

HOUSE OF ASSEMBLY

Thursday, November 25, 1971

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

ASSENT TO BILLS

His Excellency the Lieutenant-Governor, by message, intimated his assent to the following Bills:

Cigarettes (Labelling),
Film Classification,
Hallett Cove to Port Stanvac Railway Extension,
Municipal Tramways Trust Act Amendment,
Offenders Probation Act Amendment,
Parliamentary Superannuation Act Amendment,
Prices Act Amendment,
Public Service Act Amendment,
Registration of Dogs Act Amendment,
Renmark Irrigation Trust Act Amendment,
Snowy Mountains Engineering Corporation (South Australia),
Superannuation Act Amendment.

PETITION: POLLUTION

Mr. HALL presented a petition signed by 17 private irrigators of Moorook stating that Wachtel Lagoon was polluted by three seepage drains emptying into the southern end; that the private channel was ineffective because the entrance to the lagoon was not deep enough; that fresh water from the first creek did not reach private pumping sites; and that seepage-polluted water passed the pumping sites. The petitioners prayed that the House of Assembly would take action to have fresh water admitted by pipeline to the southern end of the lagoon to give a continual flow of water of the lowest possible salinity and to divert seepage water away from the lagoon.

Petition received and read.

SECONDHAND MOTOR VEHICLES BILL

At 2.6 p.m. the following recommendations of the conference were reported to the House:
As to amendment No. 1:

That the Legislative Council do not further insist on its amendment.

As to amendment No. 2:

That the Legislative Council do not further insist on its amendment but make the following amendments in lieu thereof:

Clause 24, page 14, lines 18 to 28—
Leave out all words after “vehicle” and insert—

(a) at a cash price of or over one thousand dollars or such other amount as is from time to time prescribed and

(i) before that vehicle has been driven for 5 000 km after the sale;

or

(ii) before the expiration of the period of three months next following the day of the sale,

whichever event first occurs, a defect appears in that vehicle, whether or not that defect existed at the time of the sale, the dealer who sold that vehicle shall repair or make good, or cause to be repaired or made good, that defect so as to place that vehicle in a reasonable condition having regard to its age;

or

(b) at a cash price of less than one thousand dollars or such other amount as is from time to time prescribed and—

(i) before that vehicle has been driven for 3 000 km after the sale;

or

(ii) before the expiration of the period of two months next following the day of the sale,

whichever event first occurs, a defect appears in that vehicle, whether or not that defect existed at the time of the sale, the dealer who sold that vehicle shall repair or make good, or cause to be repaired or made good, that defect so as to place that vehicle in a reasonable condition having regard to its age.

(2a) For the purposes of calculating the period referred to in subparagraph (ii) of paragraph (a) or subparagraph (ii) of paragraph (b) of subsection (1) of this section, no regard shall be paid to any period during which the dealer has the vehicle in his possession for the purpose or purported purpose of ascertaining or carrying out his obligations under this section.

Clause 24, page 15, line 3—Leave out “or”.

Clause 24, page 15, after line 7—Insert—
or

(f) occurring in a vehicle that has, for the time being, been exempted from the provisions of subsection (1) of this section by notice under subsection (4) of this section.

Clause 24, page 15, after line 13—Insert—

(4) The Commissioner may, by notice published in the *Gazette*, exempt a vehicle or a vehicle of a class from the provisions of subsection (1) of this section and may by notice published in a like manner revoke or amend any such exemption.

and make the following consequential amendment:

Clause 42, page 22, after line 17—Insert—
(aa) provide for the form of a notice that shall be affixed to a vehicle indicating that the vehicle has been exempted from the provisions of subsection (1) of section 24 of this Act;

and that the House of Assembly agree thereto.

As to amendments Nos. 3, 4, and 6:

That the Legislative Council do not further insist on its amendments.

As to amendment No. 5:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 27, page 16, after line 43—Insert—

- (5) A person shall not wilfully make any false or misleading statement or claim in or in relation to any hearing or determination under this section:

Penalty: Two hundred dollars.

and that the House of Assembly agree thereto.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

The Committee will recall that the effect of the amendments inserted by the Legislative Council was to delete from the Bill the provisions requiring dealers in secondhand motor vehicles to warrant the freedom of the vehicle from defects which had not been disclosed to the purchaser, subject to the conditions laid down in the relevant clauses. The managers conferred last night at considerable length and the result has been the agreement that I related to the House earlier. The effect of the agreement is that there be inserted what might be described as an intermediate category in the categories of vehicle subject to warranty.

The Committee will recall that, as the Bill left this Chamber, the warranty obligations did not apply to vehicles of a price less than \$500, but over that price the warranty was for three months or 5 000 km whichever event occurred first. The agreement which has been arrived at, and which I now recommend to the Committee, is that there be inserted an intermediate stage between \$500 and \$1,000 in respect of which the warranty would be for two months or 3 000 km, whichever occurred first. In exchange for that concession the Legislative Council has agreed to

the insertion of a provision that any period during which the vehicle is in the possession of the dealer for the purpose or for the purported purpose of ascertaining the dealer's obligations or of making good the defects shall not be counted as part of the warranty period. From my view and from the view of the House, the final result of this conference has been extremely satisfactory.

The other provision that has been inserted is a provision giving the Commissioner power to exempt certain vehicles or classes of vehicle from the warranty provisions of the Act. This was inserted as a result of a point raised at the conference that there may be vehicles which are uncommon and for which it may be difficult to obtain the parts that would enable the dealer to warrant the freedom of the vehicle from defects, and there may be other categories of vehicles to which for one reason or another it would be difficult to apply conditions of the Act. Therefore, the managers agreed that the Commissioner should have power to exempt either a vehicle or a class of vehicle from the operations of the warranting provisions.

The only other amendment agreed to by the managers concerns the creation of the offence of wilfully making any false or misleading statement or claim in or in relation to any hearing or determination under the section relating to complaints to the Commissioner with respect to secondhand motor vehicles. The managers for the Legislative Council were not satisfied to rely on the ordinary provisions of the criminal law in this regard, but believed there ought to be a specific provision in the Bill to draw attention to the penal consequences of making false statements of this kind, and this was agreed to by the managers on behalf of the House of Assembly. As a result of the conference, therefore, the principles on which this legislation was originally based remain intact. The only significant alteration is the creation of the somewhat shorter period of warranty for vehicles sold at a price between \$500 and \$1,000, and in exchange for that we have the very considerable advantage of the provision that the period in the dealer's garage does not count as part of the warranty period. All in all, I believe that members of this place have every reason to believe that the stand they have taken on this legislation has produced for the public of South Australia an Act that will be of inestimable benefit.

I pay a tribute to all those who have participated in the discussions and in the preparation of the work leading to the formulation of this legislation. It may not have been apparent to members who read the Bill just how much groundwork went into it, but it involved grappling with some radical legal concepts in an endeavour to ensure that their application to commercial conditions would result in legislation that would effectively protect the public and work to the advantage of all those involved.

Many people were involved in preparing this legislation, and many made submissions to the Government. To all of them, I express appreciation for the constructive way in which those submissions were framed, even where, as in many cases, they were not accepted.

I may be forgiven if I single out two people for special mention. Although they are both public servants, neither should be asked to accept any responsibility for the policy decisions made in relation to this legislation, but both of them were of enormous assistance regarding the technical and legal aspects of the measure. One is the Solicitor-General (Mr. Brian Cox), for whose advice and assistance I am indebted; and the other is the Assistant Parliamentary Counsel (Mr. Daugherty), who, over a long period with Mr. Cox and in collaboration with him, helped and advised in clarifying the legal issues in the Government's policy on this matter and also in drafting the legislation. I refer to those two officers, but many others are involved, and to them I express my appreciation and the appreciation of the Government.

I believe that the passing of this legislation by the Parliament of South Australia is a historic landmark in the development of both social and legal policy in Australia. It deals with an area in which many instances of injustice and hardship required remedying. But what makes it historic is that it represents a recognition by this Parliament that the traditional foundations of the law of sale, namely, the principle of *caveat emptor*, are not adequate to provide the protection that the public needs in a modern commercial society. I think the recognition of this principle in relation to used motor vehicles is historic, because I think it points in the direction along which future legislation must travel if the public interest is to be fully protected and if members of the public are to receive the protection that they need in their commercial dealings, especially with

large commercial organizations. So I welcome the passage of this legislation, not only for what it achieves in the area of used car transactions but also for what it portends in future for the development of the law in a way that better accords with the public interest than has the law of sale in the past.

Mr. HALL (Leader of the Opposition): I do not find these amendments entirely satisfactory. The Attorney-General, who is approaching this matter in a starry-eyed way, is suggesting that suddenly a great burden will be lifted from the community. However, members of the public will bear costs similar to those they have borne previously. In the past, repairs have been carried out on those vehicles, the purchasers of which would be protected under this legislation, just as repairs will be carried out in the future, and there is only one person who will ultimately bear the cost of those repairs: it is the purchaser. After the passage of this Bill, the secondhand car dealer—

The CHAIRMAN: Order! The Leader must refer to the motion: he cannot debate what it may lead to.

Mr. HALL: I refer specifically to the clause concerning the warranty, which we are discussing.

The CHAIRMAN: There is nothing in the clause about the cost of the vehicle.

Mr. HALL: No, but I am referring to the cost of repairing a vehicle under warranty, and this cost will be added to the purchase price under some sort of averaging system. Therefore, as a result of this warranty system, the purchaser will pay no less than he has paid previously; he may well pay more, because dealers will probably adopt a safe attitude in relation to the prices they charge. Therefore, it would be misleading to the public if the Attorney-General, in supporting these amendments, suggested that ultimately members of the public would pay less for their motor cars, because they will not pay less. Indeed, there is every likelihood that they will pay more. We know that there is an advantage in these amendments and that they will at least clarify the position concerning purchases, but I think this is the best that can be said about the Bill: there will be a much clearer picture regarding the ultimate cost to the purchaser, who will have a greater knowledge of the condition of the vehicle in question. In cases where he does not have that knowledge, he will have the benefit of the certainty of a warranty.

The conference held last evening achieved little from the viewpoint of the legislation, and I believe that a mistake was made, when acknowledging representations from the trade, in moving such a blanket set of amendments as another place moved. If the Legislative Council had been able to go to the conference with a clear definition of what it wanted, it might have achieved more in making this legislation a little safer for all concerned. However, the Legislative Council went to the conference with a wide-ranging set of amendments which, as the Attorney-General said, took the teeth out of the Bill. Members of another place obviously, at least in the initial stages of the discussion, were unable to advance any definite proposals. I believe that, when they consider this legislation in future, they will not adopt such a wide-ranging attitude.

If the trade had adhered to the proposal concerning an opting-out clause, or agreed to a simple amendment that might even have been more valuable to it, it might have received greater recognition from the Government and from the conference itself. However, that is not the case, and I believe that the representations were made on too wide a basis. I am sorry that nothing more was achieved. This legislation is highly experimental, and we have so far considered its advantages, but there may be considerable disadvantages for both the consumer and the seller; that remains to be seen. I sound the warning that, in supporting these amendments resulting from the conference, I believe the Attorney-General will mislead the public if he says that motor vehicles will cost less, because they will not cost less.

Mr. EVANS: I support the motion. Although the amendments are not what I should personally have liked to see inserted in the legislation, I believe we achieved something at the conference last evening, although it was a small achievement. I have strongly believed all along that the opting-out clause should have been more simple than it is at present, especially for the benefit of those people who dislike negotiating with Government departments or agencies where much red tape is involved. More and more people in our society dislike filling out forms, making applications, etc., and going through all the rigmarole involving much red tape, even though they may be better educated than previous generations. Allowing for a two-price floor plan under which, concerning a

car whose price is between \$500 and \$1,000 the dealer shall give a less comprehensive warranty than would be given in respect of a vehicle costing over \$1,000, is an achievement to some degree, as a result of the conference.

The person who looks after his vehicle will pay an increased price to help people who treat their vehicles negligently. Again, in this case we are providing that the responsible people in the community will have to help out irresponsible people. The Attorney-General said the legislation represented a historical landmark; I think that this legislation is a new concept. The Attorney-General may be correct in saying that it will not result in increased costs for the industry, which is a lifeline in providing employment in this State. However, if this does become a burden on the industry and unemployment is increased, that could be the result of our rejecting these amendments and so leaving these restrictive provisions in the Bill.

I predict that, as a result of the Bill, people who presently own secondhand vehicles have lost 10 per cent on those vehicles. I agree with the Leader when he says that the dealer will not lose, because I believe that the cost of this will be borne by the purchaser. At the auction this morning, car prices dropped by 20 per cent. However, I believe that this was an over-reaction to the legislation and that the figure will level out at 10 per cent. I agree with the Attorney that other legislation already covered the position with regard to making a false declaration, but I think it is still wise to set this out clearly in the Bill, because similar measures have been included in relation to the dealer's responsibility. If these alterations to the original Bill have made it easier for the dealer to operate, we have achieved something. I hope for the sake of the community that my predictions are wrong, but my predictions on builders licensing have proved correct.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL (GENERAL)

At 2.11 p.m. the following recommendations of the conference were reported to the House:

As to Amendment No. 5:

That the Legislative Council do not further insist on its amendment.

As to Amendment No. 6:

That the Legislative Council do not further insist on its amendment but make the following amendment in lieu thereof:

Clause 24, page 6, lines 16 to 18—Leave out paragraph (c) and insert paragraph as follows:

(c) by striking out paragraph (k) of subsection (1) and inserting in lieu thereof the following paragraph:

(k) defraying legal and administrative expenses reasonably incurred by the council in examining, and obtaining advice upon the effect of, proposed legislation, in the preparation of a Bill and its introduction into Parliament, or in the preparation of amendments to any Bill before Parliament;

and that the House of Assembly agree thereto.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

The Hon. G. T. VIRGO (Minister of Local Government): I move:

That the recommendations of the conference be agreed to.

Members will recall that two matters were unresolved, one of which referred to the provision that had been inserted in the Bill to enable councils to subscribe to the funds of organizations that had as their objective the furtherance of local government generally throughout Australia. This Chamber considered it desirable that a safeguard be included, namely, that the approval of the Minister should first be sought and obtained. At the conference, when this was explained to the Council's representatives, they saw it in a new light and decided not to proceed with their opposition to this provision.

