# HOUSE OF ASSEMBLY

Thursday, March 23, 1972.

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

## ASSENT TO BILLS

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

Administration and Probate Act Amendment,
Criminal Injuries Compensation Act Amendment,
Justices Act Amendment,
Places of Public Entertainment Act Amendment,
Statutes Amendment (Executor Companies),
Wills Act Amendment.

## PETITION: SEX SHOPS

Mr. WARDLE presented a petition signed by 75 electors, drawing attention to the recent appearance of sex shops in the community and expressing concern about the probable harmful impact of such shops on individuals and consequently on the community. The petitioners requested that Parliament would, if necessary, amend the law to put these sex shops out of business.

Petition received and read.

## QUESTIONS

## POWER SUPPLIES

Dr. EASTICK: Can the Minister of Works say what is the present ability of the Electricity Trust of South Australia to meet emergency situations? This morning's press contains a report of the failure of a transformer on a generator at the Torrens Island power station last evening, as a result of which many Adelaide suburbs were plunged into darkness. The report states that the failure, which occurred at 6.31 p.m., blacked out some areas for almost an hour, even though additional power was obtained from the Osborne power station. The report of the Electricity Trust for the year ended June 30, 1970, at page 5, dealing with the Dry Creek power station, states that gas turbine engines were to be installed there. In particular, the report states:

Gas turbines are compact machines having lower capital costs than steam plant, although running costs are somewhat higher. They are thus suitable for supplementing base load steam plant by economically providing the generating capacity necessary to cope with high load demands of short duration. A further advantage is the ability of gas turbines to start up rapidly to meet emergency and peak load conditions.

I stress the reference to demands of short duration. The report also states that commercial production of electricity was planned for the beginning of 1972. If the Dry Creek turbine station is on load now, I should have expected that there could be a reduction in the loss of electricity to the areas concerned last evening. On this basis, and more particularly because we are quickly approaching the winter period when the demand for electricity for heating is much greater, I desire the assurance that I have requested from the Minister.

The Hon. J. D. CORCORAN: I believe that the Leader asked what was the ability of the Electricity Trust to cope with emergencies. As far as I am aware, the trust is without equal in that regard. This morning I read, as did the Leader, the press statement. I have asked for a report from the trust on this matter, but that report is not yet to hand. However, when it is, I shall be pleased to make it available to the Leader.

Mr. RODDA: Can the Minister give a progress report on the extension of electrification in the South-East? There is more than a district interest in the high-tension line which is being constructed from the city to Mount Gambier and which crosses the Eastern Division of the South-East. The Minister knows about the negotiations that took place about the trafficability of the country it crosses. Although the contractor seems to be making excellent progress, there is some concern that the work may not be completed before the wet weather sets in again. I also refer to the extension of contracts with regard to the Lucindale area, and I shall be pleased if the Minister can say what progress has been made with contracts in this area.

The Hon. J. D. CORCORAN: I take this opportunity to assure the people in the Lucindale and Kingston areas that no delay will occur in supplying electricity there as a result of the fact that the trust has announced that it may have some money available for purposes other than the production of electricity. Recently it was announced that, because demands were stabilizing, the trust no longer needed to purchase certain equipment it had intended to purchase and use, and that therefore it had surplus money available to be used in other directions. This seemed to cause some alarm amongst people in this area who believed that this could delay the

provision of electricity to the area. The trust still intends to provide electricity to Kingston by early 1974. I understand that work on the high tension power line is on schedule and will be completed before next winter sets in. To confirm that what I have said is perfectly accurate, I will get a report for the honourable member.

## DRUGS

Mr. MILLHOUSE: Will the Attorney-General say whether the Government intends to introduce any amendment to section 14a of the Dangerous Drugs Act? Before this House met in February, there had been discussion in one newspaper concerning the workings of this section, which was inserted by the amending Act of 1970. This discussion resulted from a discussion I had with one of the reporters of that newspaper. I pointed out (and this was the gist of the newspaper report) that judges considered that at present there was an obligation on them (and, with respect, I think this is right) to impose a suspended sentence of imprisonment in all cases, even when the offence was of a most serious nature. The Attorney-General was quoted as saying that he was looking at this section and watching its effect, or something like that. I therefore ask him whether any conclusion has been reached and whether, as a consequence, any amendment is likely to be introduced, presumably in the next session because this session is so far advanced.

The Hon. L. J. KING: Cabinet has decided to introduce a Bill to amend section 14a of the Act for the purpose of removing the obligation on the court to suspend the sentence where an accused person is a drug dependant and substituting for that a permissive word to make clear that the court has a discretion, in the cases mentioned by the honourable member, whether the sentence should be suspended. The honourable member is right in saying that it is now impracticable to have this legislation prepared and passed in the present session, but it will be introduced early in the next session.

Dr. TONKIN: Will the Attorney-General ask the Minister of Health what evidence there is to suggest that the incidence of drug abuse and drug dependence is increasing in South Australia and what steps are being taken to contain any such increases? As I said yesterday in explaining a question on a similar topic, it is widely believed that the incidence of drug abuse in South Australia is increasing markedly. Since then, I have been told that there is much more activity in universities, university colleges, and secondary schools. This is a matter of some concern. Perhaps the Attorney can get from the Minister of Health some figures or other indication that will help parents and others in the community to know where they stand on this matter in relation to young people.

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

## LICENSING LAWS

Mrs. BYRNE: Will the Attorney-General say whether the present licensing laws permit hotels to have "men only" bars, where women are refused service, and, if they do, whether the proposed changes to the licensing laws stop this practice? If existing laws do, in fact, prohibit this discrimination, will he say what action a woman who is refused service should take? I point out to the Attorney-General that yesterday, at a city hotel, a respectable woman, behaving in all respects in an orderly fashion and properly, was shocked to be refused service by a barmaid in a saloon bar. The woman was with her husband and two of their male friends. When one of the men asked for drinks all round he was told that the woman would not be served in that bar. Pressed for a reason, the barmaid said it was a "men only" bar. Does the Attorney-General consider that this type of discrimination should be allowed to occur in this day and age, especially in a festival city?

The Hon. L. J. KING: The answer to the first question is that the present law does not prohibit a publican from limiting an area of his hotel to a "men only" area or, for that matter, to a "women only" area. The amendments contained in the Bill before the House do not alter this position. The next question really concerns my views on the topic, and I can say only that the subject is complex, because it involves a question of how far the right of the publican to use his premises in a way that suits him or his customers should be restricted by law. I agree that on the facts outlined by the honourable member what happened was unfortunate and undesirable. Whether the matter can be dealt with effectively by changes in the law, I frankly do not know at present. However, I will look into the matter to see whether anything can be done that will be effective and, at the same time, reasonable regarding the licensee's conduct of his business.

## M.V. *TROUBRIDGE*

The Hon. D. N. BROOKMAN: Will the Minister of Roads and Transport say who is to be appointed as the Government's agent to operate M.V. *Troubridge,* and will he say what degree of autonomy the agent is to have and who is to be responsible for setting the freight rates and arranging the time schedules and other matters relating to cargo and passengers?

The Hon. G. T. VIRGO: The Government called tenders for the position of managing agent, and we have now made a decision. The successful tenderer (and hence the agent) is the R. W. Miller organization, which has had extensive experience in this field. I think that organization is the managing agent of the Australian National Line involving, I think, the operation of 12 ships, and I think it has two or three ships of its own. All in all, the company is adequately suited to act in this capacity on behalf of the Government. The general overall policy of administration and the running of the *Troubridge* will remain with the Government, the Commissioner of Highways being responsible in this regard, and Parliament has consented to the relevant amendments contained in two Bills to permit this to occur. The determination of policy and, within this area, the setting of freight rates and the arranging generally of time tables will be done by the Government on the recommendation of the Commissioner of Highways, and the managing agent will do no more or less than carry out the policy that has been enunciated. However, of necessity some areas of flexibility will be provided so that unusual situations can be catered for and decisions made to meet those situations as and when they arise. But the overall determination of policy will strictly be within the realm of the Government.

## NATIONAL PARKS

Mr. LANGLEY: Has the Minister of Environment and Conservation a reply to my recent question about the number of national parks and open-space areas purchased by the Government in the last two years?

The Hon. G. R. BROOMHILL: Since taking office, the Government has dedicated 38 national parks and additions to existing parks totalling 525,994 acres. The area purchased during this time for national park purposes is 150,742 acres, costing $566,224. Further, 3,131 acres of land has been purchased for open spaces (recreation purposes) at a cost of $2,090,000. In addition, a considerable area has been purchased, under the direction of the Minister of Local Government, for use as public reserves in local government areas.

## EGGS

Mr. EVANS: Can the Minister of Works, representing the Minister of Agriculture, say whether the Government intends to introduce a new set of regulations under, or amendments to, the Egg Marketing Act? I have been told by a member of the poultry industry that he believes there is a move afoot to have the Act amended and that the industry and the Egg Board itself should be fully aware of what amendments are to be introduced so that representation can be made before their introduction. I understand that the Acting Chairman knows about the amendments and the contents of the document, but board members do not know, and it may be wise to take the matter to the industry.

The Hon. J. D. CORCORAN: I will check this with my colleague but, so far as I am aware, the Government intends to introduce legislation this session.

## NARACOORTE HIGH SCHOOL

Mr. RODDA: Can the Minister of Works say what is happening about the change rooms to be erected at the Naracoorte High School?

The Hon. J. D. CORCORAN: Following questions by the honourable member in this House, I told him that the contractor involved was to visit Adelaide about two weeks ago to have discussions with the Director and officers of the Public Buildings Department. After that meeting a recommendation was was made to me that I should terminate the contract, and that recommendation has been approved. This was done only after much consideration and it would appear that as a result of the unsatisfactory services rendered by this contractor over a period of time and a number of jobs he will not in the near future be engaged by the Public Buildings Department for any work for which he tenders. I have authorized the department to negotiate with S. J. Weir to take over the uncompleted work and I hope that these negotiations will be completed soon and that the work will be carried out as quickly as possible.

## NORTH ESPLANADE

Mr. BECKER: Has the Minister of Environment and Conservation a reply to my question of March 21 concerning work on the North Esplanade at Glenelg North?

The Hon. G. R. BROOMHILL: Tenders for work on North Esplanade, Glenelg North, are at present being examined by the Foreshore and Beaches Committee. A tender will be let as soon as possible.

## LEASES

Mr. GUNN: Has the Minister of Works obtained from the Minister of Lands a reply to my question on the freeholding of perpetual leases?

The Hon. J. D. CORCORAN: The Minister of Lands, who is responsible for this Act, states that the right to freehold is not implicit in all leases issued. A limited number of leases contains a clause which gives the lessee the right to purchase the fee simple at any time. I think that this is restricted almost entirely to war service perpetual leases. The Crown Lands Act provides that the lessee under any Crown lease granted under any of the Crown lands legislation may apply in writing to surrender his lease and purchase the fee simple, with the restrictions that this right shall apply only to any lease of land which is solely used for pastoral or agricultural purposes or both; or in the opinion of the Minister will not be required for subdivision or for public purposes. It should be noted that marginal lands perpetual leases issued under the Marginal Lands Act, 1940, cannot be freeholded. The Minister exercises discretion on each application. The current policy is that each application is given full consideration in respect of the type of land, its present use and its possible future use, and whether it is likely to be required for some public purpose. The Minister is prepared to give favourable consideration to those applications for the purchase of the fee simple where there is no conflict with these general requirements. The present policy is not to approve freeholding of leasehold land in areas which are considered to be marginal for agriculture production or of undeveloped land until the minimum clearing condition in the lease has been met.

## GOVERNMENT ACCOMMODATION

Mr. BECKER: Has the Minister of Works a reply to my recent question about preoccupational rent paid for Government accommodation?

The Hon. J. D. CORCORAN: The amount of preoccupational rent quoted in the Auditor-General's Report was calculated after a detailed study had been made by officers of the Audit Department of actual dates of occupation of leased areas by tenant departments. The figures produced were based upon the number of months and days between commencement of each lease and the date of occupation. The Public Buildings Department based its calculations on information available from departmental records, which show only the month of occupation. The marginal difference between the Auditor-General's figures and those produced by the Public Buildings Department is explained by the slightly different approach used by the two departments in their calculations.

The honourable member has also drawn attention to an apparent discrepancy between the reply on cleaning costs and the statement in the Auditor-General's Report that the Government made payments for cleaning in respect of buildings not yet occupied. Negotiated rentals for Government office accommodation can be either inclusive or exclusive of an element for cleaning. Where a lessor fixes a rental inclusive of cleaning charges, the Government, like other tenants, is obliged to pay the full rental as from the date of commencement of the lease. This was the case in the two instances quoted by the Auditor-General. If the negotiated rental is exclusive of cleaning charges, a separate cleaning contract is arranged to commence from the date of occupation of the accommodation. No separate cleaning contracts were negotiated before occupation.

## FAMILY PLANNING CLINICS

Mr. PAYNE: Has the Minister of Social Welfare any plans to include family planning clinics as a part of community welfare centres? The provision of such local family planning clinics could be of great value to couples contemplating marriage, as well as to married people in the area.

The Hon. L. J. KING: At present, the question of family planning is being dealt with in two ways. Family planning advice is given by the Family Planning Association and the Catholic Family Planning Centre. Both of these organizations are subsidized by the Government, the subsidies having been recently increased. In addition, the Queen Elizabeth Hospital has a family planning clinic, and I think that another is to be established at the Queen Victoria Hospital. The general question of family planning comes within the ambit of the terms of reference of the committee inquiring into health services in this State, the Chairman of that committee being Mr. Justice Bright. That committee is also

considering the desirability of establishing community health centres. I think that any further decision by the Government in relation to family planning clinics would be likely to await the receipt of the Bright committee's report.

Mr. Millhouse: How long will that be?

The Hon. L. J. KING: I do not know; it will be a few months, but I cannot be more precise than that. In siting community welfare centres, the Social Welfare and Aboriginal Affairs Department is providing for the possibility that community health centres will be established, and that it will be desirable to establish them as near as practicable to community welfare centres. Although I cannot be more specific at present, I think that it is fair to say that the possibility exists that in future we will have community health centres established in our community welfare centres, and that family planning may be a feature of the health centres. Any firm decision on the matter will have to await the receipt and evaluation of the Bright committee's report.

## VETERINARY SURGEONS

Mr. CARNIE: My question will probably need to be considered by the Minister of Education, who is temporarily absent, and by the Minister of Agriculture. Will the Government consider supporting the training of veterinary surgeons with a proviso that, on completing their training, they will spend a specified period in country areas? Such a scheme would be similar to that which now operates with regard to medical practitioners. In the past, I understand that the Agriculture Department has met the cost, or part of the cost, of training veterinarians, provided that on completing their studies they work either for the department or in South Australia. On March 14, a reply given to a question of the Leader of the Opposition stated that no such studentships had been granted this year. The previous proviso that the veterinarians should work in South Australia did not solve the problem in country areas, where there is an ever-increasing need for veterinary surgeons, especially in view of the increase in the number of beef cattle.

The Hon. J. D. CORCORAN: I shall be happy to have the matter examined. If anything can be done, perhaps we can enlist the services of the new Leader as chief instructor.

## STREET TREES

Mr. MILLHOUSE: I want to ask a question of the member for Playford, but he is not here. Therefore I will ask a question of the Minister of Works instead. It is not the same question, by any means. I hope the member for Playford will be back later.

The Hon. G. T. Virgo: From the empty seats on your side it's easy to see there are still plenty of committee meetings going on, obviously to try to sort out your problems.

The SPEAKER: Order! The honourable member for Mitcham has the call.

Mr. MILLHOUSE: The interjection was not only discourteous: it was irrelevant. Will the Minister of Works inquire about the killing of street trees by natural gas, and take whatever action is possible to avoid it? A resident of my district has told me that hundreds of street trees in the district are dying because of leakages of natural gas, and I have been told that, although this complaint comes from my area, trees are also being destroyed in other areas, the problem being that, with the use of natural gas, the pipes are prone to leak more than did the pipes that carried the gas previously used. I think that is because of some process of dehydration. The gas escapes and the street trees are affected not by poison from the gas but because of the process of dehydration, which means that they do not get sufficient moisture to keep them alive. I have not seen the street concerned within the last few weeks, but I have been told reliably that one example of this is Abbotshall Road, Lower Mitcham, where all the trees on one side of the street have died. I have also been told that the South Australian Gas Company does whatever it can to mend the leaks when they occur, and this is a continuing process, but the matter is serious as regards the beauty and general amenities of the suburbs.

The Hon. J. D. CORCORAN: I agree with the honourable member that the matter is certainly serious if this is the case. This is the first that I have heard of it, and I will take immediate action to contact the Gas company in the first instance to confirm or otherwise (and I do not doubt the honourable member's information) that this is the case, and to find out what action the company is taking and what further action can be taken. It is very serious indeed when street trees, which take so long to grow and which add to the beauty of most parts of Adelaide, are destroyed in this way.

## VENEREAL DISEASE

Dr. TONKIN: Will the Attorney-General ask the Minister of Health whether the Public

Health Department intends to undertake a new programme of community education in relation to venereal disease? The recent report of diseases notified for the four-week period ended February 26, 1972, shows that the number of notifications of gonorrhoea cases continued to increase steadily and that in that period 93 cases were reported. In the case of syphilis, there were 13 notifications of primary syphilis in males and two notifications of secondary syphilis in females so far this year. This was only a few less than the total number of primary syphilis notifications for the whole year 1971. There is no doubt that the incidence of venereal disease is increasing alarmingly, and I believe that a programme of community education is a matter of urgent necessity.

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

## COUNCIL BOUNDARIES

Dr. EASTICK: Can the Minister of Local Government say whether his department has considered in depth the problem of effecting road and other associated works on council boundary roads? The Minister will appreciate that in council areas there are boundary roads, and under the terms of the Local Government Act it is necessary for the two councils concerned to accept some responsibility in relation to any work carried out. In some cases the roadway involved is important to one council, although it is at the end of the other council area and really serves no purpose for the normal activities of ratepayers of the latter council. The matter is also difficult if a point on the boundary happens to be a river crossing. In that case, a few people on the opposite side of the river must cross the river to get to schools, shops, and other facilities, as part of their normal community life. In such circumstances one council may wish to proceed with roadworks up to and including an adequate crossing, such as a bridge or ford, across a river, but that council may not be able to obtain the concurrence of the other council regarding the works.

The Hon. G. T. VIRGO: I assume from the way the Leader has explained the question that he is referring to a purely academic exercise rather than to a specific case.

Dr. Eastick: There are two cases.

The Hon. G. T. VIRGO: If there are two specific cases, the Leader did not mention either of them. If he will be kind enough to give me the details, I shall be pleased to have them examined to try to solve those two problems. However, the overall question involved in the point that the Leader has raised is a matter about which I have strong views. I refer to the desirability of having, at an early date, a complete revision of the present boundaries and council areas generally. I am on record as having stated many times previously that South Australia cannot afford the luxury of having 137 councils to cover one-fifth of the area of the State, with the other four-fifths not covered by local government.

Mr. Coumbe: Does your opinion apply to the metropolitan area as well as to country areas?

The Hon. G. T. VIRGO: My comments are not confined to country areas although, for other reasons (not the least of which is the current rural problem), the difficulty in this regard has shown up more clearly in the country. However, my remarks are not confined to the country areas, because I believe there could be a complete revision along these lines to strengthen the situation of local government in the metropolitan area. Boundary roads have always been a problem, although not all council boundaries follow roads. In the metropolitan area some are along back fences, while in country areas they may follow the marking of hundreds or even imaginary lines drawn on a map. Councils sometimes have difficulty knowing where a specific boundary runs. They seem to satisfy themselves, agree on a boundary, and co-operate on that basis. In cases where adjoining councils have not seen eye to eye on a boundary, protracted negotiations have sometimes resulted. If the Leader can give me details of the case which he has in mind, I shall be happy to look at the matter.

Mr. WARDLE: Will the Minister of Local Government comment further on the time (if he has arrived at that point) when a deeper look will be taken at the re-drawing of council boundaries, and will he explain the methods he may have in mind for this purpose?

The Hon. G. T. VIRGO: In the first instance, it is a matter of getting local government to accept the need for something to be done. I have with regular monotony expressed this point of view at almost every local government gathering that I have attended (and the honourable member would know that that constitutes a large number). I am happy to say that officers and members of councils are now coming to me and saying that something should be done, so I believe we have attained

the first goal. Later, I will have discussions with local government. Indeed, I have indicated to the Local Government Association that, when the House is in recess and time is a little more free, I should like to have preliminary discussions to formulate an approach that can be fully canvassed with a view to getting support. I should not like to pre-suppose what form this reform would take, other than to say that I believe that it would require an independent boundaries commission which would receive submissions, draw the lines, and have its decisions regarded as final.

## SEAT BELTS

Mr. COUMBE: I ask the Minister of Roads and Transport to say whether, in view of the pleasing reduction in accident fatalities in South Australia since the introduction of seat belt legislation, his attention has been drawn to a recent comment on the difficulty of policing this legislation by police officers because they have difficulty in seeing whether a person is wearing a seat belt. Reference has been made to drivers and passengers who try to disguise the fact that their seat belt is not properly fastened. Has the Minister considered this problem and, if so, what action does he contemplate to see that this legislation is enforced to give effect to the wish of this House: that is, to reduce the incidence of fatalities and injuries on the road?

The Hon. G. T. VIRGO: I have received no report from the police stating that they are experiencing difficulty in policing this legislation. I have read letters to the editor and I recall having read one or two articles suggesting this difficulty, but I have certainly had no communication from the Commissioner of Police indicating that police officers are encountering this difficulty. This matter was adequately canvassed during the debate on the legislation, when it was said that this would not be the simplest legislation to police. It is certainly more difficult to determine whether a person is wearing a seat belt than to determine whether a car is a model that requires a seat belt to be fitted by law and hence to be compulsorily worn. It is not as simple to determine whether a seat belt is being worn as to determine whether a driver is exceeding the 35 miles an hour speed limit or has failed to stop at a "stop" sign. This House was aware of the difficulties that might be experienced in policing the Act. However, the pleasing fact, in my view, is the response of the public to the legislation. True, one person has been actively campaigning against this legislation and I understand, from press reports, that I was to have been presented with a petition with as many as 5,000 signatures on the day Parliament resumed this year but, although that was a month ago, I have not seen it yet. Perhaps the person concerned realized what little value the petition would have had and what a waste of time it would have been if it had been presented.

All in all, I believe that this legislation has been effective. If and when I receive notification from the Commissioner of Police that his officers are having difficulty in policing this measure I will certainly look at the matter, although I am at a complete loss at this stage, unless other members have suggestions, in considering how the law could be altered to make the detection of breaches easier.

## GEPPS CROSS ABATTOIR

Mr. McANANEY: Can the Minister of Works, representing the Minister of Agriculture, say whether the Metropolitan and Export Abattoirs Board has plans to build additional cattle yards? If it has such plans, what investigations have been made into the alternative of holding sales more frequently? There is currently only one cattle sale a week held by the board and, in order to provide sufficient yard space to cope with the number of cattle going through the yard in any one day, I understand that an increase in accommodation has been suggested. Apart from the aspects of cruelty to the animals involved and the inefficiency and uneconomic nature of the system, more frequent sales rather than additional buildings could well be the best solution.

The Hon. J. D. CORCORAN: I will get a report.

## SOCIAL RELIEF

Mrs. BYRNE: Will the Minister of Social Welfare investigate ways and means of eliminating the waiting time of persons applying for relief payments from the Social Welfare Department? I know that the Minister is well aware of this problem, which is one of long standing. However, I thought I should again bring this matter to his attention, as this morning I found it necessary to visit this section of the department, and I was appalled to see the number of people waiting. At one time I counted 18 people in the women's waiting room, 24 in the joint waiting room, seven standing in the passage (although there were seats on which they could have sat, they

obviously chose to stand outside), and five at the counter. I was told by one person that she had been there on a hot day when it was so overcrowded that it was necessary for people to stand up.

Inquiries revealed that one person had been waiting since 10.15 a.m. and was still there when I left at 1.15 p.m. Others told me that it was not unusual for them to have to wait four hours or more. Persons seeking assistance are of various ages and include women with young children, who need to have napkins changed. Unfortunately, some women with young children do not expect to have to wait for a long period and presumably do not bring replacement napkins with them. This leads to the obvious result, and the smell present had the effect of making me feel like vomiting. No doubt it has a similar effect on other people waiting there. In addition, people sitting in the waiting room were eating their lunch. A small room is attached to the women's waiting room and, although I do not know its use, I point out that, if it is for use by women nursing babies, its facilities are inadequate. There is a women's public toilet some distance away on the same floor but, as this building was, I understand, originally designed as a hotel, the facilities in these rooms generally are not suitable for today's use. I considered that the whole situation lacked dignity, although I point out that the fault is not that of the staff, who are hard working and patient under these conditions, especially when it is considered that they must cope in some cases with persons who, coming to the waiting room and requiring attention, understandably become short-tempered.

The Hon. L. J. KING: If the honourable member considers that the present conditions encountered by people applying for assistance are primitive, I can only say that she would have used a much stronger expression if she had inspected the facilities at the time I took office. At that time, when an applicant went to this section, that applicant was given a number and, after waiting a considerable time (the period varied), heard the number announced over a speaker. The applicant was then expected to recognize the number and to go into a room for an interview with an anonymous officer who did not even have a name on his table to identify him. Some improvements have been made. Immediately I became acquainted with these conditions, I directed that the number system should be eliminated and that, when the person was called in for the interview, he or she should be approached by a member of the staff and addressed in the same way as one would expect, say, in a doctor's consulting room.

I also directed that the officer who interviewed the applicant should be identified by a name appearing on his table. Other improvements were made at the same time, but, nonetheless, the situation is still extremely unsatisfactory. I think the problem really arises from two causes, which are both extremely difficult to eliminate. First, the volume of business to be transacted fluctuates from day to day, so that it is not possible to arrange appointments for people who are in financial difficulty, because often a woman may experience financial difficulty suddenly, a maintenance cheque not having arrived; she is left without funds, and she has to come in immediately to apply. It is impossible to arrange the affairs of the office on the basis that there will be a regular flow of people, and it is even less possible to arrange appointments. This creates great difficulty in respect of waiting time and arrangements generally. It is difficult to know how to tackle this problem, because it is really inherent in the nature of the business being transacted.

The other problem relates to the completely unsatisfactory character of the premises themselves, which are very old. One wonders why they were ever acquired for this purpose at all. The premises require extensive renovations and alterations. Consideration is being given to whether these alterations should be effected or whether alternative accommodation should be found but, after a consideration of all factors, it has been decided that the best approach is to renovate the existing building, and I am assured that it can be renovated satisfactorily. However, this project will take some time. A commencement will be made soon; I cannot recall precisely when, but it will be within the next few months, and the project will then be pressed on with.

However, before the whole building can be converted to satisfactory accommodation, perhaps two or three years will elapse, because it is obviously necessary for the staff to move into one section while work is going on in another, and it will therefore take time. Until this work is done, I do not think that the physical arrangements can be improved much. However, now that the honourable member has asked the question and described the situation so graphically (I do not dispute her description at all; I believe it is accurate), I will again discuss the matter with the Director-General of the department with a view to

seeing whether all the problems involved, especially the limitations imposed by the present accommodation, can be reduced and something further done to try to minimize the waiting time experienced by these applicants and to improve the conditions in the building where they must wait.

## SITTINGS AND BUSINESS

Mr. EVANS: Can the Minister of Works, as Deputy Premier, say what are the Government's plans for the remaining sittings of the House this session and can he say whether, bearing in mind that legislation is still being introduced, the session will continue beyond Easter?

The Hon. J. D. CORCORAN: The matter has been discussed briefly by the Government. However, the Government desires to see what progress can be made in the early part of next week before a final decision is made. As soon as the Government knows whether or not it will be necessary to sit for a short period after Easter, the House will be informed.

## RURAL ECONOMY

Mr. GUNN: Can the Minister of Works, representing the Minister of Lands, say how money has been allocated to councils under the Commonwealth rural unemployment relief grant and what formula is used in deciding how much each council will receive?

