HOUSE OF ASSEMBLY

Wednesday, October 25, 1972

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

QUESTIONS

MURRAY RIVER SALINITY

Dr. EASTICK: Can the Minister of Works say what progress has been made by the Government in respect of long-term salinity control along the Murray River, and can he say whether recent efforts have been made to obtain Commonwealth Government funds that are available for such projects? Members will be aware that, for some considerable time, the Government has had access to the Gutteridge, Haskins and Davey report of 1970. When I visited the area last week, I found in the Chambers Creek area that a large volume of water with about a 5ft. to 6ft. head and about a 20,000 p.p.m. saline content was being held back from Chambers Creek and. therefore, from direct access to the river. I was informed that a new basin was being created upstream from the Cobdogla pond to help alleviate the conditions existing in this area. Also I understand that notice had been given by the Murray Valley Development League of a meeting to be held at Barmera on Wednesday, November 1, at which Mr. Beaney, the Engineer-in-Chief of the Engineering and Water Supply Department and the River Murray Commissioner for this State, will speak on salinity in the Murray River.

The Hon. J. D. CORCORAN: The greatest problem facing the Government in relation to the Murray River is salinity. The Gutteridge report, received by the Government in 1970, indicated that there would be a need to spend more than $1,000,000 on salinity control within the State's borders, apart from the overall assessment. When that report was received I, as Minister of Works, immediately instigated an inquiry by our engineers into the situation in order to try to confirm or elaborate on that report. The report of that committee was received after about six weeks to eight weeks, and it indicated to the Government a need to spend about $11,500,000 on salinity control works within the State. Before receiving that report I, through the Premier, wrote to the Prime Minister asking the Commonwealth Government for a grant on the same basis as that on which a grant had been made to Victoria concerning the salinity control of Barr Creek. To the best of my knowledge, the Commonwealth Government replied that it would appreciate receiving from us detailed submissions so that it could consider the case, and these detailed submissions have been sent. This was early in 1971, if not late in 1970, so I tell the Leader that the Government has not been lax in its approach to this matter. He will appreciate that in this case the Commonwealth Government cannot approach piecemeal a problem that exists along the whole length of the Murray River and, doubtless, the Commonwealth Government is examining the matter on that basis. The Leader who has previously asked questions in the House about Chambers Creek, knows that the people there are private irrigators who have developed their areas of their own volition. The long-term solution to their problem, of course, is a private pipeline that draws water direct from the river.

Dr. Eastick: That doesn't get over the saline drainage, though.

The Hon. J. D. CORCORAN: There are many problems in that area that these people did not foresee when they went into it. Now that they have established themselves, they are asking the Government to get them out of their difficulty. The Leader ought to examine this matter more closely and ask himself whose responsibility it is. That is the point that should be made in this case, although I make perfectly clear that I am not without sympathy for these people. Regarding the total question of salinity (and that is really what worries the Government) within the borders of South Australia, we have not been remiss in our duty to try to gain the sort of funds that we need to combat the problem. We have made detailed investigations, and the alternative studies are still proceeding. I will refer the Leader's specific question to the Engineer-in-Chief and, if he has anything to add to what I have said, I will let the Leader know.

Dr. TONKIN: Can the Minister say whether the River Murray Commission has instituted any further salinity control measures in the sections of the Murray River in other States? I believe all members will agree that the benefits to be derived from the building of any Chowilla-type dam (or any other type of dam) on the Murray River in South Australia very much depend on how much salt comes down the river from across the border. It has been put to me that no effective dam can be built until the total quantity of salt is reduced,

and all this salt comes from irrigation settlements up river. I ask this question, for I believe this matter is vital to the future of South Australia.

The Hon. J. D. CORCORAN: I do not know how the honourable member arrived at the theory that South Australia cannot have a Chowilla-type dam unless the problem of up-river salinity is solved. The effect of the construction of Chowilla would have been to smooth out the peaks of salinity coming into South Australia. Had that dam been built, a large body of fresh water would have been available to absorb the peaks of salinity brought down the river from time to time. We would have been able to smooth out those peaks and obtain better quality water. There is no doubt that such a dam should not be built in South Australia because of the problems, yet that does not mean that we should not still tackle the problems. As I said in replying to the Leader, the most serious problem regarding the Murray River is not man-made pollution but salinity.

Dr. Tonkin: That is pollution of a sort.

The Hon. J. D. CORCORAN: True, it is the most serious form of pollution in the river, and we are well aware of it. However, that does not mean that we could not build a dam. In the present circumstances we could do that, and such a dam would serve South Australia well, in respect of salinity, if it were built. I am not aware of any specific developments that have taken place under the direction of the River Murray Commission regarding salinity control. It has been the practice in the past for the States concerned to take salinity control measures individually rather than for such measures to be taken by the commission itself, even though some of the works owned and operated by the commission could contribute to the salinity in the river. I will inquire of the South Australian Commissioner (Mr. H. L. Beaney) and let the honourable member know.

NON-RATABLE LAND

Mr. RODDA: Has the Minister of Roads and Transport a reply to my question of October 12 regarding non-ratable land?

The Hon. G. T. VIRGO: The Highways Department assists councils in the South-East region of the State in the construction and maintenance of roads serving Government-owned forests. This is consistent with the policy of allocating road funds in accordance with road needs, and recognizes that councils receive no direct revenue by way of rates from Government-owned forests. I have received the letter from the District Council of Penola, and the matter is at present being investigated by the Commissioner of Highways. I will inform the honourable member after I have received the report from the Commissioner.

GRASSHOPPERS

Mr. VENNING: Can the Minister of Works say whether the Minister of Agriculture has discussed with Cabinet the serious situation that is developing regarding grasshoppers in the North of the State? True, the Government has sent up misting equipment and has also made spray equipment available to landowners at half the cost price, thus assisting in this regard, but reports are that the situation is becoming rather serious, particularly in the Orroroo area.

The Hon. J. D. CORCORAN: My colleague has not drawn Cabinet's attention to this situation, and I ask the honourable member to bear in mind that Cabinet met last Monday. However, I remind the honourable member that last week or the week before, in reply to a question asked by the member for Frome, I said that the situation in relation to the hatching of grasshoppers was under close surveillance and that it was expected that, unless some rains fell in the area, feed would not be available to enable the grasshoppers to survive and, therefore, they would die. I said that the situation would have to be treated according to developments. The Minister of Agriculture at that time also indicated that certain measures were being taken in relation to equipment, etc. However, I will ask my colleague whether he has anything further to report. Having read press reports of the seriousness of the situation, I am completely confident that the Minister is watching the matter closely.

RAILWAY SLEEPERS

Mr. HALL: Will the Premier say what additional action he intends to take following the ineffective approach he has made to the Commonwealth Government in regard to having concrete sleepers accepted in connection with re-laying the east-west railway line? It seems that a political decision has been made by the Commonwealth Minister on the choice of timber or concrete to be used for sleeper replacement on this line. The September unemployment figures show that the town of Manjimup, in Western Australia, had 53 unemployed; whilst Port Pirie had 559 unemployed and Port Augusta had 234

unemployed. A comparison shows that South Australia needs the employment facilities provided through concrete sleeper manufacture much more than Western Australia needs the employment provided through the production of timber sleepers. Therefore, on behalf of the South Australian community, especially the residents in the two South Australian towns to which I have referred who would be affected by any decision made in relation to this industry, I ask what action the Premier will take in addition to the apparently ineffective action taken so far.

The Hon. D. A. DUNSTAN: I have taken all the action necessary to apprise the Commonwealth Government and Mr. Nixon of the facts concerning unemployment in South Australia, including the fact that Whyalla has 134 males unemployed, Port Augusta 234 and Port Pirie 559; that the concrete sleeper industry is vital to employment in South Australia; and that the comparison between employment in South Australia and employment in Manjimup means that to take into account the social factors in this decision would obviously result in a decision in favour of South Australia. When one considers that, in addition, it will cost the Commonwealth Government $2,800,000 more to give the contract to Western Australia—

The Hon. J. D. Corcoran: A political decision.

The Hon. D. A. DUNSTAN: —the only conclusion one can draw is that, even though all the information has been given to the Commonwealth Government, a political decision has been made purely on the basis of what can be sold in the Western Australian District of Forrest. All this information is in the hands of the Commonwealth Government and I have carried out everything that the concrete industry in South Australia, in consultation with me, has asked me to carry out. I ask the honourable member a question: if he still has any influence whatever on his side of politics, will he do what he has often asked me to do on my side of politics, namely, use his good offices, or so much of them as is left, with his own divided Party in Canberra to get it to reverse its decision and to act in favour of South Australia?

Mr. GUNN: In view of the statement by the Commonwealth Minister for Shipping and Transport that concrete sleepers seem to be more economical than timber sleepers for the proposed rail link between Tarcoola and Alice Springs, can the Premier say how many people will be engaged in producing the sleepers for that railway line and what the cost of the sleepers will be?

The Hon. D. A. DUNSTAN: I have not an accurate report on the figures, but I will get them.

LAND SALES

Mr. PAYNE: Has the Attorney-General a reply to the question I asked on September 28 about the land-selling practices of Woodham Biggs Proprietary Limited?

The Hon. L. J. KING: Inquiries having been made by the Land Agents Board, it has been ascertained that the land agency company uses two somewhat similar forms in connection with the listing of allotments of land. In the present case it seems that an inexperienced land salesman inadvertently sent out a follow-up letter instead of the initial application letter. The salesman expresses his regret for any inconvenience or embarrassment caused to the honourable member's constituent, and the land agent has now changed the colour of one of the letters in an endeavour to avoid a similar mistake occurring.

SECONDHAND CAR SALES

Mr. EVANS: Has the Attorney-General obtained from the Chief Secretary a reply to my recent question about the operation of secondhand car dealers on Saturday afternoons, Sundays, and public holidays?

The Hon. L. I. KING: My colleague states that any breaching of the Second-hand Dealers Act by trading on Sundays or public holidays is a general policing responsibility, and a matter in respect of which all patrols are required to take appropriate action. Patrol personnel have been asked to be especially alert for any breaches of this nature, and in fact four persons were detected for alleged trading breaches on the weekend in question, and reports are being submitted for normal adjudication.

CYCLING LANES

Mr. KENEALLY: Can the Minister of Roads and Transport say whether, in planning for future transport needs in the Adelaide metropolitan area, the possible demand for cycling lanes has been considered? It seems that the use of bicycles is fast gaining popularity in oversea cities, especially in the United States of America. In view of the undoubted environmental and health benefits that would accrue from cycling, I ask the Minister to encourage this form of transport by having such lanes provided.

The Hon. G. T. VIRGO: Adelaide did have some cycling lanes, those on the Anzac Highway and the Port Road coming immediately to mind. However, because of lack of use they were eventually done away with. I agree with the honourable member that the day will come when they will again be needed, although I do not know how soon this will be in Adelaide. I have seen reports that, in America particularly, people are returning to the use of bicycles, and there is a good reason for this. That country embarked on the same sort of policy as that on which the former Government in this State intended to embark: the cluttering up of its cities with freeways. America has found to its dismay that this system just will not transport people effectively. Of course, what is now happening is that, in desperation, many American people are turning either to bicycles—

Mr. Mathwin: You know the position in Europe is that—

The SPEAKER: Order! Interjections are out of order.

The Hon. G. T. VIRGO: I will ignore both the interjection and the honourable member, as I usually do.

Mr. Mathwin: As you always do during Question Time.

The SPEAKER: Order!

The Hon. G. T. VIRGO: I think that, Mr. Speaker, I am obliged to ignore the honourable member when he is interjecting, particularly when he does not have an interpreter! The position is that in America people are turning rapidly to public transport, with large sums being invested in this area. This brings me once again to the point that the six State Ministers of Roads and Transport have been pursuing with the Commonwealth Government, but as yet there has been no response whatever.

SCHOOL SPORT

Mr. LANGLEY: Will the Minister of Education obtain a report on competitive sport in primary schools? Is the playing of competitive sport under teacher supervision in school time decreasing and has the playing of Saturday morning sport taken over from sport supervised by school staff on Friday afternoon? For many years the opportunity to be a school sporting representative on Friday afternoon was a great thrill for students in both summer and winter sports. Teachers gave their time to coach students (and many teachers still do so today), but there seems to be a falling off in this competition. Parents now take an active interest in Saturday morning sport, but incidents have often occurred that were non-existent many years ago. The approach adopted in school sport now appears to be to win at all costs, whereas on Friday afternoons such sport remained under the control of the teachers involved and the playing of the game was the main incentive, any student not playing the game being scolded.

The Hon. HUGH HUDSON: I will get a detailed report on this matter. Suffice to say at this juncture that, at primary school level, we have been affected in the provision of school sport by the tendency for the proportion of female teachers to grow; consequently, the percentage of teachers available to coach sport on Friday afternoon or at other times during the week has been reduced. There is also a problem arising because many primary school teachers are married women who must go home to look after their own children as soon as school finishes on Friday afternoon. It is a combination of those factors that has led to the development of Saturday morning sport in primary schools. For the interest of the honourable member, I will get a report on the development of primary school football over the last year as a result of the activities of the South Australian National Football League in close association with the Primary School Sports Association.

PETROL

Mrs. STEELE: In the temporary absence of the Premier, can the Deputy Premier say when the result of deliberations of the inter-departmental committee on petrol will be known? On August 29 a petition was presented on the steps of Parliament House by petrol station proprietors. Following that, the Premier set up an inter-departmental committee comprising representatives of the Crown Law Department, the Prices and Consumer Affairs Branch, and the Premier's Department to consider this question. The South Australian Automobile Chamber of Commerce Incorporated contacted the Premier on September 15. The committee has discussed this matter with oil companies and the management consultant firm that acted on behalf of the service stations, and a follow-up contact was made by Mr. Alan Mitchell (Chairman of the Petrol Committee of the Automobile Chamber of Commerce) on October 7, but as yet no information has been forthcoming.

The Hon. J. D. CORCORAN: I do not know when the report will be available to the Premier, but I will inquire and let the honourable member know as soon as possible.

Later:

Mr. HALL: In view of the possibility of further industrial trouble at the Port Stanvac refinery and, therefore, of the subsequent curtailment of the supply of petrol and other associated products, I ask the Premier what action he is taking to ensure that, if trouble occurs, a far more adequate reserve of petrol is in hand to cope with this problem than was in hand previously.

The SPEAKER: Does the Premier desire to reply? This is a hypothetical question.

The Hon. D. A. DUNSTAN: The Government is in touch constantly with members of the oil industry on the amount of reserves in hand and, if anything should occur to endanger a build-up of the reserves that it would be necessary to provide over some months, action would be taken by the Government. I will not forecast the precise form of it, but the honourable member can expect that action will be taken. As this was the one Government in Australia that took positive action at the State level in the last crisis, I assure the honourable member that, if the need arises, we will take it again.

Later:

Mr. MATHWIN: In the temporary absence of the Premier, can the Deputy Premier say what are the present reserves of fuel in this State? In the event of another emergency similar to that which occurred recently when tanker drivers went on strike, how long will these reserves last?

The Hon. J. D. CORCORAN: I do not think the Premier can be expected to know exactly what reserves are on hand or how long they will last. As he has said, the Government is constantly in touch with the industry as to what reserves are available. However, that does not mean to say that the Premier carries around in his head the exact figure. If he wanted to know, he would ask and the information would be made available to him. I do not know the motive behind the honourable member's question. Is he trying to encourage people to rush to petrol stations, and then store up petrol in their backyards, perhaps in unsafe containers?

Mr. Mathwin: I'm trying to get information, that's all.

The Hon. J. D. CORCORAN: I am sure the Premier will obtain the information for the honourable member. He does not carry it in his head, but he will obtain it, and probably let the honourable member know tomorrow.

SHARK FISHING

Mr. CARNIE: Can the Minister of Works say whether the Government can assist the shark fishing industry in the same way as the Victorian Government has assisted fishermen in that State who have been affected by the Victorian ban on shark? The following article appeared in the *News* two or three weeks ago:

Victoria's fishing industry is in for a boost with the State Government chartering 20 shark boats for 10 separate fish research programmes. The boats belong to fishermen most severely affected by the ban on school shark. The Premier, Mr. Hamer, said the research programmes were aimed at studying kinds of fish that could replace the banned school shark. The research programmes will range from 12 weeks to 48 weeks.

The position of cray fishermen who fish shark during the closed season for crayfish will soon be ameliorated with the opening of the crayfish season, but some men worked as full-time shark fishermen before this ban was imposed. The Premier has indicated, in replying to a previous question of mine, that compensation cannot be paid to these people, but I am still awaiting a reply to a question concerning the possibility of loans being made available. I believe that a project such as that being operated in Victoria would not only help these fishermen but also provide useful information for the Fisheries Department.

The Hon. J. D. CORCORAN: I appreciate the honourable member's question. Only last Monday an officer of the Department of Primary Industry visited Adelaide and conferred with the Director of Fisheries and, I believe, met the Minister of Agriculture. The purpose of his visit was to ascertain what type of research could be undertaken in South Australian waters, whereby people in the category referred to by the honourable member (those living entirely by shark fishing) could be employed by using their boats for some form of research. This followed a request by the Minister of Agriculture to the Minister for Primary Industry (Mr. Sinclair) that the same treatment be given to South Australian fishermen as had been given by the Commonwealth Government to the Victorian fishermen. I believe that sums of $60,000 and $90,000 had been provided by the Commonwealth Government for this purpose.

Mr. Carnie: It doesn't state that in the *News* item.

The Hon. J. D. CORCORAN: The money came from the Commonwealth research fund. These people and their vessels could be used in some form of research around Kangaroo Island, Victor Harbour, and other areas in which shark fishermen operated full time. In this respect I have in mind prawn and other sea life, if funds are available. I will check with the Minister the veracity of my statement, but I am sure that I am correct. I will ascertain as soon as possible whether we have received information from the Commonwealth Government. I will refer the question to my colleague for him to consider, so that I can obtain a report for the honourable member.

SCHOOLGROUNDS

Mr. GOLDSWORTHY: Can the Minister of Education say what is the basis of calculating grants for schoolgrounds and ovals? I believe there has been a change in the method of making these grants to schools and that they are now not made merely on the basis of school population.

The Hon. HUGH HUDSON: The new formula for grants to school committees to maintain schoolgrounds determines the amount of the grant by paying 30c a student enrolled, plus $10 an acre for land under the school's control after deducting any land used for agricultural purposes. The area considered includes not only the ovals but also land on which the buildings are located and any other land that is waiting to be developed as an oval or grassed area. Nuriootpa High School, which I visited last Monday, has an enrolment of about 900; it has an area of over 40 acres under the control of the school council; and the total ground maintenance grant to the school is about $700.

