that does not deprive the purchaser of the right to terminate the contract, but he would be obliged to pay for the reasonable value of the goods used.

Mr. MILLHOUSE: The Attorney-General used the word "compromise". I do not know whether he knows in advance or believes that this will be acceptable to another place.

The Hon. L. J. King: I am hoping that reason prevails.

Mr. MILLHOUSE: Well, it may. In effect, we are not accepting the Legislative Council's amendment, even though the form in which the Attorney has moved this motion would lead some members to think that we were partially accepting it: we are cutting out the operative part and substituting something different. As this is technical and involved, I should like time to consider the amendment.

If the Attorney will let me have a copy of it, I will examine it before voting on it.

The Hon. L. J. KING: To allow the honourable member to do that, I ask that progress be reported.

Progress reported; Committee to sit again.

Later:

Mr. MILLHOUSE: I have a good digestion and I think 1 have been able to digest the meaning of this amendment in a few minutes. As I understand it, it means that, if a person takes delivery of the goods during the cooling-off period and uses the goods, either by consuming the goods partly or in whole or simply using them, he still has the right to rescind the contract. When the question of the return of the goods comes up, he must pay a reasonable amount for what he has consumed; that is, on a *quantum meruit.* If he has returned goods such as a vacuum cleaner, or something else like that, he must exercise the same care of those goods as if they were his own. 1 think that is the duty of a voluntary bailee, and this is a matter of fact to be determined by the court if there is a dispute. I ask the Attorney whether 1 have understood the amendment correctly.

The Hon. L. J. King: Yes, I agree with that.

Mr. MILLHOUSE: Well, I think I can accept that amendment. The only point that worries me a little is that, if there is a dispute, it puts the onus of the vendor to prove in court the damages that he should recover from the would-be purchaser. Is that right?

The Hon. L. I. King: Yes.

Mr. MILLHOUSE: Because I think that that is a fairly small price to pay for the amendment, I support it.

Motion carried.

Amendment No. 8:

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

That the Legislative Council's amendment No. 8 be agreed to.

This amendment, which was made on the motion of the Minister in charge of the Bill in the Legislative Council, empowers the Government to make regulations for carrying into effect the provisions and objects of the Bill.

Motion carried.

HALLETT COVE TO PORT STANVAC RAILWAY EXTENSION BILL

Adjourned debate on second reading.

(Continued from October 26. Page 2490.)

Mr. MILLHOUSE (Mitcham): I must confess that I do not know very much about this Bill, but I am sure that the member for Heysen, the chief spokesman for the Opposition on this matter, will deal with it very adequately.

Mr. McANANEY (Heysen): In this vague Bill no information is given about the cost of the railway. Further, no map has been provided for members to show the route of the railway. Being a member of the Public Works Committee, I know that it has been planned for some time to extend the railway to Port Stanvac. When the line to Willunga was closed it was said that the grades on the old line were too steep and the curves too sharp to provide a fast service. This line is not modern and does not allow for fast enough speeds to attract the patronage that it should. Although the line to Hallett Cove is only about 12 miles long, it takes a train 41 minutes to reach its destination. When I asked how long it took an express train to do the trip, I was told that it took 33 minutes for a train that ran as an express to Goodwood and then stopped at all stations. People will not be attracted to use railway services unless express trains are provided. On this line it should take only 20 minutes travelling time, and this would encourage people to leave their motor cars at home. I am willing to pay a certain amount of income tax if that money is used in a reasonable way, but I dislike being fleeced by having to pay indirect taxation from which I do not benefit to make up losses on inefficient rail services. No benefit is derived from the pay-roll tax imposed by the South Australian Government.

On the Elizabeth line it takes 43 minutes to travel from Elizabeth to Adelaide but trains that run express from Dry Creek take 33 minutes to do the same trip. As our metropolitan area is elongated, it is necessary to have efficient north-south routes, as obviously there will be no need for railway services running east and west. Perhaps someone may suggest retaining the service from Grange, but a quicker service will probably be provided by bus. The distance from Tokyo to Osaka is nearly 300 miles, but this is travelled by train in 2½ hours, with a 10 minute service. When trains travelling in opposite directions pass each other at a combined speed of 240 miles an hour all one sees is a flash. This is the type of railway service that we should install on our north-south route if we are to attract more traffic. At this stage I shall not say much about the large loss incurred by the Railways Department, but this is an aspect that must be tackled in a forthright way.

We cannot retain railway services on which there is little traffic when reasonable alternatives are available, and this hopeless situation should not be allowed to continue. With a suburban population of reasonable numbers an efficient railway service can be provided if express trains are used for the convenience of passengers. It may mean a duplication with a four-line north-south service, but this possibility could be assessed. It may be better to provide a fast bus service on the freeway or whatever is to be built, but this matter can be discussed. With a line ending at Christies Downs it may be necessary to use a feeder bus service so that people will travel to the railway service by bus and then to Adelaide by rail.