The Hon. J. D. CORCORAN: I do not know the exact sum allocated, but I will ascertain the figure from my colleague. The formula is based on the number of registered unemployed in the area and, of course, any money spent under the scheme must, under the conditions laid down by the Commonwealth Government, be spent in the proportion of 33 per cent on materials and 67 per cent on labour, although I understand that in most cases the labour content is greater than 67 per cent. Although I will obtain the exact figure, I think $840,000 was initially granted, and $700,000 subsequently, so that a total of about $1,500,000 received from the Commonwealth Government has been disbursed in the various areas. I am not sure how much money has been allocated, although I think it would be more than $1,000,000 at this stage.

Mr. CARNIE: Can the Minister of Works, representing the Minister of Agriculture, say whether the rural economic report brought down recently by the Economic Research Committee of the United Farmers and Graziers of South Australia Incorporated has been studied with a view to the Government's implementing any of the recommendations that it has power to implement?

The Hon. J. D. CORCORAN: I have noticed copies of the report in the lobby. Although I have had a quick look at the report, I have not studied it in detail. I will direct the honourable member's question to my colleague to see what he has to say about it.

## TRADING HOURS

Mr. MILLHOUSE: I should like to ask a question of the member for Playford. Does the honourable member still assert that he sent a telegram to the Mayor of Elizabeth last Tuesday concerning the shopping hours question and, if he does not, will he withdraw and apologize? I have been given a circular letter over the signature of Mr. J. S. Lewis (Town Clerk), headed "Friday night shopping", part of which states:

> I had a telephone call this afternoon at approximately 3 p.m. from the member for Playford, Mr. T. M. McRae.

The letter is dated Tuesday, March 21, so the telephone call was made about 3 o'clock last Tuesday afternoon. The circular continues:

> Mr. McRae said he had intended to send telegrams to all members of the Elizabeth and Salisbury councils but inadvertently through a mistake in his office one had not been sent to the Mayor of Elizabeth, a fact which he regretted and for which he asked me to express his apologies to the Mayor.

During the debate last Tuesday evening, at about 9 o'clock (six hours after the message reached the Town Clerk), the member for Playford said:

> Last Thursday morning I sent a telegram to each and every councillor of Salisbury and Elizabeth corporations seeking their attendance here today, not only to take part as spectators but also to join me in leading a deputation to the Midland members of the Legislative Council. Altogether, 38 telegrams were sent but only one person came. Did the Mayor of Salisbury or the Mayor of Elizabeth come? No, they did not. They are exposed as blatant political opportunists and I am not prepared to enter into official communication with them again. They are exposed for what they are.

The SPEAKER: Order! Standing Order 124 provides:

> At the time of giving notices of motion, questions may be put to Ministers of the Crown relating to public affairs; and to other members relating to any Bill, motion, or other public matter connected with the business of the House, in which such members may be concerned.

I consider that the matter raised by the member for Mitcham is a private matter.

Mr. Millhouse: It is connected with a Bill.

The SPEAKER: It is a private matter and the honourable member for Playford does not have to answer the question.

Mr. McRAE: Mr. Speaker, I want to answer it in this way. I gave instructions to my secretary and I did believe that a telegram was sent to every councillor and alderman of the two corporations, namely, Salisbury and Elizabeth, and also that telegrams were sent on my instructions to the Mayors of those two corporations. When I spoke to Mr. Lewis (Town Clerk), he told me that Mr. Duffield had said he had not received the telegram. I told Mr. Lewis that I had been spoken to by numerous councillors and that the only explanation I could think of was either that my secretary had missed one out of 38 persons to whom telegrams had been sent or that there had been confusion at the post office.

I should like to go on and say that long before I spoke on Tuesday evening last (indeed, early on Tuesday afternoon) other members of the Corporation of the City of Elizabeth were in contact with me and told me that Mr. Duffield was well aware of the contents of the telegram which they had received, because it was promulgated widely. Further, I requested that Mr. Lewis make the matter of the telegrams known to Mr. Duffield lest there had been a mistake on my part (and I would be the first to accept the blame for a mistake caused by me; certainly it was not an intentional mistake). Mr. Lewis agreed to make it an item on the agenda for that evening and several councillors assured me that they would see that the matter was brought to the attention of Mr. Duffield. Notwithstanding that, however, Mr. Duffield did not attend. As I see it, therefore, I have no apology to make and I adhere to the statement I made last Tuesday evening.

## HILLS FACE ZONE

Mr. EVANS: I ask the Minister of Works as Deputy Premier, in the temporary absence of the Premier, whether the Government will conduct a survey to ascertain the estimated cost of moving the hills face zone quarrying operations to an area that is screened from the view of the metropolitan area. In the estimated cost I would include the initial cost of compensation and re-establishment, the anticipated cost to the State departments and private enterprise of cartage, and the overhead costs on present-day monetary values. Many representations have been made during the last few years to have the quarries closed in the hills face zone, and I believe that we cannot talk with accuracy about the estimated cost of such a move. Therefore, it would be important for the community as well as Parliament if we could know how much this move would cost and whether it would be a feasible proposition. For the foregoing reasons, I believe we have reached the stage where we should have a serious look at this matter.

The Hon. J. D. CORCORAN: I will ask the Premier to examine the question both in his capacity as Premier and in his capacity as Minister of Development and Mines. The Government has never to my knowledge seriously considered shifting the quarries. I have heard of objections that have been raised, but I do not think any attempt has been made by the Government to estimate the costs to which the honourable member has referred. However, I am not sure that the Government would conduct such a survey unless it was seriously considering the possibility of shifting these quarries.

## LUCINDALE SCHOOL

Mr. RODDA: Can the Minister of Works say when the proposed plans for the Lucindale Area School that have been talked about will come to fruition? I understand that some discussions took place recently.

The Hon. J. D. CORCORAN: Earlier this week I approved the expenditure of about $30,000 for the construction of a standard change room at Lucindale and some other associated work. I do not know when the work will be commenced but I will check and give the honourable member the accurate details. He will at least know that approval has been given for work on the change room to go ahead, and I know that this will be greatly appreciated by his constituents and their children.

## SEX EDUCATION

Mr. BECKER: Can the Minister of Works as Deputy Premier, in the temporary absence of the Premier, say what steps the Government has taken or intends to take to make available financial assistance to provide sex education and family planning facilities? By way of explanation, I quote from the South Australian supplement to the Australian Medical Association's monthly bulletin for March, 1972, as follows:

> Sex education and family planning facilities must have increased attention and Government support.

In view of the increasing number of abortions being performed in this State, will the Deputy

Premier say whether the Government has considered examining the possible provision of sex education and family planning facilities?

The Hon. J. D. CORCORAN: A similar question was directed earlier this afternoon to the Minister of Social Welfare by the member for Mitchell. That question dealt with family planning. The honourable member will be aware that recently the Government increased its subsidy to the Family Planning Association from $8,000 to $12,000 a year, and to the Catholic Family Planning Centre from $500 to $2,000 a year. I do not know whether the Government has taken positive steps with regard to sex education, but I am prepared to have the matter examined for the honourable member. I have no doubt that the Minister of Education will be interested in this matter, because one of the avenues to be explored in regard to this education would be the schools themselves.

The Hon. L. J. King: This is done in the schools through the Family Life Movement.

The Hon. J. D. CORCORAN: Yes, but the honourable member wanted to know whether more could be done in this area. I will check on this matter for the honourable member.

## STRATHALBYN COURTHOUSE

Mr. McANANEY: Will the Minister of Works ascertain when work will commence on the Strathalbyn police station and courthouse?

The Hon. J. D. CORCORAN: I know the matter is receiving attention, because I recently saw a docket on it. If it is not, I think it is due to be referred to Cabinet. I am fairly sure this matter has been dealt with, but I will check and let the honourable member know.

## NORTH ADELAIDE POLICE STATION

Mr. COUMBE: As the Minister of Works will recall my asking several questions last year requesting him to have improvements made to the North Adelaide police station, can he now say what action has been taken?

The Hon. J. D. CORCORAN: Offhand I cannot do so but, in view of the honourable member's question, I will certainly have the matter examined, find out what is the latest position, and let the honourable member know.

## SCHOOL BUS

Mrs. BYRNE: Will the Minister of Works ask the Minister of Education (who I understand is temporarily absent on business) to have the Education Department consider supplying a school bus service from the Tea Tree Gully District to the Birdwood High School? Last evening I received complaints from parents of children attending the Birdwood High School that yesterday afternoon, with the exception of two children, who hid in the rear of the bus, children travelling to Houghton and the Tea Tree Gully District on a privately operated bus, which left Birdwood at 3.30 p.m., were off-loaded at Chain of Ponds because of alleged larrikinism on the bus. Of course, the children have denied this charge. Chain of Ponds is about seven miles from the Tea Tree Gully District, and anyone who knows the road in question knows how dangerous it is. How all the children got home I do not know, because it is a long distance to walk. I know that some children, including girls, hailed passing motorists for rides. For obvious reasons, this has caused concern to the parents of the girls, and they do not want the incident repeated.

The Hon. J. D. CORCORAN: I will certainly refer the matter to my colleague, who will no doubt bring down a report for the honourable member as quickly as possible.

## T.A.B. FUNDS

Dr. EASTICK: Will the Attorney-General ask the Chief Secretary whether he has considered the appropriate sections of the Lottery and Gaming Act that permit loans of Totalizator Agency Board funds to various clubs in the racing industry? In the past, the board has been able to make funds available to organizations in the racing industry, whether they be concerned with dog-racing, trotting or horse-racing. These moneys come from forward funds held by the board, and they are recouped by the time the amounts lent are required for distribution to the clubs, by annual allotment, from the next year's percentages. Several sums have been made available to organizations in this industry for them to build premises, upgrade tracks, and so on. However, it has been suggested that there is some doubt about the legality of making further funds available to clubs in the racing industry under the sections of the Act previously applied.

The Hon. L. J. KING: I have not heard of the debts referred to by the Leader of the Opposition, but I will refer the matter to the Chief Secretary.

## HOSPITAL DEBTS

Mr. GUNN: Will the Minister of Aboriginal Affairs consider making grants to country

hospitals that have incurred large financial debts by looking after Aboriginal patients? Recently, when I visited one of the hospitals in my district and spoke to the Chairman and the Secretary of the board, the Secretary told me that the Aborigines in that town owed the hospital $17,000 and that it was most unlikely that the board would be able to collect any of this amount. This was putting great strain on the finances of the hospital. Another hospital in my district has a smaller deficit caused by the same problem. Therefore, I would appreciate the Minister's considering the problem to find out whether funds can be made available.

The Hon. L. J. KING: The honourable member will be aware that the Government does not, as a matter of policy or practice, assume responsibility for the debts of Aborigines any more than it does for the debts of other persons in the community. This is a matter for arrangement between the hospital authorities and the patient. However, I shall consider the problem raised by the honourable member. If he gives me the name of the hospital involved, that will enable me to ask the department to examine the problem.

## AIRPORT POLLUTION

Mr. BECKER: Will the Minister of Environment and Conservation have an immediate investigation made into the pollution at the Adelaide Airport caused by the burning of aircraft tyres, oils, rubbish, etc.? One of my constituents has complained to me about the thick black smoke that is polluting the air near the Adelaide Airport. I understand that aircraft tyres, oils, and rubbish are burnt at the airport almost weekly and that constituents are suffering from the pollution of the atmosphere. This matter has been raised on other occasions, and I should be grateful if the Minister would examine it to see whether an alternative method could be used to dispose of these items.

The Hon. G. R. BROOMHILL: I shall be pleased to take up this matter and find out what I can do to have the practice prevented. I am not sure that the honourable member may be confusing the disposal of rubbish by the airport authorities with the fire drill tests that are undertaken at the airport every week. This drill could well be the cause of the problem to which the honourable member refers and, if that is so, it is necessary for the airport authorities to ensure that they have adequate fire protection. Nevertheless, if this is what is causing the problem, I should think that, perhaps, arrangements could be made to undertake the drill in some other part of the airport, so that this pollution would not be created. I will examine the matter and find out what can be done.

## PERSONAL EXPLANATION: GALLERY INTERJECTION

Mr. MILLHOUSE (Mitcham): I seek leave to make a personal explanation.

Leave granted.

Mr. MILLHOUSE: Yesterday, by way of questions, on two occasions I raised the matter of an interjection that had been made by someone (I believed by Mr. E. J. Goldsworthy, Secretary of the Shop Assistants Union) from the gallery during my speech in the second reading debate on the shopping hours Bill. The interjection, which, as I explained yesterday, I did not catch at the time but which I was told about later and which I discussed with Mr. Goldsworthy when he was sitting in the Speaker's Gallery, having been moved out of the Strangers Gallery, was reported in the *Advertiser* yesterday morning on page 1 and, we must assume, was therefore read by many tens of thousands, if not hundreds of thousands, of people in this State. The interjection, as reported in the *Advertiser* (and I accept the accuracy of this, although there is some dispute about it) was, "Do you work for Myers?"

I refute absolutely the innuendo in the interjection that I in some way had been influenced by the Myer stores in the views I expressed in the debate. I do not seek for one moment to hide the fact that the material was supplied to me by members of the Retail Traders Association and those associated with the Myer emporium, and I do not regret using that material, but I refute absolutely the innuendo in the interjection that I was in some way improperly influenced by Myers in what I was saying. If a member of this House had made that interjection and I had heard it, I would have asked immediately for its withdrawal as being a grave reflection upon me, and I should hope that, if that happened, Mr. Speaker, you would have compelled its withdrawal as an unparliamentary remark. Yesterday I asked you to take action, but twice you declined to do so. I express regret that you have not seen fit to exert yourself in this matter to preserve my reputation.

Mr. Jennings: What reputation?

The SPEAKER: Order!

Mr. MILLHOUSE: I hope that, in view of the publicity that the interjection from the gallery received through the *Advertiser* yesterday, that newspaper will see fit to report my explanation.

The SPEAKER: Call on the business of the day.

## INHERITANCE (FAMILY PROVISION) BILL

Returned from the Legislative Council with amendments.

## QUESTION TIME

Mr. BECKER: I rise on a point of order, Mr. Speaker. When the member for Mitcham was making his personal explanation, I raised my hand to indicate that I had another question.

*Members interjecting:*

The SPEAKER: Order! I ask honourable members to give a little co-operation, instead of engaging in this nonsensical talking across the Chamber. If the honourable member desired to ask another question and I did not see him, he should have risen to his feet at the time. I directed that the business of the day be called on and then read a message from the Legislative Council. I cannot uphold the point of order.

## ADELAIDE FESTIVAL CENTRE TRUST ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Adelaide Festival Centre Trust Act, 1971. Read a first time.

The Hon. J. D. CORCORAN: I move:

*That this Bill be now read a second time.*

This short Bill somewhat enlarges the powers of the Adelaide Festival Centre Trust in the field of construction of works and facilities. At the moment the powers of the trust are limited to construction on land vested in it and land that may be vested in it. As the plans for the festival centre are developed it appears that the powers of the trust are deficient in two respects: (*a*) it needs power to go outside its own land to provide suitable means of access to the general area of the festival centre, and this will entail building means of access over some Crown land and some land vested in the South Australian Railways Commissioner; and (*b*) it seems desirable that it should have additional powers in relation to the reinstatement of buildings, etc., cleared from trust land.

In amplification of paragraph (*b*), honourable members will recall that the land vested in the trust was vested by Statute; thus, it did not cost the trust anything in money terms. In an analogous commercial situation, of course, part of the price to be paid for the land would relate to the cost of moving and, if necessary, reinstating buildings that were on the land. Accordingly, it is suggested that it is reasonable that the trust should assume this responsibility. In broad terms this will involve the construction of certain buildings for the Railways Commissioner and the removal and possible relocation of the Elder Park sound shell and kiosk. These additional powers are conferred on the trust by the amendment set out in clause 2. At the same time opportunity has been taken at clause 3 to assert formally Treasury control over borrowings of the trust that are guaranteed by the Government. This formal control is necessary to meet the requirements of the Australian Loan Council.

Mr. COUMBE secured the adjournment of the debate.

## OATS MARKETING BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act relating to the marketing of oats, to establish and constitute the South Australian Oats Board, and to provide for matters incidental thereto. Read a first time.

The Hon. J. D. CORCORAN: I move:

*That this Bill be now read a second time.*

It is inevitable, in the view of the Government, that a continuation of the present restrictions on wheat deliveries will encourage cereal farmers to turn their attention increasingly to the production of other grains, including oats. In these circumstances, it was considered that the time was opportune to review the operation of the current voluntary pool system of oat marketing, under which prices fluctuate considerably from year to year. It appears to the Government desirable that this voluntary system be replaced by a system of orderly marketing of oats in South Australia similar to that operated by the Australian Barley Board in relation to barley which has functioned successfully for a number of years.

Orderly marketing operates in New South Wales and Victoria, and the Government believes that the establishment of an oat-marketing board in this State would enable South Australia to play its part in the national marketing of oats. A statutory body could exercise closer supervision over distribution,

selection of varieties, and quality of grain, and advantages would accrue to growers from research conducted by the board. A central marketing authority would also overcome some of the problems now faced by exporters, who, by purchasing small quantities of oats from individual growers, are forced to accept higher freight rates owing to the small quantities being shipped overseas. By these means, an orderly marketing scheme could be expected to help to stabilize prices and create the climate of confidence necessary for farmers to increase the acreage sown to oats.

The Government has conferred with the United Farmers and Graziers of South Australia Incorporated, which has given an assurance of an unqualified support of the members of that organization for the setting up of an orderly marketing system for oats. The legislative scheme given effect to by this Bill is in many respects similar to that set out in the Barley Marketing Act of this State. There is, however, one important difference in that the board constituted under the Barley Marketing Act is comprised of representatives from this State and Victoria whereas the board proposed by this Bill will be comprised of persons drawn from this State only. I will now deal with the Bill in detail.

Clauses 1 to 3 are formal. Clause 4 sets out the definitions needed for the purposes of the Bill. Clause 5 formally constitutes the South Australian Oats Board. Clause 6 provides that the board shall consist of five members, of whom three shall be elected by growers of oats. To vote at an election a person will have to have harvested for sale not less than 12 ha (that is, about 30 acres) of oats in the preceding season. Clause 7 is a formal provision to ensure that members of the board do not by the operation of any other Act suffer financial hardship by reason of being unable to retain other fees or remuneration. Clause 8 makes the usual provision for the removal from office of members of the board. Clause 9 provides for casual vacancies and is in fairly standard form, and clause 10 provides for procedure of meetings of the board and for a quorum at those meetings of three members, of whom one must be a person appointed by the Governor. Clause 11 provides for the remuneration of members of the board. This remuneration is payable out of the funds of the board.

Clause 12 provides for the Chairman to have a casting vote and for a member presiding at a meeting to exercise such a vote in the absence of the Chairman. Clause 13 guards against acts or decisions of the board being rendered ineffective by reason of a vacancy in the office of member or a latent defect in the appointment of a member. Clause 14 provides for the appointment of a secretary to the board. Clause 15 is a fairly standard provision to enable the board to make use of the services of offices of Government departments. Clause 16 provides that members of the board shall not as such be subject to the Public Service Act, 1967. Clause 17 is intended to ensure that members of the board do not deal with matters before the board in which they have a financial interest other than such a financial interest as a grower of oats. Clause 18 provides that the board shall, under the Minister, have the administration of the Act. Clause 19 provides for the terms and conditions of appointment of officers. Clause 20 provides for the appointment of licensed receivers of oats. Clause 21 sets out the powers of the board and is in general self-explanatory. The powers conferred here are those usually conferred on marketing authorities of this nature. Clause 22 provides for the inspection of books and documents relating to oats. Clause 23 enjoins those having the care of property of the board to exercise due diligence in relation to that property. Clause 24 is a fairly standard accounts and audit provision.

Clause 25 provides for a review by the Minister of any decision or action of the board. Clause 26 is the keystone of the measure in that it sets out the area in which the board will operate. Apart from minor drafting changes it follows, in all but one respect, fairly closely the basic scheme of operation laid down in relation to barley. However, it provides that trading in oats between primary producers will not be subject to control by the board; this exemption is contained in subclause (3) *(d)* of this clause. However, so that the board is aware of the extent and details of this trading it will be necessary for sales of this nature to be set out in a half-yearly return to the board by the seller, and this is provided for in clause 27. Clause 28 provides that for the purposes of this Act delivery of oats to a licensed receiver will be delivery to the board, and clause 29 sets out the obligations of the licensed receiver.

Clause 30 is intended to ensure that oats delivered "out of season" will be attributed to their current season. Clause 31 sets out in broad terms the duty of the board to market oats. Clause 32 sets out the manner

in which the price paid for oats is to be determined and the manner of making payments; in all respects, these provisions follow the corresponding provisions in the Barley Marketing Act. Clause 33 provides for offences against the Act. Clause 34 provides for a general regulation-making power. Clauses 35 and 36 are again of considerable importance and provide for the taking of a poll on the continuation of the scheme provided for by this Act. The provisions are self-explanatory and should serve to ensure that if, at any time, a substantial proportion of the growers of oats are dissatisfied with the scheme it will cease to operate.

Mr. VENNING secured the adjournment of the debate.

## SOUTH AUSTRALIAN THEATRE COMPANY BILL

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

That the time for bringing up the report of the Select Committee be extended until Tuesday, March 28.

Motion carried.

## NATIONAL PARKS AND WILDLIFE BILL

Adjourned debate on second reading.

(Continued from March 16. Page 3994.)

The Hon. D. N. BROOKMAN (Alexandra): This Bill is, in general principle, satisfactory to me and, I think, to Opposition members generally, although I know that some of them have some comments to make on the Bill in detail. It seems to me that the idea of co-ordinating the various conservation activities is appropriate. Conservation in this State has had a tremendous boost in the last few years. The Fauna and Flora Act passed, I think, in 1918 relating to Flinders Chase was about the first measure enacted dealing with conservation. Other legislation followed but, even as recently as 1956, there was actually only one national park in South Australia, namely, at Belair, and in modern terminology that is no longer a national park. Nowadays, a national park is considered to be an area larger than that at Belair, which is mainly a recreation area although it still has some important botanical features. Apart from the one national park existing in 1956, there was also the Flinders Chase area, which was not a national park but which was set up under its own Act.

In addition, other areas known as national pleasure resorts operated under their own Acts through the Tourist Bureau. The control of these areas comes under the general provisions of this Bill, and I think that is a sensible move. The actual number of national parks began to climb, I think, first when Mr. Quirke was Minister of Lands. I consider that he did a good job in putting our hand to the wheel of progress and in declaring national parks and acquiring land, etc. The National Parks Act of 1966, introduced by the then Minister of Lands, who is the present Minister of Works, provided for the proclamation of national parks and for greater security of tenure in relation to those parks by reason of the fact that they could not be relinquished without both Houses of Parliament agreeing to the move.

I became directly involved in this matter, as Minister of Lands, at some stage (I think in 1968), and I think it would be correct to say that during my term as Minister the area of national parks was almost trebled while the number of national parks was doubled, although this is not necessarily a good measure of what was taking place. I point out that 1,700,000 acres in the Simpson Desert was acquired, and this represented more than half the total area of existing national parks. However, hardly anyone has ever been to this area, and it would need a real exploring expedition to see it. While I was Minister, the last national park proclaimed involved 5,000,000 acres. This makes the figures look even greater, although I have never claimed (nor did my immediate predecessor, the present Minister of Works) that simply by declaring these desert areas to be national parks we were doing all that should be done. On the other hand, I think it can be said that at least since Mr. Quirke was Minister of Lands all Governments have made similar progress towards what I think is the desirable situation.

I think that the Fauna Conservation Act, which, incidentally, I introduced into this House in 1964 when I was Minister of Agriculture, has worked well. Many of the provisions in that Act are now being transferred to this measure. The Fauna Conservation Act came under the control of the Minister of Agriculture, and under that Act a wildlife section was set up to deal mainly with matters covered by that measure. I presume that at least some of its provisions will be transferred to the control of the Minister of Environment and Conservation. The National Parks Act, which is coming under his control, has previously been under the control of the Minister of Lands and, under this Bill, the constitution of the National Parks Commission, comprising 16 or

18 members, is altered. Other Acts, including the National Pleasure Resorts Act, are affected, and it seems logical that these changes should be taking place. The Fauna and Flora Board has had control of Flinders Chase since it was established. The board consists of six members, two of whom are appointed by the University Council, two by the Royal Society, and two by the Governor. I have been on that board since 1950 and it has been an extremely rewarding experience: it has not been arduous work, but it has kept us in close touch with events. I believe that we have presided over much progress and I believe it was along the right lines. The Chairman of the board is preparing a report (and I have discussed this with the Minister, who will appreciate what the Chairman is doing) which gives details of what the board intends to do pursuant to its general policy, and that report will be considered by the new authority. What the old board tried to do will be recorded. I believe that the staff at Flinders Chase have been extremely loyal and efficient, and I hope that nothing will be done to prevent them from carrying out the general control they have exercised. The first ranger was Mr. W. May, but he was not ranger for long. He was followed by Mr. H. Hansen, who was the ranger for many years. Mr. Hansen has been followed by his son-in-law (the present ranger, Mr. G. A. Lonzar) and the service that he has given has been outstanding and of a personal nature. Members of the staff have taken the most intense interest in the Chase, and the ranger and his wife know the Chase very well. Mr. Lonzar has been a tremendous help to experts and tourists. Although he is not a scientist, his knowledge of almost everything in the Chase has been of great value to scientists, whether in relation to geology, animals, plants or birds. I hope that the new control will consider his services and ensure that he is given every consideration, as he was by the old board.

I have received comments from many people, both conservationists and amateurs. They all applaud the Bill generally but some have pointed out defects in it. One scientist has told me that there is not sufficient provision for research and he has also referred to the need to investigate new reserves. I think the Minister has already spoken about this in the House. Some former Ministers were mainly interested in seeing what land was available for national parks of any value, because it was so important in these days of modern machinery to see that land was set aside; but it was impossible to do everything we would have liked to do, and I am sure it will still be impossible for the Minister for many years to do everything he would like to do. Nevertheless, as the years go by, I believe that the rate of acquisition will be slower and possibly the improvement in the management of these reserves will become more important.

I believe that this Bill has been criticized for being weak in its approach to the extension of knowledge about nature. I have also received criticisms concerning the tenure of game reserves. Another comment is that there is much in the Bill about the protection of fauna, but that the protection of plants is not catered for to the same degree. One of the Acts being replaced by this legislation is the Native Plants Protection Act, but more could be done to see that plants are protected.

Whereas the Community Welfare Bill contains a clear statement of objective, this Bill does not set out the objectives sought to be achieved. In Committee I will comment on one or two slight changes made by the Bill. The organizations to be taken over are set out in the Bill. Clause 10 (2) provides:

The fund shall consist of—

(*a*) any moneys derived by the Minister from any donation or grant made for the purposes of the fund;

and

(*b*) any moneys provided by Parliament for the purposes of the fund.

Regarding the allocation of money, we have often discussed whether a Bill should provide the specific proportions of money for various categories, but I am not so much concerned about that in this case. With Government accounting it is difficult to confine a Minister to a precise figure or percentage, so I do not complain about the provision of this Bill that the Minister may provide any portion of the moneys for research. The Community Welfare Bill provides that the Director of Community Welfare may apply money towards research projects, but the provisions of the Bill is this respect are different from those in the Community Welfare Bill. Whereas under the other Bill there is a real obligation on the Minister to undertake research, in this case he may do so, but there is no real obligation on him. I think the provision in this Bill should be more strongly worded.

The National Parks and Wild Life Advisory Council will comprise 17 members appointed by the Governor, of whom one shall be the permanent head (he shall be a member *ex officio)*; one shall be the Director (he shall also be a member *ex officio)*; and 15 shall

be persons who are, in the opinion of the Governor, qualified by knowledge and experience to be members of the council. The Minister has said that the intention is to appoint eight people who are professionals in one of the relative fields, and seven people who, to use his term, could be interested amateurs. Much of our legislation provides for the appointment of boards, and members are sometimes selected from panels of names put forward by various organizations. I think it would be generally true to say that modern Labor Governments favour appointments by the Governor where possible, and do not like panels of names if they can avoid it. It is a nuisance to ask an organization to put forward a panel of names, especially when the organization is often late with the names, and so on. In addition, there are often administrative problems which, although not serious, add to the work involved. Moreover, the Minister may occasionally get one person or more than one person nominated whom he does not want.