Later:

Dr. EASTICK: Will the Minister of Education say what progress has been made in determining the formula that will apply to the distribution of funds to schools for general yard and facility maintenance?

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker, I have replied to that question earlier today.

The SPEAKER: The question has already been asked today.

CUMMINS PARK LAND

Mr. BECKER: Has the Minister of Roads and Transport a reply to my recent question about the sale of land at Cummins Park?

The Hon. G. T. VIRGO: The land bounded by Saratoga Drive on the north and Sturt Creek on the south at Cummins Park is now being processed for disposal by public tender.

UNDERGROUND CABLES

Mr. MATHWIN: Will the Minister of Works ascertain what the additional cost would be to have placed underground the Electricity Trust cables at present carried on overhead lines? Brighton Road is being widened and a new water main is being installed. In reply to my recent question about stobie poles being resited, the Minister of Roads and Transport said:

> However, where branch lines are taken down side streets from the electricity main it is necessary to have at least one pole close to the corner, as overhead lines are not permitted to span private property.

Because installing the water main and widening Brighton Road will entail deep excavation, will the Minister consider whether it would be possible (and also obtain information about the additional cost) to place the electricity cables underground along Brighton Road while this work is being done?

The Hon. J. D. CORCORAN: 1 doubt whether the Electricity Trust would be able to comply with this request. 1 emphasize that I believe it would be highly desirable to place underground all electricity cables in the metropolitan area, but I am afraid that financially it would be completely and utterly impracticable.

Mr. Mathwin: Could it be done in conjunction with the other work?

The Hon. J. D. CORCORAN: 1 do not know, but I will ascertain what would be the additional cost. However, we could not decide piecemeal that in this case we could place the cables underground. Unless there is a definite policy established of progressively placing underground all Electricity Trust mains in the metropolitan area (and there is no such policy now), I could not accede to the honourable member's request. If he had read the annual report of the Electricity Trust for this year, he would know that, where possible, in new subdivisions undergrounding was taking place. However, that is much more expensive than overhead wiring. I will obtain the information for the honourable member.

KIMBA HOSPITAL

Mr. GUNN: Will the Attorney-General ask the Chief Secretary when Kimba District Hospital Incorporated will be told of the Hospitals Department's decision about whether the

department will approve the hospital's application for finance to continue work on its building project? A letter I have received from the Secretary of the hospital states:

Official application was made to the honourable Chief Secretary on May 29, 1972, and we received notification on August 15, 1972, that our project was now to be considered. We were asked to advise how our share of the finance was to be met, and this was done. Since then, we have not received any further advice as to when we will be able to start preparation of working drawings and specifications.

The Hon. L. J. KING: I both can and will obtain the information from my colleague.

MURRAY RIVER LEVELS

Mr. McANANEY: Has the Minister of Works a reply to my question about Murray River levels?

The Hon. J. D. CORCORAN: There is about 1½ miles of concrete spillway across the low-lying Ewe Island and Tauwitchere Island which was constructed at reduced level 109.50; that is, the designed level at the barrages. During August and September, if river flows permit, the levels of the lakes are raised by allowing 2in. to 3in. of flow across these spillways. Any flow over the spillways to a greater depth or for a longer period would cause damage to the islands by erosion. The present levels at the barrages are at designed pool level but are expected to start gradually dropping from now on. It is pointed out that summer evaporation losses on the lakes reaches a peak in December and January equivalent to 2,000 cusecs of river flow, which is not far short of South Australia's whole entitlement during these months.

ADELAIDE MEDICAL SCHOOL

Mr. EVANS: Will the Treasurer consider making available $900,000 of Loan money over the next three years to bring the Medical School at the Adelaide University up to an acceptable standard? At present we are building at Flinders University another medical school which will be a first-class school and which will have distinct advantages over the Adelaide University Medical School, apart from the new facilities being provided. The Adelaide Medical School is considered by many in the profession to be substandard and yesterday the member for Bragg asked the Minister of Education a question about a person who, having been appointed to a Chair at the Medical School, resigned after only three days.

The Hon. Hugh Hudson: Nothing has been substantiated about the reasons for that.

Mr. EVANS: I am asking whether this money can be made available, as we have $10,000,000 in Loan funds, and the amount involved would be only $300,000 a year for three years. It would be a pity if one of our medical schools fell below suitable or acceptable standards while we were building another first-class medical school.

The Hon. D. A. DUNSTAN: The matter of the development of medical schools and the expenditure in accordance with the recommendations of the Universities Commission for development must be considered. The Adelaide University's proposals for development are examined in the light of the budget submitted to the Government after the recommendations of the Universities Commission for each triennium have been made. It is then that we must consider the total demands in relation to one another. The honourable member has said that the Adelaide Medical School is substandard but, with great respect, I do not think that is a proper criticism. I know that the Adelaide Medical School has some very good facilities and, certainly, the new school at Flinders University will not have the same wide clinical base as the Adelaide Medical School has. However, I will refer the question to the Minister of Education and the Minister of Works for their views in relation to the Loan funds. As to the Treasury position on this, I remind the honourable member that, whilst we have a surplus of Loan funds, we have a considerable deficit on revenue moneys which will, on present indications, be markedly exceeded, and I do not intend to leave the State with no reserves whatever. The calls on revenue and Loan moneys in the coming years will be extremely heavy. I point out to the honourable member that Loan moneys have been committed fairly heavily for the next decade and achievement of the forward-going programme of works that we have outlined will more than take the projected Loan funds that we can foresee as being available for South Australia. I am seeking every conceivable way to raise moneys semi-governmentally to be able to get the maximum amount that I can to be able to spend on public works. It is not just a question of taking money out of the Loan surplus at the moment to provide additional facilities at the Medical School. This matter must be considered in regard to the total overall priorities.

It is always considered in the examination of the Adelaide University's proposals for development and we try to do the best we can for university development here.

SOUTH-EAST DEVELOPMENT

Mr. RODDA: In asking my question, I refer to an editorial article, entitled "The Dead Heart", which the Editor Mr. H. J. Peake) tells me will appear tomorrow in the *Naracoorte Herald* and which refers to a lack of water that will allegedly prohibit development in the Naracoorte area. It is reported that His Excellency the Governor (Sir Mark Oliphant) on his recent visit to Naracoorte said, "You can imagine my surprise to be told by the Government that future development of this area, seemingly so rich, is virtually impossible because of the lack of water." The mayor of Naracoorte (Mr. R. Hoole) has expressed surprise at this statement. Indeed, the Minister of Works recently said that a survey of the water potential in the South-East would indicate that the population could be over 250,000 people by the turn of the century.

The Hon. J. D. Corcoran: That's a conservative estimate.

Mr. RODDA: Naracoorte is a progressing area, and a $1,000,000 building programme has just been completed there, contracts amounting to a further $2,000,000 having been signed to construct a meat works and to provide hospital extensions and a youth centre catering for 800 to 1,000 young people. Self-help is evident in the district, whose residents appreciate the Government support that has been provided. However, concern is being expressed at the statement made by His Excellency and, on behalf of the people I represent, I ask the Premier whether he will comment on this matter and perhaps put the record straight.

The Hon. D. A. DUNSTAN: I have seen a report in the *Naracoorte Herald* on the matter to which the honourable member refers, and I regret to say that I am at a complete loss to know how it should have been occasioned. I can only think that there has been some misunderstanding, for I know of no statement made by anyone in the Government to the effect that development in the South-East is impossible because of the lack of water. In fact, in the South-East on occasion there has been a marked excess of water. As the honourable member knows, the Government, for a considerable time, has been in the course of proceeding with a survey of ground waters in the South-East, and has often said that the South-East ground water resources will be used for the development of the area. The forecast made by the Minister of Works on expansion in the area and on its projected population was, as he said, a conservative estimate. As I have said, I can only think that there has been a misunderstanding and, as I do not know the basis of the misunderstanding, I will speak to His Excellency to see whether we can clear up the matter. However, I assure the honourable member that the Government's view is not and never has been that development in the South-East is impossible because of lack of water.

COST OF LIVING

Mr. BECKER: Has the Premier a reply to the question I asked on October 19 about any action the Government intends to take to curb the continuing increase in the cost of living in this State?

The Hon. D. A. DUNSTAN: In the September quarter of 1972, the Adelaide consumer price index did rise by 1.6 per cent compared to a 1.4 per cent average increase for the six capital cities. The higher price rise in Adelaide was due to a sharper rise in meat prices in Adelaide than in other capitals. Meat prices are an especially erratic component, being affected by marked changes in available supplies. That was purely a temporary and seasonal matter. A watch on meat prices is constantly kept by the Commissioner for Prices and Consumer Affairs so that, if they are kept permanently within an unreasonable range, a warning is issued and the matter is brought under control if prices do not fall.

Mr. Hall: That's mere propaganda. You know you'd never do that.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member apparently did not even read the files when he was in the Premier's office because, in fact, precisely that process took place in 1967 when I was Premier and Treasurer. At that time the Prices Commissioner recommended that I issue a warning about retail meat prices. I did so, and the retail meat prices fell. That is all on file.

Mr. Hall: Don't kid yourself that that had anything to do with it.

The Hon. D. A. DUNSTAN: Obviously, the member for Gouger adopted an approach entirely apart from the actions of the Commissioner. I know that the honourable member does not believe in price control, but perhaps he will let me give the facts to his colleague. Meat prices are not subject to price

control in South Australia, because of this strong seasonal variation in availability of stock. Excluding meat, which accounted for almost half of the Adelaide rise, prices of the remaining items rose less overall here than in most of the other capitals. Compared to the September quarter, 1971, Adelaide's September quarter, 1972, consumer prices were 5.6 per cent higher (versus the six capitals average of 5.8 per cent), and compared to the 1966-67 base year Adelaide's latest consumer price index has risen 23 per cent compared to a 26.1 per cent average capital city increase.

CHLORINE

Mr. HALL: Has the Minister of Works a reply to the question I asked on October 19, when I challenged the legality of his department's putting chlorine into the waters of St. Vincent Gulf directly in contravention of a regulation issued by that department?

The Hon. J. D. CORCORAN: It is nice to see the honourable member in the House for once, attending to his Parliamentary duties.

Mr. Hall: Get on with the reply.

The Hon. J. D. CORCORAN: The amount of chlorine added for disinfection of the Adelaide water supply is about 3 parts per million (I think I referred to that previously)—

Mr. Hall: Just answer the question.

The SPEAKER: Order!

The Hon. J. D. CORCORAN: I just want to give a reply that will satisfy not only the honourable member but especially those members of the community he tried to alarm by asking his question. I will proceed with the reply.

Mr. Hall: Without the insinuations!

The Hon. J. D. CORCORAN: As I have said, the amount of chlorine added for disinfection of the Adelaide water supply is about 3 parts per million or 500 tons a year for the 160,000,000 tons of water supplied to the metropolitan area each year. In making the water safe for public use, the chlorine is converted to the completely harmless chloride form and adds 3 p.p.m. of chloride to the natural level of chloride in the water, which varies between 50 p.p.m. and 400 p.p.m., and averages 150 p.p.m.. Following treatment of the sewage at the Glenelg treatment works, the very high quality effluent is disinfected with chlorine during the bathing season to ensure that the bathing waters are completely safe and continue to be a valuable recreational asset for the people of Adelaide. I think I replied to that, too, when I replied previously. The effluent is dosed with chlorine at the low rate of 7-8 milligrams a litre (7-8 lb. to 100,000 gallons), but after contact in the outfall pipe the level at the discharge point 1,000ft. off-shore drops to less than 1 mg a litre. This residual level is quite frequently provided in drinking-water supplies for disinfection purposes. On leaving the outfall pipe, the warmer and less dense effluent flows to the surface and is carried away by the tidal currents and rapidly dispersed with the sea-water. On exposure to light and mixing with sea-water, the remaining trace of chlorine is quickly dissipated and is not detectable about 150ft. from the discharge point. Furthermore, departmental tests have not detected residual chlorine below the surface layer, so that seaweed growth would not be affected. The conversion of the chlorine is again to the harmless chloride form so that, as a result of chlorination, about 10 p.p.m. of chloride has been added to the natural chloride level of that portion of water passing to the sewerage system. This figure should be related to the normal chloride level of sea-water which is 16,000 p.p.m. Independent comment from Dr. Womersley of the Adelaide University has been obtained which confirms the departmental view that any effect of the residual chlorine would be very localized and very limited. In any case, the assured protection of these bathing waters would offset any small local effect.

On the question of the legality of discharging a fully treated and safe effluent into the sea at Glenelg, the Minister of Works has obligations under the Sewerage and Health Acts to collect the waste waters of Adelaide, treat them, and dispose of them without risk to health. In discharging a fully treated and disinfected effluent into the sea at Glenelg treatment works, the Minister is acting in accordance with obligations imposed on him by Statute, and is not bound by regulations with which his actions may incidentally conflict in some relatively minor way.

DUNCAN INQUIRY

Dr. TONKIN: Does the Attorney-General intend to release any part of the report on the investigation into the Duncan case and, if he does not, will he explain his reasons for totally withholding all this information from the public? I have no doubt that the visiting and local police officers have done an extremely efficient job in this inquiry. Although I accept that it is right that information that involves or points to individuals should be withheld, especially in view of the rather

unsatisfactory conclusion of the present investigation, the public deserves some indication of the course of the investigation and the general findings relating to the circumstances surrounding Dr. Duncan's death. I understand that the Labor Party policy now enunciated by Mr. Clyde Cameron is that there should be less secrecy in Government. However, it seems that this report is simply being added to the large and growing list of reports and documents that have been suppressed by this Government.

The Hon. L. J. KING: There is no way in which a report of this type can be released in parts. Inevitably the report detailing the investigations of the United Kingdom police officers discusses the possible implication of various people, who are naturally named, in the events that occurred. As this is inextricably woven throughout the report, it is simply impossible so to edit the report that it can be released and still have meaning without discussing the possible part played by various individuals in the events. It would be contrary to the basic principles of justice to release information that might reflect or cast suspicion on individuals when no charges can be laid in respect of the incident. Like the honourable member, I consider that the South Australian detectives who investigated the case carried out a most thorough inquiry. Obviously, the officers from Scotland Yard have also carried out a thorough investigation.

It is a matter of great regret that this crime has not been solved and that there is insufficient evidence to enable charges to be laid. Unfortunately, that is a fact that we have to accept at present, with the hope that perhaps even now information appearing in future will enable the crime to be solved. At present, however, we are left in the position that no charges can be laid. As no charges can be laid, it would be improper to release a report that would inevitably damage reputations without giving the people whose reputations were damaged an opportunity to clear themselves.

Mr. HALL: Because of the Attorney-General's implacable and unco-operative response to requests to publish the Duncan report, I ask whether he will give an undertaking that the report will not be destroyed but will remain in Government files for a future Government to decide whether it should be published.

The Hon. L. J. KING: The report will be in the hands of the Commissioner of Police, and I assume that it will be treated in the same way as other reports that he controls. I know that the Commissioner in his reported statement has said that this case will remain open in the sense that it will always be open for further information to be received and acted on. Concerning the actions of any future Government in relation to this report, I can only say that I hope the day will never come when any Government will come into office in South Australia so utterly irresponsible and lacking in the principles of justice as to release a report of this kind.

Mr. Hall: How do we know what sort of report it is? That is your word only.

The SPEAKER: Order!

TON-MILE TAX

Mr. GUNN: Can the Premier say when the Government intends to honour the 1965 election promise of the Labor Party to abolish the ton-mile tax on Eyre Peninsula? This tax has caused concern to my constituents, and to those of the member for Flinders, ever since it was introduced. Recently the matter has been highlighted in another place by the Hon. A. M. Whyte, who has referred to the extreme hardship that this tax is causing Eyre Peninsula carriers. Does the Premier intend to review the present situation—

The Hon. G. T. Virgo: Which Government introduced this tax?

Mr. GUNN: —with a view to having this tax removed?

The Hon. D. A. DUNSTAN: I refer the honourable member to the statements made about the matter in the House when the previous Labor Government was in office. The information we received—

Mr. Gunn: It was really an election gimmick, wasn't it?

The Hon. D. A. DUNSTAN: No, we believed we could do this, but we were told that it would create several doubts as to the legality of the tax in South Australia if we proceeded in the way that had been outlined. I hope the honourable member will not use this simply as a matter of politics, because I point out that the tax was not imposed by our Government.

Mr. Gunn: I'm well aware who imposed it.

The Hon. D. A. DUNSTAN: Good. I am sure that the honourable member will also be aware who retained it, namely, the Liberal Government when it came back into office.

The Hon. Hugh Hudson: The Liberal Movement did that!

The Hon. D. A. DUNSTAN: What is more, the honourable member's Liberal colleagues (and I gather that so far these members are not

members of the Liberal Movement) in other States have not only imposed a ton-mile tax but imposed it on a wider range than is the case in South Australia.

Mr. Gunn: We're talking about South Australia.

The Hon. D. A. DUNSTAN: The honourable member always wants to talk about South Australia when it suits him to do so, and then he does not want to talk about what his own Party does when in office elsewhere. At other times he wants to differ from that position. When things are different, they are not the same.

The Hon. L. J. King: He didn't take that line with regard to the abolition of land tax.

The Hon. D. A. DUNSTAN: When it came to the abolition of land tax, he wanted us to do what his Liberal colleagues had done in the other States. However, when it comes to the ton-mile tax, he does not want us to do what his colleagues do in the other States where this tax applies: he wants us to do something different. We had a look at the possibilities with regard to revenue and the protection of roads in South Australia. Although there are difficulties about collecting the ton-mile tax and, although it produces several anomalies that we would rather be without, we have so far been unable to devise a satisfactory substitute. The proposal that has previously been put forward as a substitute for this matter would require every motorist to pay an additional registration fee, thus spreading it over the whole motoring public. I do not know that that is something the honourable member would advocate.

The Hon. Hugh Hudson: You might ask him whether he would.

The Hon. D. A. DUNSTAN: If the honourable member suggests that we should do without this area of revenue, it is up to him to show us where we can get a substitute sum of revenue so that we are able to continue to provide the services that his district now enjoys. Otherwise, we will not only lose that revenue and not be able to provide those services: we will also be under bitter and hurtful attack when we go before the Grants Commission.

EDUCATION LEGISLATION

Mr. COUMBE: Can the Minister of Education say whether the Education Bill referred to by the Governor in opening this session will be introduced this session and whether he still intends to introduce legislation to provide autonomy for teachers colleges and to validate the establishment of the Department of Further Education?

The Hon. HUGH HUDSON: The answer to the first part of the honourable member's question is "Yes", and the answer to the second and third parts is the same as the answer to the first part.

