HOUSE OF ASSEMBLY

Tuesday, September 24, 1974

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

PETITION: STUDENT TRAVEL CONCESSIONS

Mr. DEAN BROWN presented a petition signed by 5 406 secondary students, parents, teachers, and friends relating to travel concessions for secondary students 15 years of age and over, and praying that the House of Assembly amend the present fare structure on public transport so that all secondary students might be able to use public transport at child fare whenever they wished.

Petition received.

PETITION: COUNCIL BOUNDARIES

The Hon. J. D. Corcoran, for Hon. HUGH HUDSON, presented a petition signed by 3 053 persons stating that they were dissatisfied with the first report of the Royal Commission into Local Government Areas, and praying that the House of Assembly would not bring about any change or alteration of boundaries.

Petition received.

PETITIONS: SPEED LIMIT

Mr. MILLHOUSE presented a petition signed by 241 persons, stating that because of conversion to metrics the speed limit of 30 kilometres an hour past school omnibuses and schools was too high and presented an increased threat to the safety of schoolchildren, and praying that the House of Assembly would support legislation to amend the Road Traffic Act to reduce the speed limit to 25 km/h.

Mr. RUSSACK presented a similar petition signed by 84 persons.

Mr. BOUNDY presented a similar petition signed by 88 persons.

Mr. SLATER presented a similar petition signed by 59 persons.

Dr. EASTICK presented a similar petition signed by 80 persons.

Mrs. BYRNE presented a similar petition signed by 20 persons.

Petitions received.

PERSONAL EXPLANATION: STATE AID

Mr. GOLDSWORTHY (Kavel): I seek leave to make a personal explanation.

Leave granted.

Mr. GOLDSWORTHY: Last Wednesday evening, during the grievance debate, in which I was canvassing arguments in connection with the Commonwealth Government's proposal to reduce the allowable taxation deduction for education from $400 to $150, I made the point that the Labor Party had not adopted a policy of State aid until fairly recent years. During the course of that debate, I said that Mr. Clyde Cameron had been a fairly vigorous opponent of State aid. When I attributed some words to Mr. Cameron, I was accused by the member for Adelaide of being a liar. The *Hansard* report of this exchange is as follows:

Mr. GOLDSWORTHY: ... I remember Mr. Clyde Cameron saying at one of the Labor Party's meetings at Broken Hill, "We as a party will not subsidise the Catholic Church." Those were his words.

Mr. Wright: What's your authority for saying that?

Mr. GOLDSWORTHY: I will find the reference, because he said it.

Mr. Wright: I say you're a liar.

Mr. GOLDSWORTHY: The member for Adelaide can call me a liar.

The SPEAKER: Order!

Mr. GOLDSWORTHY: However, I will ask for a retraction if I can find the statement to which I have referred.

I now wish to quote from a report in the Melbourne *Age* of Friday, August 1, 1969, of the Labor Party conference at which it was initially decided to introduce State aid. This report, which is the one to which I referred in the grievance debate and my reference to which led the member for Adelaide to call me a liar, states:

Mr. C. R. Cameron, M.H.R. (South Australia) claimed it was "morally indefensible and constitutionally very doubtful" whether the Commonwealth could use public funds "for the propagation of any faith". "There's no doubt that what we are doing now is propagating the Catholic faith," Mr. Cameron said. "There would not be one Catholic school left open if you said they couldn't teach the catechism. They only want to teach their religion."

Although the words I used in the grievance debate were not precisely the same as those, the meaning conveyed in that article is certainly exactly the same as the meaning I attributed to Mr. Cameron in the grievance debate. In those circumstances, I think it would be only appropriate if the member for Adelaide saw fit to retract his reference to me as a liar.

QUESTIONS

The SPEAKER: I direct that the following written answers to questions be distributed and printed in *Hansard.*

VEHICLE INDUSTRY

In reply to Mr. EVANS (September 12).

The Hon. D. A. DUNSTAN: My departmental officers were unaware that such a submission had been made. A copy of the letter to the Department of the Prime Minister and Cabinet from the President of the Automobile Association of Australia has subsequently been obtained, and I confirm that it strongly urges the implementations of the I.A.C. recommendations. In support of this position Mr. Thompson (A.A.A. President) states:

In its report the commission sets out the means, of restructuring the industry to the benefit of the consumer, the least cost to the community, and with minimum disruption to employment.

I would argue that the effects of the I.A.C. recommendations in disruption of employment and social cost to. the community, particularly to the South Australian community, would be very great indeed, while the benefits to the consumer are not necessarily assured. No correspondence has been sent to the A.A.A. on this matter. As I have previously stated, my officers are preparing a detailed report on this subject which will include an analysis of the effects on employment in this State, in the event of the I.A.C. recommendations being adopted. This report will be presented to the Australian Government in October.

STUDENT TEACHER BONDS

In reply to Mr. GOLDSWORTHY (September 12).

The Hon. HUGH HUDSON: The amount of $345 291 written off against the Education Department is made up as follows:

	$	$
Bond liability:		
Waived	294 949	
Marriage concession	27 516	
Discount allowed	17 573	
Written off	4 443	344 481
Other amounts written off:		
Overpaid salaries	780	
Uncollected fees, etc.	30	810
		$345 291

Reasons for waiving liability that have applied for many years include termination of courses, resignation on account of pregnancy and caring for children. It is also policy to reduce liability by one-half when a female student or teacher resigns to marry. Difficulty has been experienced in recovery of bond debts. The terms of the bond agreement provide for repayment of liability in full on default, but most debtors are not in a financial position to effect immediate settlement.

Although the Education Department is willing to accept reduction of liability by the payment of instalments, this method often becomes very protracted for various reasons. Cabinet approval was therefore given in February, 1974, to a scheme of discount to encourage early settlement of accounts. The scheme provided for a discount of 20 per cent on all payments by existing debtors between March 1 and August 31, 1974. A discount of 10 per cent is now applicable for payments made between September 1, 1974, and February 28, 1975. A similar discount policy applies to new debtors for a period of 12 months after the date of invoicing.

GROCERY PRICES

In reply to Mr. WELLS (August 29).

The Hon. L. J. KING: The Commissioner for Prices and Consumer Affairs has reported that inquiries have been made into the apparent overcharge for the particular brand of detergent referred to, but there was no record of the price of 65c having been charged by the supermarket concerned. The management considered a genuine mistake may have been made and, in such circumstances, would refund the excess involved. As regards Sal Vital, several complaints have been received on the increase in price of this product. Inquiries revealed that it is manufactured in Victoria, and certain imported raw material has increased in price by 1 000 per cent. Retailers' margins in South Australia are reasonable when buying and selling at the new prices. However, instances have been reported as in the case mentioned by the honourable member, where shelf stock has been remarked.

The whole question of remarking grocery shelf stock has been the subject of negotiations with the South Australian Food Industry Consultative Council (whose members are mainly supermarket operators) since April. Following further approaches late in August, unqualified agreement to stop this practice has been obtained from several large supermarket chains, including Coles New World Supermarket, Tom The Cheap (S.A.) Proprietary Limited, and Woolworths (S.A.) Limited. Eudunda Farmers Co-operative Society Limited, Central Provision Stores, and Big Heart Food Discounters have also indicated general agreement with the branch's request. It is expected that other supermarkets will follow this lead.

The practice of marking up prices of shelf stock is unacceptable. I trust that the present negotiation will result in its elimination. If it persists, serious consideration will be given to the practicability of legislation to make it unlawful. Most grocery prices in South Australia continue to compare favourably to the rest of Australia. This contention is supported by the results of a survey conducted in July by the Consumers Association of Victoria where 30 commonly purchased lines were checked in capital cities with the following results:

	Total cost of 30 lines $
Adelaide	10.80
Brisbane	10.87
Melbourne	11.04
Canberra	11.15
Sydney	11.37
Hobart	11.49

WARRADALE YOUTH GROUP

In reply to Mr. MATHWIN (August 14).

The Hon. G. T. VIRGO: The Warradale Youth Group is one of several occupiers of the Warradale Institute owned by the city of Marion, and situated on land required for the proposed Oaklands rail crossing grade separation. The institute will eventually be demolished. Consideration will be given to making available to the council land surplus to Highways Department requirements to replace the land required for the overpass project. The service station property, to which the honourable member refers, has been acquired in connection with the overpass, and it is possible that some surplus land will be available from this property. However, the Land Board is now negotiating with the owners of commercial premises adjoining the service station to exchange all or part of land surplus from the service station property to replace large areas of car park which are to be acquired. Negotiations will not be completed for at least six months, therefore, it is not possible at this stage to determine to what extent, if any, surplus land from the service station site will be available. Several other parcels of land in the vicinity of the institute are surplus to Highways Department requirements, and their availability will be discussed with the council soon. It is expected the institute will not be demolished in the immediate future, and adequate time should be available to enable the youth club to acquire alternative accommodation.

LINCOLN GAP ROAD

In reply to Mr. MAX BROWN (September 12).

The Hon. G. T. VIRGO: Complete reconstruction to improve standards of the Lincoln Gap to Whyalla section of the Whyalla to Port Augusta road has commenced at Lincoln Gap, and will continue until the section is finished. The programme is subject to the availability of funds and the terms of Australian Government legislation. However, it is hoped to complete the work within three years. Interim maintenance on the existing pavement will be continued.

NATIONAL PARKS

In reply to Mr. EVANS (July 30).

The Hon. G. R. BROOMHILL: Part section 382, hundred of Noarlunga, comprising 62 hectares, was recently inspected by an officer of the National Parks and Wildlife Division of the Environment and Conservation Department. He has reported that for the most part the area is covered in eucalyptus obliqua coppice (stringy-bark regrowth from old cut-over stumps) with the typical dry sclerophyl understorey of wattles and other vegetation common to the Adelaide Hills. The area also contains some specimens of *Eucalyptus leucoxylon* (South Australian blue gum), *E. cosmophylla* (cup gum) and *E. fasciculosa* (pink gum). Unfortunately, the area has numerous tracks through it. Because of the present condition of the vegetation and its location, which does not lend itself to a convenient link-up with either Belair Recreation Park, Loftia Recreation Park or the proposed Scott Creek Recreation Park, it is not intended to acquire this property for the purpose of a reserve under the National Parks and Wildlife Act.

WORKER PARTICIPATION UNIT

In reply to Mr. VENNING (September 18).

The Hon. D. H. McKEE: During the debate on the Appropriation Bill, the honourable member asked me the salary fixed for the position of Executive Officer, Worker Participation Branch; it is $11 350 a year.

SCHOOL LIBRARIES

Mr. GOLDSWORTHY (on notice):

1. How much financial assistance has been received in 1974 from the Commonwealth Government for improvement of school library services in South Australian schools?

2. Which schools have received assistance and how much has each received?

3. What grants for similar library improvements from this source are intended for 1975?

The Hon. HUGH HUDSON: The replies are as follows:

1. $660 000, apart from capital grants.