We had added to section 287 (1) (k) of the Act the provisions that councils, in promoting any Bill before Parliament that may be necessary for the benefit of an area, should first obtain Ministerial approval for such expenditure. At the conference, after much discussion, the Council's representatives agreed that they would not press their point further, realizing that the problem with which they were faced was basically that of interpreting the word "promoting". Irrespective of what is the correct legal interpretation of that word, in the context in which it is used there is no doubt that the interpretation placed on it has been the widest possible interpretation. It was being interpreted to mean that a council could do anything whatever in connection with a Bill, including preparing printed material and distributing it. In fact, it was suggested that a

council could even go so far as to have large advertisements placed in newspapers, on radio and television, and so on. A way around this was found by deleting paragraph (k) altogether and inserting a new paragraph (k), the effect of which would be to make section 287 (1) provide:

287 (1) Subject to any provision of this Act relating to any particular revenue a council may expend its revenue in—

(k) defraying legal and administrative expenses reasonably incurred by the council in examining, and obtaining advice upon the effect of, proposed legislation, in the preparation of a Bill and its introduction into Parliament, or in the preparation of amendments to any Bill before Parliament;

In effect, the objective has been attained, so that no longer will councils be able to promote a Bill in the widest sense as had been interpreted from the verbiage of the legislation: they will be restricted to the necessary legal and administrative expenses incurred in the preparation of legislation which they wish to introduce or on which they desire information. I believe that this was intended (certainly, it was all that was ever required) and, by tackling it in this way, the objective of this Chamber has been attained. However, a weakness exists, if one looks for weaknesses. The term used relates to expenses "reasonably incurred" by the council. There must always be an area for interpretation, no matter what verbiage is used. If it is considered that sums have been unreasonably incurred, there are processes in other sections of the Act under which appropriate action can be taken.

Dr. EASTICK: In supporting the Minister's remarks, may I say that, without amendment, the Bill would have been satisfactory with the deletion of the two or three words that have been canvassed previously. I agree with the Minister that we have introduced into the legislation a situation that will inevitably end up in the courts or in the hands of legal advisers for determination. "Reasonably incurred" will require consideration, the same as "substantial", which appears elsewhere in the Act, and "from time to time", which is found throughout our legislation. The attitude of both sides at the conference was one of real interest. I am sure, as a result of the conference and of what the Minister has now put, that the interests of those in the many spheres open to people associated with local government in South Australia will benefit as a result of the legislation. I support the motion.

Motion carried.

QUESTIONS

OBSCENE PUBLICATIONS

Mr. MILLHOUSE: As my question deals with a matter of policy, I direct it to the Premier. Will he say whether the Government intends during this session or at any time during the remainder of the life of this Parliament to amend the law to prevent the sale and distribution of obscene and indecent matter to schoolchildren? Last Tuesday, the Premier, as the member for Norwood, presented to this House a petition signed by 50 electors stating that obscene and indecent matter of the most undesirable kind was being circulated widely among schoolchildren in South Australia by persons and organizations outside schools and that the law was not at present effective to prevent this circulation, and the petition prayed that the law would be amended in the way in which I have framed my question. Members no doubt know that, simply because a petition is presented by an honourable member, that does not mean to say that he personally supports the prayer contained in it. However, so that the position may be made clear, I ask the the Premier what are the Government's intentions on this matter.

The Hon. D. A. DUNSTAN: The honourable member seems to have constituted himself pornographer-general. The position is that I do not support or subscribe to the views expressed in the petition that I presented and, although 50 electors signed the petition, only four of them were my constituents. I consider that the present law is perfectly adequate to cope with the situation in South Australia, and no decision has been made by the Government to alter it.

MODBURY ROUNDABOUT

Mrs. BYRNE: Has the Minister of Roads and Transport a reply to my question of November 11 about when plans will be completed for a roundabout to be situated at the corner of Wright and Kelly Roads, Modbury?

The Hon. G. T. VIRGO: At its meeting on November 18, 1971, the Road Traffic Board approved the plans for provision of a roundabout at the intersection of Wright and Kelly Roads, Modbury, together with associated pavement markings and regulatory signs.

WOOL BAN

Mr. HALL: Will the Minister of Labour and Industry say whether he intends to stand by whilst innocent graziers on Kangaroo Island

are sent bankrupt because of an illegal ban imposed by the Trades and Labor Council on the delivery of their wool to market? Since this matter has been raised in the House last Tuesday and previously, there seems to have been no evidence that the Minister is taking any action to settle this dispute, which is continuing. I understand that the Lands Department has a lien over the wool of at least one producer, and this raises the question whether the Lands Department will foreclose on a producer who cannot deliver his goods to market because of an illegal ban imposed by an organization that the Minister supports. This situation is causing grave difficulty in the circumstances on Kangaroo Island, when these people face enormous economic difficulties, even without the ban that has been imposed so illegally and wrongfully.

The Hon. D. H. McKEE: The Leader knows very well that this dispute is now in the hands of the Disputes Committee of the Trades and Labor Council, which had discussions as late as yesterday afternoon and which is doing everything possible to solve this problem. The Leader has referred to one person who has mortgage payments to meet in respect of his property, and I can only say that the resolving of his problem is in his own hands. Negotiations are continuing and I hope that the matter will be resolved in the next few days, but certainly some co-operation is needed from the farmers on Kangaroo Island.

ONE STICK BAY

Mr. KENEALLY: Has the Minister of Roads and Transport a reply to the question I asked recently regarding upgrading the road to One Stick Bay?

The Hon. G. T. VIRGO: Although Highways Department officers have reached agreement with Army officers regarding the location of a road of access to the shacks at One Stick Bay, the matter has not yet been finally determined. Action has still to be taken to cede the necessary land from the Commonwealth and to vest it as a road reserve. Once these matters have been resolved, it will be necessary to form a new access road over the majority of the length of 14 miles, and the expenditure will have to be programmed in priority with other rural roadworks. At this stage, therefore, although some progress is being made, it appears inevitable that there will be a further lapse of time before improved access to the shacks can be given.

WATER RATING

Mr. COUMBE: In view of statements reported recently about the possibility of a new water rating system being introduced in South Australia, incorporating, at least in part, the principle of payment for use instead of the present system, can the Minister of Works say whether his department has completed the assessment that the Minister has said his department was making of the report of the committee appointed by the previous Government to investigate this proposal? Can the Minister say whether such a system may be introduced in this State in due course? If that is not the position, can the Minister say when the investigations by his department are likely to be completed and when the House can expect to have the committee's report made available to it?

The Hon. J. D. CORCORAN: The evaluation of the report has not been completed, and it will be some months yet before it is. At no stage have I undertaken to make the report available to the House. The honourable member will know that the report was called for, when he was Minister, for his Government's own purposes. When the evaluation of this report is completed and the Government has had time to study any recommendation that may flow from the evaluation, then, and only then, will I consider whether or not the report will be released.

DRUGS

Dr. TONKIN: Has the Attorney-General a reply from the Minister of Health to my recent question about drug abuse education programmes?

The Hon. L. J. KING: The Minister of Health states that he is satisfied with the present programme of education on drug abuse. There is a report on the matter which is lengthy but can be made available to the honourable member.

UNDER-AGE DRINKING

Mr. McANANEY: Has the Attorney-General a reply to my recent question on under-age drinking?

The Hon. L. J. KING: The Chief Secretary states that the number of convictions against persons under 18 years for drinking in hotel bars between May 1, 1971, to September 30, 1971, is as follows:

Month	Metropolitan	Country
May	12	15
June	7	1
July	5	3
August	7	—
September	14	4

Every effort is made by police to detect offences. Frequent visits are made to licensed premises where it is believed under-age drinking is prevalent. These visits are usually as a result of complaints received from parents of under-age persons. There are obvious difficulties in policing the drinking-age limit but they are the same whether the age is 18 years, 20 years, or some other age. The Government is considering the introduction of legislation to place greater responsibility on the licensee in relation to serving liquor to minors.

GLADSTONE PRIMARY SCHOOL

Mr. VENNING: My question is for the Minister of Education but, as he is not in the Chamber, I ask the Minister of Works to take it. Will he ascertain what is the situation concerning the grading and sealing of the playing area at the Gladstone Primary School? Correspondence on this work has been entered into by the school committee over a long period, but nothing has yet transpired. This morning I had the honour of having some of the Gladstone school-children and a member of the school committee visit the House and they expect to return to the Chamber about 4.45 p.m. today.

The Hon. J. D. CORCORAN: I will have the matter investigated and have a reply sent to the honourable member by letter.

ABORIGINAL MISSION

Mr. ALLEN: Has the Minister of Aboriginal Affairs a reply to my recent question regarding an Aboriginal mission at Marree?

The Hon. L. J. KING: For some years the United Aborigines Mission Incorporated (head office, 66 Pirie Street, Adelaide) has stationed a missionary at Marree. However, the last such missionary left Marree in about June, 1970. Pastor Samuels (General Secretary of the United Aborigines Mission Incorporated) states that a missionary will be stationed at Marree soon.

WHYALLA EMPLOYMENT

Mr. BROWN: Will the Leader of the Opposition use his very apparent influence with the Chamber of Manufactures, the Chamber of Commerce, and Broken Hill

Proprietary Company Limited to get the company to reinstate the 30 innocent employees whom it has stood down as a result of the obvious economic policy of the Commonwealth Government? This is not the first time that the company has, through no fault of the workmen employed at Whyalla, seen fit to create financial hardship for the workers at this festive season of the year.

The SPEAKER: The Leader is at liberty to reply if he wishes. The honourable Leader of the Opposition.

Mr. HALL: Thank you, Mr. Speaker. I agree with the member for Whyalla that it is not the company's wish that these men be dismissed, but forces outside the company's control have obviously reduced the demand for its Whyalla products, and the work force is affected as a result. However, I must disagree with the honourable member's contention that the Commonwealth Government is responsible for the present situation. Australia, like many other parts of the world, is experiencing strong inflationary pressures, and the Commonwealth Government has taken measures which I know it does not want to take: it would like to establish a lead that is popular electorally, knowing that the economic restrictions it imposes are not popular. Therefore, the Commonwealth Government is not taking this action for the purpose of gaining popularity.

However, the member for Whyalla would do well to examine the attitudes and policies of his own Government. If he were to study his own Treasurer's attitudes and actions over the last 18 months, he would find that the additional charges imposed on the South Australian population totalled about \$25,000,000. He would also find that there had been a tremendous diversion from the public pocket to the Government and that Government expenditure had increased this year by 17.3 per cent, representing, I believe, the greatest increase in Government spending in Australia this year, including Commonwealth Government spending. This Government is as responsible for any inflationary trends and the consequential corrective measures as is any force in Australia and, as I have said, it has diverted much private expenditure to Government use. If the honourable member examines this matter, I think he will find that Australia is going through a tremendously difficult period of inflation, a situation to which this Government has contributed; hence the result in this State.

PUBLIC BUILDINGS DEPARTMENT

Dr. EASTICK: Has the Minister of Works a reply to my recent question about the costs involved in Public Buildings Department projects?

Th Hon. J. D. CORCORAN: The records indicate that the department's average design and supervision costs represent 7 per cent of the costs of projects. As that is an average, the percentage may be higher, and in many cases it is lower. In addition, this percentage cost is known before a project is mounted, just as it is known in the case of private enterprise.

STORM DAMAGE

Mr. MATHWIN: Can the Minister of Environment and Conservation say whether any payments have been made to seaside councils whose areas were affected by the storms that occurred last April? These councils proceeded to effect repairs in their areas just after the storms occurred, having received an assurance from the Government regarding payment for those repairs, and knowing of the danger to the public and of the possibility of further beach erosion. I understand that receipts for payments made by the councils concerned have been forwarded to the department and, as the matter is now urgent, I ask whether the councils have been reimbursed for costs incurred.

The Hon. G. R. BROOMHILL: I cannot immediately say what payments have been made, although I know that approval was given for a payment to be made to the Brighton council. However, as I do not know what stage has been reached in this matter, I will forward a reply to the honourable member, probably next week.

Mr. MATHWIN: Can the Minister say whether it is still his intention to allow the money that has not been fully spent by the councils to be used on second priority works? Some councils have not used the whole of the money that has been allocated to them. The foot ramps, boat ramps, change sheds, and toilets at some of the beaches are in a shocking condition. Money was earmarked last financial year for repairs to these facilities. As I understand that the Minister is sympathetic towards the effecting of such repairs, I ask him when this money will be made available.

The Hon. G. R. BROOMHILL: If I understand the question correctly, the honourable member is asking whether, where some estimate of the cost of storm damage was submitted

and it was found to be in excess of the actual work required, the Government would make available money over and above that required for this repair work. If that is his question, the answer is "No".

Mr. Mathwin: No.

The Hon. G. R. BROOMHILL: It seems from the honourable member's interjection that that was not his question, but that was what I understood it to be. I will examine the question in detail and give the honourable member a reply.

FISHING REGULATIONS

Mr. GOLDSWORTHY: Can the Minister of Works, representing the Minister of Agriculture, say when members will receive a circular setting out the conditions laid down in the new fishing regulations? When I asked the Minister a question about this matter on Tuesday of last week, he said that he would obtain a report. However, when the member for Chaffey asked a question about the matter on Tuesday this week he took over my question and the Minister gave a prepared reply, which he suggested would cover the reply to my question. I have a copy of that reply, on which a note indicates that the reply was in answer to an anticipated question from the member for Chaffey, but I am still not sure whether I have received a reply to my question of last week. Members will understand my confusion in this matter, and no circular has been received by me. Be that as it may, the member for Chaffey seems to have taken over—

The SPEAKER: Order! The honourable member is debating the issue. He must ask his question.

Mr. GOLDSWORTHY: In his reply to the member for Chaffey, the Minister said:

In addition, my colleague has informed me that he has sent to all members of both Houses a circular setting out the conditions laid down in the new regulations. That circular should be available to members today. That is the reply the member for Chaffey received when he took over my question. However, I have not yet received a copy of the circular in question.

The SPEAKER: Order! The honourable member has had sufficient opportunity to ask his question. The honourable Minister of Works.

The Hon. J. D. CORCORAN: I think all members are now well aware of the honourable member's objection to the way in which he received a reply to his question. The new Fisheries Act and the regulations thereto were

to be considered in Executive Council today with a view to their being assented to, but this did not take place because, on examining the regulations, it was found that alterations were necessary, and those alterations are being made at present. Therefore, it would be senseless to send out a circular explaining what was in the regulations, when the explanation might not apply. As a result, the circular has been delayed, together with the proclamation of the Fisheries Act and the regulations. However, it is expected that the Act will be proclaimed next week at the latest and, following that proclamation, members will receive the circular as promised.