I believe that perhaps we should ensure that certain sections of the community are represented on this council by people who have a sufficiently independent outlook to make a real contribution. In other Statutes, this sort of provision is made. One category I can think of in this connection is the farming and pastoral community which, after all, occupies in one form or another most of the State. It would be wrong to assume that I am advocating the appointment of someone who will stand up for the rights of landholders without having any special interest in conservation. If such a position ever applied it does not apply these days. Most landholders, certainly those whose names would be put forward in this connection, have constructive ideas about and are deeply interested in conservation. If there is no-one on the council with experience of the grazing industry in certain areas of the State, I believe the council will seriously lack certain knowledge that is available.

I am not in any way antagonistic towards conservation measures to protect our wild life, as the Minister knows. Nevertheless I know of examples where administrators can get out of touch with practicality. In addition, there is much emotional drive towards conservation, and many people can get involved in an argument on which they do not have a balanced view. Recently I saw a statement (unfortunately I do not have it with me) by an American professor about arid lands. He commented on the phenomenon and danger of having people living in temperate areas making emotional decisions affecting arid lands. Frankly, the ignorance of arid conditions is appalling in some cases. I believe that it is important that we should have on the council some pastoralist with knowledge and experience of these matters. He would have the confidence of his own neighbours because they would know he knew about their problems. In addition, the other members of the council and the Minister would know that he was not merely a one-eyed advocate of one point of view. I hope that, if the Minister is not prepared to accept an amendment to oblige him to appoint a grazier or representative of that industry, he will say that he is prepared to see that this industry is represented.

Possibly other categories should be represented, too. It is important that the council is not made up only of people who might fall into the category of interested amateurs. The provision that neither the permanent head nor the Director shall be eligible for appointment as Chairman of the council is wise. The Director of the Botanic Garden has done a fairly good job as the Chairman of the former wild life section, but I have no doubt that he would agree that it is better for the Chairman of this council, which is to advise the Minister, to be independent. To have a quorum of only eight members out of 17 seems rather generous, as it means that, if five members of that quorum vote in favour of a proposal, and the proposal is thus passed, less than one-third of the whole council will have supported it. I believe that the number of members to constitute a quorum could be increased a little.

The powers of wardens are wide, as powers usually are these days. Under the Bill, wardens can do just about anything they want to. This emphasizes the fact that wardens should be selected carefully. Several categories of reserve and sanctuary are set out. There will be national parks, conservation parks, game reserves, and recreation parks. I think that those categories are well defined. It is difficult to know whether one park should marginally be a conservation park or a national park, but there seems to be little difference legally, except in name. Both categories are protected from reduction or abolition by the fact that any notice of motion or resolution must be given at least 14 sitting days before the motion is passed, and both Houses of Parliament must pass the motion. This has been the procedure

in the past. To my knowledge, a revocation has never passed through Parliament, and that indicates the security of the parks.

There has been talk about a revocation for a big park in the western part of the State, but I hope that that never comes before us. There has also been talk about a reserve on Eyre Peninsula coming before us, but it has not been submitted and I hope it is never submitted. There is little in the definition of national park to indicate how we identify one of these. The point has been put to me that there should be some direction about this. Clause 27 (1) provides:

> The Governor may, by proclamation—
> (*a*) constitute as a national park any specified Crown lands that he considers to be of national significance by reason of the wild life or natural features of those lands.

The provisions in the New South Wales Act state the substantial area of the park and the proposed or existing facilities for visitors. I do not know whether it is necessary to state those matters, but it has been pointed out to me that the definition in the Bill is slightly narrower than the New South Wales definition. Game reserves are relatively unprotected. A game reserve is an extremely important part of the State's conservation programme. First, game reserves are largely concerned with the preserving of ducks and the shooting of ducks. They comprise some of our best wet land conservation areas.

There is no reason to suppose that, merely because a game reserve is used at times for shooting, birds in it are not protected. The shooting in these reserves will be controlled strictly to ensure that the birds survive and are not shot out. This is good conservation and the game reserve should be a valuable piece of land to the State, but it has not the same security as a national park or a conservation park.

Alterations to national parks and conservation parks can be made by proclamation, without reference of the matter to Parliament. I do not know why this should be. I should have thought it would be better to give them the full security that the other parks have. Undoubtedly, there is a shortage of bird habitats on wet lands in South Australia, and the provision of game reserves is one way of ensuring that these habitats are provided, I think that that security is wise.

The fifth schedule sets out the game reserves but I cannot find in it a reference to Woolenook Bend. I shall mention that matter again later. Recreation parks include such areas as the Kyeema recreation park. These areas will be used for public recreation, in a similar way to that in which the Belair National Park has been used for many years. The Belair National Park has now lost the status of a national park and is included in the schedule of recreation parks.

Mr. Millhouse: Won't we be able to call it the national park any more?

The Hon. D. N. BROOKMAN: I am sure the honourable member will keep doing that, because he is conservative. However, it will be a recreation park. Belair, Para Wirra and Kyeema recreation parks are valuable for their scrub lands, and I would not like to see them reduced without being given the same security as that for national parks; that is to say, the revocation should be passed by Parliament. I know the Kyeema recreation park fairly well. It began as a labour camp for prisoners and has been enlarged by the addition of scrub from the Kuitpo forest. Para Wirra is a beautiful park. On the other hand, other recreation parks are small and are not affected as much as the larger ones.

One criticism of the provision for control and management of reserves is that I cannot see in the Bill what objectives should be followed. It is common sense to a conservationist to try to work out what the objectives should be, but I think it would be better to give them in more detail, provided the management plans turn out to be good.

I have received a complaint, and I will ask the Minister about the matter in Committee. It relates to the provision that an interested person may, within one month after publication of a notice, make a request to the Minister. I do not know why the word "interested" has been included there, because I take it that that prevents a large section of the community from commenting. The people will comment, whether we like it or not. The Minister does not have to take notice of what is submitted to him, anyway, and the restriction seems unnecessary.

Clause 37 (9) provides that the Minister may adopt the plan of management, but I think there is little enough information in it. I am not sure that it would not be a good idea to make more provision to make those management plans public. There does not seem to be any provision for that. Under clause 41, the Minister may declare any part of a reserve to be a prohibited area, but I am not clear

where we stand regarding prohibited areas. I have not studied the Act recently, but I have an idea that the Governor proclaimed a certain area to be prohibited. An example is the area where the pelicans were breeding a few years ago. It was suggested that their eggs were being smashed by opponents of the pelicans and, legally, a prohibited area was proclaimed on an island near Salt Creek and some of the islands in the Coorong. I cannot identify these islands in the schedule.

Another example is two small islands in Salt Lagoon, which is in Lake Alexandrina. If I am right, they are in the schedule of conservation parks, which I have never heard of before but which I thought were prohibited areas. Must an area be a conservation park or in one of these categories before it can be declared a prohibited area? For instance, the Pearson Islands are owned by the Commonwealth Government and, therefore, they cannot be in any of these categories under the State Act. Can they still be declared to be prohibited if the Minister wishes to prostect them? I shall ask for a reply to that question in due course.

Private sanctuaries have a place in conservation that is even more important than I thought. The other day I asked the Minister a question about the number of private sanctuaries that had been proclaimed. He said that 134 areas, totalling 1,335,540 acres (an extensive area), had been proclaimed. I remind members that private sanctuaries were provided for in the 1964 Fauna Conservation Act, under which it was possible for an owner to have his land proclaimed a sanctuary; this did not affect his farming operations. He was allowed to destroy vermin on the land, but neither he nor anyone else was allowed to do any shooting or to take any birds or animals, unless they were pests.

By doing this, he was given legal protection from shooters, but it was not a provision designed to save him from the trouble of turning off trespassers. This land would not necessarily be accepted as a sanctuary unless the Government decided it was a worthy case. In order to encourage landholders to do this and to encourage them to show that they were not limiting the use of their land unreasonably and possibly affecting its value, it was provided that they could have the declaration revoked. The Minister has carried on that provision in the present Bill. So, since 1964 it has been possible to have private land declared and to have the proclamation revoked. The Minister told me that a large area had been declared. No-one else has ever asked for revocation, except in relation to a small area taken up by a council caravan park. That shows that the private sanctuary has an important place in the scheme.

I shall now discuss the division dealing with fauna of rare, prohibited and controlled species. Heavy penalties are imposed for trafficking in rare fauna. That is important, because many such attempts have been made in the last few years because of the value of these animals. A $1,000 penalty is provided where animals of rare species are involved. There are, however, some conditions in clause 54 about which aviarists have complained because they consider that there is a lack of knowledge of their particular interest. Clause 54 (3) provides:

Without limiting the conditions upon which a permit may be granted under this section, those conditions may—

(*a*) provide for marking, or otherwise identifying, animals kept in pursuance of the permit;

(*b*) require the holder of the permit to report the illness or death of any animal kept in pursuance of the permit to the Minister;

and

(*c*) require the holder of the permit to report to the Minister the birth of any progeny to the animals kept in pursuance of the permit.

Aviculturists have been told that, apparently, they will be made to do what is called closed-ringing of rare birds. The rare birds, which are set out in the schedule to the Act, may have to be leg-ringed with a ring that cannot be reopened. The aviculturists have several complaints. One is that the ring can be cracked by a bird, particularly of the parrot family (parrots have a strong bite and could damage the ring themselves). What is more worrying is that there are two species of rare birds which are extremely rare in wild conditions but which are common in aviaries. The first one is the princess parrot, of which, according to my informant, in 1938 about 30 were taken from the wild and put in cages. Since then, thousands of them have been bred in many countries of the world.

Another one is the scarlet-chested parrot, which, apparently, is now found not in South Australia but in parts of the Northern Territory. Anyone who knows about them usually guards against telling anyone about them because they do not want the species to be endangered. Trapped scarlet-chested parrots are not endangered, but they have been bred

to such an extent that the colours have become somewhat artificial, in the same way as the budgerigar's colour have become artificial. A budgerigar's colour is naturally green, but in captivity other colours develop. Someone told me about a United States of America catalogue of a few years ago in which a pair of scarlet-chested parrots was valued at $2,000, whereas today they are valued at $35 each. This shows that they have been bred in large quantities. .

The same applies in the United Kingdom, with somewhat similar figures and a somewhat similar story. So there is practically no likelihood of anyone touching them in the wild. My informant told me that, since the birds were taken in 1938, no more than 10 would have been taken from those areas; yet it is possible that in future, according to the Minister's intention, it will be necessary for closed-ringing to be done of all these birds in captivity, but it would be utterly pointless in that case. I should like to know whether the Minister would discuss this problem with aviculturists before he proceeds with any such intention. There is no penalty that I can see for releasing animals of a prohibited species. I may be wrong in this, but clause 54 (1) provides:

A person shall not, without a permit granted by the Minister, have in his possession or under his control an animal of a rare species, or the carcass or eggs of an animal of a rare species.

However, there seems to be nothing to stop people releasing them. That point should be looked at. I have only a few more comments to make. Clause 73 provides an additional penalty. Subclause (1) provides:

Where a person is convicted of an offence involving any unlawful act in relation to protected animals and the court is satisfied that more than one protected animal was involved in the offence, it shall, in addition to imposing a fine for the principal offence, impose an additional fine based on the number of protected animals involved in the commission of the offence.

It was suggested to me that this should apply to prohibited and controlled animals as well as protected ones. We shall discuss that further in Committee. I notice that clause 75 (2) provides:

A complaint for an offence against this Act may be laid within 12 months after the offence was committed by the defendant.

I think the normal law provides for six months. I ask the Minister why it has been extended beyond the normal time.

I turn now to the schedule of national parks, of which there are now only eight. They have been reduced from about 100 to eight. Most of the others have been put into the fourth schedule, which contains what are called conservation parks. Those parks vary from tiny ones of about 20 acres (there is one at Myponga of 22 acres) to huge parks like the Hincks conservation park of about 135,000 acres. The Simpson Desert conservation park is of about 1,700,000 acres, there is a 5,000,000-acre conservation park in the west, and so on. This category is very good. However, I query the position regarding the Pearson Islands. If I am right, they are owned by the Commonwealth Government. I should like to know whether the Minister still has power to look after the fauna and flora on them. I cannot find these islands in these schedules, so I presume they belong to the Commonwealth for navigation purposes.

I come now to the fifth schedule, which deals with game reserves. There are only a few of them but they are all in the wet lands. One that I wish to refer to is Woolenook Bend, which a few years ago was declared a game reserve under the Fauna Conservation Act, 1964, at the request of a group of shooting enthusiasts, mainly in the district of Chaffey, but I cannot find any reference to it. I should like to know what has happened to it. As I understand it, at Woolenook Bend these people were settling up nesting boxes and making a very attractive area even more attractive. There would not be more than one or two days in the year on which it was open to shooting. What has happened there?

Katarapko Island is part sanctuary and part national park at the moment. Under this Bill, it looks as though the whole of Katarapko Island is to be taken out of the national parks category and put into the game reserves category. In the Coorong, the position is somewhat obscure to me, because there is the Coorong National Park on both sides of the Coorong game reserve. It may be confusing to people who go shooting. That is a matter to which the authorities will, no doubt, attend. I am not sure about the once prohibited pelican breeding ground at Pelican Point; I do not know whether that is in this category or not. It is not easy to put these places into their right categories because there are so many of them with similar names.

Coming now to the sixth schedule, I have mentioned Kyeema recreation park and Belair

recreation park. I now ask about the Glossop recreation park. As I recall, the Glossop park is a very small area of scrub. It is only a few acres and is close to the Glossop High School. The school authorities asked whether they could have that area for nature study purposes. That was made over to the school. I believe it was declared a national park as it was necessary to put it in that category to safeguard it and its tenure, but I see now it is a recreation park, which implies, as far as I am concerned, that there may be ideas of turning it into a picnic ground or something like that. I should like to know in due course what has happened there.

The seventh schedule deals with protected native plants. It has been suggested to me by botanists that the schedule of protected native plants is too big; in their opinion, there are some plants that need not be protected. For instance, the first four mentioned in the schedule (emu bush, bullock bush, native pittosporum and sugar wood) are all, in the opinion of the botanists, not rare, and they cannot see why they should be in that schedule. On the other hand, they suggested that sandalwood (*eucarya spicata*) and the bell tree (*codonocarpus pyramid alls*) should be included in the seventh schedule. Apparently, the bell tree occurs only in the Flinders Range, so it should be included. However, it is not for me or the Minister to decide; he will probably refer that to one of his experts.

Among the rare species of birds (mentioned in the eighth schedule) there is the princess parrot and the scarlet-chested parrot, about which I have already spoken. Certain of the species mentioned in the schedule have not been seen for many years: the night parrot is one and there would be others. Probably, the scarlet-chested parrot would not be found in South Australia; if it has been, I have not heard about it. The only ones to be found are, I believe, in the Northern Territory. The Cape Barren goose is no longer a rare species, but it is now more common than it used to be, which shows that our conservation laws have been having some effect over the last few years.

Mr. Jennings: What about the blue duck?

The Hon. D. N. BROOKMAN: We want another schedule for that. The situation concerning the Cape Barren goose was considered to be in considerable doubt some years ago, but a public relations programme was implemented and the law tightened up in this respect, providing more strict administration. As a result, I believe that the Cape Barren goose is now a far more common species than it was a few years ago. Indeed, I believe that anyone who has had anything to do with bird conservation realizes that this species must be protected. Another species, which is not on the list of rare species but which is possibly already extinct is, I am told, the grey-crowned babbler (and I should like the member for Ross Smith to listen to this, as he may think of something witty to say about it).

Mr. Jennings: I think there is a bare-headed babbler in here.

The Hon. D. N. BROOKMAN: I should not want to insult the honourable member's colleague from Unley. The grey-crowned babbler, in the opinion of some ornithologists, should be placed on the list of rare species. I have no quarrel about the list relating to the unprotected species, except that I have received some strong pleas from stockowners in the North not to be so drastic in regard to protecting the wedge-tail eagle, which they say is a serious menace to lambs. The people concerned have given me much information on this matter, including the copy of a letter from the Minister of Agriculture who, as far as I can see, has agreed with them in this respect.

The Hon. G. R. Broomhill: Do you agree with them?

The Hon. D. N. BROOKMAN: I am just developing my comments on this matter. I have obtained a Commonwealth Scientific and Industrial Research Organization article on wildlife research dealing with the food habits of nesting wedge-tail eagles in South-Eastern Australia, and the general conclusion is that this bird does not kill many lambs. However, the studies referred to in this article were made near the Australian Capital Territory, and the research undertaken does not relate much to arid lands. There is a vast difference between land that is relatively densely populated, such as the area around the A.C.T., and land where there are no houses or people for many miles. In these circumstances, I think the matter might well be the subject of further research. Certainly, the wedge-tail eagle will not become extinct, for it is common in the Far North.

At present, it is not protected south of the pastoral country (that is, south of an imaginary line which I think runs through the Murray Mallee). I do not believe that the wedge-tail eagle represents a danger in settled areas, but in open arid lands, where the population of its prey varies greatly, it may be a different

story. Although, for example, there may be a rabbit plague in one area, there is not a rabbit to be seen in other areas. Under these conditions, in the case of the wedge-tail eagle I do not think we should be making a decision without undertaking further research into the matter. Indeed, I know of no research having been undertaken in the northern part of South Australia. While we were carrying out further research, this species certainly would not become extinct, and I therefore think that we are being too rash at present.

There may be room for a compromise in this respect, and *I* am trying to think of something along these lines but, in any case, I believe that we should not make a change at present. Generally, I applaud and support the Bill, even though I am sorry to be losing my official acquaintance with the Fauna and Flora Board, which is going out of existence as a result of this measure. I consider that the action being taken under this Bill is worth while, provided it is administered along the lines to which I have referred and which I expect the Minister will note. I support the second reading.

Mr. ALLEN (Frome): I support the Bill although I am not happy about the position concerning the wedge-tail eagle, but I will deal with that matter later. Although I am a keen conservationist, I claim to have both feet on the ground; indeed, this is necessary if conservation is to be successful. The Bill sets up the National Parks and Wildlife Advisory Council to investigate and advise the Minister on various matters, and this council will consist of 17 members, that is, two *ex officio* members (the permanent head and the Director) and 15 others, who will represent a balance between professionally qualified persons and interested amateurs. I am quite happy about this, although I believe that the Stockowners Association of South Australia should be represented on the council, as that organization represents all the various landowners in South Australia and plays an important part, especially regarding those people in areas outside local government control.

I am sure that that organization would speak up for the landowners, who will play a significant part in the operation of this Bill. Also, I should like to see local government in the inner areas represented on this council, for I think it is necessary to have a close liaison between this council and members of local government, in order that the measure may work satisfactorily. I believe that if the Local Government Association were represented on the council it would help matters considerably. The four categories of reserve referred to are national parks, conservation parks, game reserves, and recreation parks. Under the Bill, a game reserve is an area where it is possible to shoot birds during the open season at various times of the year, and the situation concerning these reserves is slightly different from that overseas. I visited South Africa last January where great emphasis is placed on game reserves and their wild life generally. The game reserves are a multi-million dollar tourist attraction and all visitors are recommended to visit the reserves in South Africa. In fact, South Africans believe that visitors have not been to South Africa if they have not visited the reserves.

Although they are called game reserves, visitors are not permitted to shoot anything and no-one is permitted to camp on them because the animals are in their natural state: they are wild. In South Australia if we had a reserve of animals there would be no danger to life and we would possibly find people camping on the reserves. Kruger Park is the largest game reserve in South Africa and it is surrounded by small privately-owned game reserves of about 5,000 acres each. These reserves have entered into the tourist trade and are doing very well; they all have private hotels and most tourists fly to them. In fact, there is so much rivalry between the owners of the reserves that meat is put out at night to attract wild animals from the neighbour's reserves, which creates much competition between them. The country is good and cattle could easily be run on it but the revenue from tourism is so large that no-one has any intention of running cattle on it.

When one thinks of South Africa, one naturally thinks of wild animals, and the same applies to Australia. The first thing people overseas ask when they know one is an Australian is questions about kangaroos and koala bears. I believe that if reserves were set up to which people could fly to see the Australian wild life in its natural habitat, it would be a tourist draw card. I consider that we will eventually have to impose an entry charge to some of the game reserves in our State. A few months ago I visited Ayers Rock in Central Australia, which 30,000 tourists visit each year. An entry charge of $1 a person is made with an additional 50c for each day thereafter. Revenue from this entry fee is used to pay wardens and caretakers of the park, which is exceptionally free from litter, and I am told that the revenue is

used exclusively for the betterment of the park. At present we have 154 reserves and parks comprising 8,500,000 acres and I expect in the future we will have more parks. This will be so great a drain on the taxpayer that the Government may have to ask people to pay an entry charge to cover the cost of keeping them clean and tidy.

I am pleased to see a clause in the Bill relating to unlawful entry on private land. This is creating some concern among private landowners and, with the extension of national parks and so on, a great deal of concern has been expressed recently about the Heysen Trail. I asked a question in the House last week about this matter and the Minister has promised to bring down a reply. I hope he will be able to do so before the end of next week.

The main concern of the landowners is not so much with the trail itself, but they are afraid that trespassers moving along it could wander aimlessly off the trail and on to private land. It is possible that they could be carrying firearms; they could disturb the sheep, and possibly cause bush fires. Only last weekend I was taken to a gorge in the Flinders Ranges and shown a natural park of approximately 70 acres used extensively by campers. I was taken three miles farther up the gorge on private property and shown where campers had made fires. This had worried the landowners, but the provisions of the Bill regarding unlawful entry on private property should give satisfaction to landowners generally.

In his second reading explanation, the Minister said that provisions relating to firearms had been omitted from the Bill, but that he intended to include them in a future Bill to amend the Firearms Act. When this takes place I am sure the Minister will seriously consider looking at the aspect I have mentioned.

Clause 53 deals with attacks by magpies, and is a step in the right direction. Anyone who has been attacked by magpies knows that it is a terrifying experience, especially for children. This is quite a good clause for inclusion in the Bill.

The last paragraph of the Minister's explanation mentions the wedge-tail eagle. Members will recall that in this House last July, speaking in the Address in Reply debate, I mentioned this matter. I had seen reports in the papers that requests were to be made for the Minister to give protection to this bird. Just previously I had made a trip north and carried out a survey. At every cattle or sheep station I visited I asked the owners their views on the wedge-tail eagle and 100 per cent of the replies were to the effect that they were opposed to any protection of the eagle in that part of the country.

Many instances were related of how birds attacked the sheep and lambs, and I was especially interested in one statement in which it was claimed that wedge-tail eagles could kill a half-grown kangaroo. This is hard to believe at first, but, together with the passenger in my car, I witnessed an instance of this the very next day. We came over a slight rise and found two wedge-tail eagles attacking a kangaroo. The eagle comes in from behind, sinks its talons into the eyes of the kangaroo, and when the kangaroo is blinded, just through sheer strength the eagle kills the kangaroo.

I stated in this House last year that the wedge-tail eagle had no natural enemies, but I have found since that there is one. It is a most interesting story. The perentie is one of the monitor lizards commonly known in Australia as a goanna; there are 30 different species. It is described in the dictionary as an active, alert and predatory lizard. It lives in the interior of Australia and can grow to a length of 8ft. I was told an interesting story about this lizard. Apparently it lives around the base of a tree, and if ever the eagle leaves the nest the perentie quickly runs up the tree and devours the eggs. This could only happen occasionally, because one of the eagles is almost always on the nest. However, at times when the eagles are disturbed the perentie takes advantage of the situation. This is the only natural enemy of the eagle, so most people are of the opinion that the eagle will never become extinct. It breeds in the northern parts of the State, in the cattle country, and is no worry at all to the cattlemen; therefore it is unmolested. It migrates south to the pastoral country where there are sheep in large numbers, and this is where the problem occurs.

The member for Alexandra mentioned a survey on the wedge-tail eagle conducted in the Australian Capital Territory. The results of the survey even listed the various animals found around the base of the tree. However, in country such as the A.C.T. there is a wide range of foodstuffs for the eagle. Any bird or wild animal, just like a human being, likes a variety of food, and in that type of country

the eagles can select their food, so the figures quoted vary quite considerably. In the northern part of South Australia, in drought seasons when there are no rabbits and little other prey for the birds, they live entirely on lambs. Out of the lambing season they attack sheep or lambs four or five months old. There was no evidence of big lambs in the survey carried out in the A.C.T., but naturally if a big lamb is attacked it cannot be carried to the nest and therefore there is no trace of it around the nest.

I have a letter that was written to me from the Stockowners Association of South Australia. I must read it, because the association has put a great deal of work into this matter. The association has written to the Minister and is very disappointed that its submissions have not been acted upon by him. The letter reads as follows:

In May, 1971, the Flora and Fauna Advisory Committee asked for the views of the association in respect of a proposal to protect the wedge-tail eagle throughout the whole of South Australia.

The proposal was referred to northern branches and district committees of the association with the result that an overwhelming majority of the members were opposed to any extension of the protected area.

On August 5, 1971, a letter was sent to the Director of Fisheries and Fauna Conservation, setting out a case in support of the association's views and a copy was sent to the Minister of Agriculture. Copy of this letter and the reply from the Minister, which was not unfavourable, are attached.

Acting on a press release issued by the Minister of Environment and Conservation (the Hon. G. R. Broomhill, M.P.) a letter was sent to him on March 7, 1972, reiterating the association's case against further protection of the wedge-tail eagle and a reply, dated March 9, was received from the Minister indicating that he proposed to include a provision in the new Act which will protect the eagle throughout the whole of South Australia.

In the meantime, a letter also dated March 9 received from the Flora and Fauna Advisory Committee invited the association to comment on a report by Dr. M. Bonnin.

The Bill allows for the destruction of protected species by permit, but in the case of the wedge-tail eagle the permit system is completely unsatisfactory because of the shifting population of young eagles and the fact that once attacks are noticed on lambs or weaners the owner has only a few hours to take action to protect the rest of his flock. Poisoning the carcasses of animals already killed is undoubtedly the most effective way of doing this, but under section 64 of the Bill this is not permitted under a permit system.

There is a considerable amount of recorded evidence of wedge-tail eagles attacking young sheep and I am enclosing copy of a typical report of such an incident.

The association sent a report dealing with an attack by wedge-tail eagles on a young sheep. The report, by Mr. Chris, Cain, is as follows:

On the second occasion the pair adopted the following tactics. The female made fluttering swoops in front of the sheep while the male violently swooped and struck at the animal's head. This method of attack was repeated four times, when the victim fell to the ground. The birds lost no time in getting to work, for when I reached the scene of the kill the cap of the skull had been torn off, and about a third of the brains had been devoured. The brains seem to be a delicacy with the wedge-tail eagle, as the brain cavity appears to be the first portion of a carcass to be eaten.

The association also sent to me a letter that had been written by the present Minister of Agriculture on this matter. I think most people will agree that that Minister is qualified to deal with the matter not only because he is Minister of Agriculture but also because he used to be the member for Frome, which largely covered the area that I now represent. The Minister has had extensive experience with wedge-tail eagles not only in the North but also on his own property. In his letter the Minister said:

I have indicated previously (and it is still my personal view in the light of my own experience in the northern areas of the State) that total protection of this species throughout South Australia is not justified on the basis of present knowledge.

After the Bill was introduced last Thursday I hurriedly wrote to pastoralists in the North but, as the time has been extremely short, I have received only two replies. I asked the pastoralists to comment on the Bill. The first reply, from Copley, is as follows:

I have just received your letter concerning the protection of eagles to be extended to this area. Our local branch of the Stockowners Association along with other branches strongly oppose any move to have the protection extended from its present form. They have no natural enemies so you can imagine the increase and damage that would arise should they become fully protected.