RURAL AID

Mr. WARDLE: Can the Premier say whether the Government will consider granting a living allowance to farmers in drought areas? A result of the poor seasonal conditions which have applied in the past and which currently apply has been the creation of another difficult situation for farmers because they have not had a harvest to sell and they have too many commitments to their properties to seek work elsewhere. It is necessary for these people to remain on the land to take care of what stock they have and, as there will be no grain income this year, these people will not receive an income of any size until the next selling of farmers' wool. Many farmers will not have the quantities of wool to sell next year, because they have had to sell their stock this year, and what little income they will obtain will be absorbed by rates, taxes and other normal expenses. However, it will be necessary for these people to have some sort of living allowance until their first cheques arrive in September or October next.

The Hon. D. A. DUNSTAN: There is a little flexibility in the provision of drought relief programmes to meet peculiar circumstances of farmers. It is not necessary for us in South Australia to declare a drought relief area, because the legislation already exists. I suggest to the honourable member that his constituents apply to the Lands Department. Officers of that department will then discuss what facilities are available to those concerned and what assistance can be given in this instance.

CLARE HIGH SCHOOL

Mr. VENNING: Can the Minister of Education say whether the construction of tennis courts at the Clare High School could be completed in time for use during the tennis season? Last Saturday week I was approached by a member of the school committee and asked if something could be done to push this matter along. The new Clare High School has been officially open for 17 months and unofficially open for 17 months plus one month.

Although something may have happened regarding this matter in the meantime, I should like to know whether the courts can be constructed in time for them to be used this season.

The Hon. HUGH HUDSON: I am surprised and astonished that the honourable member has seen fit to ask such a question 11 days after a constituent approached him. However. I am glad that the honourable member did put the proviso that something may have happened in the meantime. I remember the previous occasion when the honourable member asked a question about Clare High School as it resulted in a certain headline in the *Northern Argus* about when the high school would be ready for occupation, whereas the students were already in it. However, to be fair to the honourable member, the list that I had did not indicate that they were already in it, so I was no better informed than the honourable member. I will look into the matter for the honourable member and I hope for his sake and for the sake of his reputation in the Clare district that nothing has happened over the last few days.

REED GROWTH

Dr. EASTICK: Has the Minister of Works a reply to a question I asked regarding reed growth in the upper reaches of the Murray River?

The Hon. J. D. CORCORAN: There has been no specific watch kept on the spread of reed growth along the Murray River but growth has probably increased over the last decade due to the lack of major floods. In the 1956 flood the river flats were submerged for approximately seven months, which would have killed by drowning large areas of reed growth. Floods of lesser magnitude would not have had the same effect and, over the last eight years, there have been no floods that have completely submerged the reeds. For the same reason, due to the lack of reasonable floods, some areas of concentrated silt deposition have occurred but not in sufficient quantities to cause concern. It would not be practicable to control the reed growth by either mechanical or chemical means over large areas.

METRICATION

Mr. COUMBE: Several months ago I asked for and received from the Premier information regarding the adoption of metrication in the South Australian Public Service. The Premier then said that the Metric Measurement Advisory Committee had been established to examine the situation. As some months has now elapsed, can the Premier say what progress has been made regarding the introduction of metrication in the departments of the South Australian Public Service and, if he cannot, will he obtain an up-to-date report on this most important matter.

The Hon. D. A. DUNSTAN: I will get a report for the honourable member.

NORTHERN ROADS

Mr. ALLEN: Can the Minister of Roads and Transport say whether any plans have been made for sealing the sections of the roads passing through the Nepabunna Mission and Lyndhurst in the Far North of South Australia? The main road from Copley to Arkaroola passes through the Nepabunna Mission. This road carries much holiday traffic to and from the Arkaroola tourist resort; consequently, the mission school, store, post office and several homes thereabouts have a dust problem. The small township of Lyndhurst lies in the path of all traffic in the Marree-Oodnadatta area and the Strzelecki Creek track also carries all the traffic to the Moomba gas fields.

The Hon. G. T. VIRGO: I do not have that information with me, but I imagine that it is included in the works programme provided for Opposition members through the Whip. However, if the honourable member would like me to check it, I will.

A.C.T.U. PRESIDENT

Dr. TONKIN: Does the Premier intend to take any action to prevent the grossly cruel action proposed by some Commonwealth Australian Labor Party members, including Mr. Whitlam, as reported in the *News* today, who wish to gag the President of the Australian Council of Trade Unions for the remainder of the Commonwealth election campaign?

Members interjecting:

Dr. TONKIN: As well as being wilfully cruel, such action would seriously threaten Mr. Hawke's wellbeing, which seems dependent on his need to continue opening his mouth, and would, more significantly, remove from the political scene one of the best assets the Liberal and Country Party has ever had.

Members interjecting:

The Hon. D. A. DUNSTAN: The honourable member, in giving credence to a newspaper report of this kind, is being more than a little hopeful and more than a little credulous.

Dr. Tonkin: Wishful thinking?

The Hon. D. A. DUNSTAN: I will not obey the honourable member's request. I appeared with Mr. Hawke on a television programme for the Commonwealth election campaign only last Monday.

Mr. Mathwin: I bet you didn't get a word in edgeways.

The Hon. D. A. DUNSTAN: On the contrary, I think we were a good team, and we fixed Mr. Nixon and Mr. Lynch in short order.

MOTOR VEHICLE OWNERS

Mr. EVANS: Can the Minister of Roads and Transport say whether the method of obtaining details from the Motor Vehicles Department of owners of motor vehicles can be made easier for persons who can prove that they have a legitimate need for such details? A person who cannot employ a legal practitioner, but who wishes to have evidence of the name of the owner of a certain vehicle and goes to the Registrar of Motor Vehicles with a registration number, finds it difficult to obtain the name of the owner of the vehicle. I believe that solicitors have some difficulty, but they eventually obtain the details. If a person signed a statutory declaration stating why he needed the details, and the Registrar believed the request was reasonable, I think that the details should be made available. I ask the question because of a case that has been brought to my attention. A person wishes to justify his claim that he believes that Municipal Tramways Trust buses are parking illegally. He is challenging in a court the right of the buses to park, but he cannot obtain the details directly from the Registrar. That is one example in which a person believes the law has been broken and needs the details to help prove his point.

The Hon. G. T. VIRGO: The Registrar of Motor Vehicles administers the very difficult question of releasing or retaining this information by what I believe is a good arrangement. I certainly would not subscribe to the opinion that people should be able to go willy-nilly to the Registrar and obtain details—

Mr. Evans: Nor would I.

The Hon. G. T. VIRGO: —relating to motor vehicles. One of the biggest problems that has occurred in the past is that some motor car salesmen have been able to obtain information and have then pestered people in order to sell their vehicles to them. Where the information is required for a legitimate purpose it is readily available, as far as I am aware, but if the question is based on the premise (as it seems to be from the explanation) that a person living in Crafers is trying to show that M.T.T. buses park illegally in Victor Richardson Road (the street leading to the Adelaide Oval), I would strongly oppose providing such people with this information, because they need it not for legitimate purposes but for troublemaking purposes. If the honourable member reads the legislation which this House passed, which was agreed to by the Legislative Council, and which has received the assent of His Excellency the Governor, he will know that attempting to gain information for that purpose is a futile exercise.

PATAWALONGA WATER

Mr. BECKER: Has the Minister of Works a reply to my recent question about the condition of water in the Patawalonga Basin?

The Hon. J. D. CORCORAN: Some samples of the water flowing in the Patawalonga outlet (Sturt River and Brownhill Creek) and the Torrens River outlet have been taken from time to time in response to specific inquiries, but not on a routine surveillance basis. The characteristics of such stormwaters derived from urban areas is highly variable and dependent on the time of the year and the pattern of rainfall. There is very good reason to suggest that freshwater outflows from the Torrens River, Patawalonga Creek, and elsewhere may have an effect on the marine environment, and particularly seaweed growth. Aerial photographs show that the boundary of seaweed beds off the metropolitan coastline tends to move away from its normal line in the vicinity of all creeks and rivers, and this may be caused by the inability of certain seaweeds to live in the reduced salinity where the sea-water has been diluted by fresh water

These and other phenomena formed the basis for extending the present marine environment survey to include a study of the effects of all land-based discharges (stormwater and effluents) from metropolitan Adelaide on the marine environment of Gulf St. Vincent. As I announced last week, the survey area extends from Sellicks Beach to Port Prime and should be completed in about two years at a cost of about $75,000. Part of that programme will be the comprehensive monitoring of the various discharges including the Patawalonga Creek and Torrens River outlets.

LOCAL GOVERNMENT ACT

Mr. COUMBE: Will the Minister of Local Government say whether he intends to introduce this session a Bill to amend the Local Government Act, and, if he does, what

form the amendment will take? Hardly a session passes without this Act being amended, and it is an extremely complex measure, as the Minister will readily agree.

The Hon. G. T. VIRGO: The member for Torrens will not be disappointed: the short reply is "Yes".

GEPPS CROSS ABATTOIR

Mr. VENNING: Will the Minister of Works say whether he has conferred with the Minister of Agriculture about trying to improve the present situation at the Gepps Cross abattoir? On October 12, I asked the Minister to confer with his colleague and ask him to try to increase the kill at the abattoir. For three weeks restrictions have been in operation regarding the number of stock permitted to be brought to the abattoir for slaughtering. As I asked my question about a fortnight ago, I expected that something would have happened about the Minister's conferring with his colleague to attend to this serious complication. It is common knowledge that this problem is not new, but I should have thought—

The SPEAKER: Order! The honourable member is commenting.

Mr. VENNING: My constituents thought that by now the matter would have been considered.

The SPEAKER: Order! The honourable Minister of Works.

The Hon. J. D. CORCORAN: As I understood the question, it was whether I had conferred with the Minister of Agriculture about restrictions on killing at the abattoir, and the reply to that question is "Yes".

Mr. VENNING: Because of the seriousness of my question, I direct it to the Premier. Will he take up with the Minister of Labour and Industry the problem existing at the Gepps Cross abattoir because of its inability to handle the present number of lambs to be slaughtered?

The SPEAKER: Order! I ask the honourable member to take his seat. The honourable member has asked a question previously about slaughtering and, considering the substance of the question, I think it should be directed to the Minister of Works. The question is out of order.

HIGH-SPEED HIGHWAY

Mr. GOLDSWORTHY: Can the Minister of Roads and Transport say what plans are in hand to build the new high-speed highway via Millbrook. Gumeracha and Birdwood to Mannum? Reference has been made in the House (I think by the Minister of Works on occasions) to plans for a new high-speed highway past Chain of Ponds. That was given as one reason for buying the township. As the Minister knows, the road is particularly narrow and contains many bends. I receive complaints about the road frequently, particularly the section from Millbrook to Birdwood.

The Hon. G. T. VIRGO: I will obtain a report on the matter.

WATER RATING

Mr. EVANS: Will the Minister of Works say whether the Government intends to introduce legislation this session to change the water rating system and, if it does not so intend, will he say why? Part of a letter written by the Premier in 1970 states:

> I acknowledge your letter of August 3, 1970, regarding water rates. The assessments for water rates were increased before the Labor Government took office.

Of course, since then they have been increased again. The letter continues:

> We are having an inquiry into water rating to see whether we can achieve an altered basis of water rating so that more allowances may be given to people who do not use water on suburban allotments, but it will be some time before that inquiry reports. In the meantime, we are required by the Auditor-General to act on the basis of the existing Act.

We know that for some time the Government has had the report of the committee that the previous Government appointed.

Dr. Tonkin: Hasn't it released that, either?

Mr. EVANS: I am not asking for the release of the report: I am merely asking whether the Government intends to change the water rating system so that we can get a more equitable system and a better use of our natural resources.

The Hon. J. D. CORCORAN: The Government does not intend to introduce legislation this session to change the water rating system, and the reason is that the evaluation now being carried out on the Sangster committee's report is not yet complete. I hope that indicates to the honourable member just how complex this matter is. When he talks of a more equitable method of rating, I should like to know whether he took the opportunity to give evidence to the Sangster committee when it was sitting.

Mr. Evans: No, but make the report available and give us an opportunity to make an assessment of it.

The Hon. J. D. CORCORAN: The honourable member has mentioned a more equitable method of rating. I want to know what he

means by that, but he could not tell us, because he does not know what it is. I am referring to the whole system, country water rating as well as metropolitan rating. Does the honourable member suggest that we adopt the method of paying for what one uses?

Mr. Evans: To a degree you can, yes.

The Hon. J. D. CORCORAN: The honourable member does not know how far to go. Again, he must realize how complex the matter is. When I get the result of the evaluation of the report by officers of my department I will refer the matter to the Treasury, because I think the honourable member would understand that any recommendation would surely affect the financial aspects of water rating, and the Treasury would have to consider that. On receiving the report from the Treasury, it would be for the Government to decide whether to adopt any change in the method of water rating, and at that stage it would make an announcement about any change, necessary legislation, etc. Certainly, we have not yet reached that stage and we will not reach it this session.

DRUGS

Dr. TONKIN: Will the Attorney-General say whether the reported case relating to the supply of marihuana to a prisoner, a convicted drug pedlar, in Adelaide Gaol recently is the only one of this kind to have been detected? Further, will he say whether there is any indication of the source of supply of the drug on this occasion and whether it is considered that the drug was intended for use by the prisoner involved or that it was for an extension of his drug-peddling activities within the gaol? Honourable members have probably seen the report on the front page of today's *News*. This man has been convicted of peddling drugs to university students and presumably, because he is in gaol, he has been classified as a pedlar. Therefore, I ask the Attorney whether there is any suggestion that this person is trying to extend the use of drugs to the Adelaide Gaol.

The Hon. L. J. KING: I will find out whether the information can be obtained.

OSBORNE POWER STATION

Mr. HALL: Will the Minister of Works say why the ratio of persons employed to the decreased output of electricity at Osborne power station at present is so high? Yesterday, in reply to a Question on Notice, the Minister gave information showing that, in 1970, the Electricity Trust employed an average for the year of 481 persons at the Osborne works. In 1972 (three years later), using the statistical tables, I point out that 404 people are employed but that power generation has dropped by 53 per cent. If the same ratio of employees to output is used, the number of employees should be 226, whereas it now stands at 404. Information and complaints have been put to me that there is an uneconomic ratio of employees to output at Osborne and that this has been continued in the face of a deficit in Electricity Trust accounts, it having also been suggested that the management of the trust is deficient. I do not make that as a charge—

The Hon. J. D. Corcoran: You said it.

Mr. HALL: It is a complaint that has been made to me, and the Minister should not be touchy on the subject. Indeed, I ask him not to be as touchy when he replies as he has been when giving other replies—

Members interjecting:

The SPEAKER: Order!

Mr. HALL: —but to reply in accordance with the way I ask my question. Will he say why, in relation to the ratio of the number of man-hours to production at Osborne, the trust is much less efficient today than it was three years ago?

The Hon. J. D. CORCORAN: The member for Gouger is advocating the sacking of—

Mr. Hall: Answer my question and stop playing politics!

The SPEAKER: Order!

The Hon. J. D. CORCORAN: The honourable member says he is not making a charge against the trust, but at the same time is making a complaint, and he is saying that the trust management is lacking in efficiency.

Mr. Hall: Answer it!

The Hon. J. D. CORCORAN: Further, the member for Gouger seems to think that, because there is a decrease in the quantity of electricity generated, the number of people employed should correspondingly be decreased, but I do not know how the honourable member can make that assumption. It is really amazing that he can work it out on that basis, and I suggest that he think again about the matter.

Mr. Hall: What about an answer?

The Hon. J. D. CORCORAN: So far as I am aware, there is a need to maintain the present work force in order to operate the Osborne plant, irrespective of the power output. The honourable member shrinks in his seat and gesticulates, but he proceeds on a

basis that I think is completely and utterly ridiculous. Indeed, I think that if he examines the matter he, too, will realize that his suggestion is ridiculous.

MINING LEGISLATION

Mr. GUNN: Can the Minister of Environment and Conservation say when it is likely that legislation will be introduced to tighten up the Mining Act and to increase penalties in respect of the activities of gangsters now operating at the Coober Pedy opal fields? I recently introduced a deputation to the Minister, who gave the people concerned a favourable hearing, and I appreciate that. The Minister intimated at the time that the Government was preparing legislation.

The Hon. G. R. BROOMHILL: I am aware of the problem to which the honourable member refers. It is intended to introduce legislation this session with a view to solving it. The draft Bill is currently being considered, and I hope that the measure will be introduced within the next two or three weeks.

SAND BARS

Mr. BECKER: Will the Minister of Environment and Conservation have the Coast Protection Board investigate the feasibility of installing a by-pass sand pump on the groyne at the Patawalonga outlet? I understand that the sand bars that have formed at the end of the groyne are at present the largest and most dangerous that have ever formed there. I also understand that work commenced this morning on removing about 10,000yds. of sand south of the groyne for the purpose of starving the sand bars but that this work will not obviate the danger of sand bars forming in future, it has been suggested that the installation of a sand pump might solve this problem once and for all.

The Hon. G. R. BROOMHILL: The honourable member has probably noticed that, generally speaking, considerable work has been done along the foreshore and beaches in recent months in an endeavour to have the foreshore in a proper condition for the summer months. During the last 12 months, $400,000 has been spent in an attempt to create the desired conditions. The problem to which the honourable member refers has already been considered by the Coast Protection Board. In fact, the Culver report drew attention to the need to pump sand around the groyne. I am not sure to what extent consideration has been given to purchasing the necessary equipment for this purpose, but I will have the matter examined and see what further information can be obtained for the honourable member.

UNEMPLOYMENT RELIEF

Mr. GOLDSWORTHY: Can the Premier say how successful is the scheme of giving money to metropolitan councils in order to relieve unemployment in the metropolitan area? A press report in the last day or so indicates that a spokesman for one council claims that people are not being employed and that the council in question has not succeeded in recruiting personnel to work for the council. As other similar reports have been made, I ask the Premier how successful the scheme has been and whether the report in question indicates that unemployment does not seem to be as acute in some areas as we are led to believe it is.

The Hon. D. A. DUNSTAN: The honourable member was obviously not in the House when I replied yesterday to a question on this subject. In fact, many jobs have been created and filled under the scheme. I will get a report for the honourable member on the precise number employed. I know that within my own district people have been employed under this scheme who had previously experienced difficulties in obtaining any sort of employment at all. However, I will get a report on the number of jobs so far created.

SCHOOL BUSES

Mr. BECKER: Has the Minister of Education a reply to my recent question about the maintenance of buses purchased by school committees?