2. (1) Primary schools: In 1974, each school with a primary enrolment will have received a base grant of $100 plus 60c a child ($110 000).

(2) Secondary schools: In 1974, each school with a secondary enrolment will have received two per capita grants to spend on print and non-print material. The first grant was $800 a school plus $1 a child ($180 000). The second grant was $600 a school and $1.50 a child ($200 000). In addition, $40 000 was spent on audio-visual material produced by the Educational Technology Centre and distributed free to all secondary schools. The balance of the funds ($130 000) will be spent on equipping the following 19 new libraries:

Blackwood High	Ingle Farm High
Seacombe High	Morialta High
Taperoo High	Kingscote Area
Woodville High	Lameroo Area
Augusta Park High	Pinnaroo Area
Glossop High	Snowtown Area
Grant High	Streaky Bay Area
Naracoorte High	Tumby Bay Area
Port Lincoln High	Yorketown Area
Port Pirie High	

3. (1) Primary schools: In 1975, $440 000 will be spent on books and equipment as follows:

(a) Each school with a primary enrolment will receive $100 plus 75c a child ($132 000).

(b) About 115 schools with inadequate book stocks will receive additional funds ($170 000).

(c) About 200 schools with less than 150 enrolments in the country regions will be able to use loan collections of resource material to be housed at country regional offices ($88 000).

(d) The balance of the funds will be used to equip new libraries built from Schools Commission funds ($50 000).

(2) Secondary schools: In 1975, special grants amounting to $290 000 will be given to schools considered to have inadequate library resources as a result of a needs survey to be conducted by the Secondary Resource Centre Committee.

(3) Buildings: In 1974 and 1975, $1 200 000 has been allocated for the building of primary school libraries from Schools Commission funds. About $1 500 000 has been allocated for the building of new secondary school libraries in 1974 and 1975.

MATRICULATION

Mr. GOLDSWORTHY (on notice):

1. Are any new Matriculation classes intended for Government secondary schools in South Australia in 1975?

2. In which secondary schools are Matriculation classes now conducted?

The Hon. HUGH HUDSON: The replies are as follows:

1. Yes. Internal courses only at Gepps Cross Girls High and Murray Bridge High: Matriculation courses only at Mannum and Thorndon High: Internal and Matriculation courses at Royal Park, Smithfield and Dover High, and at Karoonda, Eudunda and Keith Area.

2. Metropolitan high schools:
*Adelaide Boys
*Adelaide Girls
*‡Angle Park Boys) combined
*‡Angle Park Girls) combined
*Blackwood
*Brighton
*‡Campbelltown
*‡Christies Beach
*‡Craigmore
*‡Croydon
*Daws Road
*Elizabeth
*‡Elizabeth West
*‡Enfield
*Findon
*Gilles Plains
*Glengowrie
*‡Glenunga
*Henley
*‡Kidman Park
*Le Fevre Boys—course combined with Port Adelaide Girls Technical
*Marden
*Marion
*Mawson
*‡Mitchell Park
*Modbury
*‡Nailsworth Boys
*Northfield
*Norwood
*‡Plympton
*‡Salisbury
*Salisbury North
*‡Seacombe
*‡Seaton
*Taperoo
*Underdale
*Unley
*Urrbrae Agricultural
*Vermont
*Woodville
*Salisbury East

Country high schools:
*Balaklava
*Birdwood
*Bordertown
*Clare
*Eyre
*Gawler
*Gladstone
*Glossop
‡Grant
*‡Naracoorte
*Nuriootpa
*‡Penola
*Peterborough
*‡Port Augusta
*Port Lincoln
*‡Port Pirie
*Renmark
*Heathfield
*Jamestown
*Kadina
*Loxton
*Millicent
*Minlaton
*Mount Barker
*Mount Gambier
*Murray Bridge
*Risdon Park

*Riverton
*Strathalbyn
*‡Victor Harbor
*Waikerie
*Willunga
*Whyalla
*Woomera

Technical high schools:
*‡Elizabeth Boys)
*‡Elizabeth Girls) combined for Matriculation
‡Kensington-Norwood Girls
*‡Mitcham Girls
‡Nailsworth Girls
*‡Port Adelaide Girls (Matriculation course combined with Le Fevre Boys High)
*Thebarton Boys
*‡Thebarton Girls

Area schools:
*‡Cummins
*Kingscote
*‡Oakbank
*Yorketown

Schools with Matriculation marked *
Schools with fifth year internal marked ‡

OPEN-PLAN UNITS

Mr. GOLDSWORTHY (on notice):

1. How many primary schools in South Australia are of the open-plan type?

2. How many high schools in South Australia are open-plan and which schools are they?

3. How many primary schools have open units but not completely of open-plan type?

4. How many high schools have open units as part of the school accommodation?

The Hon. HUGH HUDSON: The replies are as follows:

1. 21.

2. 6: Para Hills, Para Vista, Banksia Park, Morphett Vale, Augusta Park, and Gladstone.

3. 118, being either conversions or new units. There are also some schools that have made alterations to buildings to allow the options of open-space areas that are not recognised as official conversions.

4. 22, in addition to the 6 referred to in 2 above.

PUBLIC EXAMINATIONS

Mr. GOLDSWORTHY (on notice): What are the results of the inquiries of the interim committee for the South Australian Council for Educational Planning and Research into the future of public examinations in South Australia?

The Hon. HUGH HUDSON: No inquiries have yet been undertaken.

UNIVERSITY RADIO STATION

Mr. GOLDSWORTHY (on notice):

1. How many South Australian Government schools are now using the programmes of the University of Adelaide's radio station VL5UV?

2. What financial contribution does the Education Department make to the running of this radio station?

The Hon. HUGH HUDSON: The replies are as follows:

1. Eighty schools are within range of VL5UV and are eligible to use its services. Forty-four schools are, in fact, now using this station's programmes.

2. The Education Department makes a contribution of $30 for each of the 80 schools, making a total of $2 400 a year.

HEALTH EDUCATION

Mr. GOLDSWORTHY (on notice):

J. In how many Government schools in South Australia is the health education programme (including sex education) being taught during 1974?

2. Is a detailed syllabus for the course available to teachers dealing with the course and, if so, is the syllabus under review?

3. If the syllabus is under review, when will details of the course intended for 1975 be available?

The Hon. HUGH HUDSON: The replies are as follows:

1. 31.

2. A detailed syllabus for 1975 is available now. Syllabus preparation is not static. Part of this syllabus will be assessed and re-written in 1975.

3. *Vide* 2.

TEACHERS

Mr. GOLDSWORTHY (on notice): Is any recruiting campaign for oversea teachers to teach in South Australia being conducted at present or contemplated for the future?

The Hon. HUGH HUDSON: The South Australian Education Department is not conducting a recruiting campaign for oversea teachers in the United States of America at present. The 1974 recruiting campaign has concluded, and resulted in more than 100 American teachers being offered two-year teaching agreements to teach in South Australia. Teachers are recruited from the United Kingdom on a continuous basis through the office of the Agent-General for South Australia. Last year 45 teachers were recruited through this agency, and to date a further 45 have arrived. It is expected that an additional 100 teachers from this source will arrive by the end of January, 1975.

KINDERGARTENS

Mr. GOLDSWORTHY (on notice): What actions are being taken by the Government to increase the number of kindergarten teachers in South Australia?

The Hon. HUGH HUDSON: Arrangements have been made to conduct three-year diploma courses and conversion courses for pre-school teachers in three colleges of advanced education on a steadily increasing numerical basis. In 1973, 34 pre-school teachers completed a three-year training course at Kingston College of Advanced Education, and 21 did a conversion course at Torrens College of Advanced Education. This year, 65 three-year trained teachers will be available from Kingston C.A.E. for appointment in 1975. Fourteen who are doing a conversion course part time will be available in 1976. From Torrens C.A.E., 15 who are doing a conversion course will be available for appointment in 1975.

Next year there will be in training at Kingston C.A.E. 150 in the first year of the three-year course, 99 in second year, and in third year 68 who will be available for 1976 appointment. Also at Kingston there will be 40 doing a conversion course: 20 on full time, available for appointment in 1976, and 20 on part time, available for 1977. There will be 15 doing a one-year professional course: five full time, available for appointment in 1976, and 10 part time, available for appointment in 1977. There will be two others available for appointment in 1976. Next year at Torrens there will be 40 doing the full-time conversion course who will be available for appointment in 1976. If sufficient funds become available, this number could be increased to 60. At Murray Park College of Advanced Education next year 50 students will commence a three-year course.

Mr. GOLDSWORTHY (on notice):

1. How much financial assistance has been received from the Commonwealth Government for the establishment of kindergartens in South Australia in 1974?

2. What financial assistance for this purpose is intended for 1975?

The Hon. HUGH HUDSON: The replies are as follows:

1. During the financial year ended June 30, 1974, the Australian Government allocated a total of $1 870 519 for expenditure on capital projects, and $656 000 for recurrent expenditure. It should be noted that, whilst the $1 870 519 was available for firm committal during the year ended June 30, 1974, the basis of the funding contemplated the expenditure of a substantial part of that amount during the 1974-75 period. This was because many capital works could not possibly be completed before June 30, 1974. The recurrent expenditure allocation covered salary expenditure for pre-school teachers, both by the department and the union, and the cost of mounting training courses to provide additional teachers.

2. The financial assistance, which will be available for the year ended June 30, 1975, is not yet known, although the Commonwealth Treasurer has announced a total allocation of $75 000 000 for pre-school and child care projects throughout Australia during this period.

PUPIL COSTS

Mr. GOLDSWORTHY (on notice): What is the estimated cost a pupil enrolled in Government primary and secondary schools in South Australia in 1974, including payments for administration but excluding debt charges on Loan funds?

The Hon. HUGH HUDSON: Precise figures cannot be given on a calendar year basis. On the basis given in the Director-General's report the estimated 1973-74 costs are $390 primary and $730 secondary. On the basis agreed by the Australian Education Council in 1969, so that effective comparisons could be made in all States between Government and non-government schools, the estimated figures are $388 primary and $685 secondary. The latter basis makes certain adjustments, for example, in relation to school transport charges, so that a more sensible comparison between Government and non-government schools can be made.

Mr. COUMBE (on notice): What was the cost a pupil for students enrolled in State primary and secondary schools for the year ended June 30, 1973, and 1974, respectively?

The Hon. HUGH HUDSON: Actual costs according to the Director-General's report for 1972-73 were $344 primary, and $642 secondary. At this stage estimates for 1973-74 on the same basis would be $390 primary and $730 secondary. However, on the basis agreed by the Australian Education Council in 1969 for the use in all States, the estimates for 1973-74 submitted to the Australian Government are $388 primary and $685 secondary. The latter basis makes certain adjustments, for example, in relation to school transport charges, so that a more direct comparison with a non-government school situation can be made.