STAMP DUTY

Mr. BECKER: Will the Government consider introducing legislation to amend the Stamp Duties Act to enable the Commissioner of Land Tax, Stamps and Succession Duties to refund stamp duty paid to the department where the settlement of a property transaction is not proceeded with through no fault of the purchaser? On October 25 last, I wrote to the Treasurer about a refund of stamp duty paid in respect of a certain property, stating that the person concerned had arranged to borrow the necessary sum to purchase the property, that the finance company in question had informed this person that it was willing to lend him the money, and that settlement would take place on a certain day. On the day of the settlement, the land broker handling the transaction paid the State Taxes Department \$161.34 being the stamp duty on the transaction. At the time of settlement, which was also the same day, the finance company withdrew from the transaction; in other words, it refused to lend the money to the person purchasing the property. That person now desires to have his \$161.34 refunded to him, because he claims that this money was paid to the State Taxes Department although he did not purchase the property. Will the Treasurer consider amending the Act to enable the Commissioner of Land Tax, Stamps and Succession Duties to refund the money, because this is a case where a typical working man saved up to purchase a property and, through no fault of his own, lost \$161.34?

The Hon. D. A. DUNSTAN: If he has lost \$161 he has a claim against the land agent who paid it. Stamp duty has been paid over on a transaction in accordance with the Act at a time in advance of settlement. A land broker who chooses to do this well

knows what he is doing. As he has paid stamp duty in respect of a transaction, it is impossible for us to alter the Act to provide for circumstances of this kind. There is not the slightest reason why the purchaser should be lumbered with that expense. I suggest that the honourable member should take the advice of his colleague on the subject.

WHEAT QUOTAS

Mr. GUNN: Will the Minister of Works ask the Minister of Agriculture to confer with the wheat quota review committee with a view to finding out why the committee stated in a brochure, which it sent out with all wheat quota cards this year, that in exceptional circumstances appeals would be heard after the one-month time limit for lodging appeals had expired? Last year one of my constituents appealed to the review committee for an increase in his quota and was refused. The duplicated form he received stated that no further communication would be entered into on the subject. My constituent therefore believed that he had no further right of redress this year if he was not satisfied with his quota. When he approached me, I told him that this year he should again lodge an appeal. Unfortunately, the one-month time limit had expired when I told him this. He wrote to the review committee, which refused his request. I point out that this brochure states:

There is power in exceptional circumstances to extend this time but unless you can give some special reason the review committee is unlikely to do so.

As I think that in this case there are exceptional circumstances, I ask the Minister whether, if I make the details available to him, he will discuss this matter with his colleague.

The Hon. J. D. CORCORAN: Yes.

DARTMOUTH DAM

Mr. MILLHOUSE: Has the Minister of Works any further information about the proposed Dartmouth dam? A week ago today, when I asked him a question on the matter, he ended his reply, which gave not much further information, by saying, "I will get any further information I can for the honourable member and let him know what is the position, possibly on Tuesday." He did not let me know anything on Tuesday. As this is the last occasion for some months on which I will have a chance to ask him, at least publicly, about this, I put my question to him.

The Hon. J. D. CORCORAN: I am tempted to say I will have more information available next Tuesday, but I do not suppose the honourable member would accept that.

Mr. Millhouse: No.

The Hon. J. D. CORCORAN: The situation is not much different from what it was when I replied to the honourable member last week. The States are currently awaiting a reply from the Commonwealth Government about the financial arrangements involving the additional \$1,300,000 over and above the 10 per cent that was provided for. I understand that these arrangements must be finalized within six months of the time the agreements are assented to, and this has been done in the case of a couple of States. Last week I spoke to the Commonwealth Minister for National Development (Mr. Swartz), as I think I told the honourable member. Either late that afternoon or on the following day I heard from him again; he said that he was checking the matter out with his department and that he thought he would be able to make a submission to his Cabinet on the matter soon. I take that as an indication that we will hear shortly from the Commonwealth Government about the matters raised with it. That is as far as I can take the matter at present.

MODBURY FREEWAY LAND

Mrs. BYRNE: Will the Minister of Roads and Transport ask the Highways Department to consider transferring, at nominal cost, to the City of Tea Tree Gully surplus freeway land situated in Modbury and Modbury North so that it can be used as reserves and as sites for community facilities? Although I am asking this question about the area in general, the tracts of land especially concerned lie between Meadowvale Road and Loch Lomond Drive, Modbury, and between Corroboree Road and Alexander Avenue, Modbury North. The subject has been amplified in correspondence forwarded direct by the council to the Minister on November 16, 1971.

The Hon. G. T. VIRGO: The procedure the Government follows in disposing of land surplus requirements, including land purchased for the Hills Freeway and the Hills Expressway and for other routes that have been abandoned, is, first, to offer the land to Government departments if they have any use for it. Next, it is offered to councils and, if they have no use for it, it is finally offered by public tender to anyone who wishes to purchase it. In this

case, I recall the request from the Tea Tree Gully council about the matter which, to the best of my knowledge, is still being processed. I will let the honourable member know what progress is being made, and inform him as soon as a decision has been made.

HOLIDAY PAY

Mr. EVANS: Can the Premier say whether, as the Christmas Day holiday is to be held on Monday, December 27, it is a fact that nurses and other hospital staff who work on Christmas Day (December 25) will receive ordinary rates of pay, whereas those who work on the Monday will receive penalty rates? Some members of a staff of a hospital who believe that this is unfair have brought the matter to my attention. I believe that similar circumstances would apply in other establishments as well as in hospitals. Most people still look on Christmas Day as a day of rest. If people are to receive penalty rates for working on the Monday in lieu of Christmas Day, surely people who work on the Saturday should also receive penalty rates.

The Hon. D. A. DUNSTAN: I have no knowledge of the matter, but I will inquire.

STREET LIGHTING

Mr. BROWN: Has the Minister of Works a reply to my recent question about the difference in cost in providing street lighting by overhead wiring or by underground wiring?

The Hon. J. D. CORCORAN: The difference in cost between overhead and underground street lighting installations will depend on a number of factors, such as the number of existing poles, difficulties in trenching, extent of reinstatement of roads and footpaths required, spacing between lights, and type of light. It is not possible to give a general figure. The Electricity Trust is at present involved in a large programme of improved street lighting for the Whyalla City Council. For the intended lighting along part of McBryde Terrace the additional cost of undergrounding would be about \$130 each light, exclusive of trenching and reinstatement which would have to be done by the council. If the council is interested in such a scheme, the trust would be prepared to make a detailed estimate and submit a firm quotation for the work involved.

MCKINNON PARADE

Mr. COUMBE: Has the Minister of Roads and Transport a reply to my recent question about traffic difficulties on McKinnon Parade, North Adelaide?

The Hon. G. T. VIRGO: The Road Traffic Board has investigated the section of McKinnon Parade between Jerningham Street and Bundeby Road, and it is considered that parking restrictions should be enforced on both sides of this length of road during peak-hour periods to overcome the bottle-neck occurring between Jerningham Street and the Bundeby Road junction with McKinnon Parade. The problem had been generated by vehicles parked for the delivery or collection of children from the University of Adelaide child-care nursery and the playground facilities opposite. Observation of traffic patterns has also revealed the tendency for corner cutting by vehicles entering Bundeby Road from McKinnon Parade, and provision of safety bar delineation at this junction will further assist in the regulation of traffic movement. Both treatments (parking restrictions and safety bar delineation) will be referred to the Corporation of the City of Adelaide for consideration.

STUDENTSHIPS

Dr. EASTICK: Can the Minister of Works say whether the Government has considered permitting the deferment of Public Service Board studentships for a specific period of time? I have been informed that a person who succeeded in obtaining a Public Service Board studentship to study civil engineering in 1971 had, by the time the information was made available to him, departed to undertake a 12-month Rotary student exchange scholarship in the Philippines. The student's parents asked the Public Service Board Department that the studentship of their son be deferred for 12 months until his return from overseas. This deferment arrangement exists and has been acceptable under the Commonwealth studentship scheme and to the Education Department. However, the parents were advised that, under Public Service regulations, this was not possible and that the student should apply again in a year's time. The board undertook to provide the parents with a copy of the necessary application form when available, and it has done this. I quote from a letter from the parents, as follows:

This I received last week, along with a letter setting out subjects that would apply to studentships for 1972. Civil engineering (in fact, all engineering subjects) has been dropped from the list completely, which means that Wayne has missed out altogether. I have in the last few days contacted other companies which might offer studentships in civil engineering, but have been unsuccessful, as he should have applied last year.

This statement has been made by other organizations. I do not wish to go into the benefits that accrue in international understanding and in many other ways from Rotary exchange studentships, but it is unfortunate that in this one area, unlike that of the Commonwealth and the Education Department, a student who succeeded in earning a studentship is to be denied the opportunity of taking it up after this additional experience.

The Hon. J. D. CORCORAN: I will obtain a considered reply for the honourable member. This matter was raised in Cabinet recently by the Minister of Education and some of the points made by the honourable member were also made by the Minister, but I am uncertain of the outcome of the discussion. Regarding this case, if the honourable member will give me the name of the student who was to undertake a civil engineering course, I shall be happy to investigate the matter and to see what can be done. Regarding the dropping of civil engineering subjects, I will let the honourable member know the reason for this.

ROAD GRANTS

Mr. WARDLE: Will the Minister of Roads and Transport reply to me by letter forwarding me a report on whether the Highways Department will soon, or at least when road grants are being allotted to councils, consider helping the District Council of Mannum in the reconstruction of main road No. 33, from Tea Tree Gully to Mannum? On July 22, 1970, the Minister said, in reply to my question, that the department was at that time considering a report. The report referred to was one asked for by the department from a group of private engineers and surveyors and I believe that it had been in the department's hands for some time. Have any conclusions been reached as a result of that report and, if so, could such conclusions help this council, which has had to consider laying off staff because insufficient funds have been available?

The Hon. G. T. VIRGO: I do not know what priority this council represents, and this would have some bearing on the whole question. However, I will obtain information from the department and let the honourable member know, by letter, what is the situation.

PORTRUSH ROAD

Dr. TONKIN: Has the Minister of Roads and Transport a reply to my recent question about the reconstruction of Portrush Road, Glenunga?

The Hon. G. T. VIRGO: The reply did not take long to get: the question was asked

as recently as November 16. I told the honourable member yesterday that I had this reply for him, but he did not ask for it then. The reconstruction of Portrush Road, Glenunga, is being carried out for the Highways Department by the Corporation of the City of Burnside. Advice has been received that the current work is expected to be completed by March, 1972. In the meantime, appropriate measures to alleviate the dust nuisance will be taken.

FARE EVASION

Mr. McANANEY: Has the Minister of Roads and Transport a reply to my question about evasion of payment of bus fares and road maintenance tax?

The Hon. G. T. VIRGO: It is an offence against the Municipal Tramways Trust's by-laws for a passenger to remain on a bus or tram without obtaining a ticket for the proper cash fare as soon as reasonably practicable after boarding the vehicle, or for a passenger to leave any vehicle upon which he has travelled without having paid the proper cash fare. The by-laws are policed by trust inspectors, who carry out regular ticket checks to detect instances of fare evasion. The fact that these checks are made openly by inspectors in uniform tends to act as a deterrent to fare evasion and the results of the checks indicate that the loss of revenue is not great. An analysis of the checks made by the trust's ticket-examiners over a recent six-week period shows that the total value of unpaid fares among 138,000 passengers was \$15.25 and, assuming that the same ratio of unpaid fares was applicable among all passengers on trust services, the annual loss of revenue would be less than \$5,000.

With regard to the non-payment of road tax charges due under the Road Maintenance (Contribution) Act, Highways Department inspectors carry out spotting checks on roads at all hours of the day and night, including weekends. However, it is not possible to verify every journey. Other forms of evasion are the formation of "straw" companies, and the use of false names and addresses. Considerable sums become irrecoverable because of the high incidence of bankruptcies within the transport industry.

DEEP SEA PORT

Mr. VENNING: Will the Minister of Marine take the appropriate action to have printed the report that he presented to the House on November 17 about a deep sea port?

Many organizations and associations are interested in the result of the committee's investigations and many of them have already asked me to secure a copy of this report. When concluding the statement in the House, the Minister said:

The report points out that the large difference in capital costs between Ardrossan and Wallaroo is caused entirely by the amount and cost of dredging at Wallaroo. Cabinet has accepted the committee's recommendation.

That is all that has been said. Consequently, will the Minister consider having this report printed?

The Hon. J. D. CORCORAN: Mr. A. J. K. Walker, of the Agriculture Department, who was Chairman of the committee, has about 20 copies of the report available and, if he cannot supply the number of copies required, I shall see that more copies are made available. It is interesting to note that I held copies of the report in my office, awaiting a demand for them, but that demand was not forthcoming.

ELLISTON HOSPITAL

Mr. GUNN: Will the Attorney-General ask the Chief Secretary when I will be shown the courtesy of being given a reply to my question of September 14 regarding future development of the Elliston Hospital? I ask the Attorney this question because the Elliston council was concerned about not having received a reply from the Chief Secretary's Department. I have since heard on the regional news service that the council has been contacted regarding the future development of this project, but the Government has not shown me even a common courtesy. Does the Government intend not to inform members but to use press secretaries—

The SPEAKER: Order! The honourable member is commenting.

The Hon. L. I. KING: The honourable member asks when he will be shown courtesy, and the reply is that he, like all other members, has always been shown courtesy by Ministers. As to the information the honourable member seeks, I will ask the Chief Secretary to communicate with him by letter.

DENTAL CLINICS

Mr. ALLEN: Will the Attorney-General ask the Minister of Health to consider providing a school dental service for the Leigh Creek Area School from the South Australian

Branch of the Australian Dental Association until the mobile school dental service can be restored to this area? Last week I asked the Minister of Education what the department was doing to appoint additional dental officers to the mobile school dental unit and, unfortunately, I have not received a reply to that question. I understand that the reason for the absence of the dental clinic from the Leigh Creek Area School is the shortage of officers. At present the Electricity Trust of South Australia has an arrangement with the South Australian Branch of the Australian Dental Association to provide a service for the residents of Leigh Creek once a month, and the school has asked whether this service can be extended to the area until the mobile service is restored. Leigh Creek is about 150 miles from Port Augusta and children are expected to travel to Port Augusta at present for dental treatment, which means a return journey of 300 miles. A similar position applies in the Hawker district, which is also without the services of the unit, and those people also must travel to Port Augusta. Recently a person had to make three trips to Port Augusta, involving a total distance of 420 miles, to have a child's tooth filled. This inconvenience involves the people of this area in considerable expense.