I have had experience where they had killed 30 per cent of lambs when natural food is not available—for example, this happens when rabbits are wiped out by myxomatosis, which occurs every three to four years.

The second reply, also from Copley, is as follows:

In reply to your letter of March 15, 1972, regards protection of the wedge-tail eagle over the whole of South Australia. We are very much opposed to the protection of this eagle ... As pastoralists we should have every right to protect our animals.

I, too, believe that stockowners should have some means whereby they can protect their

livelihood. It is generally agreed that the small fauna in South Australia are being very much reduced in numbers. Further, it is argued that the wedge-tail eagle is largely responsible. So, I cannot see why the Minister introduced a Bill to protect one of the main predators of small fauna in South Australia. I appeal to him to have second thoughts on the subject, and I hope he will accept amendments during the Committee stage.

Mr. CURREN (Chaffey): In supporting the Bill I join with some other members who have spoken in commending the Government for appointing a Minister of Environment and Conservation. I congratulate the Minister on the manner in which he has approached his job in the last 12 months. I commend the member for Alexandra for the manner in which he dealt with the Bill. When the honourable member was Minister of Agriculture he had to deal with the kind of matter dealt with in this Bill. Some years ago, when existing legislation dealing with fauna was before the House, I took part in the debate. At that time the then Minister of Agriculture and I co-operated in dealing with that legislation. I strongly advocated the inclusion in the legislation of the concept of game reserves, and my hopes at that time have since been fully realized.

Much work has been put into game reserves by members of the Field and Game Association, particularly in the Woolenook Bend area, which is adjacent to my electoral district. Since taking office, the Minister of Environment and Conservation has visited most areas of the State to find out what is required and what exists at present; he has been at great pains to discuss the local situation with local residents who, after all, are the people most concerned with an area. This Bill provides for an entirely new approach to fauna conservation, national parks and reserves, and it is a sound move. It is good to see that we have a Minister who is willing to pay so much attention to his very important responsibilities.

In most areas of the State there are groups of people interested in this matter; they all have the same objects—to improve the environment and to conserve flora and fauna. However, they have different ideas on how those objects should be achieved. Some of the groups are willing to listen to the views of others and to give others credit for having worthwhile views. In the main, there is much co-operation between the various groups, the Government and departmental officers. The Bill provides for an entirely new approach to areas that will be declared national parks, conservation parks, game reserves, and recreation parks. In each of those types of area it will be possible to establish a zone for the preservation or development of a special feature of the area.

The members of the Field and Game Association have co-operated well with the departmental officers, particularly in relation to the establishment and development of game reserves. This is not their only activity, as they take an interest in the general conservation programme and are, I am sure, willing and able to co-operate with the departmental officers in the future, thereby benefiting the whole State. I commend the Minister for his approach to this matter and for introducing the Bill, which I fully support and which, I hope, will be passed without delay.

Mrs. STEELE (Davenport): I, too, support the Bill. The timing of its introduction was appropriate, as has been the introduction of so many other Bills in the last few days. I refer to the Bills dealing with the festival hall and the South Australian Theatre Company, and various other Bills that are associated in some way with the Adelaide Festival of Arts or the future cultural life of Adelaide. This Bill could be put in the same category, as it will in the long run contribute to the quality of the life of the people of South Australia and, because people will flock to the parks to which the Bill refers, it is very much involved with the recreational and cultural life of South Australians.

I agree with the member for Alexandra that it is a pity that the same good introductory explanation was not given to this massive Bill as was given to the Community Welfare Bill, the explanation of which was explicit and interesting, tracing, as it did, the history of the subject back into the early days of this century. It also set out clearly the objectives of that Bill. This appears to be a much more mundane Bill, which was not explained in detail. Although in his second reading explanation the Minister immediately explained what the Bill does and how it consolidates or repeals various other Acts, he did not give the sort of historical information that would be of such great interest to honourable members and, indeed, to anyone who might study it. It offers a wealth of interest to people, because, as honourable members know, many people in South Australia are interested in conservation. There are people whose occupations are adjacent to these great national

parks and who become greatly interested in their preservation. For that reason, the second reading explanation could have gone into much more detail.

I am sufficiently imaginative to see this Bill as being the framework for what is to come in future years. Most Australians realize that, if something is not done now to preserve some of our natural wonders (such as forests and great areas that are peculiar to Australia), they will be lost for ever. In today's world, when people travel as much as they do, many are careless of the heritage to which they are heirs; they are careless of the way in which they use the country through which they pass; they destroy wild life; they root out much of the flora of the country; and they are destructive in many other ways.

In this Bill we see the paving of the way, as it were, to take care of these natural wonders to which we are heirs. As the Minister realizes, I have just recently been overseas, when I travelled 15,000 miles through the length and breadth of America. One of the things that impressed me most there was the wonderful way in which the national parks, their historic sites and buildings and all the things associated with the history of the United States are preserved. Although, thank goodness, we in Australia have no battle sites, we have many things that should be preserved for future generations, and it is by this type of legislation that this sort of thing can be done.

I realize that I must confine my remarks to the Bill, but it contains many clauses that enable me to pass on to the Minister certain points that may be of value not only to the Government but also to the people of this State. Clause 36 is devoted to the objectives of management, and lists the kind of things for which the department that is to be set up will be responsible. Paragraph *(b)* particularly interests me, because it refers to the preservation of historic sites, objects and structures of historic or scientific interest within reserves. The clause goes on to refer to the preservation of features of geographical, natural or scenic interest, and the encouragement of public use and enjoyment of reserves, and education in, and a proper understanding and recognition of, their purpose and significance and, finally, the promotion of the public interest.

I believe this gives me some opportunity to suggest to the Minister and the Government, and to honourable members, some of the things that could be implemented here in South Australia. We must begin now to preserve these features; otherwise, they will be lost for ever. One has only to visit some of the more remote areas of interest and some of the more beautiful scenic parks in Australia to see the depredation by tourists and people who obviously do not care for the preservation of their own natural heritage. In these days it does not matter to what place one goes; one can always find a terrible littering of the countryside, and many features that should be a great attraction and of great value to people are marred by discarded cans and litter of all kinds.

The United States of America has a big lead on Australia. As long ago as 1888 it set up the kind of department that the Minister now intends to set up to manage our national reserves, sites and all the other attractions to which the Bill refers. This service in America is called the National Parks Service and is part of the Department of Interior. It is run on a national scale, deriving its funds from congress. It also obtains funds from generous people (and similar provision is made in this Bill), Americans being most generous in this respect, because they are very proud of their history and of preserving their national heritage. This Bill provides for a wild life reserve fund and for gifts to be made. The service in America extends over the whole continent, employing about 18,000 rangers. I know that at this stage we do not contemplate employing rangers. We provide for wardens, but their duties as set out in the Bill are not at all similar to the duties performed by rangers in America.

The Hon. G. R. Broomhill: There are rangers within our department.

Mrs STEELE: Yes. All the national reserves, parks and places of historic interest in America have this ranger service, and the American Government is generous in the way in which it finances the service, and provides rangers in various places. America has had a very good head start in this respect. Most of these rangers have graduated as national historians, botanists, biologists and so on, and they have the skill to look after the people who flock to see these places. I believe that eventually great numbers of South Australians will visit our parks and reserves, for anyone who has travelled in the Far North realizes the great beauty and drama of the scenery available to those who take the trouble to see it. On a number of occasions, when I have flown over areas in the North, I have been reminded

of the books such as *The Great Australian Loneliness* and *This Timeless Land,* both of which were written by wellknown Australian authors, Ernestine Hill and Eleanor Dark. We have so much to preserve in South Australia that this Bill is most timely.

Clause 36 sets out the objectives of the department, providing that the places to be reserved will be places of geographical, natural or scenic interest. Such places are legion in America. The Sands of Alamogordo, for instance, which are located at the bottom of New Mexico, are a geological wonder. The Sequoia National Park has the greatest living things, the giant Sequoia redwood trees. This Bill sets out certain things that people must not do when they go to reserves and parks. For instance, they must not take anything away from the park, such as removing flora and fauna. One place I visited in America was the Petrified Forest in Arizona, which is not far from the Grand Canyon. I was interested to see that all rangers here were provided with a pair of binoculars. They were located throughout the forest, which is a geological wonder, and visitors were not permitted to pick up even one tiny piece of petrified wood. If a person was caught taking anything away he was subject to a great penalty.

The Americans are interested in preserving the relics of ancient civilizations. For instance, the Mesa Verde National Park has wonderfully restored and preserved dwellings of the Indian cliff-dwellers who built their houses in the cliffs so that they could escape invading marauders. All these places attract many thousands of visitors, of whom I happened to be one. In addition, places such as the White House also come under the National Parks Service. Naturally, the White House is one of America's most historical buildings. The arrangements for tourists are wonderful, with people being shown all the points of interest. The tourist traffic is controlled by rangers. Washington also has the Jefferson and Lincoln memorials, and rangers skilled in history use portable tape amplifying units, and about every 20 minutes they enlighten visitors on matters of interest relating to the memorial and to the person whom it is honouring. Although I may not live to see it, probably this sort of thing will happen in this State in the future, as this new department grows and expands.

The Yosemite National Park in America is interesting because of the glacial formations and the effects of the Ice Age on the surrounding countryside. The glacial evidence in this part of the country goes back millions of years. The pride which the American people take in these things has had to be developed: it has just not happened by accident. The Americans, who are very family-minded, use their holidays to travel with their families to these places. Interest is stimulated because at every one of these reserves there is a visitors' centre. I hope that one of these days the Minister or the Director will be able to visit these places in America, as such a visit would be worth while.

The visitors' centres at all these places provide detailed information to the public. I imagine that the centres started in a small way, with probably only small sheds being used. Most of these visitor centres are now architecturally magnificent and are built of either stone or wood; for instance, if they are located in a forest the visitors' centres are built of wood and blend in remarkably with the surrounding scenery. In canyon areas the centres are built most unobtrusively but are a fountain of education. Incorporated in the centres are auditoriums where films are shown relating to features of the park. There are also museums and the history of the area is told by artifacts and explanations are given on the local flora and fauna, and what is the local geological structure. Many items show how the people in the area lived and what they did. Also available for purchase by visitors is a massive collection of publications, and this is another point to which I refer the Minister because, by this means, much information can be disseminated about the national park or reserve that is the topic of each publication.

When visitors first arrive at a national park or museum they can obtain a pamphlet that briefly describes the features of the area although, even if the visitor prefers not to join a group (and there are many types of guided group activities including walking and riding on trails and motor bus tours), from studying the pamphlet the visitor can make a tour of his own and see many interesting features. I point out to the Minister that it could well be, within the framework of this Act, that this could be the nucleus of the same kind of service as that provided in America.

Another interesting feature that I observed was the provision of camping areas and associated facilities adjacent to national parks and reserves. The popularity of the parks and reserves has been maintained by the outstanding quality of the facilities. During my

travels I met many campers who use these facilities because, owing to the remoteness of national parks, such facilities are necessary. If clause 36 is to be complied with and the public interest promoted, we shall have to provide facilities also where people can stay for several days whilst they are visiting. In America many people travel with trailers or tents, and facilities are provided for all types of camper.

Another aspect concerning national parks and reserves in America is the payment of entrance fees by visitors; this is a means of obtaining revenue. I do not know whether the Minister intends to charge entrance fees here, but roads and trails must be provided as means of access to points of interest and such roads and trails cost money. In America, in return for the payment of entrance fees, facilities are provided. By paying $10, visitors can obtain a Golden Eagle Pass, which entitles one person to enter any park or reserve in America. As oversea visitors, we found that on production of our passport we were admitted free although, once within the park, if we used any of the facilities, we were required to pay a fee the same as anyone else.

Campfire sessions were also held at these camping areas, and I believe we could well introduce these in South Australia. These sessions were held in the evening and the lectures given were by natural historians and botanists skilled in many subjects. A most interesting visit was that to Carlsbad Caverns, which were 1,000ft. deep and were discovered by men looking for guano. As an added attraction, we were shown around the surrounding area by a natural historian, with a delightfully whimsical sense of humour, who provided much information.

My main purpose in speaking to this Bill is to pass on to the Minister some of my impressions of the magnificent services I saw in America. This Bill is the cornerstone on which we can build the same kind of tourist facility in South Australia. Although what I have suggested for the future may not be exactly what the Minister foresees, to me clause 36 sets out the potential objectives of this legislation. If we are to preserve the wonderful heritage we have in South Australia (it is regrettable that more Australians do not visit the various parts of their own country), now is the time when we must make a move. It would be to South Australia's credit if we were to pioneer the introduction and expansion of a scheme similar to that developed in America. Although America is a wealthy country and has citizens who give generously to the preservation of the kind of thing that we have in South Australia, we have our own unique heritage in South Australia, and wealthy citizens and organizations here may consider a similar contribution worth while. The American type of development will eventually come to Australia. I am sure that people will want to take advantage of this kind of development, which will enable all Australian people to enjoy their own unique national and natural heritage.

Mr. GUNN (Eyre): I, like the members for Davenport, Alexandra and Frome, also support the measure. It will go a long way towards preserving many of the things in this State that we should preserve for those who follow us. As one who represents a large district containing much wild life and many native plants, I am concerned to ensure that these are protected. Many people regard those engaged in primary production as having no appreciation of conservation or the protection of our environment. However, this opinion is held unfairly.

True, some people are not as responsible as they should be in preserving our native flora and fauna, but the opinion to which I have referred has been held mainly by people who do not understand the rural industries. Many people think that farmers and graziers hate the kangaroo, but in my opinion this is not correct. I have had kangaroos on my farm, and I do not want the time to come when there will be none there or elsewhere in the district. However, primary producers should have the right to destroy kangaroos if they are reaching plague proportions and are damaging crops.

Under the old permit system, there was a fiasco. It made people dishonest and they did not fill in returns correctly. The new system, whereby a kangaroo must weigh 36 lb. before it can be shot, is also unrealistic. I defy anyone, at 200yds. at night and by spotlight to tell whether a kangaroo weighs 34 lb. or 36 lb. I think that the department should want to know how many kangaroos were destroyed each year, or that it would want to have an idea of whether the kangaroo numbers were increasing or decreasing. In my district, we have the only colony of seals on the mainland, and anyone who has visited the area would appreciate its importance.

Unfortunately, a few people who have visited this part of the coastline have engaged in shooting the seals indiscriminately. A problem arises in apprehending persons who do this. Shooting the seals does not provide sport, because 60 or 100 seals can be seen there often and it is easy to go to the top of the cliff and shoot them or to shoot them when they are running down the cliff. A notice erected by the Streaky Bay council has not deterred people from shooting the seals, and I consider that heavy penalties should be provided to deal with those who commit such an irresponsible act. Policemen have gone to the area to keep a watch but, because of the distance that the place is from a populated area, the shooting of these seals is difficult to police.

I am perturbed about the protection being given the wedge-tail eagle. I do not think that this bird is in any danger of becoming extinct. There are many areas of the State to which that statement applies but, if there are areas where the bird is in danger of becoming extinct, those areas could be declared areas where the bird cannot be destroyed. I hope that the Minister will consider the points that have been raised by the Stockowners Association. My good friend the member for Frome has dealt with those points.

Mr. Goldsworthy: He made a good speech, too.

Mr. GUNN: Yes, he did. I think that farmers should be given the right to destroy the birds in the lambing season, because if the stock are weak these birds can do much damage. Permits could be made available to destroy the birds, but I do not think this system would be satisfactory. The Minister could amend the Bill to provide that graziers could destroy the birds at lambing time. That would meet the point raised by the Stockowners Association.

The constitution of the council gives me concern. The Minister has not said who will comprise the council and I, like the member for Frome, consider that the Stockowners Association and the United Farmers and Graziers of South Australia Incorporated should have a nominee on that body. Further, outlying council areas should also be represented. The Stockowners Association members and the United Farmers and Graziers Association members, as well as the councils, have an interest in conservation. The Minister should have spelt out in the Bill how the council will be constituted, and I hope that he will do that later.

The Hambidge and Hincks Reserves are in my district, and there are other reserves just out from Ceduna. One problem regarding these reserves is that people who own property alongside them are disadvantaged in many ways, because they have to contend with kangaroos and emus. The council to be set up under this Bill should accept responsibility for fencing all these reserves. This work would be expensive and would take a long time, but the council should start the work so that these people will be protected.

Another danger is that of bush fires, and the Minister, through the council, should ensure that suitable firebreaks are cut around the reserve and, in some cases, fire access roads should be provided.

Some people in the Lock area consider strongly that the hundred of Hambidge should have a fire access road, because not many years ago a bush fire burnt out a large part of that area. I fly over the area, so I have knowledge of it, and I understand that some plants that grow in this area are rare. It is essential that these plants should be preserved. The danger of lightning is always present. This applies particularly to the Hincks Reserve. It is open grazing country and subject to lightning strikes.

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

Mr. GUNN: Before the dinner adjournment, I was commenting about the powers within the Bill that allow the Minister to make regulations concerning several matters. Regrettably, we have become accustomed to this practice since this Government has been in office, because it tries to put teeth into its legislation by means of regulations. In an important measure such as we are debating, I believe that everything should be spelled out so that Parliament has the right to debate these matters openly. The Minister knows better than I that regulations cannot be debated in the House.

The Hon. G. R. Broomhill: Most of these regulations come from existing Acts.

Mr. GUNN: That may be so, but I believe that the Minister has a duty to inform members. If that is the case, why have the regulations not been made?

The Hon. G. R. Broomhill: They're all in the existing Acts.

Mr. GUNN: The Act contains a provision covering unlawful entry on to land. This is important, because I know of many instances where people have gone on to properties uninvited (that is, they have trespassed) and

have destroyed animals and plants. On my farm, several euros had been living in the scrub, and anyone could have shot them had they wanted to. We were pleased to see them, because they are rare in this part of the State. They were shot by trespassers. Heavier penalties should be imposed, and I am pleased that this provision is in the Act. The same also applies to the seal colony.

The control of rabbits is important in relation to the rejuvenation of trees. Since the introduction of myxomatosis we have seen the rejuvenation, particularly of gums and sheoaks, in the southern part of my district. Recently, I was speaking to one of my constituents who has a large property south of Elliston. He told me that the new growth of gums in the Polda area had been tremendous and that, if rabbits were kept under control, the rejuvenation of much of this area would continue. Recently, I visited the farm of one of my constituents who showed me an area he had fenced off on which there was rejuvenation of several varieties of trees and shrubs that he did not know would grow.

The Government should encourage people, perhaps by way of land tax remission and other incentives, to fence off their areas to allow them to rejuvenate. In many parts of the State, particularly in the Far North and Mid North, every tree in the area has been cut down. Every time I drive through these areas I think it is a pity that all the trees have been cleared. I am pleased that people in my area have not adopted this practice. To encourage people, the Government, particularly the Minister of Local Government, must be realistic because the regulations forbid council employees or engineers from cutting down trees of a diameter of more than 6in. That is something that must be watched closely because it may have the opposite effect to the desired one. It is an excellent idea to bring all these Acts together. The legislation's effect will be to encourage people interested in these fields. As the legislation is in the best interests of the people of South Australia, I support the second reading.

Mr. KENEALLY (Stuart): I, too, support the Bill, and compliment the speakers from both sides who have preceded me in this debate. I believe their contributions have been reasoned and well considered. It is strange for me to find myself agreeing with the member for Kavel, who mentioned by interjection (although it was quite a nice interjection) that the member for Frome and the member for Eyre had both made excellent speeches. This is true. However, it is not necessary for members on this side to agree with everything said by members opposite. We expect that there should be a divergence of views on legislation introduced, we give credit where it is due, and I think credit should be given on this occasion.

As the member for Alexandra has said, the Bill is essentially a Committee Bill. It is difficult to speak on the whole broad aspect of it in the second reading debate, and I will not attempt to do that. It has the general support of conservationists within South Australia. This is support in the broad term, and, whilst some areas may worry certain groups, when they have an opportunity to see the Bill implemented and to see how it works generally, most of the reservations will prove to be without foundation.

Honourable members will be pleased to know that I do not intend to speak at any great length on this measure. However, one or two clauses are worthy of mention. The first is clause 13 (3), which provides:

> The person who, immediately before the commencement of this Act, held the position of Director of National Parks in the employment of The National Parks Commission constituted under the repealed National Parks Act shall, upon the commencement of this Act, be deemed to have been appointed to the office of Director of National Parks and Wildlife pursuant to the provisions of this section.

I believe every member in this House will be delighted that Mr. Lyons, the Director of National Parks, has been appointed to this position. Since commencing his work in relation to national parks he has demonstrated a great ability to co-ordinate and balance the divergent needs of what we call progress with the needs of conservation. This is a very difficult task, and I am sure he has had great pressures brought to bear on him from many directions. However, he has been able to satisfy all. This is to his credit, and the Government is most fortunate to have such a man in this position. I am sure he will give a great deal of very good service to the State in the future. In clause 80 (2) (v) the Bill provides that the regulations may—

> exempt Aboriginal persons generally, or Aboriginal persons of a specified class, from all or any of the provisions of this Act in such portions of the State as may be specified in the regulations;

Whilst to a degree that is practised at present, it is essential that it be spelt out. In another debate I recently said that I had met a group

of Aborigines who raised this problem. They were concerned that they might not be able to shoot or catch kangaroos in national parks for food. Whilst we have been brought up to think that mutton and beef are fairly good, the older Aborigines believe that kangaroo meat is better, and they may be correct, because it is their traditional food.

I believe, and I am sure that all members agree with me, that Aborigines should be able to shoot kangaroos for food. However, I am opposed to people shooting kangaroos for sport. If pastoralists, out of the goodness of their hearts, would permit Aborigines to catch a bit of jumbuck for food, that would assist the Aborigines, too. However, I am not sure that the pastoralists would agree to my suggestion. The Aborigines believe that kangaroo meat is preferable to mutton, and the wedge-tail eagle may have the same view, because I suspect that the eagle's ancestors ate kangaroo meat long before they tasted mutton, and I do not think that the eagle's taste would have changed greatly.

I agree with the remarks of the member for Eyre in connection with the encouragement given to people to clear farming areas. Unnecessary clearing is a bad habit, particularly under the conditions that the rural industry faces at present. The Commonwealth Government encourages farmers to clear land, so we cannot really blame them for taking advantage of the taxation concessions provided. However, I hope the practice will stop. I understand that the Minister of Environment and Conservation has discussed the matter with his opposite numbers in other States.

Mr. Evans: Do you believe that the State Government should grant land tax concessions to farmers who refrain from clearing land? Let us bring this matter within the State Government's sphere.

The SPEAKER: Order! Interjections are out of order and the honourable member must speak to the Bill.

Mr. KENEALLY: If the Opposition suggested that land tax concessions might be given to encourage people not to clear land, I am sure the Government would consider the suggestion, as it has considered every reasonable suggestion made by the Opposition. However, with respect, I point out that the Government has not received many such suggestions from the Opposition since I have been a member—and the more's the pity.

Mr. Millhouse: Do you yourself think that the suggestion has any validity?

The SPEAKER: Order! The honourable member must speak to the Bill and cease answering interjections.

Mr. KENEALLY: Thank you, Mr. Speaker. I am not concerned about the interjections. These suggestions can, if honourable members are serious about continuing with them, easily be referred to the Treasurer. I am speaking in this debate mainly to defend the poor old wedge-tailed eagle. It has been suggested that primary producers lose money in direct proportions to the number of sheep they own; in other words, the more sheep one owns, the greater the loss one suffers. If that is true, (and it has been suggested by Sir William Gunn, who knows something about the industry and, indeed, certainly more than I do, that it is true) the eagle, When he kills a lamb, is probably doing farmers a good turn, although they do not appreciate it. However, that is not an important point. The member for Frome said he was told that one of his constituents lost 30 per cent of his lambs, which were killed by wedge-tail eagles. That sort of exaggeration has been going on for some time.

Mr. Gunn: Do you think he is exaggerating?

Mr. KENEALLY: I do not suggest that the honourable member is exaggerating, as he was obviously being honest in reporting the information provided to him. However, the report is obviously exaggerated. It must be remembered that the wedge-tail eagle kills not for sport but for food and, although it is a heavy bird, the eagle is not particularly heavy in relation to the weight of other animals. I understand that smaller eagles require about 25 per cent of their body weight in food daily, whereas the wedge-tail eagle requires only about 7 per cent of its body weight in food each day. It seems incredible to me to suggest that, because eagles require this amount of food, one farmer could lose 30 per cent of his flock. There has been no evidence to date (other than the verbal evidence referred to earlier) that the wedge-tail eagle causes considerable damage to stock and financial losses to graziers.

I do not think anyone doubts that the eagle will kill lambs. However, there is no proof that the eagle prefers live game to dead game, and it is not logical for one to think that, merely because an eagle is standing alongside a dead lamb, it has actually killed that lamb, because tests have proved that most lambs on which there are signs of damage caused by eagles have died previously. As grazier

members of the Opposition will agree, the greatest single loss of lambs in Australia is caused by what is termed "mismothering". Once a lamb becomes parted from its mother and becomes sick and weak, this trend is practically irreversible. This indicates that it is going too far to say that the eagle causes such depredation amongst sheep flocks in Australia. In New South Wales and Tasmania, the wedge-tail eagle is totally protected, and I think this is a good thing. I have lived in the northern parts of South Australia all my life, and I have never seen too many wedge-tail eagles flying about, As I have travelled about these parts, I have see only a few wedge-tail eagles, so that I believe that it is untenable to suggest that these eagles can be found in their hundreds or thousands and are capable of doing the damage referred to.

I do not think there is anything worse when travelling through the farming areas of the North and Mid North of the State than to see eagles pinned up on the fences alongside the road. Not as much as this is seen these days as was seen 10 or 20 years ago. However, I am not sure whether farmers now have a more charitable approach to eagles or whether there are fewer eagles around. If there are fewer eagles around, that is a shame.

The member for Frome suggested that the decrease in the numbers of small fauna could well be the result of the activities of the eagle, but this argument does not stand up, because the eagle is a native Australian bird, and the small fauna are also natives. As both the small fauna and the eagles have been here for thousands of years, they are naturally part of the ecological environment and are two species that are able to live side by side. We will not lose our natural fauna because of the activity of one natural species against another.

As an example of what can happen if too much emphasis is placed on killing one species, I refer to the case in the South-East in recent years where enormous quantities of shark have been caught. It was found that the shark had been keeping down the number of octopuses. Now that this no longer happens, the octopuses are eating the crayfish. This sort of thing will continue to happen if we deliberately eliminate one species of fauna: side effects will continue to occur.

Mr. Simmons: The eagles kill snakes.

Mr. KENEALLY: In fairness to the opponents of the wedge-tail eagle. I must say that they would like to see that happen: they are only concerned about the fact that the eagle kills lambs. It seems strange that people should be concerned about this, because it really only means that the eagle kills the lambs before we do: the life of a lamb is limited anyway. In America, the bald eagle has been practically eliminated. Recently, a person in that country who killed a bald eagle was sentenced to two years imprisonment. That is an illustration of how much importance is placed on the bald eagle in America. That bird is nearly extinct in its wild state, although there are still bald eagles in reserves. We do not want to see that happen here. This Bill is a credit to the Minister and I support it wholeheartedly. Every member who has spoken on the Bill has supported it, and I am sure that any questions that arise in the Committee stage will be answered to the satisfaction of all.

Mr. EVANS (Fisher): I support the Bill, because I believe its main intent and purpose is necessary and desirable, especially in relation to the preservation of as much of our native and natural environment as possible. I believe that as Parliamentarians we talk at times with tongue in cheek or with a forked tongue and we are not really prepared—

The Hon. D. H. McKee: You might have a forked tongue.

The SPEAKER: Order!

Mr. EVANS: —to take the necessary action to encourage property owners to retain the natural bushland we have. For the sake of the Minister who interjected, I point out that I include members from both sides in that statement. During the term of office of the previous Government, when I was on the other side of the Chamber, I made a statement concerning tax concessions by both the Commonwealth Government and the State Government, and I have repeated that statement since the present Government has been in office. Had the member for Stuart read *Hansard* or been in the House when the debate was on, he would have been aware that I suggested strongly that we should give a land tax concession (in fact, charge nothing at all) to those people prepared to leave any section of their land in its natural bushland state, on the understanding that, if ever they cleared that land or developed it in any way, they would pay retrospectively by the land tax payments they had avoided over the years. I think Parliament should decide the period of retrospectivity.