GLENS1DE HOSPITAL

Dr. TONKIN (on notice):

1. Has demolition been halted on the old Z block at Glenside Hospital, and, if so, why?

2. How far has demolition proceeded?

3. What function is it intended that the old building should now fulfil?

4. Is the site part of the overall plan for the mineral and mining complex?

5. What alternative arrangements will be made if the building is to be preserved?

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

1. Following consideration of representations made by the National Trust of South Australia to preserve the old Z block at Glenside Hospital, demolition arrangements have been halted.

2. Minor items have been removed from the interior of the premises, and these will be easily reinstated. A slate flooring has been removed, and this will probably be replaced by a more satisfactory concrete floor.

3.It is contemplated that the building could be used for storage of archival and reference material. Such storage would meet the main requirements of the Mines Department, and any surplus space could be useful to other Government departments.

4. Yes.

5. Preservation of the building requires minor alterations to the intended layout of the Australian Mineral Sciences Centre.

EMERGENCY FIRE SERVICES

Mr. GOLDSWORTHY (on notice) : What Government subsidy is available for the construction of Emergency Fire Services premises in country districts?

The Hon. J. D. CORCORAN: Subject to appropriation by Parliament, an amount estimated at $58 000 will be spent by the State Government during the present financial year in subsidising expenditure incurred by district councils and corporations in the maintenance and operation of emergency fire services organisations. Where a council incurs expenditure in the construction of a new fire station or for the extension of existing premises, consideration will be given to the payment of a subsidy on the cost. However, the amount of the subsidy in each case will depend upon the overall claim for subsidy on general maintenance expenses submitted by that council, as the total amount of subsidy payable to a council in any one year is limited to $2 000.

WHEAT PICKLE

Mr. GUNN (on notice): Has the Agriculture Department given further consideration to recommending the use of copper carbonate as a suitable wheat pickle?

The Hon. J. D. CORCORAN: Yes; but it would not recommend copper carbonate as a suitable wheat pickle because:

(1) It can cause health problems. Copper is a serious poison. Used as copper carbonate it has serious dust and irritant problems, probably more serious to operators than the modern chemicals being recommended.

(2) It is not sufficiently effective for present day control requirements, and the presence of bunt spores could interfere with our export trade. Tests have shown that the pickles being used today give at least 10 times better control.

(3) Copper carbonate is corrosive, and therefore causes machinery problems.

(4) Grain treated with copper carbonate has a poor flow rate through seeding equipment.

(5) Copper carbonate is suspected to be phytotoxic, but no conclusive tests have been carried out to prove this.

ROAD CROSSINGS

Dr. EASTICK (on notice):

1. How many electrically operated safety devices have been installed at railway and tramway crossings in South Australian in each of the financial years from 1969-70 to 1973-74, inclusive?

2. What are the locations of these devices and the cost of installation of each?

3. What crossings are to be similarly protected during the financial year to June 30, 1975?

4. How many crossings are listed for installation of safety devices when funds are available?

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

1. 1969-70—11.
1970-71—22.
1971-72—21.
1972-73—17.
1973-74—18.

	$
2. Roseworthy, Main North Road	5 969
East Grange, Devon Road	4 898
Mitcham, Angas Road	5 185
Albert Park, Lawton Crescent	8611
Jamestown, Vohr Street	8 271
Port Pirie, Mary Elie Street	10 505
Nairne, Woodside Road	6 167
Kudla, Dalkeith Road	8 008
Osborne, Victoria Road	15 108
Mount Gambier, Commercial Street West	6 402
Outer Harbor, Wharf	14 577
Port Pirie, Warnertown Road	10 000
Port Pirie, Port Germein Road	10 000
Mitcham, Grange Road	3 853
Hawthorn, Sussex Terrace	3 621
Gladstone, Cross Street	10 000
Gladstone, Georgetown Road	10 000
Grange, Sturt Road	8 530
Caltowie, Main Road	6 803
Callington, Woodchester Road	6 697
Draper, Kolapore Avenue	7 758
Gladstone—Caltowie 188m. 22c	7 000
Currency Creek, 65m. 34c	10 188
Wingfield	7 448
Crystal Brook	6 459
Gawler, Victoria Street	7 435
Snowtown	10 467
Merriton	10 142
Snuggery	9 661
Peterborough, Hurlestone Street	10 000
Peterborough, Railway Terrace	10 000
Port Wakefield	12 194
Riverton	6 904
Port Adelaide, Gray Terrace	25 928
Port Adelaide, Bedford Street	31 046
Nairne, 35m. 45c	10 552
Port Adelaide, Seatainers	8 920
Renmark, Sturt Highway	15 162
Port Adelaide, Newcastle Street	9 700
Barmera, Sturt Highway	14 562
Eudunda, 68m. 39c	9 675
Cutana, Main Road	9 252
Manoora, Main Road	11 795
Murray Bridge, Cypress Terrace	15511
Middleton	13 762
Saddleworth	16 178
Strathalbyn, Milne Road	11 528
Strathalbyn, South Terrace	12 537
Mount Gambier, Crouch Street	10812
Naracoorte, McDonnel Street	4 449
Port Lincoln, LeBrun Street	17 780
Dry Creek, Grand Junction Road	22 304
Bowden, Park Terrace	23 983
Bugle Ranges	13 814
Strathalbyn, East Terrace	15 136
Naracoorte, Stewart Terrace	31 211
Brighton, Edward Street	9 445
Seaton Park, Tapley Hill Road	19 495
Ceduna	13 328
Peterhead, Hargrave Street	8 366
Largs, Wills Street	8 104
Penola	20 791
Cavan	52 554
Bridgewater	23 625
Direk	11 272
M.T.T. South Road	43 299
Balaklava	14 497
Port Elliot	11 800
Brighton, Jetty Road	25 608
Wingfield	12 853
Bowden, Gibson Street	12 888
Birkenhead, Victoria Road	13 047
M.T.T. Goodwood Road	—
North Gawler, Murray Street	—
Semaphore, Military Road	9 358
Semaphore, Woolnough Road	10 975
Glenalta	27 837
M.T.T. Leah Street	38 450
Wingfield, Days Road	7 451
Mount Gambier, Tollners Road	7 913
Mount Gambier, Pick Avenue	10 897
M.T.T. Beckman Street	44 363
Port Adelaide, Wheat silo	6 486
Tanunda, Basedow Road	10 461
Tintinara, 131m. 45c	6 794
Gawler—Roseworthy, Wasleys Road	18 243
Kadina, Russel Street	13 052
Kadina, Moonta Road	15 787
M.T.T. Cross Roads	51 729
M.T.T. Sixth Avenue	2 566
M.T.T. Marion Road (not in service)	—

3. Tarlee, Main North Road.
Tailem Bend, North Terrace.
Port Adelaide, Commercial Road.
Snowtown, By-pass road
Burra, Bon Accord
Auburn, Clare Road
Crystal Brook
Caltowie
Clarence Park
Gumbowie M.R. 45
Farrell Flat M.R. 46
Coomunga M.R. 9
Bagot Well M.R. 22
Osborne, Osborne Road
Birkenhead, Fletcher-Rann
Birkenhead, Elder-Rann
Port Adelaide, Francis Street
Mt. Bryan, Highway 32
Mt. Gambier, Graham Road
Glanville, Semaphore Road
Dudley Park, Belford Avenue
Goolwa, Main Road
Penrice Junction, Angaston Road
Monarto South, Princes Highway
Lyndoch, Williamstown Road
Strathalbyn, High Street
Ceduna, Thevenard Road
Port Adelaide, Canning Street
Bordertown, McLeod Street
Nairne, Jeffrey Street
Tanunda-Dorrien 70.692 km
M.T.T. Marion Road
M.T.T. Greenhill Road

4. The need for the installation of warning devices at all level crossings is examined each year when the programme of work to be undertaken is prepared.

Dr. EASTICK (on notice):

1. What is the programme for implementing the grade separation projects for railway and tramway crossings as outlined in the Metropolitan Adelaide Transportation Study report?

2. Have any other crossings been added to that list?

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

1. The programme for implementing the grade separation projects is as follows:

Construction phase:

Marion Road	Christie Downs line—Completion date January 1976.

Design phase:

Morphett Road	Christie Downs line
Torrens Road	Gawler line
Regency Road	Gawler line
Grand Junction Road	Gawler line
South Road	Outer Harbor line

Planning phase:

Ryans Road	Gawler line
Laurence Road	Gawler line
Commercial Road	Gawler line
Womma Road	Gawler line
Curtis Road	Gawler line
Kilkenny Road	Outer Harbor line
Woodville Road	Outer Harbor line
Cheltenham Parade	Outer Harbor line
Upper Sturt Road	Bridgewater line
Brighton Road	Christie Downs line

Apart from the project already under construction, no programmed dates for the construction of grade separation projects have yet been determined.

2. The following grade separations are in addition to those listed:

(a) On the Christie Downs line:

South Road/Cross Road, Emerson
Brighton Road/Christies Beach Road, Lonsdale
O'Sullivan Beach Road, Lonsdale
Flaxmill Road, Christies Beach
Elizabeth Road, Christies Beach
Beach Road, Christie Downs

(b) On the Gawler line:

Port Wakefield Road, Dry Creek
John Rice Avenue, Salisbury

(c) On the Outer Harbor line:

Grand Junction Road, Rosewater.

WARDANG ISLAND

Mr. MILLHOUSE (on notice):

1. During the last four financial years, have the officers or employees of any Government department worked on Wardang Island and, if so, of which departments?

2. If work has been done, what has been the nature of this work, when was it done and at what cost?

3. What payment, if any, has been received for such work and from whom and when?

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

1. *(a)* Officers of the Public Buildings Department have worked at Wardang Island.

(b) Employees of the Marine and Harbors Department.

(c) No officers of the Engineering and Water Supply Department have worked on Wardang Island in the last four financial years. However, following an approach which was made by Mr. H. G. Pryce in 1969 to the Minister of Works, asking for the provision of a water supply to Wardang Island, arrangements were made for a survey of the seabed conditions between Port Victoria and the island to be made by the Marine and Harbors Department. This survey was completed in January, 1970.

2. *(a)* Five timber-frame cottages were painted. Mechanical services including plumbing and drainage were completed on four of these cottages. The work was undertaken between November 9, 1973, and February 4, 1974, at a cost of $7 501.

(b) Repairs to jetty and provision of a new boat landing. Completed early in November, 1973, at a cost of $6 016-77.

(c) A 50.8 cm indirect water service was fixed on January 17, 1972, near the kiosk at Port Victoria on the mainland to provide a supply specifically for Wardang Island.

3. *(a)* Payment of $7 415 has been received for the work from the Aboriginal Lands Trust in progress payments from January 14, 1974, to April 30, 1974, with a balance of $86 outstanding.

(b) Payment in full was received from the Aboriginal Lands Trust.

(c) Responsibility for this service was transferred to the Aboriginal Lands Trust when that body took over Wardang Island from Mr. Pryce.