The Hon. L. J. KING: I will refer the question to my colleague.

MINDA HOME

Mr. SIMMONS: Will the Minister of Labour and Industry inquire into industrial conditions at Minda Home Incorporated and, in view of the substantial Government contribution made to this institution, will he see that these conditions are improved to a satisfactory level and that the administration does not use intimidation against members of the staff who wish to join trade unions? I have been told, *inter alia*, that members of the staff have been expected to work up to 9½ hours a day for wages for eight hours, and that persons on the afternoon shift from 12.30 p.m. to 9 p.m. have not been relieved for a meal but have been asked to accumulate their half-hour breaks for three days. I have also been told that no extra rates are paid for Saturday and Sunday work and that no allowance has been provided for uniforms for male attendants. I understand that prospective members of trade unions have been threatened with dismissal if they join a union and that

the management has recently refused union officials permission to speak to the staff on the premises.

The Hon. D. H. McKEE: I will have the matter investigated and obtain a report for the honourable member.

GRANGE REEF

Mr. BECKER: Has the Minister of Marine a reply—

The SPEAKER: Order! The honourable member for Hanson has the call to ask a question. He deserves the courtesy of members of this Chamber of being given an opportunity to ask the question without being interrupted by unnecessary talk.

Mr. BECKER: Has the Minister of Marine a reply to my question of November 2 concerning the Grange reef?

The Hon. J. D. CORCORAN: Underwater visibility off the metropolitan beaches was reduced to less than 1m during the winter months and divers from the Fisheries and Fauna Conservation Department have been unable to carry out their usual monitoring of the artificial reef. No reports have been received that the reef has sustained considerable damage, and there is no evidence to support this by tyres being washed ashore on adjacent beaches. As soon as conditions again permit successful underwater observations, regular inspection dives will continue and a report will be submitted on any changes which have occurred to the reef construction.

HOUSE RENTS

Mr. WRIGHT: Will the Premier, as Minister in charge of housing, initiate an investigation into private housing rents and, if results prove that excessive rents are being charged, will he consider amending the Excessive Rents Act to protect tenants? I have received several complaints about this, but I think the latest would be the most important. One of my constituents has received the following letter from Smart Time Proprietary Limited, of 41 Planthurst Road, Carlton, New South Wales, which states:

I am writing to introduce myself as your new landlord as from November 16. I wish to inform you that we intend to charge \$20 a week rent for the flat that you are now housing. I regret on your behalf that this extra charge has been enforced: however, I find it necessary to cover costs. We would be pleased to retain you as tenant, and, if you desire, a suitable lease can be arranged for you. I hope to be able to meet you within the next few days.

The rent before the letter was received was \$13, so the increase is of about 54 per cent. I ask the Premier to assist in this matter.

The Hon. D. A. DUNSTAN: If the honourable member's constituent will seek the assistance of Mr. O'Reilly in the housing improvement section of the South Australian Housing Trust he will be told how to make an application under the Excessive Rents Act, which allows an application to the court for the fixation of rents in cases where a rent is being charged in excess of what is obviously a reasonable rent for accommodation of the kind occupied. I believe far too little is known about this remedy, and I shall be happy to have the Housing Trust officers assist in the matter.

JUVENILE COURT

Mr. MILLHOUSE: Will the Attorney-General say whether the Government has reached a decision about the future use of the services of Mr. Beerworth, the Juvenile Court magistrate? If he is to be moved from the Adelaide Juvenile Court, will the Attorney express appreciation of his services during his period in that office? Several times during the last few months, and particularly in connection with the suppression of his report and the passage through this House of the new Juvenile Courts Bill, the position of Mr. Beerworth in the future has been canvassed, and the last time I raised this matter the Attorney said that no decision could be announced then but that it would be announced later. I understand that the appointment of a judge for the Juvenile Court is imminent, if it has not already taken place. I consider that Mr. Beerworth has carried out his duties capably since his transfer to this position, while the previous Government was in office.

The Hon. L. J. KING: The appointment of a Juvenile Court judge has not yet taken place. It will take place soon, and at that time an announcement will be made about the appropriate administrative arrangements. When those arrangements have been made, an announcement will be made.

DERNANCOURT INFANTS SCHOOL

Mrs. BYRNE: In the absence of the Minister of Education, who is on business in the country, I direct my question to the Minister of Works. Will the Minister ask the Minister of Education to examine the possibility of having a concrete slab path constructed from the Dernancourt Infants School to the timber

frame dual building erected near the main building to give dry access to the classrooms? This matter was first raised by me by question in this House on July 30, 1969, when the then Minister of Education said that the Public Buildings Department had been asked to attend to it. When I visited the school recently I found that it still had not been done.

The Hon. J. D. CORCORAN: I will see that the matter is attended to as soon as possible.

CHIROPRACTORS

Mr. CUMBE: Will the Attorney-General ask the Minister of Health whether he is aware that the Chiropractors Association is concerned about the registration of certain trained personnel of that calling or profession who have come from certain north-west universities in the United States of America?

The Hon. L. J. KING: I shall refer the question to my colleague and let the honourable member have a reply later.

ROYAL ADELAIDE HOSPITAL

Dr. TONKIN: Will the Attorney-General be kind enough to give me a reply from the Chief Secretary to my question concerning the Royal Adelaide Hospital?

The Hon. L. J. KING: My colleague states that some time ago the board of the Royal Adelaide Hospital requested that a laminar flow unit of the latest model available be obtained on loan for assessment before a decision was made for the acceptance of a tender for the supply of five such units. This unit was not received until about one month ago, and at about the same time another tenderer also submitted a sample unit for assessment. These units have been on trial since that time and the hospital is now in a position to make a recommendation with regard to the type of unit which it is desired to purchase. In the meantime the ward area has been under constant review as to its suitability for adaptation to the latest treatment techniques, and it is understood that certain other necessary alterations to the accommodation have been decided upon.

It is not correct to say that no progress has been made, as a substantial amount of thought has been given to both accommodation and special equipment which will be necessary to enable the accommodation to be used effectively in relation to the current treatment techniques. Certain of the essential equipment must be custom built and this, naturally, prolongs the exercise of getting the ward ready for occupa-

tion. In the meantime, patients admitted suffering from severe burns are being treated under satisfactory conditions in other accommodation and are not denied the use of laminar flow units where it is essential that they be treated in such.

ROAD TAX

Mr. McANANEY: Does the Minister of Roads and Transport support the claim of the Railways Commissioner that the South Australian Railways is penalized by having to pay interest as opposed to road transport, which is supposedly given assistance with road grants? I understand the department is reimbursed all the interest it pays, and it receives a subsidy of about \$13,000,000 a year, whereas road transport owners pay many taxes and the department pays no taxes at all. It appears to me that road transport is handicapped in competition with the railways rather than the position being as the Railways Commissioner claims.

The Hon. G. T. VIRGO: I am disappointed to hear the honourable member express that opinion, as I fear that it is this type of attitude that has landed the public transport systems of the world in the chaotic financial position that currently prevails. I wholeheartedly subscribe to the view that finance should be made available to the public transport sector as a grant, rather than by loan as has occurred and is still occurring in Australia. Whilst Loan money is being provided for the public transport sector, grant money is being made available to the road sector, the net result being that the public transport sector must meet huge accumulated debts. The Railways Commissioner states in his report that this year his department must meet a Loan repayment of about \$7,900,000. Therefore, nearly \$8,000,000 a year has to be found merely to service the Loan money made available for public transport. On the other hand, a sum is provided by way of grant, completely free of interest or repayment, for roadmaking purposes, and that sum is about \$22,000,000 or \$23,000,000 this year.

Mr. McAnaney: But that is paid for by taxes levied on road users.

The Hon. G. T. VIRGO: It does not matter whether we try to put the various sums into compartments. Basically, all the money comes from the taxpayer in the first place, so it is no good trying to sectionalize these sums. The South Australian Railways must exist on Loan moneys obtained in competition with other departments that seek Loan moneys for

schools, hospitals and the 101 other services that the State provides, whereas moneys are, without competition, made available for roads. As the honourable member knows, these moneys are provided on the basis that they cannot be used for any other purpose. The Commonwealth Government lays down that criterion and, although I am not suggesting for one moment that that money should not be made available for roads (I believe it should be), I consider that the same criterion must be adopted in respect of our public transport system. Indeed, I think this is becoming generally accepted by many people in Australia. It is certainly accepted overseas, where the central Government is making huge sums available to the various other Governments by way of grants.

We must get away from the idea that we have adopted in the past regarding Loan money, because it means that we finish up borrowing money to pay interest on the money previously borrowed, and the net result is that it is expected that the railway deficit will be about \$20,000,000 this year, comprising about \$8,000,000 merely as a loan repayment. This is one of the causes of the financial difficulties that the Railways Department is experiencing, and a similar situation applies also to the Municipal Tramways Trust. All public transport systems should be provided with grant money, and I completely agree with the Commissioner's statement to this effect.

BUILDING REFEREES

Dr. EASTICK: Can the Minister of Local Government say why appointments of the Minister's referee nominees under the provisions of the Building Act are delayed for periods of up to four months? I have been informed by a person who owns Lot No. 6 on the Cockshell estate on Lyndoch Road that, because of a dispute between him and the Barossa District Council in relation to the quality and nature of the house that he wishes to build, the appointment of referees is necessary. The referee of the Barossa District Council has been duly appointed, and an application was made to the Minister nearly four months ago for the appointment of the Minister's referee. The person concerned, who wishes to commence building, is dismayed that he is prevented from doing so or from making alternative arrangements at the site in question or at other sites, pending the appointment of the Minister's referee nominee.

The Hon. G. T. VIRGO: I shall be pleased if the honourable member will give me the details associated with this matter, which I shall be only too happy to examine. If there has been any undue delay, I will take steps to see that it does not occur again.

TOTALIZATOR AGENCY BOARD

Mr. BECKER: Has the Attorney-General obtained from the Chief Secretary a reply to my recent question about the Totalizator Agency Board?

The Hon. L. J. KING: The Chief Secretary states that the South Australian Totalizator Agency Board was established to provide an off-course betting service under conditions similar to those operating on-course. Recently, the board sought the Chief Secretary's approval for rules relating to treble and jackpot betting. The Lottery and Gaming Act was amended in the last session of Parliament to permit jackpot betting on-course. Rules relating to treble betting were not approved, as the Government's view is that this form of totalizator betting should only be authorized for on-course operations. Advertising is a matter for the board in the promotion of its operations. The reference in the pamphlet referred to by the honourable member in so far as it relates to jackpot betting is incorrect. This has been brought to the board's attention.

KIMBA MAIN

Mr. GUNN: Can the Minister of Works say whether he has received any reply to the submissions made to the Commonwealth Government for assistance in order to complete the Poldo-Kimba main as a national water resources project and, if a reply has been received, is he willing to make known to the House the conditions under which that assistance will be provided?

The Hon. J. D. CORCORAN: The Premier has received a letter from the Deputy Prime Minister (Mr. Anthony) in reply to a letter that he himself had sent, and the letter received requests that further details be submitted to the Commonwealth Government. At present the Engineer-in-Chief is engaged in collating those details for the purpose of replying to the Deputy Prime Minister. The letter was received recently, because Mr. Anthony was Acting Prime Minister while the Prime Minister was on his recent overseas trip. Apart from an interim report on the change of stock figures which I think the honourable member has in his possession,

no further details have yet been submitted by the Government, but I will let the honourable member know when I receive from the Director and Engineer-in-Chief the report, which will be forwarded by the Premier to the Prime Minister.

ABATTOIR DISPUTE

Mr. VENNING: Will the Premier say whether he or his Government (perhaps through the appropriate Minister, under Cabinet direction) will use section 70a of the Metropolitan and Export Abattoirs Act to have meat killed outside the metropolitan area brought into the metropolitan area in substantial and sufficient quantities—

The SPEAKER: Order! The same question was asked yesterday.

Mr. VENNING: No, I haven't finished the question, Mr. Speaker. I ask that I be permitted to finish it, and then you can comment. Will the Premier do as I have asked, in order that people of the metropolitan area will be able to purchase their requirements at a charge as close as possible to the normal charge for meat? The Act was referred to yesterday by the Leader in a somewhat similar question. I ask leave to explain my question.

The SPEAKER: Order! The question asked is substantially the same as a question asked yesterday.

Mr. VENNING: No, it is different altogether.

The SPEAKER: The member for Mitcham.

Mr. VENNING: On a point of order, Mr. Speaker. My question is different in substance from the one asked yesterday. Yesterday the Leader asked that this be done in order that the strike may be forced to a conclusion. My question is—

The SPEAKER: Order! I have ruled that the question was substantially the same as the question asked yesterday, and that it was not in order. I have already ruled on that. I call on the member for Mitcham.

Mr. MILLHOUSE: I support the point of order taken by the member for Rocky River.

The SPEAKER: Order! I have called on the honourable member to ask a question.

Mr. MILLHOUSE: Well, I take a further point of order.

The SPEAKER: Does the honourable member wish to ask a question?

Mr. MILLHOUSE: I take a point of order quite apart from the matter whether the

question asked by the member for Rocky River is the same in substance as the question asked yesterday (and I respectfully disagree with you, Mr. Speaker, on that point); I ask under which Standing Order you rule out of order today a question that is even substantially similar to one asked yesterday. This is a new procedure. I have heard of Speakers in the past pointing out that a question had already been asked that day, but, if you are to go back and back, where will we stop? Also, where do you derive your power to do this? I support the former point of order taken by the member for Rocky River.

The SPEAKER: As Erskine May defines Parliamentary practice, the Speaker has the power to rule out of order a question asked that is similar in substance to or substantially the same as a question asked in this session. There is no point of order.

Later:

Mr. GUNN: In view of the chaos caused by the strike at the metropolitan abattoir, will the Premier take action to allow meat to be brought in from country areas in order that people in the metropolitan area at least will be able to obtain meat supplies at near-normal prices? I seek leave to explain my question.