Mr. Hopgood: What about the present taxation concession?

Mr. EVANS: The member for Mawson should know that I have spoken on this matter on three occasions, and I believe we should encourage people to preserve their land rather than encourage them to develop it. When the Liberal and Country League Government last came to power it was suggested publicly (and supported publicly just prior to that time by the ex-Premier of the Labor Government and by the then Minister of Lands, who is now Deputy Premier) that perhaps 40,000 acres of Hambidge Reserve should be cut up for farming purposes. There was 97,000 acres overall.

The Hon. J. D. Corcoran: They would not do it now.

Mr. EVANS: I agree. The attitudes of politicians and Parties have changed, but I give credit to the member for Alexandra, who, when Minister, had an interest in the rural industry and made a decision that many people thought that a person with those interests would not make. However, he did that to preserve some natural environment. It is to his credit and the credit of his Cabinet colleagues at the time that that move was made. I do not believe, as I have told the present Deputy Premier, that the present Government would have made the move under present-day conditions.

We speak of developing regional parks, recreation parks, and national parks for public benefit and enjoyment. Unfortunately, once we let the public into many of those areas where there is indigenous native bushland, it starts to be destroyed immediately. It is difficult to say that only a certain class of person, such as persons interested in natural bushland, indigenous plants, and bird and animal life, should be allowed in. We cannot do that: we must allow all sections in.

At a public meeting in my district, the suggestion was made that on any day only a certain number of people be allowed into the regional park being developed on about 1,600 acres in the Cherry Gardens and Bradbury area. Tickets would be issued and a person would have to submit his name. He might have to wait six months before being able to go to the park and then the day on which he could go might be the wettest, hottest, foggiest, or most miserable day of the year, and that would be bad luck for the person concerned. I do not think such an arrangement is practicable, but the suggestion has been made. I cast that thought aside.

I personally consider, as I have said before, that human beings should not be allowed into the Cherry Gardens regional park that will be developed. I consider that we are justified in excluding them. The park comprises 1,600 acres in the catchment area of the latest site proposed for a reservoir. It seems that it will be built, although I have doubts about the necessity for it, as I have said here recently. If that area is to be developed as a regional park we could fence it, keep it vermin-proof, put a firebreak around it, remove all the foxes and wild cats from the area and have at least one area free from the type of life that has destroyed much of our native birds and animals. The life that I wish to keep out is the domestic cat that has gone wild and the fox. We could have 1,600 acres virtually in its natural state, without human beings treading it down and breaking down bushes or plants to take home and try to plant or to show to someone as a unique plant that they have seen that day. Perhaps botanists and such groups could be allowed there, under supervision, for study purposes only, but that is as far as we should go. The Minister Assisting the Premier, in a letter to me dated April 22, 1971, stated:

> The new location has become necessary because most of the Cherry Gardens regional park proposed previously on the Metropolitan Development Plan lies within the land required for the new Clarendon reservoir.

A different area has been selected, but it is still in part of region 1 of the water catchment area, an area where we are not allowed to build new dairies or cowsheds and not allowed to encourage animal life. However, we will encourage human beings to go there for recreation, saying at the same time that we wish to preserve the quality of our water supplies for the city dwellers. A reply by the Minister to a question in the House on August 11, 1971, states:

> The land being purchased by the State Planning Authority near Cherry Gardens is for the purpose of a regional park. The funds used are those voted under sections 71-74, Planning and Development Act. Under the Metropolitan Development Plan the function of such parks is to provide the opportunity for active and passive recreation for the public beyond the limits of the built-up area, and at the same time to preserve the natural character of the landscape and the flora and fauna.

I do not believe that it is possible to preserve the natural character of the landscape and the flora and fauna if people are allowed into the

area for active or passive recreation. Some of it might be able to be conserved, but it will not be preserved because, once people are allowed in, it will be destroyed. If people are allowed into 160 acres of land five miles long, how far apart should toilets be placed? Would people walk a mile to a toilet or would they tend to think, "This is a lovely piece of bushland. Let's venture in here."? This land is in a catchment area, and they would be using native scrub as toilet facilities. Does the Minister believe that people would rot do that? I doubt whether he would like to walk a mile. The letter continues:

> The design and layout is intended to be informal and aimed at preserving the natural beauty.

Again the word "preserving" is used. The letter continues:

> A permanent water supply will be necessary and stringent bush fire precautions would be taken.

The latter part of the letter is important. If the land is left in its natural state we will not need a water supply, because it has a rainfall of between 28in. and 30in. annually. The letter continues:

> Consideration is now being given to the future basis of detailed design and management of the regional parks purchased by the authority. No decisions have been taken on such matters as fencing.

I put it to the Minister that if we fence it we should make it vermin proof to keep out wild cats and foxes. As the present Minister is not prepared to leave it in its natural environment and prohibit people from entering it, at least the fence should be built in such a way that a future Government may be able to make that decision. The letter concludes:

> I have already stated that it is not contemplated that a charge would be made for admission to regional parks.

This is another pet hobby horse of mine, about which I have spoken to the Minister and have mentioned it in the House once or twice, namely, has the Government considered the possibility of making a charge to people who enter national parks in order to make the parks more viable and self-supporting? I am not sure of the figures or whether sufficient people patronize our regional parks, as we know them, to make it necessary or practicable to make a charge. I believe that, in the case of national parks we should not make a charge for pedestrians, for example, to use the Belair National Park, which has reasonable transport servicing it. I believe that the people who leave the train at the Belair station should be able to enter the recreation areas of the national park without charge. However, when it comes to motorists and bus loads of people who go there, I believe an admission fee should be charged for the vehicles. I think we will move in that direction before the next five-year period has elapsed. Some people would say that I am advocating an extra burden on the community, but that is not a fair argument. The national parks (the combined group, as we know them under this Bill) are supplying facilities to help people enjoy themselves and to provide recreation. The person who belongs to a golf club must pay to belong to it. In all other fields of recreation people must pay if they wish to enjoy the facilities provided. Some people will draw a comparison with our beaches, saying that the seaside councils do not charge people who go to the beach.

Mr. Mathwin: Hear, hear!

Mr. EVANS: My reply to the member for Glenelg is that, in the case of the beaches, the local government authorities receive rates and taxes from the owners of hotels, motels, and business houses, and, because of the increased patronage from the use of the recreational facilities provided, the seaside councils receive a considerable amount of rate revenue. I mention that simply to draw a comparison; it is slightly away from the Bill.

I come back to the national parks and their effect on the local environment. I am thankful that in the Belair National Park this year we achieved a fire break along the main Upper Sturt road. The local people, too, are thankful for that. I do not think that in all cases we can look at the neighbouring properties and say that we will protect them from the bad element that is there or within the national parks. I am speaking of noxious weeds and of bush fires, and when I say "there or within" I do not mean that the bush fires in the main start in the national park, because the records show that in many cases they start on the outer perimeter and, because of the foliage there, the fires are fed and pass through the park, thereby creating rather an embarrassing situation for neighbouring property holders.

If we are willing to allow people to use the parks without charge, at least we should be willing to contribute to the local government authority by way of rate reimbursement. Every national park or recreation park that we create causes a loss of rate revenue to the local government authority. In the main,

those who suffer where the land is highly priced are those nearest the city. I am speaking of the ones I know well within the Adelaide Hills area. It is an unjust situation in that many of these facilities are provided at the expense of a few individuals in the local government area, but this is what happens.

Another point in relation to the Belair National Park has been raised with the Minister. I refer to the eastern gate on the Upper Sturt Estate road that has been closed mainly, I believe, because of the through traffic. The authorities took the right measures in carrying out a survey and it was found that many motorists were travelling through the park to and from their places of employment. A time study showed that the time taken to travel through the park meant that motorists were travelling at a speed far higher than the 20 miles an hour permitted. People who live on the eastern side of the Belair National Park must now drive an extra 1½ miles or so on the Upper Sturt-Belair road before they enter the park. Unfortunately, many were not aware for some time that this entrance was open and freely available. However, the local Emergency Fire Services and the residents of the area are concerned that, if a bush fire started in the national park, some motorists could be trapped.

The Minister said that a safety gate would be erected, but I point out that it would be necessary for the motorists to know where the gate was and what its purpose was. However, if the fire started on the other side of the park, the residents could be trapped: during the day-time those residents would be mainly women and children, because the men would be working elsewhere. The residents near Upper Sturt Estate and Waverley Ridge would have no way out except to go down through the park. Some people may say that the park gate could be left open when there is a serious bush fire danger; however, I believe that the national park should be freely available at the eastern end as well as at the western end. To overcome the situation, possibly the Minister could direct that the gate be opened and a charge be made for using the park. The funds resulting from that experiment could be used to finance park improvements.

It has been suggested that a horse trail could be established in the Adelaide Hills and national parks. However, I believe there is no justification for having horse trails within our national parks. By habit, a person riding a horse will give it its head on most occasions and will tend to follow the same path. As a result, before long, watercourses will be carved through the park, and there will be ruts and holes that will endanger horses and their riders and other users of the park. On flat country the situation is different, but in high-rainfall areas the practice should not be encouraged.

The previous Government and the present Government had an opportunity to encourage some people to use a part of the metropolitan area instead of the national park. Those Governments had the opportunity of regenerating the Islington sewage farm area of 1,200 acres to its natural state. I know that 250 acres or 300 acres will be used for recreational purposes. Because the whole area was Government land it was readily available and it did not have to be acquired. Bolivar water could have been used to nourish young plants. If the whole area had been converted to a park, people on the north and north-west sides of the city would not have had to drive their vehicles through the city to get to a national park, thereby creating more pollution. We would have established an area to serve Elizabeth, Gawler, Salisbury, Port Adelaide and Semaphore. All of these areas would have had a national park of 1,200 acres right on their back doorstep. I believe we have failed in not taking advantage of this opportunity.

Mr. Hopgood: What about another area?

Mr. EVANS: If the honourable member can think of another area I hope he will encourage his Cabinet colleagues to take the opportunity of developing it.

Mr. Hopgood: Not in the immediate vicinity.

Mr. EVANS: I suggest that we need a park in that vicinity so that the people from that side of the city are not forced to travel through the city, thereby creating more pollution, to visit recreation grounds. I have been concerned for some time about another matter, on which *I* asked the Deputy Premier a question today. For many years it has been said that we should preserve the hills face zone. No-one would doubt that this area should be preserved as much as possible. However, I do not think we should direct the people who own land to do certain things. We should be willing to acquire all this land, the cost thereof being met by the community generally.

I asked a question regarding quarries and the cost of re-establishing them farther out from Adelaide where they would not be visible from the metropolitan area. Until a study is made of the costs involved one cannot honestly say that it is not possible to close the quarries. As a practical person who has had some interest in quarries, I believe honourable members will be frightened when they hear what it will cost to re-establish this industry farther out from Adelaide. Much of the hills face zone could be purchased for recreational purposes. Indeed, eventually the quarries themselves may be used for this purpose. If the Minister wants a rough idea of the cost to the Government to which I have referred, I would estimate that the extra cartage costs alone, to get rock from 40 miles out of Adelaide into the city, would be about $6,000,000 a year, for which, of course, about 12 high schools could be built. That is how one must look at this situation: in cold, hard facts.

It is regrettable that much of our land has been cleared unnecessarily. Having been involved in the quarrying industry, I have played a part in the unnecessary clearing of some small sections. However, much of our marginal country has also been cleared unnecessarily for agriculture, some of which could have been used for recreational purposes. We have also failed to act in relation to many of our noxious weeds. Regarding national parks situated near agricultural properties, I am afraid Government departments have used the term "control" instead of "eradicate" in relation to noxious weeds. Unless the Government is willing to set an example, it cannot expect the landholder to bear the burden; he will leave noxious weeds on those parts of his property that he does not use for intense cultivation. That is exactly what is happening.

We fell into a similar error with regard to our arid regions. Camels were brought here from the Middle East with harnesses that were stuffed with all the weeds in those areas. Passing through the Flinders Range to our arid regions, one can now see many of the noxious weeds and plants (people say that they are beautiful) introduced at the time the camel was brought to this country. In many cases, these weeds are over-running the native plants. Mistakes have been made, and I suppose more mistakes will be made in future. The problem is that at times the Government may lack finance although, if there is an urgent need in any field, we appear to be able to find money. The argument of lack of funds was used by the Minister for not acquiring about 150 acres of land on the eastern boundary of the Belair National Park at a cost of about $100,000 to $120,000. I believe that was a bad decision. I do not say that my opinion is better than that of the Minister or of his departmental officers. However, a prominent newspaper reporter, William Reschke, wrote an article saying that we should not allow development or subdivision in the area, because such development would pollute the streams running through the national park. I received a flood of letters saying that we should not allow housing or other development in the Upper Sturt area. In this case we had the opportunity to stop subdivision or any building at all on 150 acres.

In addition, the land included a bore with a capacity to water 10,000 acres an hour that could have been used to water at least part of the national park golf course. This land could also have provided a green belt on the southern side of the national park to protect residents of Hawthorndene from any bush fire that might originate in the vicinity of the park. In future we will regret the decision not to purchase that land and, if we decide to buy it later, the price will be much greater. I trust that the Minister and his colleagues, particularly the members for Stuart and Mawson, who seem to be interested in conservation, will urge Cabinet to make sure that this land is acquired for public recreation. I believe this Bill is a move in the right direction and, except for a few minor matters, has the support of all Parliamentarians.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I thank all members for their constructive comments on this Bill, which is important for the future development of parks in this State. The member for Davenport chided me for not providing background information, but the member for Alexandra has done that by providing much information about earlier legislation on the subject. The member for Alexandra also said he believed that growth in the number of parks and in their size was not as important as improving the standard of parks, and I agree with that statement. Reference was made to research being undertaken by the department and by the advisory council, but the honourable member considered it was not emphasized sufficiently. I point out that the type of research I foresee being done is not something that can

be adequately dealt with by this Bill. What is badly needed are officers within the department who can undertake research required at a national park level in respect of the fauna and flora within the park. I believe there will be a stepping up of employment of this type of person to undertake investigations into the national parks of this State. A scientific officer was recently appointed to the National Parks Commission for the first time.

The member for Alexandra referred also to the need to look carefully at future sites chosen as national parks, and that is a good point. In the past we tended to buy national parks throughout the State as they became available and were offered to the Government. In view of the many parks that we now have, I believe that we should shortly undertake a survey of South Australia to determine where our areas of weakness are under the conservation provisions and determine a plan of purchase based on our needs rather than on the availability of parks.

I refer to the problems in respect of national parks and recreational areas near Adelaide. About 1,000,000 visit Belair each year, and that shows that we have a strong public demand for the type of facility provided there. Although the Belair National Park is close to Adelaide, it is far more expensive than other national park areas further removed, but there is an urgent need to retain land in this area. The honourable member also made the criticism that there were not sufficient objectives of the department, the Government or the advisory council set out in the Bill, but I refer him to clause 36, which provides:

The Minister, the Permanent Head and the Director shall have regard to the following objectives in managing reserves:

The member for Alexandra made this criticism, but the member for Davenport pointed out the important objectives included in that clause. Clause 80 (2) and the paragraphs that follow refer to the regulation-making power within the Bill, and enable regulations to be made that—

(*e*) provide for the removal of trespassers from reserves;
(*f*) restrict or prohibit access to reserves or any portions of reserves;
(*g*) provide for the preservation and protection of natural features of reserves;
(*h*) provide for the protection, conservation and management of animals and plants in reserves;
(*i*) regulate, restrict or prohibit the taking of animals and plants into reserves or the removal of animals and plants from reserves;
(*j*) provide for the impounding, removal, destruction, or disposal of animals found straying upon reserves;
(*k*) provide for the collection of scientific specimens and the pursuit of research in reserves;

These are just a few, from a long list, of powers that the Government believes need to be exercised by way of regulation. I believe that clauses 36 and 80 taken together point clearly to the heavy emphasis included in the Bill in respect of the objectives aimed at by the Government in introducing this legislation. The member for Alexandra, as chief spokesman for the Opposition, also referred to the advisory council and said that, although he did not object to the general provisions in the clause, he considered it did not refer specifically to the type of person that would be on the council. The honourable member will appreciate, however, that it is difficult for us to name the type of person who should be appointed to the council, and it should be left as broad as possible so that the Government may select the best people.

The honourable member suggested that he might move an amendment that a pastoralist should be on the council, but I do not think it would be right to single out one section of the community as a group that should have a representative on the board. However, I assure the honourable member that it would be in the Government's interests (and the Government most certainly would do this) to put someone with pastoral experience on the council. I think three members of the present National Parks Commission, which has performed a useful function, would come within that category.

Another matter that the member for Alexandra canvassed, although I am not sure whether he did so on the basis of a point made to him or because he thought it was fair criticism, referred to the security of tenure that does not apply to game reserves. The security does apply to conservation parks and national parks, and members will appreciate that Parliament is providing an unusual protection for national parks and conservation parks. It is a protection which is not only warranted but which points to the significant importance to this State of the national park and the conservation areas.

True, the game reserves are situated in areas of considerable importance at a conservation

level, but hitherto they have not enjoyed the security of tenure that applies to the other categories. There has never been any embarrassment to the Government because of this or any suggestion that the game reserves were at risk in any way. However, it seems to me not unreasonable that the Government should have the opportunity to reduce a game reserve in a minor way or to make a minor alteration at Government level without having to go to the trouble of bringing that minor matter before both Houses of Parliament. I say that bearing in mind that, if anyone thought justifiably that there should be security of tenure and the Government did not protect those areas, or if it tried to dispose of them, the Minister and the Government would be subjected to the scrutiny of Parliament and would have to answer at that level for any action taken.

There can be no real argument for providing the full security of tenure. I do not think the insertion of such a provision is a major issue and I do not think that provision would do any harm to the Bill, but I think that the latitude given by the provision as drafted is sufficient. I regret that some members opposite cannot agree with the Government's contention that the wedge-tail eagle should be protected throughout the State.

Mr. Venning: Why didn't you seek our advice on this?

The Hon. G. R. BROOMHILL: The member for Rocky River would be the last person from whom to seek advice on any matter. I have done what I think any responsible Minister would do. I have sought the advice not of individual members of the community who are obviously emotionally involved in the matter but of the experts and scientific people, and then I have determined what should be done. This means that the answer I have come up with is correct. It has been established by means of a scientific and detailed study of the wedge-tail eagle that is not the problem which some members of this House and a large section of the community consider it to be. Undeniably, the eagle occasionally takes a healthy lamb. The Commonwealth Scientific and Industrial Research Organization, as a result of a study (and this is borne out by a reference quoted by the member for Alexandra, with which I shall not deal again), established that no healthy lambs had been taken. Lambs had been approached by the eagle and attacks had been made on them. As the weaker lambs tried, unsuccessfully, to move away or to defend themselves, the eagles moved in and destroyed them. Opposition members are treating this matter in an emotional way. No doubt, because some of them have found in their paddocks dead lambs which have been killed by the eagle, they have concluded that every dead lamb has been the victim of an eagle's attack.

*Members interjecting:*

The SPEAKER: Order! As the Minister is now replying to the debate, I think some members will do themselves a service if they listen to what he is saying. In closing the debate, the Minister is trying to explain the situation. I will not tolerate any more interjections.

The Hon. G. R. BROOMHILL: The interjections from members of the Opposition bear out my contention that this is an emotional question: they are not prepared to look at this subject on the basis of fact. The United States Government has made similar studies of the bald eagle. The member for Stuart said that the bald eagle had become almost extinct as a result of the treatment which has been used and which has been urged by a certain section of the Chamber in this debate. It would be a pity if we did not follow the lead set by New South Wales and Tasmania in protecting this bird.

One other point should be made as a result of my experience about a year ago when I visited the Murray River. I noticed that the people who had lived on the river all their lives used to treat the shag with much hatred and claimed that it was the reason why the Murray River had few fish in it. It was said that the Murray cod and the callop were being eaten by the shags, and that a shag ate more than twice its weight in fish each day. While I was on the river about a year ago with a game club, I visited many of the birds' nests. The young shags were being banded by the game club's members. The birds had the unfortunate habit, once they were grabbed by the person who wanted to place the band on the leg, of disgorging the food they had recently eaten. The club's members made a careful study over many months of the fish that had been eaten by the shags and on no occasion was a fish other than a rubbish fish found in a shag.

Therefore, people on the Murray River suffer from the same emotional problem with that bird as do many people in the community with the wedge-tail eagle. I do not think I could ever convince some members on the

other side of the House on this issue, but others of them have shown willingness to listen to reason, and I think the members who have expressed opposition will be in the minority. I thank members for the remarks they have made regarding the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Progress reported; Committee to sit again.

**APPROPRIATION BILL (No. 1) (1972)**

Returned from the Legislative Council without amendment.

**SUPPLY BILL (No. 1) (1972)**

Returned from the Legislative Council without amendment.

**METROPOLITAN TAXI-CAB ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from March 22. Page 4123.)

Mr. McANANEY (Heysen): I object to the principle of this Bill, which gives the Minister control over the Metropolitan Taxi-cab Board; my Party cannot see why such control is required, because the board has functioned quite well. Possibly the board has made a mistake in not extending the area within which taxi-cabs are available at standard fares. I support the idea of having fewer members on the board. In connection with the provision that a nominee of the Local Government Association will be a member of the board, I point out that not all councils are members of that association. Clause 3 is another example of the Labor Party's inconsistency, particularly when we remember its attitude toward non-members of some organizations, such as unions. I oppose that part of the Bill.

Mr. MATHWIN (Glenelg): I oppose the Bill because I and, I am sure, many members of the public would regard it as another whittling away of the powers of local government. It is strange that the Minister of Local Government should take this attitude. One would have thought that he would give local government all the support he could give it, yet he has seen fit to reduce by half the number of local government representatives on the board. In his second reading explanation the Minister said:

Clause 3 provides that until the "appointed day" the board shall consist of 12 members, comprised of the 12 members at present in office. After the appointed day the board shall consist of eight members, and this reduction is to be arrived at by reducing the local government representation from eight to four.

In 1956 the principal Act provided that the board would have 12 members, and I have heard no complaints about those members, who were elected democratically. I am sure that they have been most successful in their work. The report and accounts of the Metropolitan Taxi-cab Board show that, for the year ended June 30, 1971, the board had a surplus of $5,336.28. This proves that the board has done a good job and, indeed, that it is far from inefficient. The range of jobs that it does, which is enumerated in its report, is considerable. In 1956, the board had on it four members from the Adelaide City Council and four from the Municipal Association. Section 4 of the principal Act provides, *inter alia,* that four members shall, in the manner prescribed by regulation, be elected by the councillors holding office in the Adelaide City Council, and that four members shall be appointed by the Governor on the nomination of the Municipal Association of South Australia. The Minister intends to alter that representation to two members from the Adelaide City Council and two members from the Local Government Association. In his second reading explanation, the Minister said:

The Adelaide City Council's representatives will be reduced from four to two and the other councils' representatives will be reduced from four to two. One representative of the "other councils" will be appointed on the nomination of the Local Government Association and the other representative will be appointed on the nomination of the Minister.

The member for Heysen has said that the Local Government Association is similar to a union; it is a union of the different councils in the area, and it seems ironic that the Minister of Roads and Transport, with his great union backing and his breeding in unions, should advocate that this organization's representation on the board be whittled down from four members to one member. Government members have said so many times that all people should belong to unions because everyone is willing to accept the benefits that unions obtain for their members. If one casts one's mind back to the time when the Local Government Act Amendment Bill was being debated last year, one will remember that not only the Municipal Association but also the general public and other local organizations spoke against that unpalatable measure.

One would think that that is still in the Minister's mind and that he is now trying to punish the Local Government Association by reducing its representation on the board.

Mr. Hopgood: Does the Municipal Association still exist?

Mr. MATHWIN: It organized a purchasing authority of which all councils can take advantage.

Mr. Ryan: How many years ago?

Mr. MATHWIN: It was organized about five or six years ago. All councils have had the advantage of using this purchasing authority.

The Hon. G. T. Virgo: What has this got to do with the Bill?

The SPEAKER: Order! The honourable member must link his remarks to the Bill. He cannot talk about the functions of the Local Government Association and its purchasing authority.

Mr. MATHWIN: I ask for your indulgence, Sir, as I am trying to prove that the Local Government Association, which has done such a good job, is being punished by the Minister. I am linking up my remarks with the subject of local government to prove to the Minister what a good job councils have done. Why has the Minister reduced the local government representation on this board? The past record is good, and the financial report, of which I am sure the Minister is aware, does not show any error.

The provision in clause 6 is becoming something of a hardy annual. On more than one occasion, the Minister has introduced Bills containing a provision to bring one board or another under the direction of the Minister. In this case, in his second reading explanation, which took only about three or four minutes, in relation to this clause the Minister said simply that it formally placed the board under the control of the Minister. That is the only explanation we have, although this important provision gives the Minister all sorts of power. I wonder why the Minister wants to have this board under his control. There must be a good reason for this, and I will listen with great interest if the Minister attempts to answer this and other questions I have raised.

The Hon. G. T. VIRGO (Minister of Local Government): I will answer some of the questions asked by the members for Glenelg and Heysen. First, let me bring the member for Glenelg up to date. The Municipal Association went out of existence in South Australia some years ago, so there is little I can do to it. When that association operated, two organizations, which the member for Glenelg chooses to call trade unions, looked after the affairs of local government. Today there is only one organization, as a result of an amalgamation. Recently we have heard from people with the same ideology as the honourable member a fair amount of criticism of the amalgamation of trade unions; these people have said that this is completely wrong. I hope that information assists the honourable member in his consideration of the Bill.

I strongly commend to the honourable member (and I am not being unkind when I say this) that he study the history of taxi-cab operations in this State. If he does this he will find that, prior to 1956, local government bodies themselves separately and individually licensed and operated taxi services. I will not go further than that, because the member for Glenelg is more interested in talking to the member for Alexandra than in listening to the explanation. Even if the honourable member gets around to asking the member for Alexandra, who would know about it because he was a Minister when this legislation was introduced, he would be told the reason, which was most sound, for bringing taxi-cab control into one field.

The peculiar arrangement that existed at that time was the reason for the cumbersome and outmoded size and content of the Metropolitan Taxi-cab Board. The principal licensing authorities were the Adelaide City Council and other metropolitan councils and, when these were brought together, in an effort to obtain efficient operation, representatives from all these authorities were included on the board. The Adelaide City Council required at least as much representation as the metropolitan councils, and *vica versa.* As a result, local government provided eight representatives out of the 12 members on the board. Two other representatives came from the taxi-cab owner-operator section, one from the Police Commissioner and one from the trade union.

That board has continued in operation and, in the interests of efficient operation, the time has come to review the composition of the board. Perhaps the member for Glenelg should have a discussion with the member for Heysen so that they can resolve their differences on this matter, because the member for Heysen said that he agreed that a board of 12 was too large and that it should be reduced: he supports small boards. The member for Glenelg presumably wants a board of 12.

Mr. Mathwin: I want the number to remain.

The Hon. G. T. VIRGO: It is just a matter of opinion and, if the honourable member can show where a board of 12 will achieve something more than a board of eight (and I believe it would take much longer to do it), I should be interested to hear of it.

Mr. Mathwin: Where have they fallen down?

The Hon. G. T. VIRGO: I will not listen to the honourable member's interjection, because he had ample time to make all the points he wished. The other point he made was that I was altering the representation of local government as a form of punishment.

Mr. Mathwin: On the Municipal Association.

The Hon. G. T. VIRGO: I have tried to get home to the honourable member that the Municipal Association is no longer operating and is now a defunct body. I presume the honourable member is referring to the Local Government Association.

Mr. Mathwin: All right. You're splitting hairs.

The Hon. G. T. VIRGO: I do not believe that the honourable member for Glenelg would want me to call him the member for Bullawilkanka.