The Hon. HUGH HUDSON: In November last year, I approved a policy enabling schools to purchase vehicles to be used principally for transporting various items of equipment about schoolgrounds. Since then several requests have been received from schools involving the purchase of vehicles intended for use on the roads, and a new policy decision to cover these vehicles became necessary. This policy was determined in August of this year when it was decided that any such vehicles purchased by a school council or committee would be registered and insured by that body which would also be required to accept all maintenance and running costs. It has been and is the policy of the department to accept responsibility for maintenance of equipment supplied by the department, purchased under subsidy or grant, or purchased entirely from school funds. Exceptions to this policy are

canteen equipment, and tractors, mowers, utilities and other equipment used for the maintenance of schoolgrounds for which a specific maintenance grant is already provided.

MULGA PARROT

Mr. GUNN: Has the Minister of Environment and Conservation or his department considered providing extra rangers in an endeavour to stop the illegal activity of people who are poaching rare species of bird in the North-East of the State? A constituent; of mine recently told me that he had caught a person who was setting nets on a dam on my constituent's property. This person was trapping a rare species of bird, namely, the mulga parrot, this bird being valuable overseas. This person and his associates had been planning to sell the birds overseas, as they had done previously. In view of these circumstances, will the Minister consider having his department take steps to make it more difficult for this poaching to take place?

The Hon. G. R. BROOMHILL: We continually look at ways of making it more difficult for these illegal activities to take place, and the provisions of the National Parks and Wildlife Act and its regulations will help in this regard. We are considering the matter of our ranger staff. However, as the catching of these birds takes place in such remote areas, it is most difficult to have enough rangers available to police all the areas where such activities can occur. I am interested to hear of the case referred to by the honourable member.

Mr. Gunn: I'll give you further information.

The Hon. G. R. BROOMHILL: Landholders and other people who live in these areas and who are interested in wild life can help by keeping a watchful eye on these illegal activities. Perhaps this is the most effective means we have of dealing with this problem.

MATHEMATICS COURSE

Mr. GOLDSWORTHY: Is the Minister of Education satisfied that the mathematics course introduced in primary schools some years ago has achieved what it set out to achieve? An interesting article is written in this month's *South Australian Teachers Journal* by Mr. J. Murrie, of former Royal Commission fame.

Mr. Curren: He's the Headmaster of Barmera Primary School.

Mr. GOLDSWORTHY: Yes. He says in his article that there should be some rearrangement of priorities with regard to this maths course. The article is fairly well reasoned. Without expressing my view on the matter, I ask the Minister whether his officers are satisfied about this course.

The Hon. HUGH HUDSON: I wonder why the honourable member is not willing to express a view of his own.

HORSE-RACING

Mr. BECKER: Has the Attorney-General obtained from the Chief Secretary a reply to my recent question asking for an inquiry into horse-racing?

The Hon. L. J. KING: My colleague states that the Government is at present considering various matters affecting the racing industry. No decisions have been made as yet.

TRANSPORT MUSEUM

Mr. HALL: In view of the dedication of those people who have formed the Adelaide-based Australian Electric Transport Museum at St. Kilda and in view of their difficulty in obtaining a Birney tram from Bendigo, can the Minister of Roads and Transport say whether an approach has been made to him on the matter and, if it has, whether he will help this society to get this tram so that it may be shown for historical interest at St. Kilda? If successful in his overtures, this would serve to remind the Minister of the many areas of neglected responsibility he has in this State.

The Hon. G. T. VIRGO: I congratulate the honourable member on playing such a prominent role in the House today. As we have missed him during the past six months, it is nice to see him back here doing some of his Parliamentary work. I also want to congratulate him on finding at last a question that he could ask me, but it is a pity that it did not have some substance. This is a matter for negotiation by the Adelaide-based Australian Electric Transport Museum (that is its title, according to the newspaper). The museum has its headquarters at St. Kilda, which may have been in the honourable member's old district—

Mr. Hall: It was.

The Hon. G. T. VIRGO: I have had contact with this group once or twice. However, in this case the negotiations are between the city of Bendigo, which I understand owns the tram, and this organization. No approach has been made to me and, even if an approach is made to me, I do not know whether I would be justified in approaching the city of Bendigo, other than through my colleague the Minister of Transport in Victoria.

Mr. Hall: He's already been named in this issue. I thought you could do something.

The Hon. G. T. VIRGO: I do not run around trying to influence other people, as does the member for Gouger. The honourable member has been doing that unsuccessfully for the past six months. Perhaps he should now have learnt his lesson not to go on with that rather futile exercise, because the further he goes the further behind he gets—

Members interjecting:

The Hon. G. T. VIRGO: —and when the member for Rocky River starts agreeing with me I think we are on a pretty good tram.

KAPUNDA SCHOOL

Dr. EASTICK: Will the Minister of Education obtain a report on the stage reached in negotiations for the acquisition of a parcel of land adjacent to Kapunda Primary School? This land is required for the completion of the school oval. This matter has been discussed with officials of the Education Department over a long period and negotiations were commenced with the parties concerned; but, as the school committee has found it difficult to obtain information on the stage the negotiations have reached, it cannot determine its policy on the preparation of the oval area.

The Hon. HUGH HUDSON: I am interested to see the honourable Leader competing with the member for Gouger as to who can ask the most questions.

Members interjecting:

Mr. Venning: Order!

The Hon. HUGH HUDSON: I think, Mr. Speaker, that the member for Rocky River seeks to take a point of order.

The SPEAKER: Order! Does the member for Rocky River seek to take a point of order? I heard him sing out "Order". What else could the honourable member be doing?

Mr. Venning: I merely—

The SPEAKER: Order!

The Hon. HUGH HUDSON: I shall be pleased to obtain a report for the Leader on the matter he has raised and bring down a reply as soon as possible.

IRRIGATION SPRAYS

Mr. RODDA: Has the Minister of Roads and Transport a reply to my question of October 17 regarding drift from irrigation sprays used on properties adjacent to highways?

The Hon. G. T. VIRGO: When the honourable member asked this question I said I thought that the matter was covered in legislation. The appropriate reference is section 108 (1) (6) of the Road Traffic Act, which provides:

> A person shall not deposit on a road any article or material likely to damage the surface of the road or to cause damage to vehicles or injury to persons . . . Penalty $100.

Subsection (3) defines "material" as "including substances of all kinds whether solid or liquid". It is considered that, should the use of an irrigation spray create a dangerous situation by making the road surface slippery or by obscuring visibility, action could be taken by the South Australian Police Department, under the provisions of section 108 of the Road Traffic Act, against the person responsible for the operation of the spray.

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

The SPEAKER: Call on the business of the day.

LAND ACQUISITION ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Land Acquisition Act, 1969. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

It represents a major advance in the law governing the acquisition of land by public authorities. In this matter, as in many others, South Australia leads the Commonwealth. The Land Acquisition Act provides in general terms for the acquisition of property upon just terms. This means that, where a landholder is dispossessed of property, the law requires that he should receive fair compensation for the value of that property and also compensation for any disturbance that he has suffered as a result of the acquisition. These principles do not, however, cover one very important aspect of land acquisition. There are cases where the property to be acquired has been used as a residence by the person from whom it is acquired for many years. The property may not, however, have a market value commensurate with its value to a dispossessed owner or tenant as a place of residence. An old home in Bowden would not perhaps realize a great deal on sale but it may nevertheless constitute a satisfactory residence for those who have lived in it and who have grown used to it. If the property is acquired, the Government feels that a provision should be made to ensure

that the present residents are re-housed in a satisfactory social environment. There may also be other social problems arising from the acquisition. For example, a resident may be subject to some kind of disability, and his present place of residence may be very suitable for a person subject to that disability. Therefore, if the residence is to be acquired, there should be provision to ensure that this kind of social problem can be overcome in a proper manner.

The Bill solves problems resulting from the acquisition of land by public authorities by establishing a committee that will exercise a general oversight over social problems arising from land acquisition. The committee is to consist of five members, appointed by the Governor, of whom the Chairman is to be a person nominated by the Minister of Community Welfare. In addition, the committee will comprise nominees of the Treasurer, the Minister of Roads and Transport, the Minister of Lands and one other person appointed because of his specialized knowledge of and experience in matters of housing. Where a public authority has served notice of its intention to acquire land that constitutes or forms part of a dwellinghouse any resident of that dwellinghouse may apply to the committee any time before, or three months after, the date of acquisition for assistance under the new provisions. The application must set out the grounds on which the assistance is sought and the nature of and extent of the assistance that the applicant requires. The committee is vested with the duty of investigating the application and, after it has done so, it is empowered to make arrangements with any department or instrumentality of the State, or with any other person or body of persons, by means of which the applicant will be assured of proper accommodation in a satisfactory social environment. The committee may also recommend that a grant of money or other financial assistance be given to the applicant so that he can overcome other social problems with which he may be confronted as a result of the acquisition. Any such proposal made by the committee is to be submitted to the Treasurer for approval. Where the committee's proposal has been approved by the Treasurer, the acquiring authority becomes liable to pay any amount required to implement or give effect to the approved proposal.

The provisions of the Bill are as follows: Clauses 1, 2 and 3 are formal. Clause 4 inserts a new Part IVA in the principal Act. This new Part provides for the establishment of the Rehousing Committee. It sets out the various conditions under which members of the committee shall hold office. It provides that the committee may make use of the services of public servants, or officers of the Housing Trust, for the purpose of assisting it in discharging its functions. New section 26g included in the new Part sets out the right of a person who loses his place of residence as a result of acquisition to apply for assistance under the new provisions. The assistance will, of course, be additional to any compensation to which he is otherwise entitled under the principal Act.

Mr. EVANS secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (ALCOHOL)

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1972. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

Its purpose is to reintroduce, with certain minor modifications, the provisions of a Bill introduced into Parliament earlier this year. The Bill is an important measure designed primarily to ensure that adequate statistical evidence is available to assess the importance of alcohol as a causative factor in road accidents. The major provision of the Bill consists of a new provision under which a medical practitioner is required to take a sample of blood from any person apparently over the age of 14 years who attends at or is admitted into a hospital after a road accident. After the previous Bill had lapsed, the Government established an *ad hoc* committee to advise it upon the adequacy of the provisions proposed by that Bill.

The committee comprised Mr. D. A. Simpson, Dr. Robert Hecker, Dr. P. R. Hodge, Supt. J. B. Giles, Mr. L. K. Gordon (Crown Solicitor), Mr. John Perry (representing the Law Society of South Australia), and Mr. M. C. Johnson, with Dr. Donald Beard, who was Chairman. I should like to acknowledge the Government's debt to these gentlemen who went to a great deal of time and trouble to examine in detail the implications of the previous measure, and to bring their own extensive experience to bear upon aspects of

the proposed legislation in which some modification was desirable. The committee was in general agreement with the major principles of the Bill, and made certain recommendations on ancillary matters which have now been incorporated in the present measure. For example, the committee recommended that the compulsory blood test should be extended to all victims of road accidents who are apparently over the age of 14 years, instead of the previous provision that only the driver of the motor vehicle involved in the accident should be subjected to the test. Thus the degree of intoxication of pedestrians who are run down by motor vehicles will also be subject to assessment.

The Bill also provides for the administration of alcotests by members of the Police Force. These are screening tests which may be conducted in the field by members of the Police Force, so that they can ascertain whether the degree of intoxication of the driver of a motor vehicle justifies requiring him to submit to the more accurate breathalyser test. The alcotest is given no evidentiary value by the Bill; it is merely used to prevent a driver being submitted to unnecessary trouble where he has been apprehended for careless driving, or has been involved in an accident. The Bill also makes a number of other amendments of a technical nature to the principal Act.

The provisions of the Bill are as follows. Clauses 1 and 2 are formal. Clause 3 repeals and re-enacts section 47a of the principal Act. The purpose of this amendment is to insert a definition of an "alcotest". Clause 4 amends section 47b of the principal Act. This section relates to the offence of driving with the prescribed concentration of alcohol in the blood. The purpose of this amendment is to provide that, when the court is determining whether an offence is a first, second, third or subsequent offence for the purpose of determining penalty, previous offences of driving under the influence of liquor or refusing to obey a requirement to submit to a breath test shall be taken into account as previous convictions.

Clause 5 repeals and re-enacts section 47e of the principal Act. The purpose of this amendment is to enable a member of the Police Force to require a driver to submit to an alcotest or a breath analysis where the driver has behaved in a manner that indicates that his ability to drive a motor vehicle is impaired, as he has been involved in an accident. Where a driver refuses to submit to an alcotest or breath analysis the new section provides for compulsory minimum periods of disqualification to be imposed by the court. These minimum disqualifications are necessary because of legal difficulties that have been raised by the courts in assessing the period of disqualification where there is no direct evidence of intoxication, but the driver has merely refused to submit to the test.

The new section contains a provision that previous convictions for drunken driving or driving with a prescribed concentration of alcohol in the blood are to be taken into consideration as previous offences when assessing the punishment to be imposed for refusing to submit to an alcotest or breath analysis. Clause 6 makes a consequential amendment to section 47f of the principal Act. Clause 7 amends section 47g of the principal Act. The amendments are inserted to overcome problems that have been experienced by the courts in interpreting the expression "*prima facie* evidence", which was previously used in the section. Clause 8 makes a consequential amendment to section 47h of the principal Act, enabling the Governor to approve apparatus for the purpose of conducting alcotests.

Clause 9 enacts new section 47i of the principal Act. This new section provides that, where a driver attends at or is admitted into a hospital for the purpose of receiving treatment for an injury sustained in a vehicular accident, the medical practitioner by whom he is attended must take a sample of his blood. The sample is not to be taken where it would be injurious to the medical condition of the patient to do so. The medical practitioner is not obliged to take a sample where the patient objects to the taking of the sample and persists in that objection after the medical practitioner has informed him that, unless his objection is made on genuine medical grounds, it may constitute an offence against this section. Where the patient is dead on arrival at the hospital a sample of blood is to be taken from the body of the deceased person.

The medical practitioner is obliged to divide the sample of blood into two equal portions, and make available one container of blood to a member of the Police Force and one to the person from whom the blood was taken or, if he is dead, a relative or personal representative of the deceased. A notice must be attached to the container that is forwarded to a member of the Police Force. This notice must contain details of the time at which the sample of blood was taken and, upon analysis of the blood, the pathologist

must endorse certain information on the notice, including a statement of the amount of alcohol found to be present in the blood. A copy of the completed notice is to be sent to the Commissioner of Police, the medical practitioner by whom the sample of blood was taken, and the person from whom the sample of blood was taken, or, if he is dead, a relative or personal representative of the deceased. This notice is to be available in legal proceedings (subject to the discretion of a court to exclude it from evidence on the grounds that it is not relevant or that its probative value is outweighed by the prejudice that it could cause to the defendant) as evidence of any fact stated in the notice.

Dr. TONKIN secured the adjournment of the debate.

CONSUMER TRANSACTIONS BILL

Adjourned debate on second reading.

(Continued from October 10. Page 1891.)

Dr. EASTICK (Leader of the Opposition): In contradistinction to a measure that we considered yesterday, there is a marked secrecy or cloak of quiet about this Bill. Its effect is far reaching and it follows from the Rogerson report. As the Attorney has properly said in his explanation, the Bill is up-dated by evidence in another State of Australia and in the United Kingdom. It is difficult to determine whether the quiet that has prevailed is one of forced requirement, whether there has been a suggestion that, if an organization vitally interested in this measure makes its representations to both sides of the House, that may cause the measure to founder, or whether it is thought that alterations suggested and representations submitted by the organization would not be considered.

I say without hesitation that, invariably, when a query has been made by people who will be affected by this measure, there has been a suggestion to talk to Mr. X, who tells them to talk to Mr. Y. Then Mr. Y says that there is no comment, that representations have been made to the Government and there is no further comment to be made. Discussion on this whole subject of consumer protection has been one of considerable quiet and variable attitude by the people involved from the time when it was first brought forward. A leading article in the *News* of August 14, 1969, when the Rogerson report was first submitted, states:

> Is report too hot to handle? Since its release, it has set financial circles abuzz, but public debate has been markedly cautious.

The report indicates that South Australia was the first to release the findings of the Rogerson committee and that the other States had been reluctant to follow suit. It states why and at whose request the report was prepared. Since I have been a member of this House, several measures that the Attorney-General has introduced have related back to the Rogerson report. The documentation associated with that report comprises more than 400 pages and at page 366 there is a letter dated October 31, 1967, from the Australian Consumer's Association (the publishers of *Choice)* to the Attorney-General in South Australia.

Page 368 contains a suggestion to the committee by this organization of several areas to which consideration may be given and on which the committee may seek information from other sources. The first matter mentioned is that all transactions should be protected. I do not think any member is against this but, as has been pointed out many times, affording the protection that many consumers require invariably places persons who supply the consumer article in a position of having to finance the operation in a more expensive way than otherwise would be the case. Invariably, the consumer will pay.

Doubtless, the provisions of this Bill will cost everyone in the community who is involved in the transactions more for the service or the product he requires. If that does not apply immediately, it will apply soon. We cannot take away from the present system the opportunity to finance part of the operation by commission from suppliers or other persons and still allow the consumer article or service to be sold at the same rate. If we remove from the person making available the services or the goods part of the return to him by commission or other means, in the long term the consumer must be responsible fully for the undertaking and the overheads of the product. The part of the report to which I have referred states:

> Any form of readily intelligible contract will do, as long as it is entirely subject to and in conformity with consumer-protection law.

We can accept the second part of this statement. If we desire conformity with protection law in the overall sense, the measure before the House explodes the first part of the statement by the consumer organization, because, as the Attorney states in his explanation, it is intended to simplify and minimize to the greatest extent possible the number of legal documents that apply to general consumer transactions. I agree with the Attorney that the double talk, the small print and the volume

of words on some documents have done nothing in the past to tell the consumer the intent of the contract. The next statement by this organization is as follows:

All transactions should be protected by provisions at least as favourable to the consumer as those operating at present. There should be no exclusions, and the rights of the consumer should be expanded as far as possible.

Here again, the view is put that the consumer should receive more and more, and the inference drawn could be that it is for less and less. I think everyone in this House realizes that that is not a proposition, because, if the consumer is to get more, he will pay more. This will not apply where an organization has actually been set up to fleece the people with whom it deals, but in the general transactions involving a good consumer-supplier relationship, as in the case of retail and wholesale trading in this State, the more opportunities provided for the consumer, the greater the price he will have to pay. Some of the suggestions made in the report to which I have referred have been implemented in other legislation and undoubtedly more will be implemented in future. Although the Rogerson report does not specifically relate to this Bill, it contains a wealth of information and details of various transactions, and at page 98 the following statement is made in the conclusion:

The need for consumers to have information about consumer credit contracts has been established.

Members will agree with that comment, if they agree with nothing else. The statement continues:

In order that consumers are able to make a rational choice, they should be told:

(1) the cash price of the goods;

(2) the effective rate of interest per annum, compounded once per annum, charged if credit is allowed;

(3) the absolute amount of the interest, or credit charges; and

(4) the repayment terms (the deposit and the number and amount of the instalments).