The Hon. D. A. DUNSTAN: On a point of order, Mr. Speaker. The only difference between the wording of this question and that of the question asked by the member for Rocky River that you have already ruled out of order is that the member for Eyre has left out the reference to the section in the Act.

Mr. Millhouse: With great respect, that is not so.

The SPEAKER: Order! With great respect, it is the function of the Speaker to determine that! However, my attention was distracted while the honourable member was asking his question. I will ask him to repeat the question, and I will then consider the point of order.

Mr. GUNN: In view of the chaos caused by the strike at the metropolitan abattoir, will the Premier take action to allow meat to be brought in from country areas in order that people in the metropolitan area at least will be able to obtain meat supplies at near-normal prices? I ask leave to explain the question.

The SPEAKER: In substance, the honourable member's question is the same as that asked by the honourable Leader of the Opposition yesterday, and I rule it out of order.

Mr. GUNN: On a point of order, Mr. Speaker.

The SPEAKER: There is no point of order; I have ruled the honourable member's question out of order.

Mr. GUNN: On a point of order.

The SPEAKER: There is no point of order. I have ruled the honourable member out of order.

Mr. GUNN (Eyre): I move:

That the Speaker's ruling be disagreed to.

I wished to ask the Premier a question because of my concern over the chaos at the abattoirs. My question was completely different—

The SPEAKER: Order! The honourable member cannot debate the matter. He must substantiate his disagreement to my ruling.

Mr. GUNN: That is what I am endeavouring to do.

Mr. Clark: You're debating it.

Mr. GUNN: I am not debating it.

The SPEAKER: Order!

Mr. GUNN: If I may continue, I shall, Mr. Speaker. I moved disagreement to your ruling because my question is completely different from the previous question on this matter. If you, Mr. Speaker, were listening to what I had to say, it would have been clear to you that that was so. My question sought information and assistance from the Premier to solve this problem, but you ruled me out of order, and I had no alternative but to move to disagree to your ruling. If my question is ruled out of order, members will not be permitted to ask a question on any subject that has already been raised during this session.

Mr. MILLHOUSE (Mitcham): I support the member for Eyre. I believe we are here facing yet another very serious question regarding the privileges of members of this House—privileges which you, Mr. Speaker, undertook to uphold when elected Speaker. I make two points: first, the question which was asked yesterday was in different terms and had a different objective from the question which the member for Rocky River tried to ask but which you refused to allow him to ask and also that which has been asked by the member for Eyre. Yesterday the Leader of the Opposition asked the Premier the following question:

Will the Premier say whether he or his Government (perhaps through the appropriate Minister, under Cabinet direction) will use section 70a of the Metropolitan and Export Abattoirs Act to have meat killed outside the

metropolitan area brought into the metropolitan area in substantial and sufficient quantities to break the strike now current at the Gepps Cross abattoir?

Mr. Wright: That's the same question, and you know it.

Mr. MILLHOUSE: It is not the same question. If my information is right, the strike is now happily settled. The object which the member for Eyre has embodied in his question is not to do with the strike, which is settled, but with the adequate supply, in the circumstances, of meat to the metropolitan area. That is a different question in substance from the question asked yesterday. In any case, surely you, Mr. Speaker, should uphold the rights and privileges of members and give an honourable member the benefit of any doubt there might be on this matter, and not rule him out of order out of hand, as you did with the member for Rocky River and as you are trying to do with the member for Eyre. Surely that is what is meant by your undertaking to uphold the privileges and rights of members: you should not cut them off without any consideration. Surely even you, Mr. Speaker, must concede that at least there is some doubt about this matter. Regarding the other point (that the question was asked yesterday), I have examined Erskine May since you gave your ruling after the member for Rocky River had asked his question. I see at page 327 (I do not know whether that is the reference you have before you), that paragraph 9 deals with questions already answered, and states:

Questions are not in order which repeat in substance questions already answered—

I submit that this question has not been answered, because it is different in substance from the question asked yesterday. Erskine May continues:

—or to which an answer has been refused in the current session or fall in and within a class of question which a Minister has refused to answer.

If one examines Erskine May, it is obvious that the refusal is governed by the phrase "in the current session". The words "current session" in that sentence do not govern questions which have been answered and, therefore, in my respectful submission, the question whether or not it was the same in substance as the question asked yesterday does not fall under the principle of Erskine May to which I have referred and which I believe you had in mind when you made your earlier ruling. That refers only to questions which have been

asked and refused to be answered in the current session. That is patently obvious if one analyses the sentence. For two reasons I strongly support the member for Eyre. First, this is not the same question in substance, because the object of asking it is completely different, and it must be, because the circumstances at the abattoir have changed. Secondly, you are wrong in referring to that sentence, if in fact that is what you based your previous ruling on. The only questions you can rule out of order are those that have been refused in answer, and this question was not refused in answer yesterday.

The SPEAKER: The member for Eyre has objected to the Speaker's ruling. The member for Mitcham has quoted the relevant paragraph in Erskine May at page 327, and I have ruled that, in substance, this question was asked and answered yesterday. It is the function of the Speaker to determine this issue, subject to the will of the House. I have ruled the question out of order, but that ruling depends on my decision being agreed to by the House.

The Committee divided on the motion:

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

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

Pair—Aye—Mr. Nankivell. No—Mr. Hudson.

Majority of 4 for the Noes.

Motion thus negatived.

Mr. HALL: Can the Minister of Labour and Industry say what were the terms of settlement of the strike at the Gepps Cross abattoir?

The Hon. D. H. McKEE: The Leader seems to have some information that I have not got. I understand that the conference is still proceeding.

Mr. McANANEY: Will the Premier say what efforts the Government is making to see that adequate supplies of meat are available for Adelaide consumers at reasonable prices?

The Hon. D. A. DUNSTAN: The efforts the Government is making are those of the Minister of Labour and Industry in settling the dispute.

SCIENTOLOGY

Mr. MILLHOUSE: Can the Attorney-General say whether the Government still intends to repeal the legislation concerning scientology in this State? In the last couple of days, I have received through the post from England a copy of a four-page paper which is apparently put out by the scientologists; it is the Australian issue of what they call *Freedom*. It is a most repellent publication, most of which is devoted to an attack on the Victorian Government. In the course of this, a prominent heading states, "South Australian Attorney-General Publicly Promises Appeal" (whether or not that is meant to be "repeal", I do not know). In part, the article states:

In 1971 the Attorney-General to the recently-elected State Government publicly undertook to repeal the anti-scientology legislation during the life of the present Parliament.

The article goes on with a lot of other twaddle comparing Sir Henry Bolte to Hitler.

The Hon. L. J. KING: As it is the policy of the Government to repeal the existing Scientology (Prohibition) Act, the Chief Secretary is currently working on a scheme to enable legislation to be introduced providing for the registration of psychologists and the control of the profession of psychological services. The legislation will be introduced during the life of the present Parliament.

CAR PARKING

Dr. TONKIN: Has the Minister of Roads and Transport a reply to my recent question about additional parking facilities at suburban railway stations?

The Hon. G. T. VIRGO: There is a total of 108 suburban stations from which the 13,393,275 passengers were carried during 1970-71. There are 23 Railways Department constructed car parks offering accommodation for about 850 cars. However, at seven other locations space is available either in station yards or in adjacent off-street parking areas. This means, therefore, that off-street parking for railway patrons is available at 30 locations and aggregates over 1,100 vehicle spaces. Furthermore, long-term street parking is available at approximately 90 per cent of suburban stations. A detailed survey undertaken recently shows that Salisbury is the only station where there is insufficient parking. The department has been aware of this and has instituted negotiations in respect of the acquisition or leasing of land adjacent to the station for this use. However, up until the present time those efforts have not proved successful.

METER REPAIR

Mr. BECKER: Will the Minister of Works take up with the Director and Engineer-in-Chief of the Engineering and Water Supply Department the complaint contained in a letter I have received from a constituent at West Beach who complains about what he says is the astronomical charge made by the department for a simple repair job to a damaged 1/2 in. outlet riser on the water meter located on his property? He says that he accidentally hit the meter with his lawnmower. The department promptly repaired it, but has now charged him \$10 for the work. He also complains about the department's attitude in the letter that accompanied the account, and about the fact that when he went to the department to query the charge he was told to "pay up and shut up".

The Hon. J. D. CORCORAN: I sometimes think that it is a pity that honourable members do not write to me about matters such as this, rather than raise them in the House, wasting the time of the House with such matters as the honourable member has raised. I am perfectly happy to have a look at the matter, but I am certain that it would have received attention just as speedily if the honourable member had written to me about it instead of raising it in the House, wasting the time of the House.

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

Leave granted.

Mr. BECKER: The Minister has implied that I am wasting the time of the House and that I should put the matter in writing. I want to make clear that I asked the question not to waste the time of the House but to draw the attention of members to the kind of complaint which I, and I am sure other members, have received about the Engineering and Water Supply Department. I only hope that, as a result of my drawing attention to the complaint, the department's public relations with members of the community will be improved.

METROPOLITAN INTERSECTIONS

Dr. TONKIN: In the temporary absence of the Minister of Roads and Transport, can the Minister of Environment and Conservation give the reply to my recent question about metropolitan intersections?

The Hon. G. R. BROOMHILL: Most of the accidents in the metropolitan area occur at intersections and junctions. In 1970, 10,518 of the 17,622 non-pedestrian accidents reported in the Adelaide suburban area occurred at

intersections and junctions and resulted in 40 persons being killed and 3,502 persons being injured. A study of 237 non-signalized cross type intersections and 130 non-signalized T junctions at each of which five or more accidents occurred in 1970, revealed the following information:

	Intersection	T junctions
Number.....	237	130
Accidents.....	2,362	974
Accidents/ location		
(average)....	10	7.5
Fatal accidents . . .	12	3
Injury accidents . .	550	177
Injury accidents/ location (average)	2.3	1.3
Property damage ..	\$1,750,000	\$580,000
Cost/location	\$7,400	\$4,450

The intersections and junctions in the study included arterial roads and residential streets, and the traffic volumes involved in both are comparable. The major reasons for the reduction in accidents at junctions compared with intersections are that (a) they have only nine vehicle conflict points, compared with 32 at intersections; (b) they have only two main give-way situations, whereas intersections have four; (c) they have 18 conflict points between pedestrians and vehicles, and intersections have 32; and (d) turning movements required at junctions necessitate a speed reduction in the street system.

BOOL LAGOON

Mr. RODDA: Has the Minister of Works a reply from the Minister of Lands to my recent question about Bool Lagoon?

The Hon. J. D. CORCORAN: My colleague states that the South-Eastern Drainage Board has arranged that landholders whose properties adjoin the ponded area of Bool Lagoon will be notified when the regulator gates at the outlet drain to Drain M at the Moyhall Road junction are opened. I will give the honourable member a list of the names of those concerned, if he wishes.

REFERENDUM PROSECUTIONS

Mr. HALL: In view of the basic unfairness in prosecuting just over 100 people for failure to vote at the referendum on shopping hours about a year ago, will the Attorney-General assure the House that any prosecutions not yet successfully concluded will be dropped and that no further unfair action will be taken against any of the 48,000 people who did not vote?

The Hon. L. J. KING: There is no unfairness, either basic or otherwise, as I have previously explained in the House, and I will not give the assurance sought.

LYELL McEWIN HOSPITAL

Dr. TONKIN: Will the Attorney-General ask the Chief Secretary what progress has been made in providing the extra beds at the Lyell McEwin Hospital that were promised by him when he spoke at Elizabeth in January this year? I have received further representations from doctors in the Elizabeth area and in nearby districts who have expressed concern about the need to transport seriously injured or sick patients from the Elizabeth area (sometimes straight from the X-ray department of the hospital) simply because no beds are available immediately. This action is contrary to medical practice, but it has to be done because of the lack of beds at the hospital.

The Hon. L. J. KING: I will refer the question to my colleague.

**CONSTITUTION ACT AMENDMENT BILL
(MEMBERS)**

Returned from the Legislative Council without amendment.

**ADELAIDE FESTIVAL CENTRE TRUST
BILL**

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

**SOUTH-EASTERN DRAINAGE ACT
AMENDMENT BILL**

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 12 and 13 (clause 5)—Leave out the definition of "land".

No. 2. Page 5 (clause 12)—After line 19 insert new subsection as follows:

(2a) The rate shall be levied upon all land included in an assessment prepared by the board for the purposes of this Part in proportion to the assessed increase to the fee simple value of the land as a result of the drains and drainage works.

No. 3. Page 5, lines 26 to 28 (clause 12)—Leave out all words in these lines, and insert "of one hundred thousand dollars".

No. 4. Page 5, line 35 (clause 13)—Leave out "49 to 56 (inclusive)" and insert "51, 52, 53, 54 and 56".

No. 5. Page 5, lines 37 to 40 and page 6, lines 1 to 9 (clause 13)—Leave out new section 49.

No. 6. Page 6, lines 10 to 13 (clause 13)—Leave out new section 50.

No. 7. Page 7, lines 16 to 28 (clause 13)—Leave out subsections (1) and (2) of new section 53.

No. 8. Page 7, line 40 (clause 13)—Leave out "or".

No. 9. Page 8 (clause 13)—After line 2 insert—

or
(c) alter the assessment in such a manner as it considers just.

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

That the Legislative Council's amendments be disagreed to.

The amendment to clause 5, by leaving out the definition of "land", brings towns back within the ambit of the Act. This will result in the Caves Road and Naracoorte drainage area, which protects the town of Naracoorte, being required to be maintained by the South-Eastern Drainage Board. This is an imposition on farmer ratepayers who, if they have to assist in meeting the cost of maintenance and management, will be substantially subsidizing the Corporation and District Council of Naracoorte, as the rates collected from the area benefited are only about half the maintenance cost. The Act was not designed for the drainage of towns, which drainage should be a local government responsibility: the board is concerned with draining land for agricultural purposes.

The effect of the amendment to clause 12 (4) of new section 48 is to provide for the collection of a sum of money which shall not be exceeded. This amendment, depending on the value of the assessment, could substantially increase the rate and charge upon individual ratepayers. The Government was aware that, in proposing the original amending clause, appeals could be successful and, as a consequence, the total assessment reduced.