*Members interjecting:*

The SPEAKER: Order! The Minister is replying to the debate, and I think that the honourable member for Glenelg would be well advised to cease interjecting and allow the Minister to reply.

The Hon. G. T. VIRGO: It is ludicrous to say that the Local Government Association is being punished by having its representation reduced from four to one: it is not the Local Government Association that is represented on the board; the representatives are persons appointed on the nomination of that association from within local government bodies in the schedule. The representation of the metropolitan councils will be reduced from four to two, in exactly the same way as the representation of the Adelaide City Council will be reduced from four to two. To say that this is punishing the Local Government Association is rubbish, and I think that the stupidity of the honourable member's argument is shown by his own words, when he said:

The board is elected by the Local Government Association—

he used the term Municipal Association, but I thought I knew what he meant—

—by a democratic vote in a democratic way. If we are going to have a democratic vote and we are going to have it in a democratic way, we must provide representation and voting from the whole spectrum of local government in the schedule. However, one-third of the population is disfranchised, because of the withdrawal of councils from the Local Government Association. Is the honourable member suggesting that, on one hand, we should say that we want a democratic vote and, on the other hand, we should delete one-third of the population of the metropolitan area? Surely the two points do not line up. The Bill provides an opportunity for all sections of local government to be represented on this board, irrespective of whether they choose to be or not to be members of the Local Government Association. The Government does not accept membership of the association as a prerequisite for election to this board.

Mr. Mathwin: That's a change of heart from the union point of view.

The SPEAKER: Order!

The Hon. G. T. VIRGO: I think some other occasion would be more appropriate to discuss the trade union movement. It is not dealt with in this Bill. The final point that I raise is the worry that the member for Glenelg and the member for Heysen have about Ministerial control. I think the member for Glenelg said that this was the Minister's hardy annual, which had been introduced in a number of Bills before this House. It is not a hardy annual.

Mr. Mathwin: That was figuratively speaking.

The SPEAKER: Order! Interjections are out of order. I wish the honourable member would let the Minister reply.

The Hon. G. T. VIRGO: In fact, I have previously introduced into this House three Bills containing clauses similar to the one in this Bill. This is the fourth such Bill. The first Bill was to provide for Ministerial control of the South Australian Railways. Both Houses of this Parliament agreed to that request. Secondly, a Bill was introduced to make a similar provision regarding the Municipal Tramways Trust and, again, both Houses agreed.

Mr. Mathwin: You must be a good orator.

The Hon. G. T. VIRGO: The third Bill was to provide Ministerial control of the Transport Control Board. This House agreed to that: it was consistent. However, the Legislative Council decided to throw that Bill out

the window. Although I am not sure, that may have been the start of a running sore. On two of the three occasions to date, the Parliament has agreed. If that means that this provision is a hardy annual in a number of Bills, I am afraid that I have a different view of that from anyone else.

Why is the provision being made in this Bill? If the honourable member cares to check *Hansard* (and I have also made statements in other places that he may have read), he will read that I have told this House that we in South Australia, for the first time, have appointed a Director-General of Transport, whose job is to co-ordinate all forms of public transport. In private members' time the Opposition moved a motion urging the Government to appoint a Director-General of Transport to co-ordinate public transport. However, now the Opposition is saying, "Let's not give him any power."

Mr. Jennings: It's still on the Notice Paper in the name of Mr. Hall.

The Hon. G. T. VIRGO: I am afraid that Opposition members are talking with tongue in cheek. If Parliament wants co-ordination of public transport it must provide authority, and this is being done by providing Ministerial control in various quarters. The taxi-cab industry is just as much a part of public transport as are trams, buses and trains.

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

## COMPANIES ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 17, lines 38 and 39 (clause 12)—Leave out "or to his not being aware of a relevant fact or occurrence" and insert "and that the failure ought to be excused;".

No. 2. Page 17, lines 40 to 42 (clause 12)—Leave out all words in these lines and insert: "or

(*b*) on any other grounds, the failure ought to be excused."

No. 3. Page 34, line 18 (clause 25)—After "section 165a" insert "or 165ab".

No. 4. Page 45 (clause 25)—After line 23 insert new subsections as follows:

"(6 ) Notice of an order made under subsection (1) of this section and of any revocation or suspension of the operation thereof shall be served on the company concerned and the order, revocation or suspension, as the case may be, shall be deemed to have been made on the date on which it is so served.

(7) Notice of an order made under subsection (2) of this section and of any revocation or suspension of the operation thereof shall be published in the *Gazette* and the order, revocation or suspension, as the case may be, shall be deemed to have been made on the date on which it is so published.

(8) A person aggrieved by—

(*a*) an order made under subsection (1) or subsection (2) of this section;

(*b*) the revocation or suspension of the operation of such an order;

or

(*c*) the refusal of an application for an order or for revocation or suspension of the operation of an order,

may, within two months after the making of the order, revocation, suspension or refusal as the case may be, appeal to the Court, and the Court may confirm, set aside or modify the order, revocation, suspension or refusal and may make such further order as it thinks just."

No. 5. Page 52 (clause 25)—After line 7 insert new section 165ab as follows:

"165ab. (1) Notwithstanding the provisions of this Part, an exempt proprietary company that is not an unlimited company is not required to appoint an auditor at an annual general meeting, whether that meeting is the first annual general meeting, held after the company is incorporated as, or becomes, such a company or is a subsequent annual general meeting, if not more than one month before the annual general meeting all the members of the company have agreed that it is not necessary for the company to appoint an auditor.

(2) The directors of an exempt proprietary company that is not an unlimited company are not required to comply with subsection (1) of section 165b or subsection (1) of section 166 if all the members of the company have agreed on a date not later than fourteen days after the date of commencement of this Part or of the incorporation of the company that it is not necessary to appoint an auditor.

(3) Where a company, by reason of the circumstances referred to in subsection (1) or (2), does not have an auditor the secretary of the company shall record a minute to that effect in the book containing the minutes of proceedings of general meetings of the company.

(4) An exempt proprietary company that is not an unlimited company and that at an annual general meeting did not appoint an auditor shall at the next annual general meeting of the company appoint an auditor unless the conditions referred to in subsection (1) are satisfied.

(5) The directors of a company that by reason of the circumstances referred to in subsection (1) or (2) does not have an auditor shall lodge with the Registrar with each annual return under section 158 or 159 a copy of all accounts and group accounts (if any) laid before the company at the annual general meeting held on the date to which the return is made up, or if an annual general meeting is not held on that

date the annual general meeting last preceding that date and shall include in or attach to each annual return a certificate signed by not less than two directors of the company stating whether—

*(a)* the company has, in respect of the financial year to which the return relates—

(i) kept such accounting records as correctly record and explain the transaction and financial position of the company;

(ii) kept its accounting records in such a manner as would enable true and fair accounts of the company to be prepared from time to time;

and

(iii) kept its accounting records in such a manner as would enable the accounts of the company to be conveniently and properly audited in accordance with this Act;

(*b*) the accounts have been properly prepared by a competent person; and

(*c*) the accounts give a true and fair view of the profit or loss and state of affairs of the company as at the end of the financial year.

(6) Where—

(*a*) directors of a company state in a certificate in respect of a financial year of a company that—

(i) the company did not keep such accounting records as are required by this Act to be kept;

(ii) the accounting records of the company were not kept in the manner required by this Act;

(iii) the accounts of the company have not been properly prepared by a competent person; or

(iv) the accounts of the company do not give a true and fair view of the profit and loss or state of affairs of the company;

or

(*b*) a director of a company has been convicted under subsection (2) of section 375 of an offence in relation to a certificate under subsection (5 ),

the directors of the company shall within one month after the date of the annual return or the conviction (as the case requires) appoint (unless the company at a general meeting has appointed) a person or persons or a firm as auditor or auditors of the company.

(7) Within one month after a company that by reason of the circumstances referred to in subsection (1) or (2) does not have an auditor ceases to be an exempt proprietary company the directors of the company shall appoint (unless the company at a general meeting has appointed) a person or persons or a firm as auditor or auditors of the company.

(8) A person or firm appointed as auditor of a company under subsection (6) or (7) shall, subject to this Division, hold office until the next annual general meeting of the company and subsection (1) shall not apply to or in relation to that company."

No. 6. Page 53, line 26 (clause 25)—After "(*b*)" insert "if such a resolution is not passed".

No. 7. Page 54, lines 25 to 30 (clause 25)—Leave out subsection (17) and insert new subsection (17) as follows:

"(1 7) An auditor appointed by a company before the date of the commencement of this Part and holding office immediately before that date of commencement, shall, subject to section 166b of this Act, hold office until the annual general meeting next held after that date of commencement, but shall be eligible for re-appointment."

No. 8. Page 56, line 20 (clause 25)—After "Court", insert (after hearing the company, if the company so desires)".

No. 9. Page 69, line 32 (clause 27)—After "Court", insert (after hearing the company, if order pursuant to paragraph *(a)* of this subsection".

No. 10. Page 99, lines 20 and 21 (clause 27)—Leave out "and that, in all the circumstances, the failure ought to be excused" and insert "and that the failure ought to be excused, or is satisfied on any other grounds that the failure ought to be excused".

No. 11. Page 133, line 25 (clause 35)—After "due" insert "or accruing due".

No. 12. Page 135—After line 38 insert new clause 40a as follows:

"40a . *Amendment of principal Act, s. 349—Suspension of fee where foreign company opens share registry but does not carry on business*—Section 349 of the principal Act is amended by inserting after subsection (3) the following subsection:

(4) Where the Minister is satisfied that a company has become liable to pay a fee under subsection (1) of this section by reason of the fact that the company has failed to comply with subsection (2) of this section, the Minister may, if he considers it just to do so, remit that fee wholly or partly."

No. 13. Page 139, line 26 (clause 45)—After the figures "308" insert "and has not received an answer within one month of the date of the letter to the effect that the company is carrying on business".

No. 14. Page 145, line 29 (clause 47)—After the figures "308" insert "and has not received an answer within one month of the date of the letter to the effect that the company is carrying on business."

No. 15. Page 148, line 10 (clause 48)—After "respect" insert "and is known by him to be misleading".

No. 16. Page 150, lines 10 to 12 (clause 53)—Leave out "unless the company was an exempt proprietary company during the whole of the period covered by the accounts" and insert "unless, during the whole of the period covered by the accounts—

*(a)* the company was an exempt proprietary company and an unlimited company, or

*(b)* the company was an exempt proprietary company and the accounts and group accounts (if any) of the company laid before that meeting had been audited in accordance with this Act."

No. 17. Page 150, line 20 (clause 53)—After "accounts" insert "and section 165ab did not apply to the company".

No. 18. Page 150 (clause 53)—After line 27 insert new paragraph *(fa)* as follows:

*"(fa)* by inserting after paragraph *(h)* appearing under the heading "Certificate" the following paragraph:

*(i)* (8a) that all the members agreed pursuant to section 165ab of the Companies Act, 1962, as amended, not to appoint an auditor at the annual general meeting."

No. 19. Page 150, line 34 (clause 53)—Leave out "item" and insert "items".

No. 20. Page 150 (clause 53)—After line 44 insert:

"(8a) Strike out this paragraph if inapplicable. Note this paragraph is only applicable to an exempt proprietary company that is not an unlimited company, all the members of which agreed not more than one month before the annual general meeting not to appoint an auditor."

*Amendments Nos.* 1 *and* 2:

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

That the Legislative Council's amendments Nos. 1 and 2 be agreed to.

The first amendment has the effect of extending the power of the court to excuse the failure of a substantial shareholder to disclose his interest in the shares. As it stood in the Bill when it went to the Legislative Council, the grounds of excuse were that the director was not aware of a relevant fact or circumstance. The Council has deleted those words and inserted other words, thereby widening the power of the court to excuse in those circumstances. I am prepared to accept that amendment, and I recommend that the Committee should do so.

The second amendment is a further extension of the power of the court to excuse in the circumstances mentioned in this provision, and I am prepared to accept that amendment, too.

Motion carried.

*Amendment No.* 3:

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

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

This amendment is incidental to or consequential on the major amendment adopted by the Legislative Council exempting proprietary companies from the obligation to appoint an auditor, provided that certain information was filed in the office of the Registrar of Companies. I previously dealt in this Committee with that amendment, which was moved and defeated in this place. I see no purpose in repeating the arguments I then put.

The Hon. D. N. BROOKMAN: Since we are dealing with so much legislation in such great haste, it would assist the Committee if the Attorney-General would indicate which of the 20 amendments he will accept.

The Hon. L. J. KING: We have already agreed to amendments Nos. 1 and 2. Further, the Government will agree to amendment No. 4 and amendments Nos. 6 to 15 inclusive, but the Government will disagree to amendments Nos. 3 and 5 and Nos. 16 to 20 inclusive. It is really much simpler than it sounds, because all the other amendments that will be disagreed to relate to that under discussion, which excuses a proprietary company from appointing an auditor. That is the substantial amendment; the others are consequential.

The Hon. D. N. BROOKMAN: This Committee has already discussed the matter fairly fully. The Hon. Mr. Potter in another place stated that last November in South Australia there were 4,545 foreign companies registered, 39 companies limited by guarantee, 48 no-liability companies, 48 unlimited liability companies, 785 public companies, and 19,325 proprietary companies. Can the Attorney-General say whether this amendment will affect all of those 19,325 companies?

The Hon. L. J. KING: The Legislative Council's amendment relates only to proprietary companies, but the figures that the honourable member just read out include foreign companies. The amendment would enable any proprietary company that did not wish to appoint an auditor to file unaudited accounts in the office of the Registrar of Companies, in lieu of appointing an auditor.

The Hon. D. N. BROOKMAN: So, more than 19,000 companies could be affected. Of course, not necessarily all of them will be affected, because some may appoint auditors. Nevertheless, that is a tremendous number. Accountants with whom I have discussed this matter have said that scarcely enough auditors would be available to do the work if the Government's proposal came into force. The accountants have pointed out that the relevant provisions in New South Wales and Victoria are about the same as the provision suggested in this amendment. The Hon. Mr. Potter's amendment follows the Victorian provision, and the New South Wales provision has approximately the same effect, although it is drafted in a slightly different way. Honourable members have for many years complained about lack of uniformity in this legislation. Indeed, no-one has been more vociferous in their complaints than the members of the present Government and, if anyone could be said to deplore lack of uniformity, that could be said of those honourable members. However, it is now departing from uniformity and going further than the bigger Eastern States.

This Act, which is so huge and complex and which is the despair of accountants, company directors and others throughout the Commonwealth because of its complexity, has been formulated as a result of many Commonwealth conferences. The plea has been made over and over again that we should have uniform companies legislation, and those who have to operate under the Act have made a similar plea that a uniform Act should be passed and then left alone. Although this Parliament had before it this session an amending Bill that sought to bring the legislation up to date, the New South Wales Parliament had before it at the same time a sheaf of amendments that had been promulgated following a Commonwealth conference.

After all the cries for uniformity, we now have the glaring instance of a departure therefrom, in which there is really no logic. It will be extremely difficult to catch a few, if any, offenders under this legislation, although obviously many people who get caught up in the technicalities of the legislation will be embarrassed by it. Whether any offenders are caught is another matter. I do not think it is fair to insist upon the provision regarding auditors. The amendment, which was moved by the Hon. Mr. Potter in another place and which follows the provision in the Eastern States' legislation, is reasonable and would be in line with the opinion of the majority of professional people in Adelaide as well as in the Eastern States. The Committee should therefore accept the amendment.

The Hon. L. J. KING: As I said previously, I discussed at length the merits of this provision when the matter was last before honourable members, and I see little point in reiterating what I said then. The suggestion that this provision is a departure from uniformity is incorrect. The provision embodied in this Bill was a part of the uniform companies legislation approved by the Attorneys-General and drafted by Parliamentary Counsel from all States after an exhaustive examination of the position. True, this amendment is embodied in the New South Wales and Victorian Acts, but only because the New South Wales Legislative Council imposed it upon a most unwilling New South Wales Liberal Government. The idea caught on and the same thing happened in Victoria. Therefore, as a result of the actions of the Upper Houses in those States, New South Wales and Victoria have departed from the uniform Bill. They have done so in a way that gave their Governments no pleasure at all. I see no reason for accepting that, because the Upper Houses in those two States have imposed their will on those two Governments, we should depart ourselves from the uniform provisions agreed to by all States.

Mr. MILLHOUSE: Experience tells us that it is entirely useless arguing with the Attorney-General on an occasion such as this. He has made up his mind, he has the numbers, and it would not matter what we said because we would not get anywhere. For whatever reasons the amendments have been made in the Acts in New South Wales and Victoria, the fact that they have been made is a departure from uniformity. If we go in with them, at least three States will be in line, and we will be in line with the big States in this matter. That will mean a great deal more uniformity in total than if we take the position the Attorney is advocating.

Mr. McANANEY: My colleagues have put up a convincing case about uniformity, but I do not think this amendment is very clear; I think it makes this provision even more complicated than it was before. Under the amendment, two directors will have to say that the books have been prepared by a competent person. Who could be described as a competent person? I believe that it would

have to be an accountant or an auditor, or at least someone with experience. The claim is made that there will not be enough accountants to go around, but every company has to have a tax agent. In many cases, such people can act as auditor as well, doing both jobs at the same time. This is what we used to do in the private company with which I have some connection. It only meant a little more work for the accountant to audit the books. In some small companies, there is only one director involved actively in the company, as the other directors are his wife and children, who do not take any real interest. I believe that the accounts should be audited so that anyone dealing with a private company will know that its accounts are up to a certain standard.

The Hon. L. J. KING: I agree with what the member for Heysen has said. It is only a few months since the member for Mitcham soundly berated me for agreeing to uniform legislation at meetings of Attorneys-General and then asking Parliament to go along with those agreements. He said in the roundest terms that Parliament was asked to abdicate its responsibility. He referred me to a paper he had recently delivered in which he had expounded these views in more detail. I am rather surprised at the complete somersault this evening when he says that this Committee should accept the amendment of the Legislative Council, not because of any intrinsic merits it has but because we would bring ourselves into line with New South Wales and Victoria. It is not perhaps too much to ask for just a trace of consistency from the honourable member.

Motion carried.

*Amendment No. 4:*

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

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

The amendment adopted in the Legislative Council's amendment to clause 162c which provides that a company may apply to the Registrar for an order relieving the company or a class of companies from the duty to comply with a specified requirement of the Act in respect of the form or content of the annual accounts or the directors' report. The chief purpose of the amendment is to enable a person aggrieved by the Registrar's decision, to appeal to the court.

Motion carried.

*Amendment No.* 5:

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

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

This is consequential upon the amendment that has just been disagreed to, namely, amendment No. 3, and I move the disagreement for the same reason.

Motion carried.

*Amendment No.* 6:

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

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

Section 166 (10) provides that if an auditor is removed from office by a resolution passed at a meeting of the company, a new auditor may be appointed at that meeting, or the meeting may be adjourned to enable a member to give notice of the nomination of another person for appointment. The Hon. Mr. Potter moved an amendment to that section to make it clear that the meeting could be adjourned only if an auditor was not appointed at the original meeting. This amendment is not necessary as the clause would not admit to any other interpretation, anyway. It was brought up in the Legislative Council to make the matter clear where it was thought not to be clear. I have no objection to it.

Motion carried.

*Amendment No.* 7:

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

That the Legislative Council's amendment No. 7 be agreed to.

This amendment also refers to clause 25, and it is to leave out subsection (17) and insert a new subsection (17). The present subsection is a transitional provision, designed to safeguard the position of an auditor holding office at the date of commencement of the amending Act. It provides that such an auditor shall be deemed to have been appointed under the amended Act. The deletion of that subsection would have been fatal, and for that reason, I recommended that the amendment be opposed. The Hon. Mr. Potter later intimated that he agreed that a transitional provision was necessary, but that it should provide that an auditor holding office on the date of commencement of the amending Act should retire from office at the next annual meeting, but should be eligible for re-election. Such a provision would enable a company to appoint a new auditor under the new audit provisions, which strengthen the tenure of office of auditors. The amendment seems to be reasonable and I recommend that the Committee agree to it.

Motion carried.

*Amendment No.* 8:

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

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

Section 166 (5) provides that an auditor may resign if the Companies Auditors Board consents to the resignation, and that a person aggrieved by the board's refusal to consent may appeal to the court. The mover of the amendment moved it, as he said, to require the court to give the company the opportunity to be heard on the appeal. I have no objection to this and recommend that the Committee agree to it.

Motion carried.

*Amendment No.* 9:

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

That the Legislative Council's amendment No. 9 be agreed to.

Section 175, to which this amendment relates, empowers the court to order a person to comply with an inspector's requirement, or to punish that person for contempt of court. The mover of the amendment indicated that the intended effect was that, in addition to punishing the offender for contempt, the court could order compliance with the inspector's requirement. Once again, I have no objection to this and recommend that it be agreed to.

Motion carried.

*Amendment No.* 10:

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

That the Legislative Council's amendment No. 10 be agreed to.

The effect of this amendment is to alter the provision in the Bill that went to the Council. Section 180 empowers the court to make orders restraining an offeror who has not complied with the take-over provisions from exercising his rights in respect of those shares acquired by him. The section also provides that the court may excuse the failure on certain specified grounds. The amendment was adopted by the Council and the effect of it is that the court may excuse the failure, on any reasonable grounds, not simply those specified in the section. I have no objection to this and recommend that the amendment be agreed to.

Motion carried.

*Amendment No.* 11:

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

That the Legislative Council's amendment No. 11 be agreed to.

Section 292 confers upon an employee of a company that has commenced to be wound up a priority in respect of payment of amounts due to him in respect of long service leave, recreation leave and sick leave. The Hon. Mr. Potter moved an amendment whereby amounts due or accruing due for such leave would rank for priority of payment. He expressed the view that, where a person continued in the employment of the company after the commencement of the winding up, that additional period of employment, when added to the period served prior to the commencement of the winding up, could result in the employee's qualifying for additional leave, particularly long service leave, and therefore amounts accruing due should be taken into account. I agree with this proposition and recommend that the amendment be accepted.

Motion carried.

*Amendment No.* 12:

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

That the Legislative Council's amendment No. 12 be agreed to.

The object of this amendment, which was moved by the Chief Secretary in another place, is to extend relief to a foreign company to which that section applies from the liability to pay suspended registration fees that have become payable by virtue of the failure of the company to lodge with the Registrar a notice to the effect that the company had not commenced to carry on business in the State.

Motion carried.

*Amendment No.* 13:

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

That the Legislative Council's amendment No. 13 be agreed to.

This amendment merely facilitates the proof that the company is not carrying on business.

Motion carried.

*Amendment No.* 14:

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

That the Legislative Council's amendment No. 14 be agreed to.

This amendment has similar effect to amendment No. 13 and I ask the Committee to agree to it.

Motion carried.

*Amendment No.* 15:

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

That the Legislative Council's amendment No. 15 be agreed to.

The Hon. Sir Arthur Rymill moved this amend- to section 375 (2) and it was supported by

Government members in another place. The amendment is to the effect that a person is not guilty of an offence if he wilfully omits any matter from a statement, unless he knew that that omission would render the statement misleading in a material respect. I agree to the amendment.

Motion carried.

*Amendments No.* 16 *to* 20:

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

That the Legislative Council's amendments Nos. 16 to 20 be disagreed to.

These amendments are consequential on the amendment which was previously disagreed to by the Committee and which relates to the exemption of a proprietary company from the audit provisions.

Motion carried.

The following reason for disagreement was adopted:

Because the amendments remove a desirable protection particularly for the creditors of a company.

## ACTS REPUBLICATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 22. Page 4124.)

Mr. MILLHOUSE (Mitcham): This is a very sad little Bill, because the second reading explanation contained the announcement of the retirement of Mr. Ludovici as Parliamentary Counsel. I am sure all members in this place very much regret that this retirement is necessary because of Mr. Ludovici's state of health. He has been the Parliamentary Draftsman, as he was called until quite recently, and now Parliamentary Counsel since 1968. Before that, he was Assistant Parliamentary Draftsman and he has been, over the 10 or 12 years (I am not quite sure how many; maybe a little longer) that he has been in the service of the South Australian Government and Parliament, a friend and an adviser to every member, irrespective of Party and irrespective of which Party was in Government. We will all miss him very much, and we all regret deeply the reason which causes his early retirement. I can say no more than that, and I say it most sincerely as one perhaps who, even more closely than others, has worked with him both as a Minister and as a member of this place.

The Bill itself simply allows of the work of consolidating the South Australian Statutes to be briefed out when that is necessary. Under the Act, Mr. Ludovici, as the Commissioner, must do the work personally. That is no longer possible. This Bill will, I hope, enable him to keep an eye on the work for some time to come, although I notice that the Attorney, in his speech, mentions that he has to retire both from the office of Parliamentary Counsel and from the office of Commissioner of Statute Revision. I would have hoped that in the circumstances he could have remained in the latter position, even after his retirement as Parliamentary Counsel, so that, as I have said, he could keep an eye on this work. However, there is no need to comment on the Bill itself or to delay its passage. I support the second reading.

Mr. COUMBE (Torrens): I support the remarks of the member for Mitcham concerning Mr. Ludovici, a personal friend of mine. I came to regard him very highly in connection with the drafting work he did. It is important that this Bill be passed so that the mighty work of statute revision can be continued; that work imposes a heavy load on those doing it. It was as long ago as 1936 that the last revision was completed. One has only to look at the volumes on the shelves of this Chamber to realize the enormity of the current task. Of course, as new Bills are introduced the opportunity is taken to bring legislation up to date. I support the Bill.

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

## COMMUNITY WELFARE BILL

In Committee.

(Continued from March 15. Page 3945.)

Clause 5 passed.

Clause 6—"Interpretation."

Mr. BECKER: I move:

In definition of "preliminary expenses" to strike out "two" and insert "three".

I have been informed by social workers that considerable financial difficulties can be experienced during the three months immediately preceding confinement and that we would be doing certain people a great service by extending from two months to three months the period during which these persons can be assisted.

The Hon. L. J. KING (Minister of Social Welfare): I agree with the honourable member that the period of three months prior to confinement is a difficult time financially for many women, and I accept the amendment.

Amendment carried.

Mr. BECKER: I do not wish to proceed with my further amendment to this clause.

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

In definition of "relative" after "stepmother" to insert "brother, sister, uncle, aunt,"; and after "father" second occurring to strike out "or" and "mother" second occurring to insert "brother, sister, uncle or aunt,".

The purpose of the amendments is to exclude a person such as a brother, sister, uncle or aunt from the necessity of obtaining formal approval when caring for a child that is a relative.

Amendments carried.

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

In definition of "uncontrolled child" to strike out "correction" and insert "care".

This amendment is in deference to the point made by the member for Bragg during the second reading debate, with which I agree. The word "care" is more appropriate than "correction", and it is more consistent with other provisions where the words "care" and "control" are used.

Amendment carried.

Dr. TONKIN: I thank the Minister for taking the action he has taken, as a result of which I do not intend to move my amendment.

Clause as amended passed.

Clauses 7 and 8 passed.

Clause 9—"General powers of the Minister."

The Hon. L. J. KING: I move to insert the following new paragraph:

(*ba*) to acquire land in accordance with the provisions of the Land Acquisition Act, 1969.

This simply makes clear that the department or the Minister has power to acquire land for the purposes of the Act, a power that is needed for the establishment of institutions, community welfare centres, and the like.

Dr. TONKIN: I see no reason why we should object to the amendment, especially as paragraph (*a*) is fairly well an open cheque anyway. This clause places a heavy responsibility on the Minister. I trust that we will not see land purchased by the department and then sold again at the same price later.

Amendment carried; clause as amended passed.

Clauses 10 to 13 passed.

Clause 14—"Terms of office."

Dr. TONKIN: I move:

To strike out subclause (1) and insert the following new subclauses:

(1) A member of a community welfare advisory committee shall, subject to subsection (1*a*) of this section, hold office at the pleasure of the Minister.

(1*a*) The term of office of any such member shall not exceed two years.

I believe that a limit must be placed on the term of appointment of members of the committee. It would be far too open to allow a member to hold office at the pleasure of the Minister. I do not believe for a moment that the present Minister has any intention of using the power, but this is an example of the sweeping powers that the Bill gives to the Minister.