It has been shown that, provided instalment contracts allow for equal repayments and the repayments are evenly spread over the life of the contract, the disclosure of the effective rate of interest is usually quite straightforward. Tables have been prepared to facilitate this for each of the forms of consumer lending which exist in Australia.

Because of a reticence and a reluctance on the part of many people in the various organizations concerned to say much about this matter, this will be basically a Committee Bill. Indeed, some of the 50-odd clauses will be difficult to understand without an explanation by the Attorney-General. In explaining the measure, the Attorney-General said:

The philosophy behind this measure is that consumer transactions should be governed by legislation that encourages forms of legal transactions which are simple and which accord with the commercial substance of the transaction.

That cannot be disputed. However, I wonder whether the term "philosophy" is a little misapplied here. I do not think we can ignore the fact that some people in the community will try hard to obtain something, whether the transaction in question is a simple or difficult one. The important thing is that many consumers demand certain goods and services, quite apart from the Government's idea of providing consumer protection, and those people will ignore the basic philosophy outlined by the Minister. I am intrigued by certain figures arrived at in connection with this measure, and I refer especially to the arbitrary sum of $10,000. When replying to the debate, the Attorney-General will, I hope, say why that sum, rather than some other sum, was determined.

Although this matter may have been thoroughly canvassed, it does not necessarily follow that $10,000 is the appropriate sum; indeed, it may be unrealistic, when we bear in mind the number of press reports relating to people experiencing difficulty with transactions involving considerably more than $10,000. Further, a period of four months seems to have been arbitrarily determined, and the Bill will not apply to certain transactions where the term of the contract is less than that period. I wonder whether this is designed simply to cover the normal 90-day contract that applies in the case of trading conducted by retail stores and to exclude such trading from the ambit of this measure. There may be some other reason for deciding on this period, but perhaps the Attorney-General can reduce the time taken in Committee by explaining this matter when he replies to the second reading debate.

Bearing in mind the various definitions provided, such as those of "consumer contract" and "consumer credit contract", which involve a duplication of words, I point out that some people who will be closely associated with these matters will have difficulty in interpreting such definitions, some of which superficially appear to be the same. The Attorney-General said that the net was considerably widened by the definition of "consumer contract", stating:

The definition of "consumer contract" breaks new ground by including contracts for services and contracts for the hiring of goods that do not confer any right or option of purchase on the consumer. No legislation has hitherto regulated transactions of this kind.

Under these provisions, will we be responsible for increasing the confusion that already exists in the minds of members of the public? I do not put that forward as a direct criticism, but I point out that what the Attorney says will be simple about these measures may not turn out to be so simple in practice. Referring to clause 7, the Attorney-General said:

Clause 7 provides that where a consumer enters into a contract with a supplier and the supplier knows that the consumer intends to seek credit for the purposes of performing his obligations under the contract, the consumer may rescind the contract if he is unsuccessful in obtaining credit, even though the goods may have been delivered to the consumer by the supplier.

This is another area in which overhead will be involved so that the supplier does not suffer. When a person has been unable to obtain credit obviously he cannot go on with the purchase, and there will be an area of dispute. However, I do not believe it is in the best interests of this legislation that no financial liability should fall on the person who obtains the goods to make good to the supplier, who in all sincerity has made the goods available, any losses that may be incurred. From what the Attorney said in his explanation, I infer that there will be no charge against the person who has obtained the goods if he finds that he cannot obtain credit. Clause 8 (5) refers to the term "merchantable quality". The Attorney-General said:

Subclause (5) is a new provision designed to ensure that the criterion of "merchantable quality" is sufficiently flexible to cover both new and secondhand goods.

I believe that it is advisable to refer to secondhand goods in this Bill. However, I wonder whether we can simply define "merchantable quality". Surely if a person is willing to purchase a commodity that commodity is merchantable, even though it may be broken or not serviceable. Even though a commodity requires considerable repair, if a person is willing to purchase it, it must have some merchantable quality. I should like the Attorney to say later how what is merchantable will be decided. It seems impossible to use a word such as "reasonable" to define this. Although I know that such a reference is constantly used in legislation, the Attorney will accept that invariably such terms make it difficult for people who have to work within the scope of legislation. The Attorney said:

The flexible condition envisaged by the Bill is thus a significant advance on existing law.

I agree with that. Clause 29 requires the mortgagee to retain possession of repossessed goods for at least 21 days before selling them. The fact that goods which have been repossessed have to be looked after for that time will undoubtedly afford protection to the person from whom the goods are being taken. However, if merchants must look after goods for this much time, they will have to allow within the scope of their contracts some means whereby they can cover themselves in relation to providing space in which to house the goods, insurance for the goods, and so on. Therefore, here again some form of overhead will be involved that will inevitably tend to force up the price. If merchants are unable to sell these goods in a shorter time, they may be faced with a situation in which the goods are likely to deteriorate, so that they must cover themselves in this regard. Clause *48* requires documents under the Bill to be clear and legible. A similar provision is made in other legislation that we will consider almost simultaneously with this Bill. The Attorney said:

Where any written contractual provision does not meet the prescribed standards of legibility, it is not enforceable against a consumer. This provision does not, however, prevent the recovery of principal amounts advanced under a credit contract.

I fully appreciate the need for a legible contract. Acting on behalf of constituents, I have come across documents that have been patched up, crossed out, over-written, and mutilated in other ways, so that any person who was not present when the contract was compiled has no chance of knowing clearly what is stated. However, I should like the Attorney to say whether this provision will apply only to the top copy or whether carbon copies of contracts will also be required to be legible.

I realize that all documents should be capable of being read, but I point out that in practice we must consider how many documents will have to be altered so that they are legible. There can be variations in cases where, although documents are filled out consecutively, they are not filled out simultaneously. If several documents must be altered, again the question of cost arises. It may be that the availability of photo copying machines and other copying methods will enable the requirements of this clause to be complied with.

Although this may appear to some members to be a trivial matter, I think it is necessary for us to have a clear indication from the Attorney and the Government of what is required. Suppliers who tell a purchaser that credit may be available and who indicate where he may be able to obtain it expect to receive a percentage of the average cost to the purchaser. If this system is to be eliminated, a loss will be suffered by persons who sell motor vehicles. Documents have been made available to me by the Deputy Leader showing that the return on a Holden motor vehicle, a popular make, to an organization that sells large numbers of those vehicles has been as low as 68c a vehicle. This firm has been able to stay in business only because of the commission it has obtained from the finance and insurance companies involved in the transactions.

If it is intended, as I think it is, that this form of commission will not be permitted to the person who has directed the consumer's attention to the finance company or the insurance company, the consumer will have to pay more for the services he receives, because he will be totally responsible in relation to overheads and the profit allowable to the supplier.

I agree with the principle that not only the supplier but also the supplier to the supplier should be responsible regarding the transaction. This will make the supplier to the intermediary much more responsible for the product he makes available. It also means that the average cost structure from the wholesaler to the intermediary is likely to rise, the increase being passed on to the consumer. I have kept referring back to the fact that conceivably there will be an increase in cost to the consumer. We must be mindful in all measures dealing with consumer protection that increases in costs could be a major disadvantage. I support the second reading.

Mr. McRAE (Playford): This Bill must be read in conjunction with the Credit Bill. In 1960 the first consumer protection Bill of any magnitude was introduced into this Parliament: I refer to the Hire-Purchase Agreements Act. That Bill was greeted with tremendous alarm by the commercial community, whose spokesman said that the effect of the Bill on costs would be outrageous and that the concepts embodied in it were frightening, as members of the commercial, industrial and legal professions will vividly remember.

The two Bills on the Notice Paper are of great importance in mercantile law not only to South Australia but throughout Australia, as they will have the effect of rewriting large sections of the textbooks regarding consumer transactions. It is noticeable that, notwithstanding the magnitude of the effects of these two Bills, there has not been any major submission from commerce and industry regarding them or, if there has been, members and the public generally have not been made aware of that submission. I therefore believe that the philosophy of proper consumer protection has been generally accepted throughout the community, has complete community support, and, I am pleased to say, has been supported by the commercial world as well.

The same comment was made today by the Leader as was made 10 years ago regarding the Hire-Purchase Agreements Act: that it would affect costs. The answer is simple: there will be no imposition of costs on the consumer as a result of this legislation, for two reasons. First, as applied to the legislation concerning secondhand motor dealers (the Unfair Advertising Bill, indirectly, and the Secondhand Motor Vehicles Act, directly), this Bill will have the effect of putting out of business the shonky operator.

Therefore, if the matter is looked at on a community-wide basis, whereas people were once losing thousands of dollars to the shonky operator, that problem will now be virtually eliminated. Members will recall that this is exactly what happened when legislation dealing with secondhand motor vehicle dealers was passed last year: the shonky operator was forced out of business.

Mr. McAnaney: What percentage?

Mr. McRAE: At least one wellknown operator went out of business. I do not want to refer to the company concerned. More than one operator went out of business. However, the remaining 90 per cent of reputable commercial houses can comply with the requirements of that legislation without any added cost being borne by the consumer. That was the only point that the Leader made against this Bill in giving it his general support, and that is just not a valid point. I again stress the major importance of this Bill, because at least 11 different forms of consumer credit are at present available. This is a complex situation. Members may believe that this Bill, which is admittedly technical and difficult to read, is bad enough, but it is simple compared to the law surrounding the 11 different forms of consumer credit that currently exist. Therefore, I welcome this Bill both as a legal practitioner and as a consumer.

Some of the important provisions contained in the Bill include the use of a tribunal, which can examine the merits of a contract rescinded by the consumer. It is difficult to speak about the tribunal without referring to the Credit Bill, which sets up the tribunal. The consumer, instead of being faced with the difficult task he now has when trying to rescind a contract and then recover through the normal course of the law, can now place the whole situation before the tribunal and obtain rectification, which is all he wants.

Rectification of a situation up to now has been the technical concept applying in certain areas of contract law, but now rectification can be obtained without having to rely on damages and more complicated remedies. It should be noted that the consumer is not placed in the difficult position of trying to unravel the situation in which he has a contract with one person to supply goods and services and a linked contract with another party to supply credit. Instead of the consumer being placed in the position where he may have to commence two separate proceedings in order to obtain remedies (one with the supplier and one with the credit dealer), now each one is linked with the other.

The Bill is characterized by these innovations: first, the Hire-Purchase Agreements Act, which was considered revolutionary in 1960, is now considered to be not far-reaching enough; secondly, it is marked by a determination, which will be a reality, to simplify legal transactions in this State for the consumer and reduce the supervision of at least 11 different sorts of consumer contract into one form of supervision; and thirdly, to give the consumer access to a tribunal that can give him rectification in a simple way. This is a Committee Bill, as the Leader said, but only in the present climate: it would not have been a Committee Bill several years ago when the Labor Government first came to power. Then it would have been bitterly contested by commercial houses, and particularly by shonky dealers who have something to gain under the present law. Public opinion has been educated by the changing laws, and this Bill will be received with acclamation and without attack.

I see the Bill as being the end of the beginning of consumer protection, rather than the beginning of the end. It will be linked with the Credit Bill as being the completion of the major consumer protection promises made by this Government, and it reflects great credit on the Government and on the Attorney-General. I do not see it as an end of consumer protection legislation, but rather as the end of the first phase. I see a massive new phase opening in the future, where we will require that adequate protection is given to all parties and a fair balance is maintained within the law. As with all consumer protection measures, this Bill is characterized by the determination to make the balance between parties fair, and to acknowledge the realities that in a complex commercial world the small consumer is at a disadvantage in competing with the supplier of goods, services or credit. It gives him a fair go and gives the supplier of the goods, services, and credit a fair go, and helps the community. I support the Bill.

Mr. MATHWIN (Glenelg): I support the second reading of the Bill, which concerns me greatly. As my Leader said, it will cause extra costs to the people of this State. Even the Attorney-General must realize that: he is not hitting at the tall poppies, because they are not the people affected. The little people will be more affected by the provisions of this Bill. The member for Playford waltzed his way through his speech and said that we are unduly concerned about costs and that we are worrying about nothing. I remind the honourable member that there is much to worry about in the spiralling of costs in this State. The member for Playford again brought out his main punchline in that the Bill would do away with the shonky dealers. It seems that we are getting shonky in everything.

Last evening we considered a Bill aimed at the shonky land broker and shonky land agent. The member for Playford said that this Bill is the end of the beginning and not the beginning of the end, but this phrase needs some definition. Perhaps it is the end of the beginning of Labor Party rule in this State, and that is more than possible. Perhaps with this protection racket we will finish up eventually, as the member for Playford may desire us to, in the law office and perhaps have dealings with shonky law operators, if there are any. Clause 20 provides:

> Where a credit provider pays any commission to a supplier in respect of any application for credit referred by the supplier to the credit provider, the credit provider and the supplier shall each be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

This clause will cost the people of this State plenty of money, because the consumer will have to pay and the money must come from somewhere. I agree that much money in the motor vehicle industry comes from kickbacks, whether from insurance companies or from

finance corporations. I believe sincerely that this money from kickbacks to people in the motor vehicle industry is passed on, to a large extent, to the purchaser. I know that, in the 12 months to June 30, 1972, one firm received finance company rebates of $9,426 and insurance company rebates of $909, a total of about $10,300, whilst in the same period it had a repossession loss of $10,357. Therefore what will happen is obvious: the money must be provided from somewhere.

Why is there to be no commission payment to agents? People who deal in motor car insurance particularly must come into the category of insurance agent, and an insurance agent is paid between 10 per cent and 20 per cent on transactions. The agents of an insurance company do all the work and draw up the claim and other insurance forms, and they are paid a commission for the service rendered. I suggest that that applies also to people dealing in motor vehicles. If they are working on between 10 per cent and 20 per cent, they would be getting payment for only their services.

I do not think there would be any objection to a rebate of about 10 per cent being paid, and the advantages would be passed on to the consumer. These motor car companies must offer a guarantee and pay insurance for 12 months. In many cases, this insurance is taken out through the finance companies and the firms would have to carry the finance for at least 12 months. I understand that some repayments are as much as 90 days late, and the firms must stand this waiting period.

I wonder whether the Attorney has contacted the Royal Automobile Association about this matter and I also wonder how involved that organization is, because it passes on as much as possible of its business to Lloyds, which is registered here as Edward Lumley and Sons (South Australia) Proprietary Limited. I wonder how much revenue is passed on to the ordinary man who has only one motor car. These advantages are passed on to this type of person, and I wonder to what extent the Bill will affect the R.A.A. The firms that deal mainly in a large turnover of vehicles probably make more money from kickbacks, but I do not think there is anything wrong about making a profit.

Because of measures that have passed through this Chamber, overheads have been increased in such matters as long service leave. Further, we all know that the labour cost is spiralling every day. The small man must pay. Whilst I am dealing with the motor vehicle business, I point out that $10,000 would be nothing in the commercial vehicle field. It would be nothing to any long-distance driver who bought a truck. Many of these people are subcontractors who conduct their own business, and the advantages given by the organizations enable the organizations to pass on benefits to the man in the street. Accordingly, the amount given when a motor car is traded in is increased. If payment of the commission is stopped the purchaser will have to pay the full amount. On these grounds, I support the second reading, because there is much good in the Bill. However, much work needs to be done on it and it ought to be amended. I think the main debate will be in the Committee stage. I ask the Attorney to note the points that the Leader and I have raised.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

CREDIT BILL

Adjourned debate on second reading.

(Continued from October 10. Page 1887).

Mr. COUMBE (Torrens): I indicate the Opposition's support for the principle of this measure, which must be considered in relation to the Bill just dealt with, namely, the Consumer Transactions Bill to which, as it has not yet been passed, I cannot refer. However, I think that some information is required on certain provisions. For example, I find that the explanation does not line up with the wording of the Bill in some cases and, after all, it is the printed word of the Bill that must be considered. I take it that the provision regarding transactions in which the sum does not exceed $10,000 is designed to encompass small transactions, and not the larger transactions over $10,000 that presumably involve companies and corporations. However, on reading the Bill I could not find a reference to this limit of $10,000 and, if I am correct, either it must be included in the Bill or this matter must be explained.

Further, I point out that, although in this regard the Government may have a perfectly valid intention to exempt larger corporations or businesses, this provision may affect many house purchasers. After all, not many houses can be bought nowadays for less than $10,000. I fully agree to the provision relating to a limitation of the rate of interest, which is

reduced from 12 per cent to 10 per cent, and to the provision that it be simple interest, as is provided in the Money-lenders Act, and not compound interest.

I take it that the definitions of "credit contract" and "credit provider" do not in any way cut across the present system involving the use of the credit card, although it is difficult to see whether this is so. I refer here to the systems currently in vogue, such as the Lions Club system involving the use of credit cards; but, more especially, I refer to the credit cards that one's wife uses when she goes shopping, say, in Rundle Street. Unfortunately, my wife has too many credit cards, although I am probably not the only person who feels this way. Also, there is the lay-by system involving deferred payments, usually relating only to small transactions. This matter is probably covered by the operation of the interest payment.

I am pleased that insurance is not included and that the Government may, by proclamation, make certain exemptions. Indeed, I think a considerable number of proclamations would have to be made under this legislation. Once again, a board is being set up in South Australia, namely, the Credit Tribunal. Indeed, it will be quite a job for the Government to keep a tab on all its boards, and it may well have to set up a registry for this purpose. Although I appreciate the functions of the tribunal, I am rather intrigued by its personnel. First, there will be a chairman who is a legal practitioner.

Mr. Millhouse: A Local Court judge.

Mr. COUMBE: Of course; then two shall be persons who in the opinion of the Minister are suitable persons to represent the interests of consumers and who have been nominated by the Minister for appointment as members of the tribunal. I shall be interested to know how the Minister will appoint two persons representative of consumers. One could open up any directory and no doubt find a consumer. I can see what the Minister is getting at here; he wants someone on the tribunal who is a consumer. If we are talking about the Egg Board, for instance, we know who the consumers are, but who will be the consumers in this case?

The Hon. L. J. King: How do you pick your consumers of eggs?

Mr. COUMBE: Perhaps the Attorney has a test in mind. The tribunal will have, among its members, two people who are regarded as suitable to represent the interests of persons engaged in commercial business that is likely to be affected by the decisions of the tribunal, and that is fair enough. Such members will possibly be nominated by an association of commercial interests. The Bill provides a rather restricted field from which to select these members of the tribunal. I point out that, having regard to the number of tribunals of this type that we are setting up, there is less and less need for an ombudsman, because we seem to be appointing a whole series of ombudsmen.