BUILDERS LICENSING BOARD

Dr. EASTICK (on notice):

1. Since the Builders Licensing Act, 1967, came into operation, how many complaints relating to the work of licensed builders have been lodged with the Builders Licensing Board?

2. Have all these complaints been fully investigated and considered by the board?

3.Is the Minister satisfied that the board's administrative and inspectorial arrangements are adequate to ensure that complaints are investigated and considered in reasonable time?

4. In how many cases did the board come to the conclusion that the complaint was valid and substantial?

5. In how many of the cases where the complaint was valid and substantial was unsatisfactory work made good by the licensed builder following intervention by the board, to the satisfaction of both the complainant and the board?

6. How many licences have been cancelled or suspended by the board, and what was the reason for cancellation or suspension in each case?

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

1. The Act came into operation on May 1, 1971, and the number of new complaints lodged with the board, within each of the ensuing financial years to June 30, 1974, totalled 1 155. The statistics for the respective years were:

Part year ended June 30, 1971	18 (two months)
Year ended June 30, 1972	251
Year ended June 30, 1973	292
Year ended June 30, 1974	512
July 1, 1974, to August 26, 1974	82 (two months)

2. A few of the less complex complaints are resolved by exchanges of correspondence between the board and the licensee. However, the file is reviewed before the case is closed to ensure that the matters at issue do not foreshadow further deficiencies of a structural nature. As for the balance of complaints, most have been investigated and considered by the board or are now being considered, except for those for which the administrative and inspectorial staff are now gathering and collating information. Tn several instances, the nature of the case has required continued oversight by the board, after decisions have been taken.

3.I have every confidence in the competence of the board and its staff.

4. An accurate reply to this question would require an inordinate amount of time to research the figures, but it can be stated by way of general comment that only a small percentage of complaints are not founded on reasonable grounds. The board does not mediate further in these cases after the facts have been established: more often than not, however, time and energy have been expended on these matters which could be used to better advantage in pursuing other cases. Most complaints are valid, and concern issues of consequence, notwithstanding the fact that certain of the deficiencies are minor (but not trivial) matters. I would add that in the board's view a minor deficiency is one the existence of which does not have a bearing on the structural stability of the building.

5. The statistics maintained by the board relate to complaints lodged and resolved within the same financial year. The details are:

Year ended	No. of complaints resolved	No. of complaints lodged
June 30, 1971	13	18
June 30, 1972	166	251
June 30, 1973	215	292
June 30, 1974	183	512
July 1, 1974, to August 26, 1974	19	82

It should be noted that resolution of a complaint is determined by the performance of rectifications in accordance with generally accepted standards of workmanship, which does not necessarily accord with the measure of satisfaction sought by the complainant.

6. No licensees have had their licences suspended. Two licences have been cancelled by virtue of action taken under sections 18 and 20 of the Builders Licensing Act, 1967-1973, and a further 33 have not been renewed by the exercise of the powers contained in section 17 of the Act. The reasons for the loss of the licence were: not a fit and proper person 13, negligent or incompetent workmanship 14, and lack of financial viability 8. Although the board has the power to cancel or suspend licences, it is reluctant to use this sanction except in extreme cases, as the complainant is left without a remedy against the builder other than to institute civil proceedings; court actions of this kind are both difficult and expensive to pursue.

By pursuing a policy of mediation, the board achieves two objectives: the disciplining of the builder and the rectification of faulty work. However, the board is conscious of the fact that because of the limitations of the Act, complaints can only be resolved by consent. Intransigence on the part of some builders or their advisers has frustrated the board's efforts in some cases, and resulted in prolonged negotiations in others, frequently to the distress of the owner. These problems have clearly demonstrated the need for the board to possess legislative authority to direct that remedial work be carried out, and for that work to be undertaken within a specified time; furthermore, that these powers are backed by adequate penalties.

PROJECT CENTRE

Dr. TONKIN (on notice):

I. When is it expected the project centre in Beulah Road, Norwood, will be ready to accommodate pupils with social educational difficulties, and staff from the Community Welfare Department and the Education Department?

2. By which department will the project centre be administered, and whose will be the responsibility for direction?

3. By whom will the children to attend be assessed and selected, and will any emphasis be placed on either social or educational problems in such selection?

4. Is it intended that the centre will function predominantly as a day-attendance centre, and will most attendances result from behavioural problems that come or are brought to the attention of the Guidance Branch of the Education Department and of the Community Welfare Department through juvenile aid panels and the juvenile courts?

5. Will an annual report of the activities of the project centre be made available to this Parliament, and to the public?

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

1. It is expected that the property at Beulah Road, Norwood, will be ready for occupation at the end of January, 1975. In the meantime the project centre has commenced operations in temporary quarters at Magill with a small number of children.

2. The centre is a joint Community Welfare-Education Department project. The team leader is an officer of the Community Welfare Department.

3. Children referred to the centre will be assessed by a Community Welfare Department Assessment Panel. The supervisor of the centre, in consultation with the head of the school, will make the final decision regarding acceptance. Emphasis will be placed on social, educational, and behavioural problems.

4. The centre will function on a day-attendance basis. It is expected that most referrals to the centre will be made through officers of the Guidance and Special Education Branch of the Education Department. Some referrals are expected from juvenile aid panels and juvenile courts.

5. The activities of the centre will be reported on in annual reports of the Community Welfare Department. These reports are available to Parliament and the public.

EMERGENCY HOUSING

Dr. TONKIN (on notice):

1. Has the Housing Trust acquired properties for use as emergency housing for families without accommodation?

2. How many such properties are there at present, how many are occupied, and how many are in the course of preparation for occupation, and in which council areas respectively are these properties situated?

3. On what basis is the accommodation made or to be made available, what conditions are imposed, and what is the length of stay in such emergency housing contemplated in each case?

4. Who is responsible for the upkeep of such properties in respect of general house maintenance and of the garden and trees?

5. Is every care taken to maintain existing gardens and trees in keeping with the character of each property, and that of surrounding properties?

6. What other actions, if any, are taken to minimise the possibility of any such property contrasting with adjacent properties as obvious "welfare" accommodation?

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

1. No. The houses are purchased for normal trust use.

2. Houses purchased under the Special Rental Housing Scheme are located as detailed on the attached lists. All are occupied as soon as possible after acquisition and renovation.

COUNTRY SPECIAL RENTAL HOUSES:	
Kingston	1
Mount Gambier	1
Naracoorte	4
Penola	3
Port Lincoln	1
Port Pirie	2
Riverton	1
Tantanoola	2
Thevenard	2
Total	17

METROPOLITAN SPECIAL RENTAL HOUSES	
Adelaide	62
Alberton	5
Allenby Gardens	1
Athol Park	1
Beverley	2
Birkenhead	6
Bowden	9
Brahma Lodge	3
Cheltenham	1
Christies Beach	4
Clearview	4
Croydon	4
Croydon Park	2
Dover Gardens	2
Edwardstown	1
Elizabeth Downs	2
Elizabeth East	2
Elizabeth Field	2
Elizabeth North	2
Elizabeth Park	2
Elizabeth South	2
Elizabeth West	1
Enfield	2
Exeter	2
Flinders Park	1
Forestville	8
Gawler	2
Gilles Plains	4
Glenelg	18
Glenside	1
Hackney	12
Hectorville	1
Henley Beach	3
Hillcrest	3
Hilton	2
Hindmarsh West	1
Hyde Park	11
Kensington	6
Kensington Park	6
Keswick	2
Kings Park	2
Klemzig	1
Kurralta Park	5
Largs Bay	3
Magill	1
Marleston	2
Medindie	2
Mile End	19
Modbury	1
Nailsworth	2
Northfield	1
Norwood	22
Ottoway	1
Ovingham	3
Parafield Gardens	3
Parkside	14
Pennington	2
Peterhead	5
Plympton	2
Pooraka	1
Prospect	10
Renown Park	7
Richmond	2
Ridgehaven	2
Rose Park	2
Rosewater	8
St Marys	1
Salisbury	2
Salisbury North	1
Seacombe Gardens	3
Semaphore	3
Semaphore Park	2
Somerton	4
Somerton Park	2
South Plympton	1
Stepney	2
Taperoo	1
Thebarton	7
Toorak Gardens	2
Torrensville	12
Unley	7
Valley View	1
Walkerville	2
Wayville	5
West Croydon	4
Windsor Gardens	5
Wingfield	2
Woodville	4
Woodville South	2
Woodville West	2
Total	405

3. There is no emergency housing scheme. However, priority housing is provided when there are exceptional circumstances.

4. Properties are maintained in a similar manner to any other Housing Trust rental property.

5. Every care is taken in the renovation of the properties to assist in the general uplifting of the area in which they are located.

6. See 5 above.

FREEWAYS

Mr. COUMBE (on notice):

1. What was the total area acquired by the Highways Department for freeway purposes during the financial year 1973-74, for each of the following projects:

(a) Central Morth-South Freeway;
(b) Adelaide to Modbury Freeway;
(c) South-Eastern Freeway;
(d) Gillman Highway;
(e) Islington Highway; and
(f) North Adelaide Connector?

2. What was the average price a hectare paid for each of these areas?

3. What proportion of total requirements of land for each of these projects has now been purchased?

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

1. to 3. To provide the information requested would require research by two or three officers for several weeks in the Highways Department, Land Board, and Crown Law Department at a cost exceeding $1 000, and subsequent delay to other urgent works. In the circumstances I am not willing to authorise the research required to answer this question at present, unless the honourable member can provide me with sufficient reason for providing the information.

OVERPASSES

Mr. COUMBE (on notice): When is it planned to commence construction of the proposed road overpasses over the railway at both Islington and Ovingham stations?

The Hon. G. T. VIRGO: No construction dates have yet been determined.

MONARTO RESERVOIR

Mr. DEAN BROWN (on notice):

1. Will a reservoir or reservoirs be constructed to service the new town of Monarto and, if so, what will be the exact location of such reservoirs?

2. What percentage of the expected water requirement of Monarto will be supplied through local catchment and what percentage will be pumped from the Murray River?

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

1. A reservoir will be constructed to the north-west of the designated site. It will occupy a portion of part 200, hundred of Mobilong.

2. All the water for the city will be drawn from the Murray River. The reservoir will act as a balancing pond only, and during the first four years the balancing will be handled by concrete tanks until the reservoir is completed.

WATER SUPPLIES

Mr. DEAN BROWN (on notice):

1. During the financial year 1973-74, what volumes of water were supplied to Commonwealth and State Government authorities, respectively?

2. What Commonwealth and State Government authorities were involved?

3. What is the price a unit volume at which this water was supplied to the Commonwealth and State Government authorities respectively?

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

1. and 2. Details are not readily available, and to obtain the answers required it would be necessary to write a complicated computer programme to extract the information off file.