However, people will not wish to use these services unless those services are speedy and efficient. I support this Bill, because this rail service is necessary. However, if the service is provided in a half-hearted manner with a doddering train to Adelaide it will be a dead loss to the community, because, first, it will not provide an efficient service and, secondly, it will incur additional losses that have to be made up by the taxpayer, and that is a most unjust situation.

Mr. HOPGOOD (Mawson): In supporting the Bill, I congratulate the Minister on introducing it. I suppose that statement of mine was wholly predictable because it is mainly my constituency that will benefit from the extension of this rail service. Publicly owned transport, which is virtually unknown in the Mawson District, is confined largely to the present railway line that ends at Lonsdale, at the Port Stanvac oil refinery. At present, this service does not carry passengers: it carries a limited amount of goods traffic. Passengers do not travel beyond Hallett Cove, which is at the junction of this line with the old disused Willunga line. I look forward to the time when not only will expanding industry in that area between the present industrial area of Lonsdale and O'Sullivan Beach Road in my area be served by the extension but so also will the expanding residential area in the Mawson District benefit from this service.

It is interesting to study the extent to which population is expanding in parts of the District Council of Noarlunga area and to look at the responsible predictions that have been made for the future projection of this population. For example, if one studies the figures prepared by the State Planning Office in 1967 for metropolitan Adelaide, one sees that the District Council of Noarlunga, whose 1965 population was 12,100, can look forward to a population in 1971 of 25,000 which, to the best of my knowledge, is a low estimate. It is also interesting to study the dramatic demographic future that has been projected for my area: by 1976, a prediction of 55,000 people in the Noarlunga District Council area, increasing to 88,000 by 1981, 120,000 by 1986, and 156,000 by 1991.

I had the distinct impression from the remarks of the member for Heysen that he was not sure where this line was going to run. The present terminus of the track is at the end of Sheriff Road at the Port Stanvac oil refinery, and it is intended that the line shall be extended across land presently zoned as industrial land to Flaxmill Road, beyond which it will enter the rapidly expanding Housing Trust area known as Christies Downs and run south as far as Beach Road near a projected district business and commercial centre in that area.

If one studies the figures for the census collection units in this area, one sees the kind of population increase which is at present taking place and which will continue to take place. First, in the Marion District Council area (an area on the way to the new terminus and one that will certainly be served by this line), district collection unit 510 had a population of 10 in 1965. It was projected that 175 people would be living there by 1971, but that is probably a high estimate. It is suggested that this figure will increase to 1,089 people by 1976, to 2,148 by 1981, to 2,564 by 1986 and to 3,270 by 1991.

Turning to the District Council of Noarlunga, and particularly the area covered by the land that is at present held by and being developed by the Housing Trust, we find that the present Christies Downs is identified by the collection units 525, 526 and 527. Looking, for example, at 527, which is the most easterly section, we find that in 1965 this had a population of seven and it still has a population of seven; but by 1976 the population will have increased to 1,203. To cut a long story short, by 1991 it will have increased to 1,836.

This is not intended to be purely a statistical exercise so I refer only to two other sets of figures. In what is at present completely open land between Honeypot Road, Christies Downs, and the Onkaparinga River (district collection unit 531), there were 26 people in 1965; it is expected that 1,624 will be

there by 1976, and 4,077 by 1991. It is feasible that at some time in the remote future there may be further extensions of this line, even perhaps eventually joining up with the old Willunga right of way. This was a prediction made in the 1962 town planning report.

So, with this possible future in mind, it is interesting to note the sort of population predictions that have been made for the area immediately behind Moana, which carried a population of 92 in 1965 and has a projected population of 804 by 1981 and 6,368 by 1991. This is the sort of pace of expansion we can expect in the area immediately to the south of the old metropolitan area, the area that is now the most rapidly expanding area. It is expanding not only in terms of the residential population but also in terms of the industries that are establishing in this area, and there is a considerable unused capacity of industrial land at present available there. I look forward to the progressive build-up of industry and population in that area but am irrevocably wedded to the concept that we cannot place people in an area without making adequate provision to be able to move them around that area. So I look forward to the running of a fast passenger service to that area and to increased goods traffic, and I join with the member for Heysen in looking forward to the possibility of feeder bus services in this area.

I think I am at liberty to say that I was present when the Minister of Roads and Transport actually had some discussions with one group of bus proprietors on this very matter over 12 months ago. I believe that public transport is something we cannot get away from. We must have it in the future if we are to avoid the serious pollution, the clogging of roads and the accident statistics that are irrevocably bound up with the private motor car. Therefore, I support the Bill.

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

MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 28. Page 2592.)