The Hon. L. J. KING: The amendment really serves no purpose. Appointing a member at the pleasure of the Minister means that the appointment may be revoked at any time. It is an appointment at the will of the Minister. The amendment of the honourable member refers to the two-year appointment of members. Of course, at the end of the two years, if the Minister still wishes to retain the services of that member, he would simply re-appoint him. I do not see that the amendment achieves anything, because the Minister can still remove the appointee at his pleasure and an additional appointment cannot be for more than two years. Although I cannot see the need for the amendment, I do not object to it, for it does no harm. I accept it.

Dr. TONKIN: I am grateful to the Attorney-General for treating my amendment in this way. The point is that it does good to review an appointment periodically and I do not believe that two years will do anyone any harm.

Amendment carried.

Dr. TONKIN: I move:

In subclause (2) to strike out "as he thinks fit" and insert "as are fixed by regulation".

Once again I am concerned with the degree of power passing into the hands of the Minister without question. The Social Welfare Advisory Council, as it was set up previously, had its allowances prescribed under the terms of the old Act. We had the proposed increases lying on the table of this House for some time only recently. Once again, it is not enough to leave this entirely in the hands of the Minister and I therefore believe that these allowances should be fixed by regulation.

The Hon. L. J. KING: I oppose the amendment. The situation as it applied to the Social Welfare Advisory Council has no application to this situation. True, there may be one or more standing committees in relation to certain topics, but it is generally contemplated in this provision that *ad hoc* committees will deal with specific problems and matters. These committees may be of short duration and it

may be inappropriate to embody the remuneration of these people appointed to the committees in a regulation. It is more appropriate to adopt the practice adopted by the Minister of Education in relation to the committee on grants to non-Government schools and the practice I adopted in respect of the Community Grants Advisory Committee. I am simply acting on the recommendation of the Public Service Board by administrative action to fix the remuneration paid to persons on these committees. It is not appropriate to write into the Act that the remuneration of a member of an *ad hoc* committee should be published in a regulation. The amendment is therefore inappropriate and I oppose it.

Dr. TONKIN: I am disappointed that the Attorney-General does not see this matter my way. I am afraid that he has not convinced me. He has given as an example the Social Welfare Advisory Council. He says it was a long-standing committee, and so it was, and the allowances were set out in the regulations. He points out that other committees could be on an *ad hoc* basis, but I see nothing difficult about that because the allowances could be prescribed by regulation to cover these *ad hoc* committees as they arise. The Attorney-General has given other examples of what has been done in respect of other committees established by the Minister of Education, and he referred to the Community Grants Advisory Committee that he commissioned, but I do not believe that makes any difference either. What the Minister has said is a strong point in favour of giving Parliament a say, by regulation, in the allowances. The tendency to take power from Parliament is too great.

The Hon. L. J. KING: It would be inappropriate and inadequate to promulgate a regulation fixing in advance the fees to be paid to members of *ad hoc* committees generally, because the task to be performed by one such committee might differ from that to be performed by another. A committee looking into highly involved technical matter might require persons with high qualifications, and they would be entitled to fees commensurate with those qualifications, whereas a more pedestrian matter being examined might not require men with such qualifications and of such eminence. The fees would have to be fixed on an *ad hoc* basis for *ad hoc* committees.

The Committee divided on the amendment:

Ayes (17)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Hall, McAnaney, Millhouse, and Rodda, Mrs. Steele, Messrs. Tonkin (teller), Venning, and Wardle.

Noes (22)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Groth, Harrison, Hopgood, Jennings, Keneally, King (teller), Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, Wells and Wright.

Majority of 5 for the Noes.

Amendment thus negatived; clause as amended passed.

Clauses 15 to 17 passed.

Clause 18—"Allowances in respect of expenses."

Dr. TONKIN: Can the Minister say whether the reimbursement will be on a time-worked basis or that of expenses only?

The Hon. L. J. KING: The reimbursement provided for is that of expenses incurred or being incurred in the course of community aide duties, so it relates only to out-of-pocket expenses. The community aides, who are volunteers, will not be paid for their services either on the basis of time worked or on any other basis, so it is unreasonable that they should be asked to do the work without reimbursement of expenses. There is power in the clause to pay reasonable expenses.

Clause passed.

Clause 19—"Training of community aides."

Dr. TONKIN: Can the Minister say whether he has any firm plans for the training of community aides. Will there be a series of training programmes as the need arises?

The Hon. L. J. KING: There will be a series of programmes; for a time, I think there will be a continuing series of programmes. It is hoped soon to make a start on the training of the first of the community aides.

Clause passed.

Clause 20 passed.

Clause 21—"Programmes of education and training in matters of community welfare."

Dr. TONKIN: This is a most important part of the Bill. The success or failure of the proposed scheme will depend entirely on the availability of trained social workers. I am not sure exactly what this clause means. It is a very good clause in that it sets out the desire to have trained people, but is it proposed that cadetships or inter-departmental training schemes will be undertaken, or would it be possible to obtain graduate social workers? Is it intended that the activities of the Institute

of Technology will be supported? Can the Minister say what programmes are planned at present?

The Hon. L. J. KING: This is an enabling clause in that it confers power to provide for the conduct of programmes of education and training in matters pertaining to community welfare, and therefore leaves it open to the Director-General to institute such courses as he thinks desirable from time to time. For the moment some things will certainly be done. One is the in-service training programme, which has existed for a considerable time and which will be continued at least as long as the need for non-professional social workers remains, although the emphasis in the department's policies is on obtaining a sufficient number of professionally qualified social workers. It is open for the department to co-operate with the Institute of Technology and support it, if need be, in its training programmes of social workers.

Generally speaking, the immediate plans involve the in-service training programme. Also, a programme of training the Aboriginal task force will be undertaken in the very near future. They are the primary matters, although another very important matter is the actual training of the officers of the department who are not social workers—the training of people to understand the tasks they are performing in the department and the approach needed if they are to achieve successfully what the department sets out to achieve. This is also the case in relation to juveniles.

Dr. Tonkin: But the emphasis will be on professionally qualified social workers?

The Hon. L. J. KING: My objective is to reach a stage where social work is done by professionally qualified people. We will not reach that stage overnight, and the in-service training programme is very important at present. However, the goal for which we should strive is the goal of having social work done by professionally qualified people.

Clause passed.

Clause 22—"Department to carry out research."

Dr. TONKIN: Because officers of the Social Welfare Department have for many years suffered from a lack of research facilities, I am sure they will have definite views on the research facilities needed. I have in mind library facilities, a cross-index and computer facilities. Can the Minister say exactly what is planned in connection with research, because I believe that this is probably the most important part of the scheme? The research facilities should be set up before anything else is commenced, so that those facilities are ready to receive a feed-back from the early experimental programmes. Unless the research programme is operating very efficiently, the success of the other programmes will be significantly affected.

The Hon. L. J. KING: I cannot give the honourable member a detailed account of the exact form that the research will take, but I agree that the provision of accurate material on which the department can work is absolutely essential. The programme will involve the making of surveys in the various areas of community need to establish the facts. I would be against the department's muddling along and relying on goodwill to achieve results that could really be achieved only by scientific inquiry.

Dr. Tonkin: It has done remarkably well in the past.

The Hon. L. J. KING: Yes. I shall give an example of the type of research needed. A council has expressed strong interest in establishing the needs of aged people in its area, and I have agreed that the department should join with the council and some voluntary workers to carry out a survey so that we can furnish the council with the survey results; the council will then know how to provide for aged people in its area. Further, the department's district office and, ultimately, the regional welfare centre in the area will be able to use the information. This kind of information will provide the department with central research material.

Clause passed.

Clause 23 passed.

Clause 24—"Community welfare centres."

Mr. COUMBE: Will the Minister give his views on the types of locality where community welfare centres should be set up, and can he say how quickly the programme will be implemented? I have in mind underprivileged areas that are in special need of this type of programme.

The Hon. L. J. KING: It is intended that community welfare centres will be established as a matter of priority in areas in which the welfare needs are greatest. The department has much information about welfare case loads and the need for community welfare services in difficult localities. I do not want to

be understood as saying that that is the only criterion, as account must be taken of existing facilities in a district. For example, if an adequate district office is already functioning in one district whereas another district has nothing, and suitable land can be obtained in that district in the sort of locality needed for this type of centre, the department will obviously erect a community welfare centre in the area not being served by an office. Although priority will be given to the area of greatest need, this must also depend on existing facilities.

It is planned that the first three centres will be in operation within 12 months to 18 months. Following that, the programme will be a continuing one, and the object in the foreseeable future is to establish 20 community welfare centres throughout the State in the main centres of population; I think it is intended to have 12 centres in the metropolitan area and eight in the country. It is hoped that those 20 centres will be established in about four or five years. However, this will depend on the progress in planning, on the availability of funds and, to some extent, on the experience gained in operating the first centres, because certain modifications may be necessary in subsequent centres.

Mr. COUMBE: Although I realize that what I am asking may depend on the size of the centre in a certain area or on the service that is to be provided, has the Minister received any preliminary estimates regarding the capital costs involved in the construction of these centres?

The Hon. L. J. KING: There are no accurate estimates at present, as the Public Buildings Department is not yet working out costs, which will, of course, vary according to the size of the centre involved and the cost of land. Any estimates in cost may have varied since I last discussed this matter with the Director-General, which was, admittedly, about 12 months ago. It was considered in the department then that the capital costs of a welfare centre could vary between $25,000 and $30,000. One must remember that a community welfare centre is not designed essentially as an additional facility, although it will provide additional facilities. The service provided will replace to a considerable extent the services provided at present either through existing district offices or through the department in the city. As we staff community welfare centres, we will reduce the staff in head office. The idea is to centralize the activities of the department, and we have no intention of duplicating facilities or building up additional staff. As funds become available, we hope to provide greatly increased facilities in welfare centres but, because it is impossible to estimate at present to what degree additional facilities will be involved, it is not possible accurately to estimate the extra cost involved.

Dr. TONKIN: I can understand that it is difficult to specify the needs of an area. Perhaps a district office will be used as the basis for a community welfare centre, or it may be better to establish the centre where there is no office. I had intended to move an amendment to provide that no more than two community welfare centres should be established for at least 18 months. However, as the Minister now says that it is intended to establish only three centres and that this will take at least 18 months, I think he is obviously taking cognizance of the same element of caution that worried me. If I have the Minister's assurance that it is not intended to establish more than three centres in the first 18 months and that the department will be guided by the experience of these centres, I will not persist with that portion of my amendment.

The Hon. L. J. KING: I do not know that I would be prepared to give an unqualified assurance that no more than three centres would be established in 18 months, but I assure the honourable member that current planning is for no more than three in 18 months. Money is not available in such vast sums that it is likely that I would be able to establish more than three centres in 18 months. However, should there be obvious needs and the money available to establish a fourth centre. I would not want to preclude myself absolutely from establishing it.

Clause passed.

Clause 25—"Consultative councils."

Dr. TONKIN: My attitude towards the amendment I have on file will depend on the Minister's interpretation of the function of community welfare consultative councils. I think that the Minister is aware of the doubts many voluntary organizations have about this matter. Nevertheless, they are prepared to give the scheme a trial run. Will the Minister say whether it is intended to establish consultative councils in relation to community welfare centres as they are developed or whether it is proposed to establish community

consultative councils in addition in areas where community welfare centres are not currently planned?

The Hon. L. J. KING: The concept of the consultative council is primarily related to the community welfare centre. It is conceived of in terms of advising the community welfare centre as to its functions in the community. That does not mean that I would not be prepared to establish a consultative council where there exists only a district office, if sufficient interest is shown in that district. In one area great interest has been shown, and I have been pressed by the member for that district, the voluntary agencies and the people who work in them, to establish a consultative council in his district, notwithstanding that there is only a district office there and, on current planning, it is unlikely that it will develop into a community welfare centre for three, four, or even five years. The people in that area are keen to have a consultative council: they do not want to have to wait until they have a full-scale community welfare centre. It is excellent to get a consultative council working to enable people to become experienced in its operation in preparation for the establishment of a full-scale community welfare centre.

Dr. TONKIN: I can see the Attorney-General's point of view. Obviously, the consultative council is not wedded to the community welfare centre. The Minister says that interest is being shown and, because of that, we should take advantage of that interest, but I am still concerned about who showed the interest. Is it being shown by all the voluntary organizations in the area or is it being shown by just one or two? Is the fact that they are taking this interest and becoming most enthusiastic about the council likely to dampen the enthusiasm of other voluntary organizations in the area? To put it bluntly, I would hate to think that this enthusiasm was the result of a desire to take more than their fair share in running a consultative council. I do not know the answer to these questions, and perhaps the Attorney-General can reassure me.

This is one of the matters about which people are concerned in the formation of consultative councils. These problems must be approached delicately. Because interest is shown, I agree that it is a necessary step and a necessary pre-requisite, but I do not believe that the consultative council is necessarily going to be a good idea. We should try this once or twice for a trial period to see how it works This is a matter of vital importance and, if it is approached on a trial basis, we can learn from it.

The Hon. L. J. KING: Consultative councils are obviously not going to be established except in areas where there is sufficient interest by voluntary agencies and the local government body. They would certainly not be appropriate until a district office had reached a size and had a range of functions that made the consultative council a useful part, so there will certainly be no great or sudden spate of consultative councils. They are things that must grow gradually and naturally from the interest of voluntary workers and agencies and local government bodies in the area. The idea that the existence of a consultative council can in some way dampen the enthusiasm of voluntary agencies in the area in an idea that puzzles me greatly.

It is not the first time I have heard that said, but I find difficulty in understanding how that can be. It can only be due to a lack of understanding by these people of what is involved in a community welfare centre and a consultative council. I have said many times that no-one, least of all I or my department, wishes to take over anything that a voluntary agency has been doing. We have enough to do with our funds and resources without trying to take over something that a voluntary organization is doing satisfactorily.

Dr. Tonkin: It's the inhibiting aspect that is worrying me.

The Hon. L. J. KING: I do not know how it can inhibit. Nothing that the councils can do can inhibit what voluntary agencies are doing in an area. All we say is that we will provide resources in the community welfare centre if an agency wants to avail itself of them. We tell the voluntary agencies that, if they think they can achieve what they have set out to achieve by using their voluntary workers, the agencies can make use of them, but that if they think they can better achieve their objects by joining as a member of the consultative council, they are welcome to do so.

Dr. Tonkin: That is if they can, if there are enough vacancies.

The Hon. L. J. KING: Of course. The provisions for consultative councils are fairly wide and, in most areas, specific types of voluntary agency can be grouped and they can be given one member. Perhaps the members can rotate. One area may have the charitable

groups associated with churches in the area, which are doing much the same sort of work. There would have to be consultation with the agencies, but I can see that there could be one member of the consultative council representing those church groups. The members from the churches could rotate, so as to represent the various churches.

The whole thing must be done by talking to all the voluntary agencies who wish to be involved, and sorting out the most representative membership on the consultative council. The constitution of the council will probably vary considerably from one local community to another. Whatever is done about the consultative councils, no voluntary agency will be affected in any way, except at its own desire or wish. If an agency can see how a duplication of services can be avoided and a more comprehensive service provided, it will have the opportunity to plan that and tell us about it. If the agency prefers not to be involved in any co-ordinated plan but wishes to go about its own business in its own way, that is entirely the agency's affair and, whatever its decision is, the resources of the community welfare centre will be available to help the agency, if possible, to improve its services.

I do not understand what can give rise to a fear that a centre or consultative council may inhibit the work of voluntary agencies. The additional stimulus provided by the existence of a community welfare centre in the local community will result in all the voluntary agencies in the area improving their performance and doing things that they could not do otherwise. I believe that it will produce a renewed community effort by the voluntary agencies and, instead of being inhibited, the agencies will be stimulated to a greater and more efficient service to the community.

Dr. TONKIN: I move to insert the following new subclause:

(2) The Minister shall not exercise his powers under this section to establish more than two consultative councils until two such councils have been established for at least eighteen months.

The Minister has reassured me to some extent. I believe that co-ordination is necessary, and these proposals could result in the co-ordination he desires. Rightly or wrongly this fear of inhibition exists, but I do not know whether it should exist. I have faith in the department's officers, who will proceed slowly and with tact in dealing with voluntary agencies. The department and local government will each have a representative on the consultative council. If there are insufficient places on the committee, perhaps the voluntary agencies could be grouped and asked to send a representative along in rotation. We must exercise caution in this matter. I realize that my amendment may slow down the department's development and progress, but it is in no way intended to be a criticism of its intentions; it is aimed to reassure the voluntary organizations in the community.

Mr. COUMBE: I support the amendment. Several charitable organizations with which I am connected and others have expressed to me views similar to those expressed by the member for Bragg, particularly regarding their fund-raising efforts. They are fearful that their voluntary donations and support may tend to dry up. These unselfish and devoted people who do remarkable work have expressed the fear to me that their ability to raise funds might be inhibited. The amendment casts no reflection on the department.

Dr. Tonkin: Nor on the overall concept.

Mr. COUMBE: No reflection on the department or the motive. This move is an experiment, and the Minister would be the first to admit that. In science a pilot experimentation is always carried out before the big scheme is put into operation. This is exactly what the member for Bragg is suggesting in this case. I would like the Minister to give serious consideration to it.

The Hon. L. J. KING: I oppose the amendment. What is overlooked is that the State has a responsibility to provide for the welfare needs of the people of the State, and it is our responsibility to do so as speedily as our resources and our funds enable us to do it. Every effort will be made to work in the closest co-operation with voluntary agencies. They have no reason to fear. If they express the sort of fears suggested by the member for Bragg and the member for Torrens, then they are unreasoning fears, the ordinary fear of change which many people have without reason but simply through a natural conservatism. I regret it if these fears exist in any quarter. The people concerned have been given every assurance about what is intended and how the changes will take effect and that their activities will not be interfered with. The relationship with the community welfare centres will be entirely a matter for themselves.

I take the view very strongly that, much as one may wish to conciliate the attitudes of well-meaning people who have worked long and hard in the cause of the welfare of the people, it would be foolish to allow unreasoning fears

to interfere with the progress of the welfare plans of the Government. I am not prepared to do this. Where I see fears or doubts with a reasonable basis I would go as far as I could to conciliate and reassure the people concerned, but we are not entitled to put the brakes on a welfare programme just because such doubts exist.

If the community welfare centre programme proceeds as I desire it to proceed, and if the present programme of expanding district offices to discharge more and more of the functions of the department is to proceed, there is no advantage at all in limiting the number of consultative councils. Surely an expanded district office without a consultative council would be more likely to intensify the fears and suspicions of the people to whom the honourable member referred. If the people are invited to become involved in the community welfare centre projects from the beginning, then surely it is much more likely that the unreasoning fears that might exist will be dissolved in the experience of the people in the establishment of the centre and its operation in its formative period. To establish a welfare centre without a consultative committee could only be detrimental to the whole programme. I cannot see what purpose would be served. If some people persist in unreasoning fears, one can only regret the fact, but one cannot let that interfere with the opportunity of other people to participate in the programme. I do not see why some people should miss the opportunity of participating in consultative councils simply because others may wish to stand out, because of their fears. So, I ask the Committee to reject the amendment.

Dr. TONKIN: If fears exist in the community it is up to the Minister to reassure the people concerned. To give him his due, I believe the Minister has tried very hard tonight; he has put the matter as clearly as he can. However, even after he explained the matter in his second reading explanation, people still expressed fears to me. There is only one way to prove the fears to be groundless—by showing that consultative councils work. I am disappointed that the Minister is not giving more consideration to some people's fears. I realize that the State has a responsibility to supply the community's welfare needs, but we have district offices of the department that do this already to some extent. I had thought that the Minister was a man with a little more feeling, but I hope the message he has given us tonight will get across to these voluntary organizations and that they will be reassured. However, they will not be reassured until they see consultative councils working, and working well.

Amendment negatived; clause passed.

Clause 26 passed.

Clause 27—"Membership of consultative council."

The Hon. L. J. KING: I move to insert the following new subclause:

(5) The Minister shall, at the request of a member of the House of Assembly within whose electoral district a consultative council is established, appoint that member or his nominee as a member of the consultative council.

The object of establishing consultative councils is to involve in them everyone interested in the welfare of the people concerned. The member for Bragg has indicated possible difficulties in securing a representative council. I acknowledge this; it can only be chosen from district to district. If experience proves that more people are needed on the consultative councils, an amendment may have to be considered. However, I think it is desirable to try out the present provision.

The member for Tea Tree Gully pointed out during the second reading debate that the Bill did not contain a provision specifically authorizing members to nominate a representative. I have always had in mind, in making appointments to the councils, that the local member should have the opportunity of either being appointed to the council or nominating a representative. I do not think it is necessary for that provision to be included in the Bill, as it is something that the Minister can do by administrative act. However, in view of the strong views so eloquently expressed by the member for Tea Tree Gully, I am convinced that we should write it into the Act so that there will be no doubt at all that the local member will have the right either to be appointed to the council or to nominate a representative.

Dr. TONKIN: I support the amendment. I said earlier that perhaps one or two members of the consultative council should represent the recipients of social services because, after all, no-one is better qualified to comment on the standard of the service provided than those who receive the service.

Amendment carried; clause as amended passed.

Clause 28 passed.

Clause 29—"Chairman of Council."

Dr. TONKIN: I notice that one of the members of the consultative council shall be an officer of the department. I take it that this appointment is to be made purely in a secretarial capacity and that the officer will not be eligible for election as Chairman of the council. I make this point because I can foresee certain difficulties if this is not so.

The Hon. L. J. KING: The Director-General must arrange for secretarial services for the council. Provision is made for the appointment of officers of the department to the consultative council. Of course, its very name indicates the function of the council.

Dr. Tonkin: Can such an officer become Chairman?

The Hon. L. J. KING: There is nothing to prevent his being Chairman, if he is elected by the council to the chairmanship. The object of the council is to enable it to be consulted, and therefore it is essential to have an officer of the department on the council. That officer, in turn, will be there to be consulted. The department will provide secretarial services, either through that member or someone else, and in that way the council will function.

Clause passed.

Clauses 30 and 31 passed.

Clause 32—"Power of Director-General to provide assistance."

The Hon. L. J. KING: I move to insert the following new subclause:

(3) In determining an application for assistance under this Act, account shall not be taken of any gift of food, or any gift or loan of household goods or commodities, to the applicant by any person or agency.

Attention was drawn to the necessity for this amendment by the Australian Association of Social Workers in its submission. Section 37 of the Social Welfare Act was inserted in the 1965 Act, and provided that account was not to be taken of certain assistance granted to persons by other persons when applications were made to the department for relief assistance, the intention of that section being that, if charitably minded relatives or other persons provided some assistance to the applicant, it would be unfair if that simply had the effect of prejudicing that person in relation to assistance to be obtained from the department. That provision was not included in this Bill, because initially it was thought to be really unnecessary, as it is the administrative policy and practice of the department anyway. However, the association suggested that it should be reinserted to protect persons who receive assistance from voluntary agencies or other persons.

Dr. TONKIN: I support the amendment.

Amendment carried; clause as amended passed.

Clause 33—"Recovery of cost of assistance."

Dr. TONKIN: Perhaps this is a good time to ask the Minister to explain why the definitions of "relative" and "near relative" have been included and why reference to "near relative" appears in this clause. This situation occurs in future clauses as well. I find it hard to understand why grandparents are not considered eligible (and this is more applicable to future clauses) to assist or help in any way.

The Hon. L. J. KING: It is not so much that grandparents are not eligible to assist. They are eligible to assist, and one would hope that in many cases they would do so, but the question is whether they should be obliged to contribute to the support of their grandchildren. It seems that to impose a legal obligation on grandparents to provide for the grandchild would be going a long way. The relationship is, in many instances, quite remote, and I mean by that that often grandparents have little to do with their grandchildren. The grandparents may have moved elsewhere in the State and there may be little or no contact between the grandparents and the grandchild. Grandparents in many instances have reached an age in life where they have enough problems in providing a decent livelihood for themselves without having to provide for their grandchildren.

I would be the first to encourage grandparents with adequate means to assist their grandchildren where they are in need. However, to impose a legal obligation on grandparents to allow the department to recover amounts involved in the legal maintenance and upkeep of the child seems to be an unreasonable obligation to impose. Regarding the distinction between relatives and near relatives, the important purpose of the relative provisions is to relieve relatives who are caring for children to whom they are related of the necessity of obtaining approval in the circumstances where they would otherwise have to obtain approval. The relationship there is different. The near-relative concept is primarily relevant only to the obligation to maintain, the obligation to support the child. Therefore, the categories of relation who should be

involved in that obligation are different from those involved in the concept of relatives.

Clause passed.

Clause 34—"Evidentiary provision."

The Hon. L. J. KING: I move to insert the following new paragraph:

*(ba)* that the person against whom the complaint is laid is able to repay the cost of that assistance;

This is an evidentiary provision and provides that, where a complaint is laid seeking maintenance from the defendant and there is an allegation in the complaint that that person against whom the complaint is made is able to repay the cost of that assistance, that amounts to *prima facie* evidence of the fact. Currently the onus of proof of ability to pay is on the complainant and this amendment places it on the defendant. There is a good reason for this. I dislike reversing the onus of proof in what are virtually civil matters. However, it is important when discussing ability to pay to realize that it is impossible in many cases to prove a person's ability to pay if he declines to give evidence. Certainly, if it is a matter capable of proof, it is only capable of proof at great trouble and expense. It may involve the calling of witnesses from the defendant's place of employment and, if it has to be proved as to what the defendant's assets are, it is an extraordinarily difficult task. It would be necessary to search land titles, and witnesses would be required from everywhere to prove what assets there were. The only fair thing that can be said is that one person and only one person knows, so there is no unfairness in saying that if the allegation in the complaint says he is able to pay, it is presumed he is able to pay unless he gives evidence on oath that he has not that ability. He can then be cross-examined as to his means. I am sure that the member for Bragg will concede that a skilful and competent cross-examiner would be able to get at the truth of the matter.

Dr. TONKIN: We support the amendment.

Amendment carried; clause as amended passed.

Clause 35 passed.

Clause 36—"Community Grants Scheme."

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

In subclause (3) (*c*) after "any" first occurring to insert "service".

It is desired to insert "service" before "project" to make sure that there would be power to provide funds from the Community Welfare Grants Fund to provide a service that may not be aptly described as a project, home or facility. The amendment was suggested by the Australian Association of Social Workers. I think the provision may be wide enough already but I have moved the amendment to allay any fears.

Dr. TONKIN: I support the amendment. No specific allocation of funds for research is mentioned, but that is probably covered by other provisions.

Amendment carried; clause as amended passed.

Clause 37—"Foundation of the administration of this Part."

Dr. TONKIN: I will not let this and other preliminary clauses go without saying how fundamental is the statement that the administration shall be founded upon the principle that the welfare of the family is the basis of the welfare of the community and should be protected and promoted as far as may be possible. I appreciate that the Minister and the officers of the department have put that in the Bill, which is where it belongs.

Clause passed.

Clause 38—"General powers of Minister and department."

Dr. TONKIN: Paragraph *(d)* refers to near relatives again and, although the Minister has cleared this matter up fairly well, I wonder why grandparents are not included. Grandparents are sometimes responsible for bringing up young people. Is "near relatives" too limited in this context?

The Hon. L. J. KING: The term "near relative" has a narrower definition than has the term "relative". If the child is cared for adequately by a grandparent, the Minister need not worry.

Clause passed.

Clause 39—"Request the child be placed under the care and control of the Minister."

Dr. TONKIN: Subclause (5) puzzles me somewhat because there are times when a child between 16 years and 18 years cannot decide what is the best for him.

The Hon. L. J. KING: I agree that a child between 16 years and 18 years is not necessarily equipped to make decisions about his own future. The clause provides for the voluntary boarding and voluntary reception of children under care when no court order is made but the parents desire that the child be cared for by the department for a limited time.

Dr. Tonkin: He must be declared an uncontrolled child?