Having provided for a tribunal of five members, the Bill, in clause 18, states that matters can be determined by the Chairman and two members. However, subclause (2) provides that the Chairman may alone constitute the tribunal for the purpose of hearing and determining matters prescribed for the purpose in the regulations. However, although we know the type of regulation that may be set out, we have not seen the actual regulations, and the Chairman may sit in these cases alone. Clause 21 deals with the powers of the tribunal. It seems that its powers will be similar to those of a Royal Commission, and I do not cavil about that. Persons who believe they have a grievance in this respect may appeal to the Supreme Court against the tribunal's decisions.

The term "credit provider" is rather unusual but, as it is defined, we know what it means. The licences of credit providers are to be for a 12-month period expiring on September 30. Probably the month of September is referred to because we are debating the Bill now, in October, and the Attorney wants to pre-date it to September. However, would it not be better to provide that licences shall be renewed on the anniversary date of the original application's being granted? It would be much better if licences were granted on this basis rather than having one uniform date. Although there may be some administrative merit in having all licences falling due on the same day, for the convenience of the credit provider and the public I think the anniversary date would be better. Clause 37 provides:

(3) A licensed credit provider shall at least seven days before he commences to carry on business at any address (other than his registered address) send to the Registrar a notice in writing informing him that he proposes to carry on business at that address.

Penalty: Five hundred dollars.

(4) A licensed credit provider shall, not more than seven days after he ceases to carry on business at any address (other than his registered address), give notice in writing to the Registrar of the fact that he has ceased to carry on business at that address.

Penalty: Five hundred dollars.

Those subclauses allow only a short time of seven days, and yet provide a heavy penalty of $500. I am not saying that I condone any malpractice, but I suggest that, in view of the short time, perhaps the penalty is a little harsh. The regulation-making powers provided by this legislation are fairly wide. I support the Bill, which complements the Consumer Transactions Bill. However, I should like some explanations from the Attorney, especially with regard to the $10,000 limit to which he refers in his explanation (*Hansard,* p. 1884) but to which I can find no reference in the Bill, and it is the Bill on which we must work. The Bill flows from the report of the Rogerson committee, a copy of that report having been received by most members who are interested in this type of legislation. That committee has done a thorough job in this connection. I support the second reading.

Mr. MILLHOUSE (Mitcham): I, too, support the Bill. It is, of course, one of those co-operative interstate efforts and, while I do not detract from the work of the Attorney-General in introducing the Bill, I point out that it springs from the Rogerson report, which was presented to me as Attorney-General in 1969, it having been initiated during the period of the Walsh Government in 1966. The Bill springs from that and the Molomby report in Victoria. That report is, shall we say, a critique of the Rogerson report and is an effort to put into more practical terms (lawyers' terms, I might say) the suggestions in the Rogerson report, of which this Bill is the outcome.

I believe that legislation such as this is desirable. The Molomby report is, of course, the result of work undertaken by the Law Council of Australia, of which Mr. Molomby is Chairman. This Bill represents just the type of law reform exercise on which members of the legal profession should embark and on which, on this occasion, they have embarked. This occasion shows the willingness of the profession to engage in a valuable public service, and we will all get the advantage of that. The member for Torrens has briefly explained and commented on the provisions of the Bill. It sets up a credit tribunal and gives that tribunal wide powers to inquire into credit transactions. Powers to license credit providers (or whatever the term is) are also contained in it. I have come to the conclusion that, in fact, there is no opposition to the principle of the measure, and I am glad of that. That is no surprise to me, having regard to the way in which it has been prepared.

I have sought diligently among the usual people to whom one turns regarding such measures to see whether there was any objection to the Bill, and I have drawn a blank. I was told that the Australian Hire-Purchase Conference had made representations to the Attorney regarding matters of detail and was not anxious or even willing to talk to a member of the Opposition about it. I only hope that their faith in the Attorney is not misplaced, but only the future will tell whether the matters they put before him will find their way into the Bill by amendment. I hope for their sake that they do. I say only that no outside body can complain if legislation does not emerge from this House in a form acceptable to it if the body concerned will not approach members from both sides to put its point of view.

The only complaint I have heard voiced about this legislation concerns the immense power given to the tribunal, and the power given under the legislation-making clause. I understand that some commercial organizations are wondering just how this power will be exercised and what regulations will be made under it, but we cannot tell. We can only look at the Bill as it stands, and it is in pretty broad and general terms. I do not like a wide regulation-making power: I should prefer it to be not as wide as it is. At this stage I do not intend to suggest any restriction of such power. If, during the time that will elapse between the second reading debate and the Committee stage, I see anything that requires amending or if anyone approaches me, that will be the time to debate matters in more detail.

Mr. McRAE (Playford): I support the Bill, which, like the previous measure, is a Committee Bill. I am pleased to see the repeal of the Money-lenders Act, which was a nineteenth century anachronism in a situation where pawnshops proliferated around cities with necessitous paupers lined up in front of them. That situation does not exist today except, perhaps for the member for Mitcham, who is an anachronism. I am pleased to see provisions included for adequate credit protection for the public and, in particular, the provisions that require an adequate statement to be given. Apparently, no commercial interests have made submissions (certainly not publicly), so that the legislation seems to be widely accepted in the commercial community.

The only regret I have is that the Rogerson committee did not decide to place a maximum on the amount of interest to be charged. This would have been a wise and reasonable move but, apparently, the committee did not consider it to be so. I know many instances in which the interest charged is extraordinary: interest on a simple retail store account is high, and could be as much as 28 per cent or 30 per cent. The Rogerson committee suggested that no useful purpose would be served by providing a limitation on the total amount of interest that could be charged. I am sorry that the committee reached that conclusion, but, since we have followed the ideals of its report throughout, one could hardly diverge on such an issue. I commend the Bill to honourable members.

Mr. GOLDSWORTHY (Kavel): This Bill repeals the Money-lenders Act, which seems to be out of date, and sets up a more modern authority to control the operation of providing credit. The Bill encompasses an area of life that is most extensive, as many people in the community finance their operations by obtaining goods on credit. Clause 6 exempts large sections of those involved in providing credit, and names a fairly extensive list of lending authorities that are exempted from the provisions of this Bill. The member for Playford said he was disappointed that no upper limit was provided in interest rates. If one examines the interest rate charged in some transactions, the figure is somewhat astronomical.

It seems that the tribunal will have wide powers and perhaps it could consider this question, because the lower limit of interest rates does not fall within the scope of the tribunal. If one goes outside the range of banks, insurance companies, and other standard lending authorities, one would be fortunate in borrowing at a rate of interest below 10 per cent, and this legislation spells out that the rate of 10 per cent is the lowest limit to come within the scope of the tribunal. As in all consumer protection legislation, it is necessary for some authority to be appointed, but this is the price we have to pay for protection. Activities must be controlled by an authority, but it seems that almost every area of life is slowly but surely being subjected to some control.

Once it is decided to set up such a tribunal one must then count the cost. No protection is obtained without cost, but in the long term it is the community that pays for protection. Also, the allowances to be paid to the members of the tribunal ultimately must be paid by the community. The lending authorities covered by the Bill will have to pay fees. This is one way in which a Government tries to finance such boards. If a board is established to control some part of our life, regulations prescribe the fees to be paid by the people who are being controlled, and in this case the fees will be paid by the credit authorities. This is supposed to offset the cost of establishing the authorities. Some politicians and political Parties have spread widely the idea that we can get something for nothing but, in the long term, matters such as this become an added cost to the community, and this tribunal will be no exception. I support the concept of the legislation and the need to have an authority to control the operations of the credit authorities. However, one cannot help but be alarmed at the proliferation of committees and boards.

Mr. Simmons: And movements?

Mr. GOLDSWORTHY: They need not necessarily be expensive. I have not known any legislation to set up a movement, and I am confining my remarks to legislation.

The Hon. L. J. King: What about constitutional matters designed to stop movements? Are they relevant?

Mr. GOLDSWORTHY: I am relating my remarks to the Bill and I think that the conclusion that the Attorney-General is seeking to draw is completely unfounded. He is referring to remarks made earlier by the Minister of Education, but that is out of order. In speaking to the Bill, I say that the Attorney-General and the Minister of Education are way off the beam. The wide powers given to the tribunal commence at clause 20 and clause 21. Clause 22 provides:

> The tribunal may, upon the determination of any proceedings, make such orders for costs as the tribunal considers just and reasonable.

The tribunal seems to have power to impose fines, and that is a particularly wide power to give to a body that does not appear, from my perusal of the Bill, to have any particular legal connotation. The control of the credit providers will depend on their licensing and on the charging of fees. Part III contains some sensible provisions about a measure of protection regarding who will be engaged in providing credit facilities to the community.

Clause 30 (1) (*c*) provides that a person is entitled to be licensed as a credit provider if he has proved to the satisfaction of the tribunal that he has sufficient financial resources to carry on business in a proper manner under

the licence. That provision is of pre-eminent importance. The Bill defines the way in which it is expected that the tribunal will operate and regulate the activities of credit providers.

Part V is interesting. Even the title, "Harsh and unconscionable terms," is rather unusual and interesting. I wonder how we will define the unconscionable terms. They must offend the conscience in some way, and it is only reasonable that this sort of thing should be spelt out. The member for Playford has said that there seems to be no upper limit for the interest rates that can be charged by people who provide credit. However, without having made a closer scrutiny, it seems to me that the provisions dealing with harsh and unconscionable terms could cover that. I do not wish to detain the House or to be prolix. I think the Bill is a good one and I do not think any Opposition members intend to oppose it. I support the second reading.

Mr. McANANEY secured the adjournment of the debate.

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

CRIMINAL LAW CONSOLIDATION ACT AMENDMENT BILL (HOMOSEXUALITY)

The Legislative Council intimated that it had agreed to the House of Assembly's amendments Nos. 6 and 7 and to amendment No. 4 with the amendment indicated in the annexed schedule; and had disagreed to amendments Nos. 1, 2, 3 and ,5 for the reasons assigned in the annexed schedule:

Schedule of the amendments made by the House of Assembly to which the Legislative Council has disagreed.

No. 1. Clause 3, page 2, lines 1 to 6—Leave out subsection (1) and insert subsections as follows:

(1) Notwithstanding any Act or law to the contrary, it shall not be an offence for a male person to commit a homosexual act with another male person, in private, where both parties are adult and have consented to the commission of that act.

(1*a*) Notwithstanding any Act or law to the contrary, it shall not be an offence—

(*a*) for a male person to commit an act of buggery with a female person; or

(*b*) for a female person to commit an act of buggery with a male person,

in private, where both parties are adult and have consented to the commission of that act.

No. 2. Clause 3, page 2, line 7—Leave out "A homosexual" and insert "for the purposes of this section, an".

No. 3. Clause 3, page 2, after line 18—Insert subsections as follows:

(4) In any proceedings in which it is alleged that a homosexual act committed by male persons constitutes an offence, the burden of proving—

(*a*) that the act was not committed in private;

(b) that a party to the act did not consent to the commission thereof; or

(*c*) that a party to the act was not an adult,

shall rest upon the prosecution.

(5) In any proceedings in which it is alleged that an act of buggery between a male person and a female person constitutes an offence, the burden of proving—

(*a*) that the act was not committed in private;

(*b*) that a party to the act did not consent to the commission thereof; or

(*c*) that a party to the act was not an adult,

shall rest upon the prosecution.

No. 5. Clause 4, page 3, lines 8 to 10—Leave out "a good defence to a charge relating to that act, or proposed act, of buggery or gross indecency could be made out under section 68a of this Act". Insert "by reason of section 68a of this Act the act or proposed act of buggery or gross indecency may not be unlawful".

Schedule of the reason of the Legislative Council for disagreeing to the foregoing amendments.

Because the amendments negate the original concept of the Bill.

Schedule of the amendment made by the Legislative Council to the House of Assembly's Amendment No. 4.

House of Assembly's Amendment No. 4:

Clause 4, page 3, lines 1 to 5—Leave out subsection (2) and insert subsection as follows:

(2) Unless a male person is an adult, he shall not be considered capable of consenting to an indecent assault on his person by a male person and unless a male person has attained the age of seventeen years he shall not be considered capable of consenting to an indecent assault on his person by a female person.

Legislative Council's amendment thereto:

Leave out from the proposed new subsection the passage "is an adult" and insert in lieu thereof the passage "has attained the age of twenty-one years".

Consideration in Committee.

Amendments Nos. 1, 2, 3 *and* 5:

Dr. TONKIN: I move:

That the House of Assembly do not further insist on its amendments Nos. 1, 2, 3 and 5.

It is with some regret that I speak to this motion, because I still believe that these amendments were most effective. Nevertheless, as the member for Mitcham has said in a previous debate, to insist on the amendments could well mean the loss of the Bill as a whole, and I should rather see some improvement in the existing situation than none.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I support the motion but, like the member for Bragg, I do so with regret. The reason advanced by the Legislative Council for its disagreement (that the amendments negate the purpose of the Bill) is nonsense. In fact, the two Houses having agreed in principle that a change in the law should be made, the question was surely what was the effective change in the law and how could justice be most effectively done. Plainly, the Legislative Council has not considered the amendments of this place. It has not dealt with the situation of the anomaly which it had created in the original measure as between male and female. Further, it has not adequately dealt with the situation in which it considered that an offence is, in fact, proved if certain circumstances exist but in which it put the onus of proof on the defendant. That is an absurdity and contrary to what is done under the law generally. In relation to the age limit, again, the Legislative Council has been illogical.

However, as the member for Bragg has said, it has become obvious, from inquiries made to ascertain just what is the Legislative Council's attitude, that the purpose of its summary rejection of these amendments was to be able to lay the Bill aside if we insisted on our amendments. In those circumstances, while I believe that the law as changed by the Bill as it left the Legislative Council would be unsatisfactory, at the same time I believe that it is some improvement on the present law, and that the requirements for change, given the facts that have emerged since the Duncan case, are so urgent that this Chamber ought to be willing to take something rather than nothing. However, I believe that the result will be that this is only a first step in the change and that the Criminal Law Revision Committee, in due course, will report on what we ought properly to do regarding a change in the law on this matter. Therefore, reluctantly but firmly, I support the motion.

The Hon. HUGH HUDSON (Minister of Education): I do not think I can let this occasion pass without recording some dissent. It seems to me that we are assuming that the Legislative Council is so insincere and virtually morally corrupt in its attitudes to this matter that the Bill, as originally passed by it and received in this place, was in a form which another place hoped was unacceptable and that, if any amendments were made, it would oppose those amendments and ultimately refuse to ask for a conference. I do not really believe that the Legislative Council is quite as corrupt as that and that it would show itself up in public as refusing to ask for a conference, thereby demonstrating to all concerned that the original passage of the Bill was just a political ploy with no real support for the measure whatsoever. Therefore, I believe that the Legislative Council's bluff on this matter can be called and that we should at least push the matter to a conference.

Mr. Payne: What if it doesn't ask for one?

The Hon. HUGH HUDSON: Then it demonstrates clearly to the public in general that its whole attitude to this matter is more corrupt morally than the moral corruption it claims in relation to the behaviour of homosexuals. We are now assuming that the Legislative Council will not in any circumstances ask for a conference. I point out that our amendments to this Bill were right. The legislation left this Chamber in the form in which it should be, having had the overwhelming support of members on both sides. The normal procedure, when a Bill is initiated in this place and is amended in another place in a way that is unacceptable to us, is that this place then insists on the original version of the Bill, refusing to accept the amendments of the other place. The Bill goes back to the Council and, if it insists on its amendments, when the Bill comes back to us we ask for a conference.

Why is it that the refusal of the Council on this occasion to accept our amendments is taken by members as an indication that the Council will refuse to ask for a conference? Is the Council as morally corrupt as that? If we have a conference and it breaks down, it is still open to this place not to insist on its amendments, so that we can still allow the Bill through. The Council knows that, and it has happened previously. As I do not believe that the Council is so morally corrupt that it will not ask for a conference if we insist on our amendments, I want at least to record my dissent to this motion. I believe that we have a duty to push the Council to demonstrate whether its members are so morally corrupt that they will really let the Bill lapse without even asking for a conference.

Dr. TONKIN: I cannot agree with what the Minister says about moral corruption in another place, as I believe members of that Chamber hold strong beliefs about what they have done. My concern basically goes back to the reasons why the Hon. Mr. Hill introduced this Bill in the first place.

The Hon. Hugh Hudson: I am not impugning his motives.

Dr. TONKIN: I do not suggest that the Minister has done so. My main concern goes back to people. The Bill was introduced in the first place because of the honourable member's concern for a minority of people who are being persecuted and victimized. Because of that, if there is any doubt about whether this Bill will pass, even in this form, I think it is our duty to accept what we can get. I am not willing to jeopardize the chance of having something on the Statute Book that will help these people to some extent. After all, there is always next year.

Mr. HOPGOOD: The Minister of Education is very fair-minded in giving members of another place the benefit of the doubt. I do not really think I have it in me to do that. I wish I could believe that all members of that place had really cast their votes according to their understanding of the merits of the Bill. However, I believe that there were members of another place who were actuated in the way they voted by the state of the problems that exist in their Party at this time. Therefore, sadly, I believe that those same members intend not to grant this place a conference if we insist on the amendments which I moved in this place and which were overwhelmingly supported. If this motion is carried, we can say that there has been some slight improvement in the criminal law at this point, sufficient improvement for things to be a little more tolerable for people who have been undergoing persecution as a result of the present criminal law. I believe that there is no possibility of compromise with another place, except by supporting its amendments. Although I believe the form of the Bill as it left this place was extremely satisfactory, I urge members to support the motion, but I do so under protest.

Mr. WELLS: Mr. Chairman, will you say what is the position if the motion is defeated?

The CHAIRMAN: If the motion "That the House of Assembly do not further insist on its amendments Nos. 1, 2, 3 and 5" is defeated, the position reverts back to the positive: the House of Assembly will thus insist on its amendments.

The Hon. G. R. Broomhill: Without a further motion?

The CHAIRMAN: Yes.

Motion carried.

Amendment No. 4:

Dr. TONKIN: I move:

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

This is consequential on the motion we have already passed.

Motion carried.

PUBLIC ACCOUNTS COMMITTEE BILL

Returned from the Legislative Council with an amendment.

SWIMMING POOL (SAFETY) BILL

Adjourned debate on second reading.

(Continued from October 19. Page 2266.)

Mr. EVANS (Fisher): I cannot support the Bill in its present form, and I doubt whether the legislation can be amended to a form that would be satisfactory, if we are only considering fencing as the main method of protecting young children from entering swimming pools. I may be criticized by those who will argue that I am not concerned with the lives of individuals in our community, particularly the lives of young children. My history as a human being having five children would discount that argument, but no doubt it will be used. As one having had the experience of losing one's own family, I know some of the heart-break that can occur when a small child passes on. However, this legislation will cause much inconvenience to many people in order to save a few lives, and I believe that we have reached the stage of over-legislation and over-control. I agree with the points made in a letter to the Editor of the *Advertiser* which was published on October 24 and which states:

What lives will this legislation save, and how many? In the first nine months of this year 38 people drowned in South Australia.