3. State Government departments and local authorities are exempt from water rates on property used exclusively for departmental or council purposes, but pay for all water used at the ruling rates. On the other hand, Australian Government departments pay normal rates charges as an *ex gratia* payment. In the case of supplies from the Morgan-Whyalla main, under the Broken Hill Proprietary Company's Steel Works Indenture Act, water is supplied to Australian Government departments at actual cost.

BAKERS' DISPUTE

Dr. EASTICK: Will the Minister of Labour and Industry say whether he has any indication whether the voluntary meeting reportedly held at 12.30 p.m. today between the parties to the present bread dispute has reached any conclusion? Further, if the dispute is not settled today and the bread manufacturers proceed with the complaint that is scheduled to be heard before the Industrial Court tomorrow, can the Minister give a firm assurance that the Government will not undermine the arbitration system by paying court costs? I consider that the question requires little explanation. A problem exists in the community at present and, on top of shortages of sugar and various other foodstuffs, it is creating tremendous disquiet in the community. It is important that the Government act responsibly and not waste taxpayers' money.

The Hon. D. H. McKEE: First, I assure the Leader that the Government is acting responsibly. Everything possible has been done to bring about a settlement between the parties. The conferences in the Industrial Commission have failed. After meeting the bread manufacturers yesterday and the union this morning, I have arranged for them to go into private conference. My latest information, which I have received just now, is that the parties are still conferring, so I have no information about the meeting, but we expect that there should be some information later in the day. At present the matter of complaints lodged against the bakers for contempt of the return-to-work order is rather hypothetical, because the complaints may not be proceeded with.

Dr. Eastick: Why is it hypothetical?

The SPEAKER: Order!

The Hon. D. H. McKEE: The complaints have not been lodged yet, so I would say the matter was hypothetical.

Mr. McANANEY: Will the Minister of Labour and Industry, on behalf of the Government, give an assurance that constituents in my district will not be interfered with now or at any time in the near future? I understand from the press that efforts will be made by pickets in Mt. Barker to prevent supplies being delivered to a bakery there. This is a serious breach of the liberty of people who are not interfering with anyone else. I seek the Government's assurance, through the Minister, that it will support the right of these people to carry out their normal trade in the area. I understand that the pickets placed around the bakery's premises have resulted in some advantage to the district because, as the bakery has continued to produce throughout the strike, the pickets have been buying bread there to take home to the city and the hotels have attracted additional patronage.

The Hon. D. H. McKEE: I understood the honourable member to say that the bakery was making more bread than normally.

Mr. McAnaney: I didn't say that.

The Hon. D. H. McKEE: I thought the honourable member said that. I cannot prevent people from interfering with the honourable member's constituents: that is a matter for the Police Force. If there is any interference with any of the honourable member's constituents, I am sure that they would be capable of notifying the police of any disturbance in the area. Regarding the picketing of supplies for the bakery, this has always been normal practice when disputes have occurred, and I believe that, if bread is leaving the bakery and it is being picketed, that is a matter between the parties including the union. However, I hope that the situation will be resolved this afternoon. I know that it has been causing inconvenience to people but, unfortunately, we are not the only people who have strikes; we are not isolated in this matter. Everything that could possibly be done is being done but, if there is any interference or disturbance in the area, it is a matter for the police.

AUSTRALIAN GOVERNMENT GRANTS

Mr. CRIMES: Can the Treasurer now give to the House the document which lists grants and advances from the Australian Government and to which he referred when presenting the Loan and Revenue Estimates last month?

The Hon. D. A. DUNSTAN: I have a copy of a table taken from the document "Payments to or for the States and local government authorities, 1974-75", which was presented as one of the Australian Government's Budget papers last Tuesday. This table appears as table 152 at pages 252 and 253 of that document. As it is a very extensive list of grants and advances for a wide variety of specific purposes and as it covers the years from 1962-63 to 1974-75, I ask leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

SOUTH AUSTRALIA—AUSTRALIAN GOVERNMENT PAYMENTS AND LOAN COUNCIL BORROWINGS, 1962-63 TO 1974-75

$'000

	1962-63	1963-64	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73	1973-74	1974-75 *(a)* (Estimate)
GENERAL REVENUE ASSISTANCE													
Financial Assistance Grants	69 552	72 729	78 155	86 467	94 346	102 738	1 12 768	125 706	151 602	158 491	181 430	204 918	255 800
Special Grants									5 000	7 000	21 000	19 900	23 500
Special Revenue Assistance						1 727	3 350	1 690	4 650	5 929		2 764	
Total	69 552	72 729	78 155	86 467	94 346	104 465	116 117	127 396	161 252	171 420	202 430	227 582	279 300
ADDITIONAL ASSISTANCE GRANTS *(b)*													
Total	4 006	5 524	—	—	—	—	—	—	—	—	—	—	—
GENERAL PURPOSE CAPITAL FUNDS *(c)*													
Borrowing Programmes	51 458	55 184	59 020	61 892	67 680	71 820	77 840	82 670	60 000	92 260	100 554	79 587	93 734
Capital Grants									27 420	30 030	34 074	37 625	44 314
Total	51 458	55 184	59 020	61 892	67 680	71 820	77 840	82 670	87 420	122 290	134 628	117212	138 048
SPECIFIC PURPOSE PAYMENTS—RECURRENT PURPOSES													
Payments Under Financial Agreement—													
Interest on State Debt	1 408	1 408	1 408	1 408	1 408	1 408	1 408	1 408	1 408	1 408	1 408	*(d)* 1 290	*(d)*1 525
Sinking Fund on State Debt	1 925	2 077	2 193	2 335	2 482	2 673	2 835	3 053	3 226	3 458	3 689	3 896	4 111
Debt Charges Assistance									1 496	2 991	4 487	5 982	7 478
Universities	2 133	2 367	3 266	3 420	3 668	4 107	4 351	4 964	5 811	6 676	7 898	19 808	31 781
Colleges of Advanced Education					275	554	623	1 361	1 420	1 651	2 638	13 518	20 803
Technical Education												889	2 007
Schools								759	1 526	1 889	2 529	6 464	19 420
Pre-schools and Child Care												690	n.a.
Child Migrant Education									87	169	326	587	706
Educational Research									10	8	13	18	43
Community Health												597	2 336
Tuberculosis Hospitals	752	710	638	662	652	620	571	551	545	715	760	939	950
School Dental Scheme												1 066	1 230
Health Education									26	34	52	76	89
Blood Transfusion Services	42	44	47	61	123	76	115	83	124	139	160	252	247
Health Planning Agencies												50	50
Home Care Services										9	41	169	200
Senior Citizens Centres									3	9	9	2	3
Paramedical Services										4	14	30	65
Assistance for Deserted Wives						25	139	210	294	464	776	1 534	1 000
Unemployment Relief										1 620	9 660	941	
Social Planning Units												20	20
Aboriginal Advancement							39	17	161	270	694	1 003	1 474
Housing Grants										623	1 093	1 093	1 093
Sewerage													n.a.
Area Improvement													110
Local Government (Grants Commission)													4 774
Regional Organisation Assistance													38
Community Recreation Investigations												105	
Fisheries Development												40	
Bovine Brucellosis and T.B. Eradication								36	113	177	235	551	334
Agricultural Extension Services	90	104	104	104	217	368	391	460	538	651	690	760	847
Minor Agricultural Research	n.a.		1		3		11	15	15	11	13	17	17
Plague Locust Control													2
Apple, Pear and Canning Fruit Industries												15	
Adjustment Assistance to Canneries												247	
Apprenticeship Training											19	44	110
Legal Aid												187	
Road Safety Practices	12	13	12	13	15	15	15	15	19	19	19	19	19
Research Grants				223	352	560	462	551	759	577	851	955	1 138
Natural Disaster Relief			20			725	1 026	-56					
Total Specific Purpose Recurrent Payments	6 362	6 723	7 689	8 226	9 195	11 131	11 986	13 427	17 581	23 572	38 074	63 854	n.a.
SPECIFIC PURPOSE PAYMENTS—CAPITAL PURPOSES													
Housing for Servicemen	30										43		40
Universities	1 006	1 284	1 814	2 597	1 407	1 664	1 076	1 506	2 369	1 818	2 697	7 050	6 404
Colleges of Advanced Education					616	1 215	1 995	3 062	2 973	2 872	3 639	6 196	6 900
Technical Education			933	350	750	1 700	870	807	1 191	1 130	1 130	2 063	2 199
Schools			924	859	990	1 173	1 415	1 830	2 545	2 629	3 805	9 430	15 219
Pre-schools and Child Care												514	n.a.
Child Migrant Education												165	79
Mental Health Institutions	104	173	265	242	193	64	433	1 299	909	246	453	344	
Hospitals												441	3 500
Nursing Homes											465		
Community Health												1 195	2 554
Tuberculosis Hospitals	27	30	13	14	5	31	60	69	108	155	243	395	9
School Dental Scheme												895	2 023
Disposal of Ships Garbage						38	10						
Senior Citizens Centres								16	32	87	132	55	120
Dwellings Aged Pensioners								160	311	1 002	380	146	930
Migrant Centres					2	2			75	12			17
Aboriginal Advancement							311	518	499	530	1 046	3 696	3 526

SOUTH AUSTRALIA—AUSTRALIAN GOVERNMENT PAYMENTS AND LOAN COUNCIL BORROWINGS, 1962-63 TO 1974-75—*continued*

$'000

	1962-63	1963-64	1964-65	1965-66	1966-67	1967-68	1968-69	1969-70	1970-71	1971-72	1972-73	1973-74	1974-75 (a) (Estimate)
SPECIFIC PURPOSE PAYMENTS—CAPITAL PURPOSES—*continued*													
Housing	18 982	19 400	20 500	21 057	20 750	21 000	19 500	21 250	25 000		500	32 750	38 400
National Estate												45	n.a.
Nature Conservation													n.a.
Growth Centres												4 414	5 323
Area Improvement													390
Land Acquisition												8 000	n.a.
Sewerage												1 598	3 002
Roads	12 400	13 337	14 903	16 024	17 222	18 384	19 433	21 000	23 500	25 500	28 000	31 000	31 196
Road Safety Improvements												300	
Beef Cattle Roads									300	350	350		
Eyre Highway Maintenance	25	25	25	25	25	25	25	25	25	25	25	25	
Eyre Highway Sealing											625	625	
Railway Projects	2 600	2 975	4 476	6 431	6 929	6 628	8 878	12 212	2 048	1 024	556	319	925
Urban Public Transport													11 990
Railways—Intersystem Advances								260	107	82		65	
Natural Gas							11 000		2 250	1 750			
Urban Water Supply													4 400
Softwood Forestry					90	205	230	350	300	93	400	252	250
Marginal Dairy Farms										210	50		90
Fruitgrowing Industry											25	57	150
Canned Fruit Industry									1 290		383		
Rural Reconstruction										3 000	6 100	4 300	2 732
Soil Conservation													25
Dartmouth Dam											675	950	2 000
Water Resources Investigation			72	53	63	125	150	142	187	158	161	371	423
Lock-Kimba Pipeline											420	540	470
Tailem Bend Pipeline								1 500	1 500	1 500	756	14	-3
Natural Disaster Relief						275	274						500
Total Specific Purpose—Capital Payments	35 174	37 224	43 925	47 652	49 042	52 529	65 660	66 006	67 519	44 173	53 059	118210	n.a.
TOTAL AUSTRALIAN GOVERNMENT PAYMENTS *(e)*													
	115 094	122 200	129 769	142 345	152 583	168 125	193 763	206 829	273 772	267 195	327 637	447 271	n.a.
TOTAL AUSTRALIAN GOVERNMENT PAYMENTS AND LOAN COUNCIL BORROWING PROGRAMMES													
General Purpose *(f)*	125 016	133 437	137 175	148 359	162 026	176 285	193 957	210 066	248 672	293 710	377 058	344 794	417 348
Specific Purpose	41 536	43 947	51 614	55 878	58 237	63 660	77 646	79 433	85 100	67 745	91 133	182 064	n.a.
Total	166 552	177 384	188 789	204 237	220 263	239 945	271 603	289 499	333 772	361 455	428 191	526 858	n.a.