The Hon. L. J. KING: Yes. Whether or not a young child consents, he is at an age where the parents' stricter supervision is needed because of his immaturity, and that is the end of the matter. However, when a child reaches 15 years, it is difficult to say to him, "Look, it has not been proved that you are neglected. Nothing has been proved against you. What we think is that your parents want to place you in the department against your will." In those circumstances, if the child does not agree, it is not unreasonable for the department to have to prove that he is a neglected child. If no-one will care for him, he is obviously neglected and would be received into care under that provision.

Clause passed.

Clause 40—"Temporary custody of the child."

Dr. TONKIN: Can the Minister say what the position would be if a request for temporary custody were followed by a further request? Is it in order for the same people to ask at the expiration of a three-month period for another three-month period of custody?

The Hon. L. J. KING: No, because the clause places a limit on the period for which the child may be kept in temporary custody. If it is desired to extend that period the mother must go to the court for a decision in the ordinary way. These are purely temporary provisions designed basically to give statutory effect to what the department has always done regarding temporary care. The purpose is really to enable a family undergoing a disruptive experience to allow the department to take temporary charge of the child while the parents solve their problems. It is neither designed nor desired that the temporary custody be extended beyond that period.

Dr. TONKIN: I thank the Minister for his explanation.

Clause passed.

Clauses 41 to 43 passed.

Clause 44—"Manner in which Director-General may deal with the child."

Dr. TONKIN: I am pleased to see that the Director-General may place the child in the care or custody of an approved foster parent or other suitable person. This clause sets out the various means of disposing of children who are unfortunate enough to come into this category. There will be an opportunity a little later for me to mention the work of foster parents, but I emphasize that the provision regarding approved foster parents is a thoroughly good step.

Clause passed.

Clause 45—"Apprehension of child.'"

Dr. TONKIN: This raises a query I have mentioned to the Minister previously concerning the position particularly of girls who have been sent out into the community, perhaps working as domestics or in other positions, and who, for some reason, may have lost their position, being apprehended and returned without warrant to Windana. I understand this happened frequently in the past, but I do not know the present position. It is an unfortunate situation for young people who are being put into the community in an attempt to get them integrated to be suddenly, because of perhaps some disagreement with an employer, seized and placed again in a closed environment where there are locks on the doors and where their whole attitude can undergo a complete reversal. An attitude of co-operation and a desire to get back into the community can be turned into an embittered attitude against society generally because they have been taken from an open situation and placed again in a closed situation. I am well aware of the difficulties. Perhaps there should be more hostel accommodation for these people. If the situation still applies, what steps will be taken to remedy it?

The Hon. L. J. KING: The general policy and attitude which I have adopted and which is being implemented by the department is to endeavour to get as many children as possible out of institutions and the method is being adopted of establishing smaller units, cottage-home establishments where small groups of children live together with a cottage mother in a substitute family atmosphere and environment. Certainly there is no desire to have anyone in an institution who can possibly be brought up outside an institution. I am sure that, if a girl was in the situation described by the honourable member and the girl had no anti-social tendencies, she would be returned wherever practicable to an open, cottage-home atmosphere. Of course, it all depends on the availability of accommodation. Every effort would be made in such a case to place the child in a foster home or a departmental cottage home—certainly a non-institutional environment.

Dr. Tonkin: How often is this successful now?

The Hon. L. J. KING: I cannot tell the honourable member that. Certainly there will be expanded facilities of this type, because of a deliberate policy of reducing the numbers in institutions and closing them down in favour of cottage homes. For example, we are making great progress toward closing down the Glandore institution and getting the type of children who have been sent there into foster homes or cottage homes. I cannot tell the honourable member how many children have been placed in Windana recently, but every possible effort is being made to expand the cottage home facilities instead of institutions.

Dr. TONKIN: I am reassured to hear what is the Minister's attitude, and I am sure that his attitude reflects his department's attitude. I am not in any way criticizing the departmental officers who have been forced to take certain action in the past. I hope that more cottage homes will be introduced quickly and that the situation will not occur again.

Clause passed.

Clause 46 passed.

Clause 47—"Review boards."

Dr. TONKIN: The idea behind review boards is extremely good. Can the Minister say what is the proposed constitution of those boards? Will they be composed of departmental officers, responsible members of the public, or perhaps justices of the peace?

The Hon. L. J. KING: The composition of the review boards will vary from place to place, but the idea is that they should have a departmental officer and a judicial officer of some kind. Wherever possible the Judge of the Juvenile Court will be involved. As a result, he will become involved in the consequences of his court orders and he will develop an understanding of what is likely to happen following his orders. There are advantages in involving experts outside the department in review boards.

Clause passed.

Clause 48—"Extension of period for which a child is placed under the care and control of the Minister."

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

To strike out subclause (8).

The clause is amended by deleting subclause (8), which provides for a psychiatrist to certify that the person is incapable of managing his own affairs. As it stands, the provisions for extension beyond 20 years of age in subclauses (7) and (8) postulate that some extensions should be made only when the person cannot manage his own affairs due to psychiatric causes. However, it may be that a similar situation follows because of a person's physical limitations, and the deletion of subclause (8) will leave it open for the court to determine at its discretion under subclause (7) whether an order for extension should be made in any circumstances. The analogy is probably with the Aged and Infirm Persons Property Act, where the existence of a mental or physical infirmity is a sufficient basis for the making of an order. The possibility of physical incapacity rendering a person over the age of 20 years incapable of handling his own affairs should be borne in mind.

Amendment carried; clause as amended passed.

Clause 49—"Discharge of child from care and control of the Minister."

Dr. TONKIN: What will happen if the parents of a child are not available, when the matter of near relatives or relatives arises? I take it that the grandparents could apply for an order that the child be discharged from the Minister's care and control, just as any other relative could. I am pleased to see in subclause (6) that the court may require such further reports to be prepared as it thinks fit. This is a good move, as the onus is not placed entirely on the department.

Clause passed.

Clauses 50 and 51 passed.

Clause 52—"Application for approval as foster parents."

Dr. TONKIN: It is a fundamental part of the whole concept of dealing with young children that a substitute family environment should be provided for them. This is indeed an important principle of child care. However, foster parents can experience certain difficulties. Paragraph (*c*) provides that the applicant shall adequately understand the developing personality of the child, which tends to be in the realms of fantasy. Speaking as a parent, I find it hard to understand the attitude of my own children, so how a foster parent will do so in his circumstances, I do not know. It is also provided that the applicant shall provide adequate accommodation for the child and any other material provision necessary for the welfare of the child. That is one of the easier problems to solve.

A fair degree of dissatisfaction is expressed, rightly or wrongly, by the Foster Parents

Association. I do not wish to dwell on this matter, as I am sure the Minister knows about it. I refer also to the lack of free meeting places for the association and to the refund of fees payable by the association for meeting places. The association considers that its problems are not appreciated by the community and that it is expected to keep its own copybook clean and bear all unfair conditions without complaint. There is a lack of communication between foster parents and the department. The foster parents believe there should be some other means of appeal. In other words, where differences of opinion arise between foster parents and the department in relation to foster children under the care of these parents, there should be some easier means of discussion and appeal against the decisions of the department. The foster parents believe the department tends to be autocratic at times. Because of the emotion involved in these cases, it is easy to see that the problems will arise, as in the case of a young girl who was transferred backwards and forwards from another State, causing much trauma to those involved. We must give due credit to the motives of foster parents, who do much selfless work to the benefit of the community.

Clause passed.

Clauses 53 and 54 passed.

Clause 55—"The powers of entry."

Dr. TONKIN: Although I believe this provision is reasonable and necessary, it touches on one of the grievances occasionally raised by members of the Foster Parents Association. Some explanation and tact on both sides could probably smooth the way a little. Although I think these people really know that the supervision is necessary, when it is used they sometimes resent it.

Clause passed.

Clauses 56 and 57 passed.

Clause 58—"Establishment of homes and centres."

Dr. TONKIN: The whole crux of the system of treating juvenile offenders is involved in the establishment of assessment centres. There is a need for the treatment, rehabilitation, care and correction of each child. Subclause (1) refers to detention, but I believe that detention should be avoided as far as possible. The aim must be to get a child back into the community as soon as possible. The use of cottage homes and foster parents will go a long way towards achieving this end. Youth project centres will also help in this way. However, we must remember that the need for detention exists because, if a child is so maladjusted that he cannot fit back into the community, the community must also be protected.

Clause passed.

Clauses 59 to 61 passed.

*[Midnight]*

Clause 62—"Cancellation of licence."

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

To strike out subclause (1) and insert the following new subclause:

(1) Where the Director-General is satisfied that proper cause for the cancellation of a licence under this subdivision exists, he may, by notice in writing served personally or by post upon the licensee, cancel the licence.

The wording of this new subclause is similar to that in clause 67 (1), the wording of the latter being broader and considered to be more satisfactory.

Amendment carried.

The Hon. L. J. KING: I move to insert the following new subclauses:

(3) The licensee may at any time within twenty-one days after service of a notice under subsection (2) of this section appeal to the Minister against the proposed cancellation of the licence.

(4) The Minister may upon consideration of any such appeal revoke the decision of the Director-General to cancel the licence.

This amendment results from a submission by the South Australian Council of Social Services and other social workers. It provides for a right of appeal to the Minister where the Director-General has given 28 days notice of intention to cancel a licence for a children's home. The council suggested an appeals committee or board, but it was considered to be more appropriate, because of the administrative character of the decision, that the appeal should be to the Minister.

Amendment carried; clause as amended passed.

Clauses 63 to 66 passed.

Clause 67—"Cancellation of licence."

The Hon. L. J. KING: I move to insert the following new subclauses:

(3) The licensee may at any time within twenty-one days after service of a notice under subsection (2) of this section appeal to the Minister against the proposed cancellation of the licence.

(4) The Minister may upon consideration of any such appeal revoke the decision of the Director-General to cancel the licence.

This amendment was also proposed by the South Australian Council of Social Services and some other social workers. It provides for the right of appeal to the Minister when the Director-General has given 28 days notice of intention to cancel the licence of a child care centre.

Amendment carried; clause as amended passed.

Clause 68—"Period for which child may be left in child care centre."

Dr. TONKIN: Has the Minister any idea what time will be prescribed?

The Hon. L. J. KING: I cannot say for certain because it depends on circumstances. I believe it will probably be about 12 to 14 hours. There may be a situation where a mother is doing shift work and it is expedient for her to go home from work before picking up the child from the child care centre. It also depends on the proximity of the child care centre to the place of work and the home. We are dealing here with maximum periods. The period have to be considered in individual cases, but there may be cases where it is necessary to go along as 12 or 13 hours to ensure that the limitation does not impose an insupportable burden. I have in mind particularly a mother who, perhaps, has not the father in the household to assist and must support herself and the child, perhaps having to work shift work or unusual hours that make it necessary for her to get a rest, and not disturb the child, of course. If she finishes work at 10 p.m., 11 p.m. or midnight, it may be undesirable for the child to be disturbed at night rather than remain for an artificially-fixed period of time. On the other hand, it is important that the child care centre should not become a children's home through children being left there all the time.

Dr. TONKIN: I think most authorities now agree that it is bad for young children to be separated from their parents, regardless of the circumstances, for any period, particularly when the children are in their formative years, and I think 12 hours would be far too long a period. I suggest about eight hours, and I pass that suggestion on to the Minister.

Clause passed.

Clause 69 passed.

Clause 70—"Powers of entry and inspection."

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

In subclause (2) to strike out "he" and insert "the Minister".

The South Australian Council of Social Services and other social welfare workers suggested that the clause as it stands raised an issue in relation to the furnishing or release of confidential information about the child and his family which may not be relevant to the care of the child. The amendment therefore provides that such information, other than that which appears in the register, should be available only on the authority of the Minister.

Amendment carried; clause as amended passed.

Clauses 71 and 72 passed.

Clause 73—"Reports of cruelty."

Dr. TONKIN: Can the Minister say how many prosecutions there have been since the original legislation was introduced? The Social Welfare Advisory Council considered these matters after much publicity had been given to them and, knowing the background, I doubt that the legislation has had a deterrent effect. People do not think ill of their fellows and do not believe, that people can illtreat children. Further publicity should be given to the existence of this syndrome, that children can be injured by their parents.

The Hon. L. I. KING: I do not have any figures on this matter. However, I am sure from my experience that the number of prosecutions has been small, but I cannot say why. I think that probably most people hesitate long before interfering in the domestic affairs of their neighbours (rarely does one get thanks for it). Most people are inclined not to do something that will make them unpopular. Most doctors are also reluctant to report, because it is difficult to prove such a case. The parents explain a bruise or a broken limb in some way or other, and it is a big responsibility for anyone to make a report. I do not think there has been any reduction in this unfortunate practice, and it is unlikely that a provision of this kind would significantly reduce this kind of attack. Parents who deliberately inflict injuries on their children are disturbed. It is not even a natural form of criminal behaviour, but indicates a deep emotional disturbance. People of that kind are generally not amenable to legal sanction, as they are not behaving rationally at the time they inflict the injury. I am one who thinks that legislation of this kind will not solve this problem, nor will increasing the penalties.

Clause passed.

Clauses 74 to 79 passed.

Clause 80—"Tobacco not to be sold, etc., to child under sixteen years of age."

Dr. TONKIN: In the absence of the member for Glenelg, I should like to say how grateful he would be, and I am, for the provisions in this clause. As I imagine that not many people are aware of these provisions, they should be widely publicized throughout the community.

Clause passed.

Clause 81—"Payment of moneys to the Director-General."

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

In subclause (1) before "child" first occurring to strike out "the" and insert "a".

This is merely to correct a typographical error.

Amendment carried; clause as amended passed.

Clauses 82 to 84 passed.

Clause 85—"Management of reserves, etc."

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

In subclause (1) after "Aboriginals" to insert "or to persons who have habitually resided on the reserve and been accepted by the Aboriginal community".

The substance of this amendment was proposed by the Australian Association of Social Workers. It is foreseen that situations can arise where persons who enjoy the rights conferred under this clause may not be Aborigines. It may be a husband, a wife, or children in a family. The amendment, therefore, attempts to deal with the granting of rights or the continuation of rights to members of such families. I must say that I am not really happy about the language of this amendment. However, it is the best we could devise, and therefore I ask the Committee to accept it. It is surprisingly difficult to find a formula which meets the sort of situation this clause contemplates. If an Aboriginal dies or for some other reason does not remain on the reserve, it may be important to have the right to give the licence, for instance, to occupy a house, perhaps to his spouse, perhaps to his children, perhaps to a woman to whom he was married by tribal law, or someone with whom he had established a *de facto* relationship. There are other situations, too, which could be readily imagined.

Amendment carried; clause as amended passed.

Clauses 86 and 87 passed.

Clause 88—"Exclusion of unauthorized persons from Aboriginal reserve."

The Hon. L. J. KING: I move to insert the following new paragraph:

(*ab*) Any person of a class declared by instrument in writing under the hand of the Minister and published in the *Gazette* to be a class of persons permitted to be within a reserve without a permit.

This suggestion was received from the Aboriginal Reserve Council at the Gerard Reserve and also from the Australian Association of Social Workers, and it has the support of the officers in the department concerned. The intention is to remove the necessity for written permission of the Minister either for individuals or generally on any specific reserve. In other words, where a situation arises where the Aboriginal council on a reserve is capable of taking over and exercising responsibility, it enables the Minister to phase out, either generally, if the whole thing can be turned over to the Aboriginal council, or in a limited way if it is possible to hand over the power in relation to a specific group or class of persons.

Amendment carried.

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

To strike out subclause (4) and to insert the following new subclauses:

(4) The Minister may after consultation with the Aborigines living on a reserve, and satisfying himself that the majority of those Aborigines desire him to do so, recommend to the Governor that a proclamation be made removing all restrictions under this Act upon access to a reserve.

(5) Where such a proclamation has been made, no offence is committed by any person by reason of the fact that he is within the reserve to which the proclamation relates without a permit.

(6) The Governor may, upon the recommendation of the Minister, make or revoke a proclamation under this section.

The effect of the amendment is really to remove the necessity to obtain permits for access to a reserve, provided the aborigines affected approve such removal.

Amendment carried; clause as amended passed.

Clause 89—"Power of entry."

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

In subclause (1) to strike out "place or premises situated upon".

This question was raised by the Australian Association of Social Workers. The amendment makes it clear that the intention of the clause is that departmental officers shall not be prevented from entering pastoral lands to

inquire into the welfare of Aborigines. However, it is not intended that the officers should have an automatic right of entry into actual premises.

Amendment carried; clause as amended passed.

Clauses 90 to 101 passed.

Clause 102—"Court may adjudge defendant to be father of illegitimate child."

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

To strike out subclause (2).

The Australian Association of Social Workers raised questions surrounding the provisions regarding a woman alleged to be a common prostitute. Clauses 102 (2) and 139 (2) provide that a defendant shall not be adjudged to be the father of a child if, at or about the time of the conception of the child, the mother was a common prostitute. Clause 109 provides that a court may make an order against a defendant who had sexual intercourse with the mother of an illegitimate child at any time so that, in the opinion of the court, the male person may possibly be the father of the illegitimate child. At present the substance of provisions relating to the claiming of maintenance disqualifies a common prostitute from obtaining an order for maintenance. In principle, I do not see why, simply because the mother of a child is a prostitute, the father of the child should not have to support the child. However, the real problem arises where, because the woman is a prostitute, she will have had sexual relations with a large number of men during the relevant period. The provisions in the Act, that if a man has had intercourse with a woman during the relevant time the court may order him to contribute towards maintenance, even if it is not established that he is the father, should have no application in the case of a common prostitute. The amendment will have the effect of removing the absolute disqualification on a prostitute from seeking maintenance from the person alleged to be the father of the child, but it will preclude her from relying on the provision for a contribution from men who have had sexual intercourse with her. I do not know whether the practical result will be much different, but it seems to put the situation on a proper basis of principle: that we should not refuse support of the child simply because the mother is a prostitute, although we must be more careful in identifying those who may be called on to contribute.

Amendment carried; clause as amended passed.

Clauses 103 to 108 passed.

Clause 109—"Liability of persons admitting sexual intercourse with mother of illegitimate child."

The Hon. L. J. KING: I move to insert the following new subclause:

(6) The court shall not make an order under this section if it is satisfied that at the time of the conception of the child, the mother was a common prostitute.

I have already explained the purpose of the amendment, which is linked with the amendment just carried. It therefore needs no further explanation.

Amendment carried; clause as amended passed.

Clauses 110 and 111 passed.

Clause 112—"Provision for blood tests."

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

In subclause (5) to strike out "a pathologist" and insert "an analyst".

This amendment arose out of a general discussion concerning the problem that had arisen under the existing Act. The provision as it stands in the Social Welfare Act has never been brought into operation by proclamation because difficulties have been experienced concerning persons available to take samples of blood for analysis. The amendment will enable the provision to be brought into operation. At present (and for some time past, I gather) only one person in Adelaide is suitably qualified, equipped and available to carry out this work. This person is not a pathologist or a medical practitioner. Therefore, the words "or analyst" have been inserted. Although that is a wide expression, it enables the court, after it is satisfied that the person involved is suitably qualified and experienced, to direct the taking of a blood sample. Unless the amendment is carried, it will not be possible to bring the provision into effect.

Dr. TONKIN: I strenuously oppose this amendment. An important principle is involved. My information is not quite the same as that given by the Minister. I understand that, although one person has been appearing in court on these cases, there is a qualified and registered medical practitioner also able to give these results.

The Hon. L. J. King: But you can't get him to do so.

Dr. TONKIN: If a principle is laid down in the legislation, we will get someone to do this. In the medical profession, an analyst is a psychiatrist, so that the term the Minister has chosen is very broad. It does not matter how highly trained an analyst or technologist may be, he is not trained as a pathologist or haematologist, and that is the correct term. A pathologist may be a haematologist, and he is a duly qualified medical practitioner, bound by the responsibility pertaining to that registration. He is able to weigh the pros and cons of reports. As lawyers know, he may not commit himself on findings if he is not certain. A technologist could well find himself defending his result simply because he found it necessary to defend his method.

There are many parallels for this. Nurses trained as technicians may carry out electro-encephalographs to diagnose brain tumours or electro-cardiograms may be taken to determine whether someone has suffered a coronary occlusion, but these results are interpreted by a trained medical practitioner who is responsible for the diagnosis. His registration means that his standards are stringent and high. These cases should not be left to a technician, and the same applies to the interpretation of X-rays. Pathologists are responsible for making sure that tests are carried out in a satisfactory and reliable way, the case of Dr. Kevin Anderson being a good example. We have in Adelaide a trained and qualified medical practitioner able to do the task in point. It is all right for her to use the services of a technician, but the qualified medical practitioner should be consulted as the expert in these cases. The clause refers to a pathologist, who is the real and proper authority.

The Hon. L. J. KING: The member for Bragg was persuasive but his persuasion was lost on me, because he did not have to convince me that it was desirable to have these analyses made by a qualified pathologist. However, he has failed to convince me that a pathologist is available to do that. It has not been possible to proclaim the section under the existing Act because there is no-one in Adelaide with the requisite qualifications to do the work. We are left in the position that we either authorize it to be done by someone else or do not have it done at all. I regret that position. There is much in what the honourable member has said.

If it were possible to have it done by people trained in that branch of medical science, I would be the first to say that that should be done, but I am not prepared to have the whole thing stultified as it has been for so long. For years the courts have accepted the analyses of a trained person, although not a trained pathologist and medical practitioner. They have done that, not under the section, because the section could not be proclaimed, but with the voluntary consent of the parties. That is a pity, but that is the fact. The section cannot operate unless the class of person who may make the analysis is extended. For that reason, I cannot agree with the honourable member, not as a matter of principle (because I agree with his principle) but because the section cannot be made to work in any other way.

Dr. TONKIN: I cannot go along with the Minister's attitude, because he agrees that the principle is important. Because the section has not been proclaimed does not mean that we should not aim for the best. If we are to make the Bill worth while, we should still aim to get the best. The Minister says there is no-one in South Australia capable of doing this, but I do not think that is true.

The Hon. L. I. King: I didn't say that: I said no-one who is prepared to do it.

Dr. TONKIN: I do not think that is true, either. I think there is a practitioner in Adelaide, to whom I have spoken this evening, who would perform the service for the courts if so requested. I cannot give any undertaking on that, but that is the advice I have been given. Even if this were not so, a pathologist is able to supervise a technician in the performance of these duties and the technician does not have the responsibility of a qualification and a registration and, for that reason, cannot be expected to exercise the same degree of care and responsibility.

I am not reflecting on the ability of this man to perform his duties within his capabilities. However, these tests are important to people. They could make a tremendous difference to a man's way of life. Because of this, we must provide for a pathologist to supervise and assess the effects of those tests, although they may not be performed by him personally. This is the general practice, anyway. There is available in Adelaide, to perform the tests, a duly registered and qualified medical practitioner. Even if that were not so, that is no reason for writing something second best into the Bill.

The Committee divided on the amendment:

Ayes (21)—Messrs. Broomhill and Brown, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Groth, Harrison, Hopgood,

Jennings, Keneally, King (teller), Langley, McKee, McRae, Payne, Simmons, Slater, Wells, and Wright.

Noes (16)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Hall, McAnaney, Millhouse, and Rodda, Mrs. Steele, Messrs. Tonkin (teller), Venning, and Wardle.

Pairs—Ayes—Messrs. Burdon and Hudson. Noes—Messrs. Gunn and Nankivell.

Majority of 5 for the Ayes.

Amendment thus carried.

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

To strike out subclause (7) and insert the following new subclause:

(7) The analyst so nominated must be a person whose name is on a panel of names prepared by the Minister on the recommendation of the Director-General of Public Health and published in the *Gazette.*

This is consequential on the previous amendment, and I move it for the same reason.

Amendment carried.

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

In subclause (8) to strike out "pathologist" and insert "analyst"; in subclause (10) to strike out "pathologist" and insert "analyst"; in subclause (11) to strike out "pathologist" and insert "analyst" wherever occurring; in subclause (12) to strike out "pathologist" and insert "analyst".

These amendments are all consequential on the previous amendment and I move them for the same reason.

Amendments carried; clause as amended passed.

Clauses 113 to 116 passed.

Clause 117—"Summary relief to married women."

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

In subclause (1) (*b*) after "liquor" to insert "or habitual use of drugs".

This amendment was suggested by the Australian Association of Social Workers. The Commonwealth Matrimonial Causes Act has a provision regarding persons who are habitually addicted to drugs. In view of the present provisions in the Bill regarding habitual and intemperate drinking of intoxicating liquor and the current social climate regarding drug taking, it seems desirable to include a similar provision in this Bill.

Amendment carried; clause as amended passed.

Clauses 118 to 120 passed.

Clause 121—"No order in certain cases."

The Hon. L. J. KING moved:

In paragraph (*b*) to strike out "of drunken habits" and insert "intemperate in the use of intoxicating liquor or drugs"; and to strike out "drunken" second occurring and insert "intemperate".

Amendments carried; clause as amended passed.

Clauses 122 to 138 passed.

Clause 139—"Evidence of mother as to paternity of illegitimate child, etc., not to be accepted without corroboration except in certain cases."

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

To strike out subclause (2).

This amendment is consequential upon an earlier amendment that was carried, relating to a common prostitute.

Amendment carried; clause as amended passed.

Clause 140 passed.

Clause 141—"Evidentiary effect of allegations in complaint."

The Hon. L. J. KING: I move to insert the following new paragraph:

(*ab*) that the person complained against is able to contribute to the maintenance of the child;

The purpose of the amendment is to place the onus of proof of ability to contribute to maintenance on the defendant. Such a provision existed in the Maintenance Act prior to 1965, I think, and it is reasonable that an allegation in the complaint that the person complained against is able to contribute to maintenance should be *prima facie* evidence of ability to pay, and the defendant should have the onus of disproving that *prima facie* evidence.

Amendment carried; clause as amended passed.

Clauses 142 to 148 passed.

Clause 149—"Manner of making application."

The Hon. L. J. KING: I oppose this clause. When the Bill was drafted, this clause was taken over from the Social Welfare Act, but I cannot see that it serves any purpose. It could possibly be confusing. I do not know how it fits in with the provisions that enable the application to be made on complaint, or why notice should be required to be given. I do not know how this provision got into the Bill and, as I do not know what purpose it serves, I oppose the clause.

Clause negatived.

Clauses 150 to 238 passed.

Clause 239—"Institution and conduct of proceedings."

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

To strike out subclause (1) and insert the following new subclause:

(1) Where a person is entitled to bring proceedings under this Act, the Director-General may, upon the request of that person, institute and conduct those proceedings in the name, and on behalf, of that person.

The amendment simply clarifies the position. In its original form, taken from the present Social Welfare Act, it was rather bald and somewhat uninformative for its purpose.

Amendment carried.

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

In subclause (2) after "Director-General" to insert "(including proceedings under subsection (1) of this section)".

This amendment is merely consequential.

Amendment carried; clause as amended passed.

Clause 240 passed.

Clause 241—"Power of Director-General to act in the affairs of certain persons."

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

To strike out "Director-General" wherever occurring and to insert "Public Trustee".

It has been requested that an amendment be prepared placing the affairs of persons who are incapable of properly managing their own affairs under the Public Trustee as an authority independent of the department.

Amendment carried; clause as amended passed.

Clause 242—"The Director-General may require report."

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

In subclause (1) to strike out "circumstances or financial" and insert "financial circumstances or"; and in subclause (1) (*a*) before "assistance" to insert "financial".

This issue was raised by the Australian Association of Social Workers and the Ex-Services Welfare Bureau. The powers are used by the department only to obtain information about the financial circumstances and transactions of a person with a view to taking maintenance action. There is no intention to seek information from other persons in the community, including professional persons such as social workers, doctors, solicitors, psychologists, etc., which might be of a confidential nature about the client. The amendments, therefore, provide for the obtaining of information about financial circumstances and transactions only.

Amendments carried; clause as amended passed.

Remaining clauses (243 to 252), schedule and title passed.

Bill read a third time and passed.

## ADJOURNMENT

At 1.10 a.m. the House adjourned until Tuesday, March 28, at 2 p.m.