Members will recall that I have previously said that, as a result of the appeals that were successful, the amount the Government could expect to collect would be reduced, but the amount to be collected could be governed only by the rate laid down in the original Bill. This amendment removes that rate and sets an upper limit that can be collected. The proposals of the Government limited the amount to be collected to three-tenths of 1c in the dollar, with a further limit to the extent of the amount required for maintenance. The effect of the Leader's amendment would be that the full cost of maintenance would be recoverable, irrespective of the total amount of the assessment, with a limit of only \$100,000. It is likely that, under the present amendment, a rate of 5c or more in the dollar could arise from an assessment of the type

included and this would perpetuate a situation which the Government was attempting to rectify. The Leader's further amendment to new section 48 only restates the position in section 49 (1) of the present Act and completely negates one of the main objectives of the amending Bill.

Regarding the amendment to clause 13, the Bill, before amendment, set out to repeal the existing method of assessment and format of appeals. The Leader's amendment provides that the present system of rating should be continued. He is apparently prepared to accept the new proposals for the hearing of appeals. By rejecting the proposal in subsections (1) and (2) of new section 53 in clause 13, the basis for appeals would revert to that which now applies. I have previously pointed out that both to make and substantiate an assessment in these terms is, for all practical purposes, impossible. I suggest that the Committee reject the amendments and accept the Bill as presented. If experience gained in its operation shows further desirable changes, these can be considered at an appropriate stage.

Mr. RODDA: What the Minister has said shows the great difficulty involved, and during the debate on the Bill in this place the Leader and I sponsored an amendment that underlined that difficulty. As the Bill stood when it left this Chamber, it would bring within its ambit people who had never been rated previously, and we wanted the appeal board to have further powers to exclude those people who would be rated unnecessarily. At that time the definition of "indirect benefit" arose.

The Legislative Council's amendments require payment on the basis of an assessment made in accordance with the benefit derived from drainage work. I do not under-estimate the difficulty that assessors will have in solving the problem, but the Legislative Council obviously has considered the matter and members of the Council, with their local knowledge, have tried to do justice to many ratepayers. The other place has tried to sheet home the charges to the people who get most benefit. The Bill, as it left this place, tried, in a difficult way, to spread the charges over an area, and this would return an indeterminate amount, because we would not know how much would be involved until the appeals had been heard.

The Hon. J. D. Corcoran: The Bill also removes other charges now being made.

Mr. RODDA: I realize that. If the Bill is laid aside, those charges will operate again, because there will be an Act already operating.

By using the unimproved valuation, a landholder who is a distance from a drain in the delineated area may have a higher valuation than a landholder near the drain. The question of the grounds on which the appeal board would revise is the hard bone for the ratepayer to chew on.

Motion carried.

The following reason for disagreement was adopted:

Because the amendments destroy the principal objects of the Bill.

Later, the Legislative Council intimated that it did not insist on its amendments.

HEALTH ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 24. Page 3402.)

Mr. EVANS (Fisher): In supporting this Bill, I wish to raise only one matter that concerns me, namely, the control of air pollution and the moves we have made in this State. I am concerned because pressures have been brought to bear and directions given to people who have been burning wood in brick kilns for baking purposes. They have been told to stop using wood, because the smoke from the kilns is visible and gives a general impression that it pollutes the atmosphere greatly. In its place, these people are now burning oil, and the pollutant given off by oil is much more damaging to the general health of the community than were the fine particles of charcoal emitted by burning wood.

The aesthetic value has been preserved by preventing the burning of wood, but the move was an unwise one to make at this stage. It is easy to say that we have prevented the black-looking smoke from being emitted and that white smoke, or something that is not visible, will be emitted. However, that has created a greater hazard to the health of the community. I and other people in the community know that we must have greater control of pollution. A good example of how the community accepts increased atmospheric or air pollution was the fireworks display at the Royal Show. Many thousands of people stood around during the evening and watched that display. In fact, one display was held on a day on which there had been an air pollution alert, asking people not to light incinerators on that day. Despite that, in the evening fireworks were set off, creating a large amount of smoke. I have spoken previously about the hypocritical attitude that we adopt at times. We accept a fireworks display

because we enjoy it. However, because out of necessity people sometimes have to burn material in their own back yards, that is not acceptable. I believe this is a double standard. We must look at the areas concerned on all levels, and even if we are going to interfere with the enjoyment of some people (including my own children) I believe we must do so if we are to be honest in our attitudes. I support the Bill.

Mr. MATHWIN (Glenelg): I support the Bill, which deals with two matters which are very important not only to South Australia but to the whole world. The Bill provides for the setting up of an air pollution appeal board, but there is no mention of its composition. Pollution is the contamination of the planet earth, which is very sick because of the effects of pollution. I understand that the United Nations General Assembly is trying to organize a world-wide assault on this problem and that a conference is to be held in Stockholm in June, 1972. I believe now is the time for us to tackle the problem of reclaiming the purity of the air, water and food. If we do not act now we will have difficulty in keeping ourselves and this planet alive.

An American biologist (Mr. Barry Connor) when he was asked in 1956 "How long do we have?" said that he would not have had the nerve to raise this elementary question of survival and that unless we decided to act decisively in that decade we had had it; we had nothing further to go, and it was the end of the road. The habits of the people of Australia as well as the billions of people throughout the world will have to be changed. It is reported that the crew of the Apollo 10 in 1968 said in their report that it was easy to find Los Angeles from hundreds of miles in space because it had a blanket of smog hovering over it. I also understand that in some of the school playgrounds in Los Angeles there are notices telling the children not to exercise too strenuously or breathe too deeply during heavy smog conditions. It is no wonder that these conditions exist when one realizes that hundreds of millions of tons of air pollutants are spewed into the atmosphere: in America alone, the rate is 142,000,000 tons a year. We do not have such a problem in Australia, but it will not be long before we do. Last evening the member for Bragg talked about the conditions in England. The same thing happened when I was there 18 months ago. In most parts of England a clean, white shirt is dirty within a few minutes, and one does not have to go outside for this to happen,

because the atmosphere is so black and filthy. Fortunately, this does not happen in Australia, but we must do something about it quickly to make sure it does not happen.

In South Australia one of the main pollution problems is the disposal of refuse, the side effects of which are well known to anyone who has considered the matter. South Australian beaches would be second to none in the world, yet people are polluting the beaches with bottles, beer cans, papers and other containers. We have adopted the American method of using non-returnable bottles, which does not encourage people to take their empty bottles home. Many people in our community do not care about leaving their bottles on the beaches where young children play, and the children can be injured because of the thoughtlessness of people who leave these things lying about. Bottles could well be broken by small children who would not know better. We must be on the alert and bring these matters to the attention of everyone. I think that the best way to tackle the pollution problem, other than through this Bill, is to educate people and to bring these problems to their notice. The press has a great responsibility to South Australia to put more accent on the problems confronting us and, through the press, we can educate members of the public, children and adults alike. We should try to educate not only the educated but the uneducated as well.

This is a world-wide problem, and perhaps it is even more important to ensure that assistance is given to the teeming millions of people in India and China, where a pollution problem exists. I ask the Minister to consider the education aspect. We should convince people that the methods being used to solve the problem are for their benefit and that, if they themselves are not worried about the matter, they should be worried about their families, including their children, and should make use of the education that is being provided.

I support the Bill, my only argument about this part of the measure being in regard to the penalty provision, which increases to \$2,000 the current maximum penalty of \$200. In some cases, such as in a case involving water being polluted by oil, it may be all right to impose a penalty of up to \$20,000. However, as the member for Bragg has said, I believe that a lower penalty should be provided and that it should be applied gradually, so that a person who offends the law

more than once may be fined \$2,000, or even more if necessary. I ask the Minister to consider this matter carefully, because small industries, for instance, may be penalized, perhaps as a result of the inadvertent action of a worker, and may even be put out of business.

The other part of the Bill relates to nursing homes and rest homes, a matter with which I am familiar through my interest in and association with local government. In the past, this matter has been a thorn in the side of many nursing homes and other organizations, and I recall that Minda Home, which is on the boundary of my district and which experienced a problem in this regard some time ago, sought the advice and help of the local council. I support these provisions and hope that amendments will be made to the earlier provisions, and I trust that the Bill will have a speedy passage through the House.

Mr. GUNN (Eyre): Although I am concerned about one or two matters in connection with this Bill, I support the measure. The Minister said that the Bill would cover all areas of the State and that an air pollution appeal board would be established. That is good, but the problem concerning me is whether this measure will affect the rural community in regard to burning-off operations, which are a necessary part of farming activities. I do not think members opposite are aware that most rural producers have to carry out burning-off operations in order to clear land of stubble, etc., and to produce their crops. In addition, some farmers are still clearing properties of scrub and are burning that scrub, and many of them have already experienced problems under the Bush Fires Act, because of the limited period in which these operations can take place. If people do not understand what is required in this regard, it can make the situation worse. Little or no information has been given to the House about how this board will be constituted.

The Hon. G. R. Broomhill: It will cover factories.

Mr. GUNN: If it is going to cover factories, the Minister should have said so. On my reading of the provisions, this is not stated, and the member for Light expressed a similar view.

Mr. McANANEY (Heysen): I do not intend to speak at length, as members on this side have adequately covered the matters arising out of this Bill. However, an American

expert who was here recently said that the Australian population could not increase beyond 15,000,000, because of the pollution problem. Although I entirely disagree with that attitude, I think that this type of person at least makes us aware that a problem exists. Being aware of this problem, I think that we will solve it with the assistance of our scientists and others, and will be able to understand more readily what is involved. When recently in Tokyo for six days, I hardly saw the sun, because of the pollution in that city and, with the increasing number of cars, the position is getting worse. I am sure that cars can be manufactured nowadays in such a way as to cause little or no pollution. It is a matter of agreeing at an international level to incorporate certain features in cars in order to stop pollution. If the matter is not dealt with on an international scale, there will be difficulty, and cars will be too expensive as a result of competition. Someone in Great Britain recently expressed the idea that the pollution caused by cars could be reduced to 10 per cent of the present level by inserting a catalyst in the exhaust pipe. As long as we are aware of the problem and make use of our scientists, we will solve the pollution problem. I do not believe that we should be pessimistic about the population explosion. The people in India should be better educated. For hundreds of years people have been saying that there will be insufficient food for the world's population. I do not go along with that. If cities become too large, having so many people together will make things unpleasant.

Mr. Hopgood: We aren't distributing the food we have.

Mr. McANANEY: The only hungry people I know of are in India. They should get over their religious problem because, if they shot all their cows, there would not be any hungry people in India. Although people everywhere are not eating steak, there are few hungry people elsewhere in the world. If one travels through South-East Asia one will not see any hungry people. Places such as Thailand have fruit to be eaten all the year round. That country has a surplus of rice at present.

The SPEAKER: Order! The Bill does not deal with the supply of food to Thailand and India. I ask the honourable member to link up his remarks to the Bill.

Mr. McANANEY: As we do not have much knowledge about pollution at present, more investigation is necessary. No-one in

the Engineering and Water Supply Department knows just where the pollution of the reservoirs in the Hills is coming from. I have great confidence in our experts and scientists, and I believe that they will solve the problem, provided they are given the chance. I support the Bill. My only fear is that too much protection will be sought by the Attorney-General for people who do not look after themselves; Big Daddy will have to look after them.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Regulations as to clean air."

Dr. TONKIN: I move:

In paragraph (c) to strike out new paragraph (r) and insert the following new paragraphs:

- (r) imposing penalties recoverable summarily for any contravention of, or non-compliance with, any regulation under this section and not exceeding, for a first offence, five hundred dollars, or for a second or subsequent offence, two thousand dollars;
- (s) empowering the Appeal Board, by notice in writing served personally or by post upon a person who is in default under any provision of the regulations, to require that person within a reasonable period stipulated in the notice, to remedy that default, and providing that if that person fails to remedy the default within the period so stipulated, he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars for every day for which the default continues after the expiration of that period.

The effect of this amendment is to reduce the fine payable for a first offence. I believe it would do industry less than justice to require such an extreme increase in penalty as is provided in the Bill for a first offence. Most industries are now well aware of the need to control air pollution; they find it in their own interest to control it. A fine of \$2,000 for a first offence, which could well be inadvertently committed, is far too excessive. The fine for a second or subsequent offence should be \$2,000, but \$500 is sufficient for a first offence.

As the Bill stands at present, it is not clear whether the court can allow a company a period of grace in which to remedy a defect. I am spelling out in the amendment that such a period exists, and an industry will be given an opportunity to repair defective plant in a reasonable time. If, at the end of that time,

the industry does not comply, I agree that it should be subject to a daily fine until the defect is remedied. We must be reasonable and give an industry an opportunity to remedy any defect.

Mr. CARNIE: I support the amendment, as I think the increased penalty provided in the Bill as drafted is excessive, although I think a \$2,000 fine for a second and subsequent offence is warranted. A company should have an opportunity to repair a defect and, if a repair is not made in a reasonable time, a penalty of \$200 a day is not excessive.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): The amendment is totally unacceptable. I gather that the honourable member has not approached industry about this. Honourable members know that clean air regulations in the United Kingdom have dramatically improved the position in that country. Adelaide has a problem with weather conditions, pollution from factories here being much more dangerous than it is in other States. Although the members who have spoken agree that something must be done about this urgently, they are not prepared to back up their opinion. Perhaps members are not aware that these penalties are far lower than those recently announced in Victoria, where \$4,000 has been fixed, and I understand that New South Wales intends to provide for a similar fine. About six years ago a committee was set up in South Australia to consider clean air regulations. It was a most complex job, and the committee has been criticized by some members because it has not yet made recommendations for regulations to come before Parliament. The regulations, which should be ready in about two or three months time, will, I hope, be placed before Parliament at the resumption of Parliament early next year. The reason why the regulations have taken so long was that each person involved on the committee was anxious that industry should be satisfied with the standards set under the regulations.

It is now necessary to amend the Act so that the necessary penalties can be embodied in the regulations. The Chamber of Manufacturers, which has been represented on the committee at all times, supports the penalties we are now considering. Industry in general accepts that the penalties should be sufficiently high to discourage employers from offending. If the penalties were too low, an industry might consider it more economical to pay fines

than to remedy the situation. The Director-General, who will be responsible for the regulations, will require people to comply with the regulations within a specified time. If that is not done, action will be taken. It is necessary to have a penalty that will act as a deterrent. The penalty of \$2,000 is a maximum penalty, and I consider it imperative that this penalty remain, because most industries accept it as a reasonable one. Accordingly, the amendment is unacceptable.