Mr. COUMBE (Torrens): This neat little Bill is a model of conciseness, but its objects are far-reaching. In one respect, one can say that it is a nice little bit of Socialism. By this Bill, the Minister of Roads and Transport intends to place under his control the Municipal Tramways Trust. In this connection, we must remember that the Minister has already given notice of a Bill to amend the South Australian Railways Commissioner's Act, and the Road and Railway Transport Act Amendment Bill (which will bring the Transport Control Board under the control of the Minister) is on the Notice Paper. In fact, this is the first of the Bills designed to place these transport facilities under the control of the Minister.

The genesis of the principal Act is important. We all acknowledge the wonderful work that the late Sir William Goodman did in the establishment of the Municipal Tramways Trust. After the days of the horse-drawn trams, Adelaide became the first city in Australia, I believe, to have an electric tram system. The Municipal Tramways Trust Act then gave municipal councils much control over the trust's affairs. For instance, the board comprised representatives of the Adelaide City Council and of other metropolitan councils (divided into zones A and B), as well as the Governor's appointees. Thus, the metropolitan councils had an important say in the affairs and conduct of the trust. After all, the trams used the carriageways in these council areas, and the Adelaide City Council had special representation because the trams converged on Adelaide.

With the passing of time, change was necessary and I (and, doubtless, other members) remember vividly when the roads were re-aligned and the tram tracks pulled up, and when buses replaced trams in providing public transport. In 1952, when Sir Thomas Playford was Premier, the Act was amended, and a board was established. Sir Alwyn Barker became Chairman, and later Mr. Ramsay (General Manager of the Housing Trust) succeeded Sir Alwyn. We should pay a tribute to the board of those days and to the present board. We should pay a special tribute to business acumen and foresight of the board in transferring from electric trams to diesel buses. Of course, today we have only one tramway system in Adelaide—the Glenelg tram.

The Hon. G. T. Virgo: And a very good one.

Mr. COUMBE: I agree that it is an excellent and well conducted tramway system. The member for Hanson would be the first to agree that the Glenelg tram is quite an attraction, besides providing an adequate and suitable service for commuters between Glenelg and Adelaide. That honourable

member has constituents in the Glenelg area and he has spoken in the House about the Glenelg tram.

The Hon. G. T. Virgo: I have more constituents along the tram line than he has, and the member for Unley has more again.

Mr. COUMBE: I do not want to engage in a dissertation about who represents whom.

The Hon. G. T. Virgo: The Glenelg tram line is the border between the District of Hanson and my district.

Mr. COUMBE: All I can say is that it is a rather movable border: if the Minister was an engineer, he would know the difference between a tramway and a railway. In the past the Municipal Tramways Trust has worked under a board; it has been regarded as a semi-government body, and it has presented an annual report to Parliament. However, the trust is now to come under the control of the Minister of Roads and Transport. New section 25a provides:

> Notwithstanding any other provision of this Act, the trust is subject to the control of the Minister and, in the exercise of the powers, functions, authorities and duties conferred or imposed on the trust by or under this Act or any other Act, the trust shall comply with the directions, if any, given by the Minister.

In other words, the trust has to do what the Minister says it shall do: it has no option. Neither in the Minister's second reading explanation nor in the Bill is it made clear whether the present board is to continue or whether it will be abolished. I presume that under clause 3 the board will continue to operate but that it shall be under the Minister's direction. I should like the Minister to say whether I am correct.

What is the trust? As I see it, the trust is the board. When we look at the broad perspective of the triumvirate of Bills that the Minister intends to introduce, we realize that he plans to bring various transport authorities under his control so that eventually they will be under the central direction of the proposed Director-General of Transport. I think I have hit the nail on the head. My Party supports the appointment of a well qualified Director-General of Transport. The sooner he is appointed the sooner we will get some definition of what is going on.

The Hon. G. T. Virgo: That was last Wednesday's debate; you got done like a dinner.

The DEPUTY SPEAKER: Order! Reference to discussion on any other Bill is out of order.

Mr. COUMBE: I want to refer to the Minister's second reading explanation; if the Minister mentioned this matter, surely I am entitled to mention it. If this Bill is a step in the direction of enabling the people of this State to know the aims of the Government's transport policy, I will support it. If these are true facts, I have no hesitation in supporting the measure, because what the Minister is now proposing is to bring the Municipal Tramways Trust, the Transport Control Board, and the South Australian Railways (the major transport authorities in this State, apart from the Highways Department) under his control. He is not a bad empire builder as long as he does not become a dictator, because dictators have a habit, after a time, of being knocked off their perch.

Mr. Jennings: Tom Playford found that out.

Mr. COUMBE: No: the honourable member is quite wrong in his premise, because Sir Thomas Playford set up many semi-government bodies under autonomous boards, but the Minister is doing the reverse. Having indicated my support in principle for this measure, I plead with the Government not to go overboard and gobble up other semi-government boards, for instance, the Electricity Trust.