That is adults and children: nine children under the age of five years were drowned. The letter continues:

The money could be better spent, for example, in restoring the funds to the Physical Education Branch that used to provide all primary school children with 14 or 15 swimming and water-safety lessons a year, instead of the nine or 10 that was all the Government could apparently afford last year.

Mr. Hopgood: She has her money mixed up: one is private expenditure and the other is public.

Mr. EVANS: It comes from the private purse in the end result. The argument that the Government is a source that can be used without the private sector being used is a false interpretation. The letter continues:

Follow this up with a campaign similar to the road safety campaign, or use the excellent one-minute television segments produced by the Canadians,—

I have not seen these segments, but I believe it would be an effective move—

or something similar, and we will bring up a generation of children and adults with a clear knowledge of, and respect for, the dangers of any body of water, and an understanding of how to act in an emergency. Is the public aware that is is not proposed to oblige local councils to fence any body of water in their park lands?

I am not sure that that statement is completely accurate, because the Minister may decide to declare that certain bodies of water in park lands should be fenced. The letter continues:

If parents are expected to watch and safeguard their young ones when in a park, why are they not expected to do so at home?

I agree with those comments. All parents know how venturesome children can be and how much care and attention must be given to them to ensure that they do not endanger their lives or injure themselves. If a child can walk from one property to another, that same child could walk on to the highway and its life be taken in a collision with a motor car, a motor cycle, or even a cycle. I now refer to details of young people who have been drowned since January. The first case is that of a child drowned in a neighbour's pool. The pool had a 5ft. 9in. besser block wall around it and it had a 4ft. gate. When the matter was investigated it was impossible to know whether the child climbed the wall (it could have got a grip on the wall), went through a gate that was left open by an older child, or whether the older children went into the pool area with the victim and walked out leaving the child locked inside the enclosure. The child was three years and nine months old.

The second case was that of a child who died in a pool owned by its parents. The pool was blocked off at the rear of the house, as the garage formed part of the fence around the rear section. It is believed that the child went into the garage and through the side door into the pool, where it drowned. The investigators did not know whether the child opened the door of the garage, whether the door had been left open and then closed after the child passed through, or whether the child went over the fence by using a box. Those facts have not been established, but the child was 2½ years old when it died by drowning. The third case occurred in the pool of the child's parents. Other children had been present at the pool, but they left for a short time and the infant aged 21 months toppled into the pool and was drowned.

The fourth case to which I refer involved a portable home pool 6ft. in diameter (and a pool of that size would not be covered by this legislation, because it would not be 5 m^2). The pool contained water to a depth of 9in. although it has a much greater capacity. This Bill provides that, if a pool has a depth greater than .3 m, its provisions will apply. However, in this case, because of the surface area of the pool, that pool would not be subject to its provisions. A child of 2½ years drowned in that pool.

Mr. Coumbe: Was it above the ground?

Mr. EVANS: I cannot say whether it was above the ground or not. I do not even know the height of the side walls, but they were higher than 9in. The fifth case concerned a pool situated in the front garden of a house around which no fence was placed: the child who drowned was 10 months old. The sixth case was an incident about which all members are conscious and involved a drowning in a display pool open to children who wished to venture to it. That pool was not fenced and the child who drowned in it was 2 years old. However, had the local government authority taken sufficient interest in the matter, perhaps that hazard could have been removed. Certainly, I do not condone the actions of the pool owners who left that pool open so that such a tragedy could occur, but I do believe that local government has authority in this matter, especially when a pool is filled with beer cans, bottles and other debris and is also readily accessible to children in the community.

The seventh case involved a child 7 years of age. No fence was constructed around the pool, which was situated in the front garden of the house. The Bill is not intended to cover the situation applying to a 7-year old child. Indeed, if the parents can unlock a gate, a child of that age can do it also. The eighth case to which I refer involved a dam on a property at Kangaroo Island. The house and home block were fenced, although probably not in the manner prescribed in this legislation, and the dam was located away from the home block. However, the child found its way over or through the fence, and that child was but three years of age. The ninth case involved a baby of eight months of age. The baby was left for only 15 minutes by the mother and the only explanation of the accident has been that the child somehow turned on a loose tap in the bath.

Members interjecting:

Mr. EVANS: Nine deaths through drowning or immersion have occurred this year. If the provisions of this Bill were applied to those nine cases (and there might be another death before Christmas), only two of those accidents would have been prevented.

The Hon. G. T. Virgo: Are you saying that that is not worth while? Two lives are not worth while to you. That is typical of your attitude towards mankind.

Mr. EVANS: I believe that my comment at the beginning of my speech summed up roughly the type of statement that would come from the Minister, and it did not take long to come.

Mr. Jennings: He has been restraining himself for a long time.

The Hon. G. T. Virgo: While you carry on with that sort of drivel, you are a disgrace to mankind.

Mr. Burdon: He does it every time he gets up to speak.

Mr. EVANS: I doubt whether the Minister has any greater respect than I have for human life, as much as he likes to say in this House that he has. I believe he has no more respect for human life than other people and, if he looks at all the forms of accidental deaths in the community and thinks that he is going to cut them all out, he will find it is impossible to legislate to do it.

Mr. Jennings: It is a good thing to try, though, isn't it?

Mr. EVANS: Does the member for Ross Smith or any other member believe that parents should be able to shirk their responsibility and say to their neighbours, "You shall fence your pool to protect my child," when the child could just as easily walk out the gate and get run over in the main street? Any person who advocates that such principles should apply has a poor sense of values towards life himself.

Mr. Clark: Who put the pool there?

Mr. EVANS: Who put the road there? Is it the Minister who is responsible? Who owns the home? Who owns the property next door? Who owns the children?

Members interjecting:

The SPEAKER: Order!

Mr. EVANS: I now refer to the total number of deaths in Australia in the year 1969-70 through traffic accidents.

The Hon. G. T. Virgo: What have traffic accidents to do with swimming pool legislation? Get on with the Bill. Stop talking drivel.

Mr. EVANS: I will draw a comparison with the number of deaths that have occurred through drowning and immersion to show how far it is necessary to go.

The Hon. G. T. Virgo: Why don't you bring suicide and murder into it as well?

Mr. EVANS: If I had the Minister's approach, I might have to do that. I give these figures to prove that it is necessary to go a long way if we are to legislate against all the possible accidents that can confront people in society. In collisions between motor vehicles and pedestrians in Australia, in 1969-70, 52 males and 23 females under five years of age were killed. In the same period, 55 males and 32 females of that age died as a result of immersion or drowning. The figures are roughly similar. How do we attack the problem of children wandering out of the front gate on to a thoroughfare?

The SPEAKER: Order! The honourable member for Fisher is in order in drawing a comparison, but debating road accidents is a little bit wide.

Mr. EVANS: Other hazards also confront young children when they are not properly supervised by their parents. The specific hazard to which I refer is that a child can walk out the front gate and on to the road just as easily as he can walk next door and into the neighbour's swimming pool, or walk across the road to a swimming pool in a public park. Children can still go through the gate. They can walk into a fish pond or into a wading pool in the parkland. They can take the first risk of crossing the road to go to a neighbour's pool.

Mr. Clark: That's still no reason for not trying to prevent these things.

Mr. EVANS: We are trying to save the lives of two or three children a year and putting a burden on every swimming pool owner.

The Hon. G. T. Virgo: What a reactionary attitude you have in life!

Mr. Payne: Most people have a fence around the property and it is only a matter of providing a suitable gate. Stop talking rot.

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

Mr. EVANS: On September 14, 1972, the Minister said that 575 private swimming pools were being installed in South Australia in 1971 and 510 in 1970. I am sure some of those pools would have covers that the Minister might be prepared to accept. Many of them would not have them but the families

might have put around the pool a fence that would not conform exactly to the Minister's requirements.

The Hon. G. T. Virgo: Why has it to be the "Minister's" requirement? I thought Parliament passed legislation.

Mr. EVANS: When it gets through it will be Parliament's requirement. I am saying that at this stage it is the Minister's requirement. The fence is to be 1.2 m high, which is the equivalent of about 4ft. The fence must not have toe-holds or foot-holds that will enable a child to climb it. The Minister and I and every other member who has children know that a five-year-old child will get over a 4ft. fence if it wants to by using something such as a box, a bike, or a trike. An adventurous child will get over such a fence in some cases. If I thought that the Minister would reduce the number of deaths in this age group by the nine or 10 that have occurred each year, I would accept the Bill.

The Hon. G. T. Virgo: Do you want a 100 per cent result or nothing?

Mr. EVANS: The Minister knows that he will not get even a 25 per cent result, and the expense and inconvenience that he is putting on owners of swimming pools is unjustified, because we still have the other problem that some parents will not supervise the activities of their children. The pools cannot be blamed in all cases where children have passed away this year, because a child does not have to be submerged in water, especially fresh water, for very long before death can occur. Death occurs in these cases not only by drowning, and I think my professional colleague who sits behind me could refer to this. A child can die in water not only because of the intake of water and drowning. We have learnt recently that there are other medical problems that cannot be rectified. The Minister is hell bent on introducing these provisions, do or die. He believes they will solve the problem, but I do not accept that argument. A report in the *Australian* of September 13, 1972, of a statement by the Minister is as follows:

Mr. Virgo said the new legislation would not apply to public pools and those under 50sq. ft. in area or less than 12in. deep.

That is true. That is in the legislation, but what will happen to the pools and ponds in the park lands? What about the family fish pond in the front garden, less than 50sq. ft. in area? If a child of 10 months can drown, it can drown in a fish pond. That does not solve the problem. I leave it at that, because I want to refer to a statement by the State Water Safety Chairman of the Australian National Safety Council (Mr. K. Richter). He welcomed the proposed legislation and went on to say:

But people must realize that all the laws in the world will not stop children being drowned in swimming pools. The ultimate responsibility lies with parents who must supervise their children.

We need an educational programme on water safety such as we have on road safety. We really have not carried out a campaign. Have we available films to show parents and children the hazards of water? I am speaking mainly of the need to educate parents to protect their children from these hazards. The figures of the number of children that have drowned in the age groups shown are as follows:

	Age Group	
Year	*Four and under*	*Five to nine*
1967	4	1
1968	4	5
1969	5	6
1970	6	5
1971	7	3
Total	26	20

I point out that the five years to nine years age group is not covered by this legislation. In the age group that we are trying to cover, we have had 26 deaths in that five-year period.

The SPEAKER: Order! There is too much audible conversation.

Mr. EVANS: We are not concerned about the other group and we are not carrying out an educational programme. Although we have learn-to-swim campaigns in schools, what about the five years to nine years age group? Are we educating anyone to look after that group and to make parents concerned about their responsibilities? We are going into it with the attitude that we will try to cover one group and forget the remainder.

I would prefer the Government to spend more money on producing films that can be used in schools and at group meetings of parents to try to educate the parents about the hazards. Doubtless, most parents are responsible but they become careless at the wrong moment and a tragedy occurs. Honourable members know that tragedy will occur regardless of whether the fences are there. I have said that I will not support the Bill, and honourable members know the doubts that I have raised. Future records will show whether the judgments have been right or wrong, but water safety is an important part of the safety system. It should be taking place in our community, but it is not.

What publicity do television, radio and the press give to water safety? We implement measures regarding road safety, and the press gives prominence to this matter, but what about water safety? Nearly as many deaths occur through drowning as occur through road accidents, and I think it is about time that one or two television stations undertook a campaign of educating people regarding water safety.

Any public-spirited group would be well advised to undertake a similar campaign. Indeed, if we do not achieve results, we may as a last resort have to force people not only to fence their swimming pools: we may have to force people to keep their children inside their own properties. I should prefer to support legislation requiring that parents be responsible to fence their properties so that their children cannot venture outside, for I am sure that we would then have a 100 per cent result. I have as much regard for human life as—

The Hon. G. T. Virgo: You haven't displayed it tonight.

Mr. EVANS: If the Minister places the responsibility where it really should be placed, he will agree that we must compel parents to fence their properties so that their children cannot wander. Under the Bill, a child could walk out of the house through the back door and remain unprotected from the swimming pool in the backyard. For the reasons I have outlined, I oppose the Bill.

Mr. VENNING (Rocky River): I support the Bill and commend the Minister and the Government for introducing it. Although the measure will not stop drownings altogether, it will help reduce the number of tragedies about which we read far too frequently in the newspaper. I know a doctor who has a swimming pool surrounded by a 12ft. high fence but who tells me that children can still climb over the top of that fence. However, the Bill will help protect toddlers and small children and relieve the anxiety of parents. I say that a person who can afford to have a swimming pool can afford to fence it. Reference has been made to children running across a road, but naturally a motorist does not purposely run over the child that he sees on the road: he invariably stops his car, gets out and leads the child off the road. Indeed, accidents happen in private property, often when a toddler walks behind a vehicle that is being backed out along a driveway.

I know of cases in which a child has drowned in a horse trough or fallen into a bucket of water left in the garden or into a drum containing water. Although it is impossible to legislate against this sort of thing, I believe that these provisions warrant support. I should like to know whether or not it would suffice to place a notice on the gate in a fence surrounding a pool stating that that gate must be kept closed and latched at all times, or otherwise a penalty is involved. This applies where gates lead from railway lines, and I think it is a reasonable requirement.

Here, I pay a tribute to Sir Thomas Playford who was responsible for providing money through the South Australian Tourist Bureau and for constructing swimming pools in country areas. Many children take part in the learn-to-swim campaign conducted by the Education Department throughout the metropolitan and country areas, and this in itself is of great benefit to the community.

Mr. GOLDSWORTHY (Kavel): Although I did not intend to speak to the Bill, I have been motivated to do so as a result of what the member for Fisher has said, I must dissociate myself from the sentiments expressed by the honourable member. The fundamental premise of his argument was that it was not worth trying to improve the situation at all if we could not be completely successful, but I cannot subscribe to that view. If we can save the life of even one child, this legislation is well worth while. In our society, children and other people can lose their lives in hundreds of ways, but swimming pools present a real hazard for small children. Therefore, it seems reasonable that we should take these steps.

I know that if I thought my child's life had been saved in this way I would be eternally grateful for this legislation. I do not think the Bill makes excessive demands on people. In my youth private swimming pools were a luxury, but these days they are popular. If people can afford to have them, I believe they can afford to provide adequate fences. I agree that parents must be educated to look after children. It is unfortunate that some parents do not have the instinct to protect their children, and society owes it to these children to offer them every protection possible.

Reference was made to covers on pools but, unless we insisted in legislation that pools be covered on all occasions on which a pool was not attended by an adult, legislating for covers would be useless, and it is ridiculous to think that people would cover a pool on every

occasion they were not using it. Yesterday, when I was in a large city store, a shop assistant said that, because one of the pools on display had a 4ft. high wall, it did not have to be fenced, although smaller pools of this type (pools that sit on top of the ground) would have to have a fence. Although I did not argue with him, this seemed strange to me, and shows that there is confusion about the matter. The larger pool had a ladder, and I should have thought it fairly simple for a child to climb a ladder and fall into the pool. I support the Bill because I believe its provisions will provide a safeguard for children, although perhaps the height specified for the fence could be a little greater.

Mr. COUMBE (Torrens): I, too, support the Bill. Anything we do to save the life of even one child in the community is worth while. I believe that by amendment the Bill could be improved even further. As President of a swimming club, I am associated with the South Australian Amateur Swimming Association. I have been connected with the learn-to-swim campaign and the examinations that people undertake for Royal Life Saving Society awards. I am familiar with the lifesaving equipment used to train people in water safety. Moreover, as the father of a child who was killed, I have always believed that anything that can be done to save the life of a child or any person, whether in the water, on land, or on the road, is worth doing. Although the provisions in this Bill are not perfect they are a step in the right direction. No doubt some people in the community will complain, but as time goes by possibly the legislation can be amended and most of these objections overcome. Doubtless the Bill will cause inconvenience and cost to many people. I hope that, in implementing the legislation, the Minister will allow sufficient delay so that people have ample opportunity to satisfy safety requirements.

A few of the amendments are worth considering, but it would go against my fundamental belief to oppose the Bill. As responsible legislators we have a duty to support it. I know that a problem exists with regard to swimming in the sea, rivers, dams, and so on. Although various council by-laws proscribe it, there is no way to stop young children from swimming in the Torrens River after school, just as I, and probably many other members, used to dive off the weir gates and swim in the river when we were young.

I plead with members to pass this Bill and any necessary amendments. It may be imperfect, but it will solve a serious problem. Some time ago my wife suggested that we install a swimming pool, but I did not think that was wise, because my wife would have the responsibility of looking after any young children who wished to swim in it. I was frightened that one day a small child would fall into the pool and possibly die, and my wife and the child's parents would suffer great anguish. If the passing of this measure will save only one life, then for God's sake let us support it.

Mr. BECKER (Hanson): I support the Bill because, no matter what the cost, we cannot measure the life of a child or an individual in dollars and cents. This is worthwhile legislation that will affect many people who have installed swimming pools. I understand that about 500 pools have been installed in Adelaide during the past year, so that the sooner the legislation is passed and can be implemented the better. A person now considering building a pool will know that he must consider including the provision of adequate fencing in the cost. Many people have swimming pools in my district, but they insist that parents must supervise the children when the children are using the pools. The same procedure is adopted when we visit the beach. This supervision is the responsibility of parents, and I accept it. We also realize the tragic circumstances of the disappearance of the Beaumont children, and I cannot be convinced that three young children can disappear from the face of the earth.

Thirty years ago the "in thing" was to have a tennis court, which was fenced with cyclone 10 feet high and a gate was provided by which to enter the court. Therefore, to have fencing around a swimming pool or a yard with a self-closing gate is normal. The gate would have to be spring-loaded so that it would slam shut after a person had passed through the doorway. In a fence leading to the yard in which the pool was situated there should be a spring-loaded gate also, to ensure that it closed properly. To erect such gates would cost very little and the price of a padlock would not be very much. Swimming pools have become a status symbol, but I wonder how many would be installed under hire-purchase agreements. Whilst we have the symbol of the swimming pool (as it was with a tennis court) someone will always cut corners. I am surprised at the argument of

the member for Fisher because, no matter what we do, there will always be accidents, but we must insist that parents supervise their children.

Mr. Evans: That's not covered by the Bill: that's my point.