Mr. MATHWIN: I support the amendment, but am disappointed by the Minister's dictatorial manner. He is showing no flexibility or consideration for the small business man whom the Government always professes to protect. Would it not be better if a lower penalty were provided for a first offence and, if an organization committed a second or subsequent offence, for a severe penalty to be imposed? I agree with the Minister that in some cases it might be more economical for a business to pay a fine than to comply. However, the Minister has reflected on industry in general.

Dr. TONKIN: I am disappointed by the Minister's attitude because, as the member for Glenelg has said, the small business man could suffer as a result of this legislation. However, I am reassured by the Minister's statement that the Director-General will give industry adequate notice to correct a defect before taking any action. However, it will be entirely at the Director-General's discretion. The legislation is very much a regulation measure. How long will an offence exist? Surely it depends on the means of the pollution level. I do not think that a higher fine will increase the rate of detection of such offences, nor do I think that the Minister's case has been strengthened by quoting the penalty in Victoria or in any other place. It is a reflection on industry generally for the Minister to say that some industry might consider it more economical to pay a fine than to remedy the defect. This matter should be approached in a spirit of co-operation, because industry is only too happy to co-operate. However, we must consider the small manufacturer who might inadvertently offend. There should be some distinction in the penalty imposed for a first offence but, for a second or subsequent offence, we should throw the book at the offender.

Mr. MILLHOUSE: I am inclined to support the amendment, although I would have preferred to see a penalty for a first offence of,

say, \$1,000, and \$2,000 for a second or subsequent offence. The member for Bragg is right to suggest that there should be a distinction, as there is in so many other Acts of the South Australian and of every other Parliament, between a first offence and a second or subsequent offence. However, as we need a real deterrent, I am doubtful about a fine of \$500. It is all right for the Minister to say that smog in London has been eradicated; that is a good thing, but I do not know whether he heard the guest of honour speaker a few weeks ago who said that the long-term result of pollution has been to raise the acidity level in the lakes in Sweden. We cannot consider these matters in isolation, and I hope that the Minister, the first Minister of Environment and Conservation, will not be parochial in his outlook.

Amendment negatived.

Mr. GUNN: Will the clause be used against farmers conducting burning-off operations?

The Hon. G. R. BROOMHILL: No, I assure the honourable member of that. Burning off tyres, burning in the open, and things of that kind, would come within this provision. Regulations will be tabled, and the honourable member will have an opportunity to put his views then. The burning-off of paddocks is not covered.

Mr. GUNN: The Minister has not convinced me. Does he mean rubbish—

The Hon. G. R. Broomhill: I was referring to industrial rubbish, such as tyres.

Clause passed.

Clause 6—"Air Pollution Appeal Board."

Dr. EASTICK: The clause gives only a superficial indication of what is proposed regarding the appeal board. Because of the nature of the proposal, the Committee should have more information about the Minister's intentions.

The Hon. G. R. BROOMHILL: Where industry is required to install equipment unreasonably or to meet requirements that are unreasonable, the industry will have an opportunity to appeal to the appeal board. We contemplate that the board will comprise three members, one being a legal practitioner, one a representative of the Chamber of Manufacturers or an employer organization, and the third a nominee from my department.

Mr. MATHWIN: Will the appeal board be able to deal with an appeal from the Government? I refer to the pollution spewed out by diesel locomotives and "red hens" owned by the Government.

The Hon. G. R. BROOMHILL: No. This is not an environment committee or a public appeal board. It is a board to hear an appeal by an employer: if he considers the actions that he is required to undertake to ensure that smoke emission from his factory is reduced are unreasonable, he will be able to appeal to the appeal board. However, this certainly does not cover the situation that the honourable member has mentioned.

Dr. EASTICK: Because of the likely kind of appeals, emanating as they will from different causes or problems, can the Minister say whether the tenure of office of members of the board will be short, or long? Will the board be constituted for a particular purpose or appeal, or is the membership of the board likely to be permanent?

The Hon. G. R. BROOMHILL: We expect that the committee will be appointed for a period of years.

Clause passed.

Remaining clauses (7 to 12) and title passed.

Bill read a third time and passed.

IRRIGATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 24. Page 3394.)

The Hon. D. N. BROOKMAN (Alexandra): I support the Bill.

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

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

In Committee.

(Continued from November 18. Page 3221.)

Further consideration of motion of Hon. D. A. Dunstan:

That the Legislative Council's amendment be agreed to.

(For amendment, see page 3220.)

Mr. HALL (Leader of the Opposition): Previously, I said that the Government could not justify the acceptance of the amendment from the Legislative Council. It is wrong to introduce such an amendment in the dying hours of the session. These provisions seem to be paving the way for the amalgamation of the two banks.

The CHAIRMAN: Order! I have previously ruled that the Committee is debating the Legislative Council's amendment, and members must confine their remarks to that amendment.

Mr. HALL: Can the Treasurer give an undertaking that the Government's present policy is not to amalgamate the two banks?

The Hon. D. A. DUNSTAN (Premier and Treasurer): This measure is not to amalgamate the two banks; nor could it do so. Any amalgamation of the two banks would have to provide for considerable administrative alterations. The activities of the two banks are different, as are the powers of the boards and, in consequence, a mere interchange of members of the boards does not and could not produce an amalgamation. The Savings Bank does run some trading bank agencies and the State Bank runs some savings bank agencies, and in these circumstances some interchange between boards is useful for administrative purposes. Indeed, the Chairman of the State Bank Board has intimated that he thinks that eventually it would be a useful administrative function if the Chairman of the State Bank Board were to be sitting on the Savings Bank Board, and vice versa.

A vacancy might occur whereby we could usefully appoint someone who might have membership on both boards, and the matter arose when a vacancy on the Savings Bank Board was contemplated. The appointment of the Chairman was examined, and the rather obsolete method of this appointment, which is different from the appointment of the board secretary, was reviewed. Other anomalies in the Act were then revealed. A prominent banker, who is a member of the Party opposite, has expressed himself strongly in favour of these amendments.

Mr. MILLHOUSE: The Treasurer was careful not to answer directly the point made by the Leader of the Opposition or to give any undertaking with regard to his Government's policy on amalgamation.

The CHAIRMAN: I will not allow the debate to proceed along those lines.

Mr. MILLHOUSE: No, Sir. We have no assurance whatever from the Treasurer, although we know, in fact, that it is the policy of the Labor Party—

The CHAIRMAN: Order! I have ruled that any matters extraneous to the amendments are out of order.

Mr. MILLHOUSE: Well, with great respect, I do not regard that as extraneous. However, I have noted the Treasurer's explanation that it is apparently contemplated that one member of the State Bank Board should go to the Savings Bank Board and, from listening to

him, one can guess who is contemplated and, on personal grounds, I have no objection whatever to that. The way the amendment has been drawn would permit a common body of persons to control both institutions and, in due course, either the present Government or a future Government, not even necessarily of the Socialist complexion of the present Government, could, under this amendment, effectively amalgamate the boards of the banks.

The Hon. D. A. Dunstan: What you are suggesting would take an awfully long time.

Mr. MILLHOUSE: It might or might not; it depends on mortality, and that is notoriously unpredictable. I concede that it is not possible by these amendments alone to amalgamate the two banks, but—

The CHAIRMAN: Order! I have ruled before, and I repeat, that we are dealing with an amendment, and the subject matter must be confined to that amendment. Any other matter will be ruled out of order by the Chair.

Mr. MILLHOUSE: As the amendment permits the amalgamation of the governing bodies of the two banks, it is undesirable. I echo the point made by the Leader that I think it is undesirable that we should legislate through the back door, and that is being done here. In fact, this is tantamount to a new Bill, coming back to us after an amendment is inserted, I understand by the Government, in another place. We are, as you have been ruling, Mr. Chairman, therefore precluded from debating the general principles of the matter; we have to debate it only as an amendment and this, in itself, is undesirable. Both for the substantive reason I have given and because I think it is wrong procedurally, I express my protest at this amendment.

Mr. COUNBE: It seems to me that this could be a marriage of convenience. A person could be a director of a private trading bank (for instance, the Bank of New South Wales), and he could be a director also of that bank's savings bank, and possibly also of the finance company associated with that bank. However, it would be improper for that director to be a director also of the A.N.Z. Bank, for example.

The Hon. D. A. Dunstan: The State Bank and the Savings Bank are not in competition.

Mr. COUNBE: The trading banks I have referred to are in competition. We have here the case of two banks set up under Statute by this Parliament. The Treasurer is saying that a person can be a trustee of both and that this is a convenience because there may be

some common interest. It seems wrong in principle to me that a person should belong to two banking organizations. This would apply in the case of a person who was a director of both the Commonwealth Bank and the Bank of New South Wales.

The Hon. D. A. Dunstan: He could be with the Commonwealth Savings Bank.

Mr. COUNBE: Yes, but that is another instrumentality of the Commonwealth Government.

The Hon. D. A. Dunstan: This is an instrumentality of the State Government.

Mr. COUNBE: I believe this is wrong in principle.

Mr. BECKER: The Savings Bank of South Australia is not a subsidiary of the State Bank. The Treasurer's argument is that the State Bank acts as an agent of the Savings Bank and vice versa, so that the boards of the two banks should be integrated. Because a director of one bank says that something is good does not mean it is good for another bank. Why was this amendment brought in after discussion on the Bill had been concluded?

The Hon. D. A. DUNSTAN: The Parliamentary Counsel drew the attention of the Government to the matters contained in this amendment, after I had examined the position about appointments to the Savings Bank Board, as there is an appointment due.

Mr. BECKER: Does this mean that there will be a vacancy (it could be the Chairman) on the Savings Bank Board or that there will be some change in the membership of the board, with someone being removed?

The Hon. D. A. DUNSTAN: There is no question of removal. The position is that the Government has no power under this measure or under any other measure (except for specific cause) to remove a member of the board. There will be retirements and vacancies due to be filled.

Mr. BECKER: What would cause these retirements?

The Hon. D. A. DUNSTAN: Apparently the honourable member has not read the legislation we are proceeding to amend. The membership of these boards is staggered over a period. A member is appointed for a period of years and must retire at the end of that period.

Mr. MILLHOUSE: Will the Treasurer give an undertaking that the Government intends

to have only one common member of both the State Bank Board and the trustees of the Savings Bank?

The Hon. D. A. DUNSTAN: I cannot say what will happen some years hence, but in the immediate future that is the position.

Motion carried.

PISTOL LICENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 23. Page 3296.)

Mr. MILLHOUSE (Mitcham): This Bill has been scrutinized carefully by our friends in another place.

[Sitting suspended from 6 to 7.30 p.m.]

Mr. MILLHOUSE: I shall now allow someone more competent than I on this subject to speak.

Mr. McANANEY (Heysen): There is little in the Bill to which I object. The Bill is a wise measure, unlike some of the Bills that have been before the House lately. The reason why a 10-year-old should be licensed to hold a pistol goes back to the depression days, before many members were born. In the days when I was working in a bank and when many hold-ups occurred, I was taken out for revolver practice in a quarry at Mitcham and we fired at the figure of a man. One man aged about 60 drew his revolver and aimed at this figure, but a pot of glue at an angle of 45 degree suffered more damage than did the figure.

The SPEAKER: Order! Far too much audible conversation is taking place. I am interested in what the honourable member is saying. He should be heard in silence.

Mr. McANANEY: The result of all this practice was that one day the manager of the bank went to collect the bank's funds.

The SPEAKER: The banking Bill is not under discussion. The honourable member must link up his remarks with this Bill.

Mr. McANANEY: The bank manager's vehicle got a puncture on the way back to the bank, so I was left in sole charge of the bank. A customer tripped over the front steps of the bank and landed with considerable force in front of me. Because of this, I drew the pistol. I did not know who was the more frightening—whether it was the man who had slipped or I. A person in charge of a pistol must be very careful, and inexperienced people should not handle pistols. It should be left to the Commissioner of Police to issue

pistol permits, although we will be appointing someone not connected with Parliament to decide whether a person should hold a pistol licence. I am not in agreement with this sort of thing as a general principle, but we should have sufficient confidence in the force and the Commissioner in this matter. I subscribe to the principle contained in the Bill, but I object to it in regard to many other Bills.

As the force has shown itself to be a responsible body, I agree to something to which I normally would disagree. If legislation is fair to the community in general, I will support it. However, I regret the current tendency to introduce legislation which might be considered popular among a group of people but which overlooks whether it is fair to every section of the community. A politician considers whether legislation will be popular with many people, whereas a statesman does what he thinks is right for the community. If we followed that principle and were all statesmen, we would gain more respect from the man in the street. I support the Bill, because I consider it necessary that a responsible person decide whether a person is to be allowed to carry a pistol. I do not think that Parliament should give this authority to the pistol club committee: a responsible person must make the decision. In most matters of government, a Minister decides matters and, although at times I doubt whether individual Ministers are responsible, they have an ultimate responsibility to Parliament, and any member who considers that the Minister has made a wrong decision can raise the matter in the House.

Mr. MATHWIN (Glenelg): I support the Bill in general: my only doubt about it arises from the fact that there is no definition of pistol. I regard a pistol as being an automatic weapon, fitted with a safety catch, such as a Colt, a Browning, a Luger, or a Mauser. I understand that most people who guard banks, and the tellers who work in banks, are issued not with pistols but with revolvers. A revolver comprises a cylinder that revolves when the trigger is pulled, and the hammer strikes the cartridge.

In the infamous game of Russian roulette, one bullet is placed into a six-chamber revolver, the pistol is placed to the forehead, and the trigger is pulled. Experts differ in their opinions about whether a pistol or revolver is the safer weapon. Having served in the armed forces for 6½ years, I have seen many accidents with guns, and I still maintain that the pistol, fitted with a safety catch, is the

safer weapon. I agree with the provisions in the Bill giving power to the police in regard to pistols, and I agree with the provisions making a change to decimal currency.

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

APPRENTICES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

HOUSING GRANTS ADMINISTRATION BILL

Returned from the Legislative Council without amendment.

INDUSTRIAL CODE AMENDMENT BILL (COMMISSIONERS)

Returned from the Legislative Council without amendment.