(a) Important qualifications attach to the 1974-75 estimates in some cases; *See* the relevant section of the text.

(b) Part of these grants was used for recurrent purposes and part for capital purposes. *See* "Commonwealth Payments to or for the States 1967-68", Chapter IV.

(c) *See* Chapter III, under the heading "Treatment of Loan Council Programmes in this and other Budget Documents".

(d) *See* footnote *(c)* to Table 107.

(e) Comprising general revenue assistance, additional assistance grants, specific purpose payments, and the capital grants—that is, all amounts shown above with the exception of the Loan Council borrowing programmes. *See* footnote *(c)*.

(f) Comprising general revenue assistance, additional assistance grants, Loan Council borrowings and capital grants. *See* footnote *(c)*.

The Hon. D. A. DUNSTAN: Members will note that for several special purposes the estimates for 1974-75 are omitted because the figures are not yet available. A letter from the Prime Minister indicates that in respect of Land Commissions the allocation to South Australia is $24 000 000.

TAXES

Mr. COUMBE: Can the Treasurer indicate the extent and nature of additional taxation imposts he will be forced to impose on the people of South Australia as a result of the Commonwealth Budget handed down last week? In the Financial Statement tabled with the State Budget recently, the Treasurer indicated that unless the Commonwealth Government provided an additional $6 000 000 he would be forced to introduce further regressive taxation measures in South Australia. As it appears that the additional funds were not provided in the Commonwealth Budget, can the Treasurer say how much additional revenue will have to be raised in South Australia, what form the taxation measures are likely to take, and when the measures are likely to be introduced?

The Hon. D. A. DUNSTAN: It will be necessary for us to raise an additional $6 000 000 at least. However, that sum is affected by the continuing down-turn in stamp duty revenue. There are signs that, in addition to the down-turn in the number of conveyances, there are other areas in which stamp duty revenue may decrease, and in that case it would be necessary for us to raise more than $6 000 000. At this stage I cannot announce what the revenue-raising measures will be, because no final determination will be made until the Victorian and New South Wales Budgets have been handed down within a few days. When those Budgets have been introduced it will be possible for us to make a final determination, because the matters contained in those Budgets are of vital importance to us in assessing the impact of those measures on the Grants Commission's decision in relation to South Australia. Victoria and New South Wales are facing a much more serious budgetary position than we are, and it can be expected that each of those States will make considerable taxation increases. It will be necessary, therefore, for us to examine the efforts of New South Wales and Victoria in raising additional money by taxation and what the deficit standard is likely to be before the Grants Commission before we can determine exactly the form of measures and the degree to which it will be necessary to undertake them in this State.

HEALTH STUDIO

Mr. SLATER: Is the Attorney-General aware that an Adelaide health studio is asking people to enter into contracts under which they agree to pay for services they might never receive? My attention has been drawn to the case of a young woman who signed a two-year contract with McNally's Health Studios at the rate of $9 a week. Although a change of employment has now stopped the woman from attending the course, the studio still insists that the $9 a week be paid. I understand that the woman paid fully for the sessions she previously attended. Will the Attorney-General therefore investigate the matter?

The Hon. L. J. KING: I will look into it.

AUSTRALIAN HOUSING CORPORATION

Mr. KENEALLY: As Minister in charge of housing, can the Minister of Development and Mines report on the announcement by the Commonwealth Treasurer (Mr. Crean) in the Commonwealth Budget that an Australian Housing Corporation is to be set up? Will the activities of this corporation have any impact on the work of the Housing Trust?

The Hon. D. J. HOPGOOD: I do not think I can do better than quote the following letter from the Prime Minister to the Premier regarding the activities of this corporation:

One of the measures being announced by my colleague, the Treasurer, in the Budget speech is the establishment of the Australian Housing Corporation with initial capital of $25 000 000. This will be a new body responsible to the Minister for Housing and Construction and closely associated with his department. It will take over the functions, assets and liabilities of the Director of Defence Service Homes and will also cater for specific categories of home-seekers within the Australian Government's constitutional responsibilities. These include persons living in the Australian Capital Territory and the Northern Territory, families, migrants, students, employees of the Australian Government and contractors to the Government, and their employees. The Australian Government, as you know, has also financed the housing of the aged over many years, partly through State housing authorities and partly by means of direct grants to voluntary organisations. We anticipate continuing and expanding our payments to the States for this purpose and participating ourselves directly in this activity.

Initially, the corporation will concentrate on lending directly and indirectly to servicemen, ex-servicemen and low to middle income families and it will utilise the construction resources of the Department of Housing and Construction. It will also utilise the resources of this department in housing research and development. Our purpose in creating the Australian Housing Corporation is to provide the Government with a vehicle capable of flexible and energetic initiatives, particularly in a critical period for Australian housing. Inflation and a down-turn in private housing activity have created special problems for which we need additional and powerful administrative machinery which this corporation will provide.

The letter then goes on to deal with the specific point raised by the honourable member. It continues:

We do not see the corporation as a rival to State housing authorities; rather do we see it as complementing them. You have my assurance that we shall continue to provide whatever finance your State housing authority can effectively spend on public housing for low income earners in 1974-75.

MISSING PERSON

Mr. DEAN BROWN: Will the Premier make the strongest possible representations to the Commonwealth Minister for Social Security (Mr. Hayden) with the request that the Minister immediately make available information held by his department as to the whereabouts of Darryl Henry Hubbert? Mr. Neville Hubbert, who is a constituent of the Premier, received from the Supreme Court of South Australia, on November 3, 1972, an order granting him interim custody of his son, whose name is Darryl Henry Hubbert. Unfortunately, since that time Mr. Hubbert has been unable to locate his son. However, it is believed, on very good information, that his son is in the custody of Mrs. Hubbert. Mrs. Hubbert is believed to be somewhere in the Eastern States and is currently receiving, on a regular basis, a social welfare cheque from the Commonwealth Social Security Department. I understand the Premier, the Commonwealth member for Adelaide (Mr. Hurford), and the Liberal member for Angas (Mr. Giles) have all made strong representations to the Commonwealth Minister, seeking the whereabouts of Mrs. Hubbert so that the child might be located. In a letter to the Commonwealth Minister, Mr. Giles stated:

It seems to me to be a case where the Commonwealth department is acting, unintentionally, against the legal process of the courts of South Australia.

The "unintentional" part is now wrong because the Minister has replied saying that he will certainly not make available the relevant information. In his letter, Mr. Hayden stated:

After very careful consideration of all the facts involved in Mr. Hubbert's case I have reached the conclusion that my department should not disclose any information it might have concerning Mrs. Hubbert.

I appreciate that the Supreme Court has no jurisdiction over a Commonwealth department but, even so, the Commonwealth Minister (Mr. Hayden) is showing no respect whatsoever for either the Supreme Court of South Australia or the South Australian Government, which is responsible for administering that court. I ask the Premier this question because it is about time we received some respect for the State of South Australia from Commonwealth departments.

The Hon. D. A. DUNSTAN: I can only say that the honourable member's newness to politics has apparently deprived him of the knowledge that this is an area in which no Commonwealth Government has been willing to provide information of the type he requires. This is not new to the present Government, because information of this type was not made available by Commonwealth Liberal Governments. Commonwealth Governments have consistently taken the position that applications for social service assistance cannot be used as a means of tracing people who do not want to be traced by others in the community: that is, that applications for social service assistance are not a means of providing information on a missing persons basis and that applications for assistance are to be treated as confidential. This point of view was taken consistently by Liberal Ministers for Social Services in the Commonwealth Parliament, and it would be difficult for me to get that position overruled. Within South Australia, in this case we tried to provide whatever information was in our power to help the gentleman to whom the honourable member has referred.

The Hon. L. J. King: As to the child's whereabouts.

The Hon. D. A. DUNSTAN: Yes.

Mr. Dean Brown: So, you disagree with Commonwealth policy?

The Hon. D. A. DUNSTAN: I did not say that: I said within the terms of the policy within the State we endeavoured (and I made many endeavours) to provide the gentleman concerned with as much information as was available to the State regarding his son's whereabouts. In doing this, both the Minister of Community Welfare and I went even further than had previously been gone in any case in South Australia under any Ministry. However, I will examine the matter again (since the honourable

member has raised it), but I point out that his remarks about disrespect for South Australian courts and the State of South Australia by the present Commonwealth Government, if he is going to make them, must apply equally to members of his own Party when they were in office.

GREENHILL ROAD

Mr. LANGLEY: Can the Minister of Transport say when work will be commenced on the installation of pedestrian-activated lights for students of Methodist Ladies College? Since Greenhill Road has been upgraded considerably, traffic has increased remarkably. Knowing that the major tender for traffic lights has been let to Signal Lighting Company, which appears to be about the only company that wins any tenders, I ask the Minister to consider my request in the interests of the safety of the students, who will be pleased when this work has been completed.

The Hon. G. T. VIRGO: Regrettably, the traffic-signal programme as a whole (whether pedestrian, school or traffic lights) is a long way behind what we desire, for several reasons, not the least being, as the honourable member has said, that only one contractor today involves himself in the installation and, secondly, the unavailability of the necessary equipment, particularly the controls. Because of the heavy demand, regrettably we are finding that the Eastern States are getting the first go at the available supplies, and we are fairly well down the line. For these reasons, the installation of these lights is regrettably behind schedule.

However, as the plans and specifications are almost completed (they are well along the road), it is to be hoped that tenders for the installation will be called in four to six weeks time. Subject to the availability of the necessary equipment, we fervently hope that the lights will be installed and operating before the students go back to school in 1975.