The Hon. G. T. Virgo: What's that got to do with it?

Mr. COUMBE: That is a semi-government body, the same as is the Municipal Tramways Trust. Having been a Minister and had Parliamentary responsibility for the Electricity Trust, I would be the last to support a move that caused that organization to be gobbled up as a Government department, just as I would hate to see the Housing Trust gobbled up and become a Government department. I support this measure, because the Municipal Tramways Trust is being placed under the control of a Minister (and a responsible Minister) through the Director-General of Transport. In that case we may possibly be able to get out of the dilemma that not only the people of Adelaide and the metropolitan area but also the Government have now found themselves in, because, from the confused statements we have heard from time to time, I am sure that the Government does not know where it is going. I make one special plea: under the provisions of the principal Act the trust can license private bus operators to

operate in various districts, and I think that about 16 licences operate at present. I have read the trust's last report and the Auditor-General's Report about the financial aspects of this matter. I hope that in the proposed set-up no interference will occur in the right of private bus operators to be licensed.

Mr. Jennings: Hear, hear!!

Mr. COUM BE: The honourable member will know that several bus operators operate in his district, as they do in the districts of the member for Tea Tree Gully and the member for Gilles. By some strange coincidence, they all seem to go through the Torrens District and wear out the roads in my district. I hope that no interference will be made with the right of private bus operators to obtain a licence where it is found necessary and desirable that they operate to the benefit of the public. One of the tragedies of the transport system in metropolitan Adelaide is that there are insufficient cross connections. Most of our transport runs north and south (although we have some east and west transport), and we have insufficient connections. One of the needs that must be considered in the future transport system of metropolitan Adelaide is that of providing circuitous runs whereby the main transport arterial systems will be connected. This important aspect, whereby commuters will be able to go from Prospect to Port Adelaide without having to travel through Adelaide, must be considered.

In some of these cases private bus operators can provide these services efficiently to the satisfaction of the public, whereas the Tramways Trust is not always able to do so. I make the plea that in future the Minister, who will be the king boss of this transport set-up, whatever it may be, operating through the Director-General of Transport, will bear in mind the valuable contribution made to the transport system of metropolitan Adelaide by the private licensed but operators.

Clause 3 is the only clause that has any guts in it, because most of the other clauses are formal. In future, the Minister will tell the Tramways Trust what it must do, and the trust will be responsible to the Minister. The Railways Commissioner and the Transport Control Board will also be responsible to the Minister. As a member of a Party which has supported a Director-General of Transport, I support this measure. I presume from what the Minister has said that a board will control the Tramways Trust's affairs, but it will be subject to his direction.

Since we have very few municipalities represented on the board compared with the position prior to 1952, it may not be a bad idea for this organization to change its name: it would be more appropriate if it was called the Metropolitan Tramways Trust. I recall the time when members of various councils comprised, in principle, the Municipal Tramways Trust. They had certain obligations and privileges. One of the quaint things that is being remedied by this Bill is the possession of a gold pass. When I became Minister of Works, I inherited from the Honourable Mr. Hutchens a gold pass, which had worn very thin.

Mr. Jennings: Have you given it up?

Mr. COUMBE: Yes. It entitled me, as Minister of Works, to travel free on any of the M.T.T. services. It is an anachronism, going back to the days when the Minister of Works was responsible for the operation of the Municipal Tramways Trust. That was in the time of Sir Malcolm McIntosh, when he was Minister of Local Government, besides holding innumerable other portfolios. So, having made my point and saying that this Party supports the appointment of a Director-General of Transport, we urge the Government to get on with the appointment of that officer so that the people of this State can know where they are going, despite the various conflicting statements we get from to time from the Minister. I indicate my Party's support of the measure.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Trust is subject to control of Minister".

Mr. COUMBE: Am I correct in assuming that the board will still remain in control of the trust but be subject to the control, whim and direction of the Minister, or is the board to be abolished?

The Hon. G. T. VIRGO (Minister of Roads and Transport): If the honourable member reads clause 3 he will see that last few words state:

. . . the trust shall comply with the directions, if any, given by the Minister.

This indicates that obviously it is not intended that the Minister shall have complete and utter control, as the member for Torrens had when he was Minister of Works over the

Engineering and Water Supply Department and the Public Buildings Department and as I now have over the Highways Department. At this stage it is not intended to abolish the board. It is set up under the Act and, unless some further legislation is brought before this Chamber, I do not anticipate that the board will be abolished.

Mr. Hall: Is that a threat or a promise?

The Hon. G. T. VIRGO: Is is neither a threat nor a promise; it is a statement of fact. I do not think the Leader is contributing very much with stupid remarks like that.

Clause passed.

Remaining clauses (4 to 26) and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 9.54 p.m. the House adjourned until Thursday, November 11, at 2 p.m.