LICENSING ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 2. After clause 3 insert new clause 3 a as follows:

3a. Section 25 of the principal Act is amended—

- (a) by inserting after the figures "25" the symbols and figure "(1)"; and
- (b) by inserting at the end thereof the following subsection:
 - (2) Nothing in this Act shall be read or construed as preventing a person not being a legal practitioner, as defined in the Legal Practitioners Act, 1936, as amended, from—
 - (a) preparing, or lodging for registration, any agreement referred to in section 35 of this Act;
 - or
 - (b) preparing, or lodging for recording, a memorandum of agreement pursuant to the repealed Act.

Consideration in Committee.

The Hon. D. H. McKEE (Minister of Labour and Industry): I move:

That the Legislative Council's amendment be disagreed to.

The amendment, if accepted, would defeat the whole purpose of the Bill and render the Bill more or less meaningless. The Government intends to provide protection for people who are involved in agreements in respect of work-

men's compensation insurance claims, and we believe that these people can be protected only through the guidance of a competent solicitor, who would file the necessary agreement. As the Government intends to protect not only unionists but also all individuals, I am afraid that I must oppose the amendment.

Mr. COUMBE: Having listened to the Minister's rather puerile speech in opposing this amendment, I point out that I previously moved an amendment that I thought the Government might readily have accepted without harming the measure. This amendment is similar to my amendment. The provisions in this Bill were suggested by the judges of the Industrial Court and by the Law Society. Although the amendment has not been considered in those areas, if it were it, too, might be acceptable. The enforced use of lawyers brought about by the present provision could increase costs for insurers.

It is common knowledge that in many cases the employee agrees to accept the compensation specified. In such cases, the agreement simply records the fact; it is then signed by the employer and employee and filed by the court. However, where issues are complicated, the usual practice has been for lawyers to prepare and lodge assessments. The simple agreements to which I have referred do not require the attention of lawyers. The court should make up its own mind on this matter, after considering both sides of the argument. The Government would be well advised to accept the amendment. The acceptance of the amendment would not impinge on the legal right of an employee to workmen's compensation: it would merely facilitate the arrangement of agreements. The other provisions of the Bill have apparently received the imprimatur of the Law Society, but this amendment may not have been referred to that body.

The Hon. D. H. McKee: You're dead right.

Mr. COUMBE: The Government may wish to refer this amendment to the Law Society or to Their Honors for consideration, but this amendment will not jeopardize the right of injured workers to workmen's compensation. The Minister's objection to the amendment is purely technical, and the Attorney-General might be able to explain to him any legal point involved. No harm would result from the acceptance of the amendment, and the Minister has advanced not even one scintilla of evidence against it. If the Minister, by weight of numbers, has the amendment defeated, in the autumn session he may have

to re-introduce this very amendment. Indeed, I shall not be surprised if he does so. I oppose the motion to disagree to the Legislative Council's amendment, because I believe that it is reasonable and will result in the smoother working of the legislation.

Mr. McRAE: I support the motion. I think this whole matter is crystal clear. Last April, we introduced an entirely new Workmen's Compensation Bill which later became an Act. Included in that Bill was a clear provision that, in future, memoranda of agreements between employers and employees for registration in the Industrial Court would be prepared by legal practitioners. No-one could deny that that Bill was given the most thorough scrutiny by all parties, including the employer and insurance interests. They considered the Bill in detail, but did not raise this point. Now, nine months later and when the Act has been operating smoothly for five months, we have a demand to change the basic concept in the Act. In April, all members on this side insisted that a memorandum of agreement be prepared by legal practitioners, because in the past insurance assessors and insurance company employees (indeed, all those not in the unbiased position of the legal practitioner) were imposing on workmen and taking away their substantial rights. The member for Torrens has spoken nonsense.

It is one thing to talk about substantive rights and another to talk about preparation of agreements, yet the two matters can be linked closely, because the method of preparation of the agreement can easily remove the substantive right. Their Honours the judges have seen fit to ask that technical amendments be made, but certain insurance interests have had the effrontery to ask that the whole substance and principle of the earlier Bill, which was even considered at a six-hour conference between the Houses, be changed.

We will not tolerate the disgusting practice of insurance companies. Those companies were represented originally by eminent lawyers and they made no point then on this matter. The Committee should reject the amendment. Indeed, if the other place considers it so important that the Bill can stand or fall on it, let the Bill fall and let the Legislative Council take the consequences. I would prefer that the judges and persons associated with the courts put up with the technical difficulties and added legal expense rather than that the principle fought for so hard be sacrificed.

Mr. MILLHOUSE: I agree substantially with the Minister and, although I do not accept all the arguments put by the member for

Playford, I suppose I agree substantially with his conclusion. I should be willing to see new subsection (2) (b) included, allowing unqualified persons to prepare and lodge agreements pursuant to the repealed Act, because they have done that in the past, but the new Act is so much more complicated than the old one that it would be dangerous to allow lay people to prepare and lodge agreements. I do not say that in praise of the legislation. I consider that it is too complex.

The regulations drawn under it would do credit to the High Court of Australia, they are so complex, long and involved. Extra legal expense may be involved, but that would be worth while in the long run, as long as we had the present Act. I would not mind the arrangements standing as they were before the legislation was passed. I have no personal interest in this matter: I am not a solicitor and, therefore, do not prepare agreements.

Mr. COUMBE: The member for Playford has said that he would rather see the Bill lapse than accept this amendment. I am the last one to want that. Speaking as a layman, who has been experienced in this matter for many years and who has the interests of the workmen of this State at heart, irrespective of whatever views the legal profession may have, I believe that the amendment is a worthy one, and I oppose the motion.

Motion carried.

The following reason for disagreement was adopted:

Because the amendment stultifies the purpose of the Bill.

Later, the Legislative Council intimated that it did not insist on its amendment.

VALUATION OF LAND BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2 (clause 4)—After line 20 insert new subclause as follows:

(3a) For the purposes of subsection (3) of this section, an annual value, capital value or unimproved value assigned to land in pursuance of any of the rating or taxing Acts shall be deemed to be a determination of the corresponding value within the meaning of this Act notwithstanding any divergence in the terms in which any such value is defined as between this Act and any of the rating or taxing Acts.

No. 2. Page 3, line 11 (clause 5)—After "of" second occurring insert "prescribed".

No. 3. Page 3, lines 12 to 15 (clause 5)—Leave out "used for the purposes of a mill or manufactory, or any public utility or undertaking Tor or relating to the supply of electricity, gas or water or the provision of sewerage".

No. 4. Page 6 (clause 6)—After line 15 insert new subclause as follows:

(4) A person appointed Valuer-General, or a deputy Valuer-General under this section must be a person who is qualified for membership of the Commonwealth Institute of Valuers Incorporated.

No. 5. Page 10, line 6 (clause 17)—Leave out "The" and insert "Where the Valuer-General has valued any land in pursuance of a request under subsection (1) of this section, the".

No. 6. Page 10, line 7 (clause 17)—Leave out "any" and insert "the".

No. 7. Page 12, lines 14 and 15 (clause 24)—Leave out "shall be in the prescribed form and".

No. 8. Page 14, line 1 (clause 29)—Leave out "Whenever" and insert "Subject to subsection (1a) of this section, whenever".

No. 9. Page 14 (clause 29)—After line 4 insert new subclause as follows:

(1a) Subsection (1) of this section does not apply in respect of land that has been brought under the provisions of the Real Property Act, 1886, as amended".

No. 10. Page 14, lines 10 and 11 (clause 29)—Leave out "any person subdivides or re-subdivides any land, he" and insert "any land is subdivided or re-subdivided, the person upon whose application the subdivision or re-subdivision of the land was effected".

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

The amendments make drafting alterations. One amendment spells out in the definitions clause the assigned value for rating and taxing purposes. Another amendment effects an alteration in the definitions concerning land "used for the purposes of a mill or manufactory, or any public utility or undertaking for or relating to the supply of electricity, gas or water". A further amendment provides that a person who is appointed Valuer-General shall be qualified to be a member of the Commonwealth Institute of Valuers. The remaining amendments, which involve only minor drafting matters, are not of great substance. Having consulted the Valuer-General, I am satisfied that the amendments are perfectly in order and acceptable, and I recommend that they be agreed to.

Motion carried.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 18. Page 3211.)

The Hon. D. N. BROOKMAN (Alexandra): I support the Bill, the purpose of which is to amend the principal Act, under which at present it is apparently not possible for parents to change the name of their adopted child (until the child reaches 18 years, of course). The Bill makes it possible for adoptive parents to change the name of their child, and I think everyone agrees with this. My only query is whether any invalid changes of name have taken place previously.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Change of surname."

The Hon. D. N. BROOKMAN: Does the Premier know whether, since the principal Act came into force, any difficulties have been experienced in regard to adoptive parents changing the name of their child?

The Hon. D. A. DUNSTAN (Premier and Treasurer): I know of no such difficulties.

Clause passed.

Clause 4 and title passed.

Bill read a third time and passed.

WEIGHTS AND MEASURES BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 31—In the heading to division A of Part II of the second schedule leave out "in the First Schedule".

No. 2. Page 31—In the heading to division B of Part II of the second schedule leave out "in the First Schedule".

No. 3. Page 32—In the heading to division C of Part II of the second schedule leave out "in the Third Schedule".

No. 4. Page 32—In the heading to division D of Part II of the second schedule leave out "in the Third Schedule".

No. 5. Page 32—In the heading to division G of Part II of the second schedule leave out "in the Fourth Schedule".

No. 6. Page 33—In the heading to division H of Part II of the second schedule leave out "in the Fifth Schedule".

No. 7. Page 33—In the heading to division I of Part II of the second schedule leave out "in the Fifth Schedule".

No. 8. Page 33—In the heading to division J of Part II of the second schedule leave out "in the Fifth Schedule".

No. 9. Page 33—In the heading to division L of Part II of the second schedule leave out "in the Second Schedule".

No. 10. Page 33—In the heading to division M of Part II of the second schedule leave out "in the Second Schedule".

No. 11. Page 33—After division M in Part II of the second schedule insert the following divisions:

N. Standards of measurement or mass and weight that are constructed of iron and expressed in terms of the kilogram or units related to the kilogram

Denominations exceeding 25 kilograms

Permissible variation in grams
Seven-hundredths of the denomination of the standard in kilograms.

Denominations exceeding 1 kilogram but not exceeding 25 kilograms

Thirty-five-hundredths of the square root of the denomination of the standard in kilograms.

O. Standards of measurement of mass and weight that are constructed of iron and expressed in terms of the Pound or units related to the Pound

Denominations exceeding 50 pounds

Permissible variation in drams
Eighteen-thousandths of the denomination of the standard in pounds.

Denominations exceeding 2 pounds but not exceeding 50 pounds

Thirteen-hundredths of the square root of the denomination of the standard in pounds.

Consideration in Committee.

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

That the Legislative Council's amendments be agreed to.

If members look at the schedule, they will find that amendments Nos. 1 to 10 are simply drafting amendments to the titles of the schedules, and the final amendment, although it appears to be of substance, is merely a matter of drafting. The reason for the alteration is that these matters were taken over directly from the schedule to the Commonwealth Act and are not required in our Act.

Motion carried.

PUBLIC SUPPLY AND TENDER ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 24. Page 3380.)

Mr. MILLHOUSE (Mitcham): I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. MILLHOUSE: Under instructions, I supported the Bill at the second reading stage.

The Hon. G. T. Virgo: From outside?

Mr. MILLHOUSE: From my right hand. I point out that, although we support the Bill, I think it is nonsense. I have always thought that the title "Chief Storekeeper" was a good title. Perhaps it is an anachronism, but it is a pleasant anachronism. I point out that it has only four syllables, whereas the title "Director, State Supply Department" has about nine syllables. It is typical of a language that is declining in its potency that words and syllables are multiplied; this is a good example.

Clause passed.

Remaining clauses (4 and 5) and title passed.

Bill read a third time and passed.

[*Sitting suspended from 8.48 to 10.8 p.m.*]

ADJOURNMENT

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

That the House at its rising do adjourn until Tuesday, February 29, 1972, at 2 p.m.

It is not my purpose at this stage of the session, since it is not the end of the session, to give the usual valedictories. However, as we are approaching the season of festiveness and friendliness, I think it would be remiss of me not to express, on behalf of all members, thanks to members of the staff, to you, Mr. Speaker, to my colleagues, including the member for Ross Smith, and to the Leader of the Opposition and his colleagues, who will undoubtedly be gratified to know that, as a result of the sterling and extraordinary efforts of the Minister of Labour and Industry, the meat strike has been settled. In the spirit of the greatest *bonhomie* and kindness, I wish everyone concerned a very happy Christmas and a bright and prosperous new year.

Mr. MILLHOUSE (Mitcham): On this occasion, I share completely in the goodwill which has been expressed by the Premier, and I support the motion he has so eloquently moved. On behalf of the Leader and my colleagues on this side, I wish members opposite, the officers of the House, the staff and those who, while not technically members of the staff, earn their living by being down here and reporting our doings with very great charity, a very happy and holy Christmas. I do not (and my good friend the member for Alexandra is making sure I do not) overlook the domestic staff, comprising Miss Evelyn

Stengert and the girls who serve us under her direction. I certainly include them, and I am delighted to know that Evelyn is very much better. We all look forward to seeing her back here.

So far we have had, despite one or two mild clashes, Sir, a happy session. I assure the Government that the Opposition will come back on February 29, after the break, full of fight and ready to put forward our usual positive proposals for the welfare of the State. However, all that lies in the future and, in the meantime, we have the season of goodwill coming, and again I repeat my good wishes to all in this place and to all those associated with it.

The SPEAKER: Before putting the motion, I should like to join the honourable Premier and the honourable member for Mitcham in expressing my gratitude to members of the staff, including Gordon Combe, Aub Dodd, Jack Hull, my secretary (Miss Keighley Emmott), Jack Lawson and his staff of mes-

sengers, Les Martin and his staff, and members' secretaries. I sincerely trust that Miss Stengert, for whom we all have the utmost respect, is soon restored to good health, and I am exceptionally pleased that her illness was not as serious as had been expected. The staff of this House do a magnificent job and there are occasions when I think we do not appreciate their work.

I should like to thank the *Hansard* reporters, whose task is very strenuous and difficult. I wish all members on both sides of the House, as well as their families, a bright and happy Christmas and a prosperous new year. I sincerely trust that the vacation will give members an opportunity to relax before we return to our arduous task on February 29. If I have missed anyone, I humbly apologize. I wish everyone the compliments of the season.

Motion carried.

At 10.16 p.m. the House adjourned until Tuesday, February 29, 1972, at 2 p.m.