SOUTH ROAD

Mr. PAYNE: Can the Minister of Transport say whether tenders have been called, or whether the contract has been let, for the conversion of the zebra-type pedestrian crossing on South Road, Clovelly Park (near the Woolworths store), to push-button operation? I heard the Minister's reply to the question asked by the member for Unley earlier today, and I realise that some of the Minister's remarks may well apply to my question. However, the Minister will recall that I have raised the question of danger to pedestrians at this crossing on more than one occasion, namely, on February 27 and July 30. The reply the Minister gave on July 30 was encouraging: he pointed out that he would continue to use his good offices to keep this project moving, despite delays such as those he mentioned when replying to the member for Unley today. As the dangers to pedestrians at this crossing are not diminishing, I ask my question once again.

The Hon. G. T. VIRGO: I will obtain the latest information for the honourable member.

AGED CARE

Mr. MILLHOUSE: I ask my question of the Premier, as a matter of policy, instead of directing it through the Attorney-General to the Minister of Health, because I know I would not get a reply for a long time.

The SPEAKER: Order! The honourable member must ask his question.

Mr. MILLHOUSE: Can the Premier say whether the Government will give supplementary assistance to nursing homes because of the grave financial difficulties into which (through no fault on their part) they have fallen? If so, what form will that assistance take and, if in money, how much will it be? There has been considerable discussion of and many complaints about the financial situation that has arisen and the crisis that faces nursing homes as a result of increases in costs. My question is particularly prompted by a report in last week's issue of the *Central Times*, the Methodist paper in South Australia, part of which states, under the heading "Crisis in Aged Care—Missions' nursing sections losing $3 242 a week":

> The crisis in caring for the aged, particularly the frail aged, is factual, developing and frightening according to the leaders of two Methodist Central Missions—the Revs. Keith Seaman (Adelaide) and Vein. Harrison (North Adelaide). In a joint statement this week, Mr. Seaman and Mr. Harrison indicated that the most pressing and immediately critical aspect related to the continuing loss in their programmes of nursing care.

The report continues by stating that the missions care for a high proportion of pensioners. The break-up of the missions' losses is given, and Mr. Harrison indicates that his nursing section of the Helping Hand Hostel is losing $1 250 a week. Murray Mudge House is losing $762 a week, and Aldersgate Hospital is losing $1 230 a week. The report continues:

> Commonwealth Government subsidies, together with the fees charged to patients, have been and are insufficient to keep pace with the rapidly mounting costs . . .

The next sentence, which is the crunch, to use the word the Premier has used in another context, states:

> A recent joint approach to the South Australian Government for supplementary assistance resulted in advice that no answer could be given until "after the Federal Budget".

Well, the Commonwealth Budget has been brought down but, unfortunately, it has not gone. Certainly, we are now in the period after the Commonwealth Budget, which was the time when the South Australian Government undertook to give an answer to the approach that had been made to it. I need not say more to stress the urgency—

The SPEAKER: Order!

Mr. MILLHOUSE: —and the immediacy of the situation. Therefore, I ask the question in the expectation (I was going to say confident expectation) that the Government now can give an answer.

The Hon. D. A. DUNSTAN: Evidently the honourable member is not aware that some time ago the South Australian Government provided assistance for the nursing home area, and it was only a matter of our considering what would be our final determination of this matter after the Commonwealth Budget had been introduced. However, I will get for the honourable member a report from the Minister of Health.

Mr. Millhouse: Speedily, I hope.

The SPEAKER: Order!

FOOTBALL TRANSPORT

Mr. HARRISON: Will the Minister of Transport indicate the extent of the support, or otherwise, given by the travelling public to the additional services to Football Park, West Lakes, that the Municipal Tramways Trust has provided? Further, will the Minister say whether consideration will be given soon to bringing forward the work of extending the Hendon spur line to service the whole of West Lakes? With the speedy development of West Lakes, it seems apparent that there is a lack of public transport in that area and possibly 1976 may be too late a time at which to extend the spur line from Hendon to give sufficient service in this area.

The Hon. G. T. VIRGO: It has been suggested to me that I should refer to football, but I think I would be out of order if I did that.

The SPEAKER: That would be out of order.

Mr. Becker: We need a few more buses at present.

The Hon. G. T. VIRGO: I am not sure whether the Bay supporters will rally around, but not many of them were there on Saturday.

The Hon. HUGH HUDSON: On a point of order, Mr. Speaker, I object to that.

The Hon. G. T. VIRGO: The buses provided for the football on Saturday coped with the situation adequately and, certainly, the difficulties contemplated a fortnight earlier have virtually all disappeared. There was some delay to buses in getting away from the Boulevard, but that was not a big delay. Once the buses were clear of the Boulevard, the trip to town was accomplished quickly, as were the trips to Glenelg and to the Port Adelaide and Semaphore area. It is expected that there will be a further improvement in the bus service this week, although additional buses will obviously be required for the Unley area. These were not required last week.

Mr. Mathwin: Those people will be wasting their time!

The Hon. G. T. VIRGO: I do not know whether they will be, and I am not a supporter of either team. Regarding rail transport, I have stated previously that part of the Government's policy is to extend the Hendon line to West Lakes, past the football stadium, and to the shopping centre. As a result of the experience we have had in the past few weeks at the finals matches, it is clear that this work must be expedited, and this extension job has now been given top priority in the planning stages. The plans must be forwarded first to the Bureau of Transport Economics for proper evaluation. We expect that this can be done fairly quickly, and the programme which has been set and which we hope to achieve is that the trains will be running down there in time for football next year.

JAMESTOWN SCHOOLS

Mr. VENNING: Can the Minister of Education say what is the outcome of the report that was being prepared about the possibility of merging the primary school and the high school at Jamestown? Some time ago the parents of students attending these schools met and the outcome of the discussion was that a report should be compiled on the possibility of merging the schools. At present there are problems about certain work to be undertaken at the schools and, until finality has been reached about the possibility of merging the schools, projects such as libraries seem to be delayed. Can the Minister give details of the report, which I understand has perhaps been completed to the stage where he can do this?

The Hon. HUGH HUDSON: I will examine the matter for the honourable member.

SCHOOL GYMNASIUMS

Mrs. BYRNE: Will the Minister of Education obtain for me a report on what stage has been reached in the proposal to establish a gymnasium in the grounds of Highbury Primary School for joint use by students at that school and members of the Hope Valley and Highbury Youth Club? On January 4 this year, in reply to a letter that I had sent to the Minister requesting assistance to expedite this matter, the Minister told me by letter that a report and plan had been prepared and submitted to the Education Department by the Public Buildings Department. It was intended to convene a meeting that month, attended by Public Buildings Department architects and Education Department officers, to discuss this report and plan and to discuss the proposals generally.

The Hon. HUGH HUDSON: Up to this stage it has not been policy to provide Education Department funds for gymnasiums at primary schools. I will examine the matter and bring down a considered report.

LIQUOR GLASSES

Mr. BECKER: Will the Attorney-General say whether consideration has been given to amending the Licensing Act so as to insist that clean glasses be provided when alcoholic drinks are served?

The SPEAKER: Order! I understand that a similar question was asked previously (I think last Thursday) and a reply given by the Attorney-General.

COUNCIL GRANTS

Mr. GUNN: Further to the question I asked last week, will the Minister of Local Government say whether he has further considered the matter I raised regarding the cutback in grants to councils on Eyre Peninsula? This morning I received from the District Council of Le Hunte, a letter, part of which states:

Grants for this year are $37 500, compared with $72 000 last year. I understand all councils on Eyre Peninsula have suffered a similar fate. The Highways Department stated in its letter—

a letter which the Minister's department sent to all councils—

"While it is anticipated that the total funds available for grants generally will be greater than last year, no guarantee can be given that a similar situation will apply to individual councils." It appears that the State Government has received adequate roadworks funds from the Federal Government and "helped themselves" to the major portion of the funds at the expense of local government in this State.

The Hon. G. T. VIRGO: I have made the point before, but apparently the honourable member has not understood it or has forgotten it: the fact is that the grants to local government in this financial year are greater than the sums spent by local government by way of grant in the last financial year—greater by a few thousand dollars. I just do not recall the actual sum.

Mr. McAnaney: Couldn't the Highways Department—

The Hon. G. T. VIRGO: The Highways Department is concerned with the 137 councils in South Australia: it is not specifically concerned with councils in one area, nor is it specifically concerned with each council.

Members interjecting:

The SPEAKER: Order!

The Hon. G. T. VIRGO: The needs of councils were assessed on the priorities determined for the work on which the money sought by way of grant would be used: that is the way decisions have been made. If the council to which the honourable member refers believes that the Highways Department has received more funds this year from the Commonwealth Government than were made available last year it is wrong, because that is completely untrue and, when the honourable member replies to the council's letter, I hope he will point out to the council the truth of the matter. In 1973-74, under the Commonwealth Aid Roads Act, South Australia received $31 000 000. Under Australian road grants legislation this year South Australia will again receive $31 000 000.

Mr. McAnaney: Lucky—

The SPEAKER: Order!

The Hon. G. T. VIRGO: If any member of a council can construe from those figures the claim that South Australia has received more, he would be a handy adviser to the Treasury.

Mr. Gunn: The people of Eyre Peninsula are being discriminated against.

The SPEAKER: Order!

The Hon. G. T. VIRGO: It is not a question of discrimination against anyone: the decisions were made on the basis of where it was considered the most desirable and most effective use of the money could be made. The point the honourable member refuses to acknowledge, as regrettably do many councils, is that Highways Department grants are not part and parcel of the income that can be regarded as being part of the proper income of local government. That is one of the reasons—

Mr. Gunn: How do—

The SPEAKER; Order! In accordance with Standing Order 169, the honourable member for Eyre is warned. The honourable Minister of Local Government.

The Hon. G. T. VIRGO: That is the very reason why the South Australian Government took the conscious decision to try to restore local government to an economically viable position. We have tried to get local government back on its own two feet so that it does not have to rely on hand-outs from the Highways Department. That is the situation, and those are the facts of life that I have explained to people representing local government, including a representative from the honourable member's area, when I discussed the matter with them last Friday.

Mr. CHAPMAN: Can the Minister of Local Government explain his repealed call on local government authorities to "stand on their own feet" and to cease depending on Highways Department finance—

Mr. Wells: Who wrote that for you?

The SPEAKER: Order!

Mr. CHAPMAN: —when at the same time he has introduced legislation to effect outrageous increases in registration and licence fees that will accordingly increase Highways Department revenue? It is extremely difficult to understand this situation in which the Minister calls on councils to stand on their own feet and fund their own resources from ratepayer revenue, while at the same time calling on those ratepayers, in legislation before this Parliament, to fund the Highways Department with increased revenue. Can the Minister explain his stand on this matter?