Mr. BECKER: This measure should receive publicity so that parents are made aware of its provisions, and the passing of the Bill may provide a sufficient warning for the public. We cannot insist that fencing should be provided for all creeks and pools or at the beach, but the Minister may exempt certain swimming pools. Also, I assume that, although the gate and locking device are not defined in the Bill they will need strong spring-loaded mechanism. The only other alternative is to insist that a swimming pool be erected above the ground with steps leading to it, and that the steps must be enclosed by a gate. These are two methods of preventing children from straying into swimming pools. I hope that, by passing the legislation, we will ensure that sufficient publicity is given to the public to ensure that people are more careful in supervising their children.

Mr. WARDLE (Murray): I do not wish to pass a silent vote in this debate, and I make two points. First, although 500 swimming pools have been built in each of the past three years, the number of pools constructed each year will increase and instead of Adelaide having perhaps 5,000 swimming pools, the total number of pools will be much greater. I believe that, before the number of pools becomes too large, such basic legislation should be introduced, especially as 10 years from now any legislation will be much more difficult to enforce.

Secondly, I believe this legislation is also necessary regarding children who wander about the streets or who stray away from home. I believe that part of the educational programme of all parents should be to train their children and tell them of the dangers associated with swimming pools. Mothers know the precautions necessary to apply to their own children and the dangers that their children see, but I hope that the provisions of this Bill will protect children who wander from their home into the street and who, perhaps because they have had no experience in a pool of their own, are not aware of the dangers associated with swimming pools, and the risks are great. For the reasons I have just given, I support the Bill.

The Hon. G. T. VIRGO (Minister of Local Government): There is not much that I wish to add but, in all conscience, I must make some remarks before the the debate closes. First, I should like to congratulate and thank members who have spoken in this debate, especially those members who followed the member for Fisher. I believe that the member for Rocky River probably made the best speech I have heard him make in this House. I congratulate the member for Kavel as well. He was prompted to speak only to dissociate himself from the objectionable remarks of the member for Fisher.

Mr. Goldsworthy: I didn't put it that way.

The Hon. G. T. VIRGO: It was clear to all members, and I congratulate the honourable member on doing it. I assure all members that I completely dissociate myself from the remarks of the member for Fisher. I think that the member for Torrens summed up the situation in his concluding sentence: "If this Bill can save only one life, then for God's sake let us support it." It is as simple as that. Unfortunately, one member of the Opposition does not support that view. However, I am only too pleased to note that *Hansard* will record that he concluded his remarks by saying that he opposed the Bill. It is most unlikely that there will be a division on the second reading, but I should have liked recorded for all time this expression of the lack of concern the honourable member has for human life.

Mr. Millhouse: That is an unfair statement.

The Hon. G. T. VIRGO: That is a completely true statement. The member for Mitcham was not in the House when the member for Fisher made his speech. The honourable member, referring to the nine deaths that have occurred in swimming pools this year, said that the Bill would not have saved more than two of the lives that were lost and that this legislation was therefore not worthwhile. If that does not show an utter and complete disregard for human life, I do not know what does. I am sure that, had the member for Mitcham been here during that speech, he would have joined the member for Kavel and dissociated himself from those reactionary remarks of the member for Fisher.

It is interesting to note that the members for Eyre, Davenport, Flinders, Mitcham, Bragg and Glenelg all supported the Bill. Even though the member for Glenelg described it as a silly Bill, he supported it, and I appreciate that. Although there was unqualified support for the Bill, some questions have been raised about the effect it will have. Questions have

been asked as to how the provisions of the Bill are to be complied with. Reference has been made to three-year-old and four-year-old children who are capable of climbing over a 10ft. chain wire fence. I do not know whether that is possible, but I think if we try to provide legislation covering each and every contingency that could arise, we shall be in an extremely difficult position. When it is enacted, this legislation will have a profound effect on the safety of young lives in this State and I have no doubt that it will receive the support of this House, with the exception of the member for Fisher, and I am sure that it will receive at least over-whelming support, if not unanimous support, in the Legislative Council. I think that even members in the Legislative Council could not adopt an attitude anywhere as near as callous as that adopted by the member for Fisher.

Mr. Goldsworthy: You reckon they are good fellows?

The Hon. G. T. VIRGO: I said that I did not think they could adopt an attitude anywhere as near callous as that adopted by the member for Fisher, who said that this legislation was not worth while because it would have saved only two of the nine persons who drowned this year. The member for Fisher made two points in his concluding remarks. He said, first, that all young children, if we really want to protect them, should be put in a cage. That is what he said: "Put them in a cage." I do not know how much the honourable member has had to do with bringing up his children, but I suggest that he go home to his wife and discuss the problem with her, because, she has obviously had far more to do with their upbringing than he has.

The second point was that we ought to be conducting education programmes as we have done in respect of road safety. At least the honourable member is giving us credit that our road safety campaign has been effective, but what he obviously does not know is that for years campaigns have been waged on water safety. Every year there have been learn-to-swim campaigns for schoolchildren, and these campaigns have also brought home to parents the dangers involved in water activities. For years the National Safety Council, through its Water Safety Division, has been conducting these education campaigns that the enlightened member for Fisher suggests we introduce! I do not know where he has been all these years, but he has obviously had his head in the sand. Of course, swimming clubs, too, do a magnificent job in water safety education. No-one would be more competent to speak on that than the member for Torrens, who has played a leading part in these organizations over the years.

I have not at any stage suggested to the House or to the public that this legislation is the complete solution of the problem of children drowning in swimming pools, but I do say that this measure will play an important part in trying to reduce that needless loss of life. On this basis, I ask the House to support the Bill. As one member has said in this debate, as long as this legislation saves one life any member who opposes it shows his utter and complete disrespect for human life.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Interpretation."

Mr. MILLHOUSE: I move to insert the following definition:

"fence" includes a hedge:

I move this amendment to include a hedge, a living fence, in the definition. A fence is referred to elsewhere and it seems reasonable to include a hedge, a living thing, as long it is sufficient to prevent a child from climbing over it, under it or around it.

Amendment carried.

Mr. COUMBE: The Minister can issue an exemption and I know of many clubs in South Australia whose members swim in a river. It is impossible to fence this off and I ask the Minister whether such a body, which may be incorporated, would qualify for exemption.

The Hon. G. T. VIRGO (Minister of Local Government): Yes, it would. Clause 4 (*a*) provides that the Act does not apply to or in relation to any swimming pool to which the public are generally admitted, whether on payment of money or otherwise. I think the intention is clear.

Mr. HALL: I move:

In the definition of "swimming pool" to strike out "used for the purposes of" and insert "intended for use for".

The Bill will operate on a State-wide basis and could apply to any pool of water that physically comes within the definitions. There are throughout the State thousands of constructions, whether large or small, that have been provided for water storage purposes. Probably, almost all of them are on rural properties, and the Minister would have to exempt them. The words "intended for use" mean that the pool must be for swimming. A dam to water a potato patch would not come within that

meaning and it should not be covered in this Bill. I do not think it is good legislation to have the Bill wider than necessary, and the amendment does not destroy the other purposes.

The Hon. G. T. VIRGO: I regret that I cannot accept the amendment. I do not quarrel with the honourable member's argument about the various rural dams coming within this definition and requiring attention, but to adopt his suggestion would mean that any pool in a garden not intended for swimming or paddling would be exempted. We could have the ludicrous position of a swimming pool 10ft. square in the front garden requiring safety precautions to be taken in accordance with the Act, while next door a similar pool may be intended not for swimming but for goldfish. Unfortunately, children cannot differentiate between a fish pond and a swimming pool and the danger of their falling into the fish pond is just as great as that of their falling into the pool intended for swimming or paddling.

Mr. HALL: I urge the Committee to accept the amendment, because the Bill at present provides only a fraction of the protection required. The Minister should say what he intends regarding the exemptions provided. Will it be necessary to obtain a permit in order to exempt a dam from these provisions? We know of the iron-fisted control that the Minister exerts over—

The CHAIRMAN: Order! The honourable member for Gouger must speak to his own amendment. That is the only discussion allowed at this stage.

Mr. HALL: What about a temporary excavation on a building site that may be .4 m deep? Is that excavation exempt? This is typical of this Government's legislation; its intentions are not defined. Will the Minister tell us just how wide is the provision containing the exemptions?

The Hon. G. T. VIRGO: Mr. Chairman, in view of your ruling, I do not know whether I am permitted to discuss that point.

The CHAIRMAN: Any reference to anything other than the amendment under discussion is out of order.

The Hon. G. T. VIRGO: Then the question asked by the member for Gouger is out of order.

Dr. TONKIN: This is not good enough. All sorts of possibility arise here, and we have not had a sensible reply from the Minister. What sort of army of inspectors will be required? How will the Minister ascertain whether or not a pool is located on a property?

The Hon. G. T. VIRGO: I rise on a point of order, Mr. Chairman. Although I should be delighted to answer these questions, I point out that they are similar to those asked by the member for Gouger, and you have ruled that I am not permitted to answer those questions. Will you clarify the position?

The CHAIRMAN: The member for Gouger has moved an amendment, and that is the only matter under discussion at this stage.

Dr. TONKIN: The questions being asked are pertinent to the amendment; it is a matter of interpretation.

The Hon. G. T. Virgo: The Chairman has given a ruling.

Mr. HALL: Would I not be in order in asking what is not included in the definition of "swimming pool"?

The CHAIRMAN: The amendment moved by the honourable member is the only matter under discussion.

Mr. HALL: I wish to know how widely the definition will be interpreted.

The Committee divided on the amendment:

Ayes (13)—Messrs. Becker, Carnie, Coumbe, Eastick, Ferguson, Gunn, Hall (teller), Mathwin, McAnaney, Millhouse, Rodda, Tonkin, and Wardle.

Noes (25)—Messrs. Allen, Broomhill, Brown, Burdon, Clark, Corcoran, Crimes, Curren, Dunstan, Evans, Goldsworthy, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Payne, Simmons, Slater, Venning, Virgo (teller), and Wells.

Pairs—Ayes—Messrs. Brookman and Nankivell. Noes—Mrs. Byrne and Mr. McKee.

Majority of 12 for the Noes.

Amendment thus negatived; clause as amended passed.

Clause 4—"Non-application of Act."

Mr. HALL: What will be the exemptions?

The Hon. G. T. VIRGO: Obviously this legislation is intended to protect the lives of young children who roam about near swimming pools because of the great attraction that water has for children. In the case of a dam in an isolated paddock, for instance, where children are not expected to wander, an exemption will apply. Several guidelines will have to be laid down, but that is the general principle that will be followed.

Mr. HALL: I think we need more specific guidelines. Above-ground pools are popular. Will the wall of such a pool constitute a fence? Will the wall of the pool have to be as high as the Bill requires the fence to be?

The Hon. G. T. VIRGO: The fencing requirement will be applied in a fairly liberal way. If an above-ground pool has a 1.2 m wall (as I shall seek by amendment to make the provision) with no hand holds or footholds, it will qualify for an exemption. Many above-ground swimming pools have filtration units immediately adjacent to them that would give a child a means by which to climb up the wall. Provided that no equipment that constitutes a foothold is near the pool or that the equipment is enclosed so that it cannot be climbed upon, such pools will qualify for exemption.

Mr. RODDA: On my property I have the best swimming pool in the South-East. It is part of Mosquito Creek and is used by many people during the summer. Will I be obliged to fence this pool? To do so would be virtually impossible. Ever since Struan has been Struan, the public has used this pool.

The Hon. G. T. VIRGO: I cannot be expected to give such decisions.

Mr. Rodda: It'll be more difficult for me to toe the line.

The Hon. G. T. VIRGO: I think the answer to the honourable member's question is in paragraph (*a*) of this clause as the honourable member said that the public had free access to the pool. Being 250 miles away from the swimming pool, it is difficult for me to say whether it should be fenced. The actual conditions have to be seen.

Dr. TONKIN: The Minister's reply points out the difficulty of the Bill, because he said that clause 4 (*a*) covered the problem. However, he is now saying that being hundreds of miles away makes *it* difficult to give a reply. How will he give such a reply? We should be receiving more definite information. Will the Minister employ inspectors and have another department, and will these conditions apply to the metropolitan area? How can the Minister examine some pools and squatters' tanks? I have been under the impression that the average above-ground pool with walls 4ft. high would be exempted. I am sure the public thought so. Most pools have filtration plants next to the wall, however, so that they will not be exempted. I am sure that the public should know these details.

Mr. EVANS: I believe that fencing the whole block is the proper way to tackle this problem. However, I am concerned about excavations. Does the Minister say that all excavations on building sites are exempted as a class? If a person in the country has a dam close to the town and wishes it to be exempted from this legislation, all he has to do is put an advertisement in the local paper that people can enter the pool at their own risk. If a sign is placed on the pool and it is available to the public free of charge, it is exempt. I do not think that is what is intended. Can the Minister say how building sites, highway construction, and bridge works are to be covered? In the Hills area it would be difficult to work with machines without digging a hole at least 1ft. deep.

Mr. HALL: Today, there are many pools of a depth of about 2ft. 6in. situated in the metropolitan area. The Minister is practical enough to know that if a person is buying a pool 30in. deep that has to be fenced or one 48in. deep that does not, he will buy the latter. Therefore, in many hundreds of homes in metropolitan Adelaide and country areas there will be a pool 4ft. deep instead of one 2ft. 6in. deep, and that will mean more danger for children than exists today.

The Hon. G. T. VIRGO: The member for Gouger apparently does not consider that the owner of the pool has much responsibility or intelligence. If a 4ft. high wall would suffice as a fence, the person would be inclined to buy one that high, but I should like to think that parents would have sufficient responsibility to realize that 4ft. of water would constitute a greater danger than would 2ft. 6in. of water. Nothing requires the pool to be filled to the brim.

Mr. Hall: You know what happens.

The Hon. G. T. VIRGO: I do, because my daughter and son-in-law have one of these pools and they act fairly responsibly. The member for Bragg said he thought that a 4ft. high wall would constitute a safety provision as required by the legislation but that I had said it would not. It is not what I said. I said that a 4ft. fence, provided it had no hand or toe holds, would be sufficient. However, a pumping or filtration plant or a step beside the wall would mean that it would not comply with the requirements.

Mr. McAnaney: The steps would need to be down to get into the pool.

The Hon. G. T. VIRGO: The steps leading to the pool spring up into the horizontal position, and the pool cannot be entered with the steps in that position.

Mr. Hall: When they are down the law is being broken.

The Hon. G. T. VIRGO: Presumably, when they are down the people who own the pool or someone else is using it.

Mr. Hall: That is not exempted.

Mr. McAnaney: The people could go inside and leave the steps down: are they breaking the law?

The Hon. G. T. VIRGO: The legislation seeks to define safety limits. People can contravene it. They contravene the law regarding the 35 m.p.h. speed limit. If people contravene such provisions they will have to take the consequences.

Mr. EVANS: Will a person who makes his dam available to the public be exempt?

Clause passed.

Clause 5—"Minister may exempt certain swimming pools."

Mr. EVANS: Will a contractor who excavates an area have to fence it off at night if the water that can collect in it will be more than 1ft. deep over an area of more than 5 m^2? How does such a person cover himself?

The Hon. G. T. VIRGO: Such questions are not really worth answering. The member for Fisher is just trying to lick his wounds. Of course, we are not attempting to cover excavations in buildings or holes in the road.

Mr. EVANS: I take exception to the Minister's saying that I am licking my wounds. I am genuinely concerned that a hole could be made on a building site and that a person could be liable under the provisions of this Bill.

Clause passed.

Clause 6—"Swimming pools to be enclosed."

Mr. COUMBE: This clause refers to the "appointed day". How much time will be allowed so that it will be equally fair to all people concerned?

The Hon. G. T. VIRGO: I cannot give a satisfactory indication because, of necessity, this must be vague. I would have liked this legislation to become effective in its entirety in the forthcoming summer. That is now out of the question. Following the passage of this legislation some form of publicity, possibly through local government (especially as swimming pools will be covered by the new Building Act and councils will have to approve of their construction before they are erected). The appointed date will probably not be proclaimed until March or April next year.

Mr. Coumbe: Will there be sufficient advance notice?

The Hon. G. T. VIRGO: Yes. I hope that by the passage of this legislation, even before it is proclaimed, people will acknowledge its value and take the necessary steps. I move:

In subclause (3) (*a*) to strike out "1.3" and insert "1.2".

This amendment is necessary because of the problem involved in expressing measurements in metric terms. The height of 1.3 m is about 4ft. 3in., but 1.2 m is a fraction under 4ft.

Amendment carried.

Mr. MILLHOUSE: I move:

In subclause (3) (*c*) to strike out placita (i) and (ii) and insert "a mechanism that automatically comes into operation on the gate or door being closed and is such as to prevent a small child opening the gate or door when the gate or door is closed".

I wondered what a positive self-locking mechanism really was, so I concluded that a better means of tackling the problem would be to say that it is necessary to have a gate or a door that could not be operated by a child, rather than to define mechanisms that we think a child would not be able to open. The amendment is to change the actual specifications so that they relate to something that a child cannot open.

Amendment carried; clause as amended passed.

Clause 7 passed.

New clause 8—"Proceedings for offences against this Act."

The Hon. G. T. VIRGO: I move to insert the following new clause:

8. Proceedings in respect of offences against this Act shall be disposed of summarily.

The omission of this clause was an oversight when the Bill was drafted and it is a normal machinery clause.

New clause inserted.

Title passed.

Bill read a third time and passed.

RIVER TORRENS (PROHIBITION OF EXCAVATIONS) ACT AMENDMENT BILL

Adjourned debate in second reading.

(Continued from October 17. Page 2099.)

Mr. COUMBE (Torrens): I support this "gigantic" Bill. It is an extremely important measure. The Act has not been amended for more than 30 years, and it applies only to that part of the Torrens River below Taylor Bridge on the South Road, extending down to Breakout Creek. I understood that the measure was introduced initially because of the closeness of some pugholes in that area. I recall as a small boy being taken to see a pughole after a heavy flood. The banks had been cut away and the pughole was completely inundated and filled. The purpose of the Act was to prevent certain excavations taking place.

The Bill merely converts the measurement to the metric system. In his explanation, the Minister said:

I point out that 50ft. equals 15.240 metres and, as it is not desired to prejudice the existing rights of the public in this matter, the area of the prohibition has been slightly altered to 15 metres.

The Minister is reducing the distance.

The Hon. J. D. Corcoran: Yes.

Mr. COUMBE: How does that square up with the Minister's statement that it is not desired to prejudice the existing rights? I take it that it refers to those people on the adjoining properties?

The Hon. J. D. Corcoran: Yes.

Mr. COUMBE: Therefore, I have pleasure in supporting this important Bill.

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

ADJOURNMENT

At 9.57 p.m. the House adjourned until Thursday, October 26, at 2 p.m.