The Hon. G. T. VIRGO: The first exercise that the honourable member may care to do is work out the revenue that comes from his ratepayers (he uses that term, although I prefer the term "citizens") on Kangaroo Island to ascertain what proportion of that amount is used by the Highways Department in servicing the people of Kangaroo Island. When he does that little sum, he will find out that the general population of South Australia supports to a marked extent the people of Kangaroo Island, if the revenue from motorists—

Mr. CHAPMAN: On a point of order, Mr. Speaker, my question in no way referred to one sector of the community; in no way did I refer to Kangaroo Island or the ratepayers in or near that community. My question dealt generally with local government authorities in this State. I seek your support, Sir, in having the Minister reply to the question in relation to the whole State and not in relation to one area.

The SPEAKER: Order! The member for Alexandra has asked the Minister a question, and I hope the Minister is replying to that question in general terms. The honourable Minister of Local Government.

The Hon. G. T. VIRGO: I am trying to tell the honourable member, and other members, the facts in relation to the financial position of councils, with particular reference to the provision to councils of funds from the Highways Department. I am pointing out to the honourable member that the funds of the Highways Department are derived, as he said, from the registration of vehicles, licence fees, the road maintenance tax, etc. The question the honourable member asked was whether, because of increased revenue to the Highways Fund as a result of increases in these fees (and these increases were provided by people in his area), there should be increased grants from the Highways Fund to councils in his area. I am trying to point out to him that, if the proper ratio were devised and applied as he has suggested, Kangaroo Island councils would be far worse off than they are now.

Mr. Wells: They are heavily subsidised.

The Hon. G. T. VIRGO: The position in relation to grants to councils is as I told the member for Eyre. If councils continue, as they have in the past, to rely on grants from the Highways Department, they will always have to rely on someone or something else. This is not a good, sound, economic base on which to build local government. If the honourable member wants it that way, all I can say is that his concept of the viability of councils is completely different from mine.

Mr. Chapman: But when I—

The SPEAKER: Order!

The Hon. G. T. VIRGO: It is with these thoughts in mind—

Mr. Mathwin: Why don't you—

The SPEAKER: Order!

The Hon. G. T. VIRGO: —that we tried to restore local government—

Mr. Chapman: You haven't—

The SPEAKER: Order! Honourable members have been told many times what is required of them during Question Time. If they persist in disregarding Standing Orders, they will suffer the consequences. The honourable Minister of Local Government.

The Hon. G. T. VIRGO: It was with these thoughts in mind that the Government established the Royal Commission, because it believed this was the only way by which councils could be restored to the economically viable position they should hold.

Mr. McAnaney: Will you carry this principle into the railways?

The SPEAKER: Order!

The Hon. G. T. VIRGO: I believe there are few avenues open to councils from which to obtain revenue, and in many cases councils have reached the point where they cannot obtain from their ratepayers the money necessary to carry out the functions they should undertake. In many cases we find that councils do not carry out these functions at all.

Mr. Chapman: You are trying to hinder rather than help them.

The SPEAKER: Order!

PETROL TAX

Dr. TONKIN: As well as clarifying the Government's intention regarding State petrol tax as soon as possible, will the Premier, in the meantime, take steps to ensure that an adequate supply of motor spirit is available to the South Australian public? I have been approached recently by several petrol resellers who tell me that they are experiencing great difficulties in obtaining petrol supplies and that they have been under a quota system whereby some of them have placed orders for, say, 20 000 litres of super grade petrol and have been promised only 10 000 litres in many cases. In the last few days in particular, deliveries have not been forthcoming. Difficulties have not been experienced by the outlets of any one petrol company: they seem to be general. That is certainly so in my area. Reasons given for the shortage were originally that the Commonwealth Budget might in some way affect the excise on motor spirit and, more recently, that the State Government intended to introduce a State excise that might affect the situation. Therefore, resellers have been instructed to keep their tanks nearly empty. The fact remains, however, that petrol resellers in Adelaide are currently running out of petrol, doing so regularly and losing business as a consequence. The resellers therefore ask that action be taken to maintain petrol supplies for members of the public through resellers and other outlets.

The Hon. D. A. DUNSTAN: At this stage I cannot say what we shall do about a petrol tax. When replying to the Deputy Leader earlier today, I indicated that the Government would examine the revenue measures that should be undertaken when the Victorian and New South Wales Budgets had been handed down. At this stage I am completely unable to make a forecast; in any case it would not be proper for me to do so. As to the supplies of petrol, there have been problems in getting tankers and providing fuel for some companies. However, other companies have adequate supplies. We have kept in touch with the situation and believe there is enough petrol in South Australia at present to cover normal needs and that a supply is being kept up. I acknowledge that, in some cases, some outlets of certain companies are suffering shortages, but I point out that we have had constant discussions with the companies about the matter in an effort to see that motor fuel reaches retail outlets.

SPEED LIMITS

Mr. RUSSACK: Will the Minister of Transport clarify publicly the situation regarding road speeds, particularly those applying to vehicles exceeding four tonnes? Although recent legislation provides for new speeds to be effective from July 1, 1974, there is apparently some widespread misunderstanding and confusion concerning the matter. I have been approached by people, and I also attended a public meeting last week where this matter was raised. Some people think that the new speed limits have been deferred to coincide with the weights legislation to come into force on January 1, 1975.

The Hon. G. T. VIRGO: There have been no deferments of new speed limits: the new speed limits, in metric, applied from July 1, 1974.

ALCOHOLIC CRIMINALS

Mr. EVANS: Will the Minister of Community Welfare say what facilities are available in South Australia for the treatment of alcoholic criminals? In the Supreme Court yesterday, Mr. Justice Wells said he had been trying for more than two years to find out what facilities existed in South Australia for the treatment of alcoholic criminals, other than the facilities at Glenside and Hillcrest Hospitals. It was announced some time ago that the Osmond Terrace private hospital at Norwood was to become a treatment centre for alcoholics. I understand it will be opened later this year, possibly in November. I therefore ask what other facilities are available and whether the Government is satisfied that enough is being done in the area of rehabilitation of alcoholic criminals.

The Hon. L. J. KING: As the responsibility for the treatment of alcoholics falls under the Alcohol and Drug Addicts Treatment Board, which is within the Ministerial responsibility of the Minister of Health, I will obtain a full report for the honourable member.

MURRAY RIVER FLOODING

Mr. ARNOLD: Can the Minister of Works say whether the Government will reconsider its decision not to supply sandbags for the protection of private houses that will be flooded by rising waters of the Murray River? I have been told that councils will receive from the Government only sandbags for approved work which, in many cases, will not include the protection of private houses. I am also told that private people will not be supplied with sandbags by the Government; in fact, councils have been told that they are not to supply sandbags for the protection of private houses, unless the bags are purchased from a council's own resources. In raising this matter, I am not adopting a grandstanding attitude; I believe a very serious situation exists. I point out that the Barmera council was granted $20 000 for work to be carried out but that, on reassessment, the $20 000 was withdrawn. I sincerely hope that this money will not be required in that area and that the houses will be safe. I understand that 1 000 sandbags have been allocated to the Barmera council for protection of the Overland Corner Hotel, and another 1 000 bags for protecting the Barmera and Cobdogla district.

At a meeting on Monday evening, the council's assessment of the situation, working on revised figures obtained from departmental sources, was that many more than 5 000 sandbags were needed immediately. A similar situation exists with regard to the Renmark council, which has on hand only 1 000 sandbags, although I understand the Government will make available an additional 1 000 sandbags. Only a small margin of protection is being afforded. Councils cannot supply private individuals with sandbags, as properties of those individuals do not fall within the terms of the Government's approved projects for protection. I ask the Minister to reassess the situation and make sandbags available not only to councils for necessary work that they must carry out (and I believe councils are the obvious authorities to undertake this work) but also to individual people who apply to the council for sandbags to protect their houses.

The Hon. J. D. CORCORAN: I accept the honourable member's question in the spirit in which it has been asked. However, I do not know of any request made by a council along the lines suggested by the honourable member. I have made perfectly clear that requests of this type must emanate from local government. The withdrawal of $20 000 to which the honourable member referred followed a check on river levels; it would be ridiculous to leave this sum with the council when it was not required. The area that was referred to by the Leader of the Opposition concerned pensioners living in about 15 houses close together. Even though the dwellings are not considered to be of a high standard, and even though I have been told that there would be seepage, and that the houses would possibly be isolated from high ground, I said that the

Government was willing to do everything possible to save the houses. I think this indicates how far the Government is willing to go in such cases.

However, I do not know what would be the extent of the honourable member's request. If sandbags are provided in the case of one private dwelling, other applications for assistance cannot be refused, as the honourable member will appreciate. There may not be sufficient sandbags in Australia to cope with such a situation. If we wanted to get down to tin tacks, shacks could be described as private houses. Therefore, I think the honourable member can appreciate the difficulty facing the Government in making a decision of this type. That does not mean that I will not refer the honourable member's request to the liaison committee, which advises the Government and makes recommendations to it, to see whether something can be done. The honourable member has said that at its meeting last evening the Barmera council said that its requirement was 5 000 sandbags and not the 1 000 provided by the Government. Although I have heard nothing about this from the council, I assume it will contact us; if it does not do so, I am afraid that it cannot expect to be helped. Having made our offer to councils, I expect them to contact the Government or Government officers as quickly as possible. I do not want to get requests through the grapevine, the press, or even the honourable member. I am not saying that the honourable member should not have raised the matter, but there is no reason why the council should not have telephoned us today or last evening, stating its additional requirement.

Mr. Gunn: It's obvious—

Members interjecting:

The Hon. J. D. CORCORAN: I have said that I do not deny the member for Chaffey the right to raise the matter. However, it has been made perfectly clear to councils that their point of contact is direct to the department. I cannot do more than make that clear. That does not preclude the member for Chaffey from raising the matter; I do not criticise him for doing so. Although the committee has not contacted me about this matter, if it does so I will look into it. I will have the honourable member's question examined and see what we can do for him.

At 3.14 p.m., the bells having been rung:

The SPEAKER: Call on the business of the day.

SWINE COMPENSATION ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Swine Compensation Act, 1936-1972. Read a first time.

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

That this Bill be now read a second time.

It is introduced as a consequence of the present very healthy situation of the Swine Compensation Fund established under the principal Act, the Swine Compensation Act, 1936, as amended. The healthy state of the fund is evidenced by its accumulation of substantial reserves. After considering alternatives, and after consultation with the industry, it has been decided:

(a) to provide for a more flexible method of determining the amount of stamp duty to be paid under the principal Act but, at the same time, providing for a maximum amount of duty to be payable, the effect of which should enable the income of the fund to be more readily adjusted;

(b) to increase the grant from the fund for the Pig Industry Research Unit, conducted by the Agriculture Department at Northfield, from a maximum of $10 000 a year to a maximum of $25 000 a year; and

(c) to enable surplus of revenue over expenditure to be applied for the benefit of the industry generally.

These proposals have received the approval of representative sections of the industry. To consider the Bill in some detail, clauses 1 and 2 are formal. Clause 3 makes some drafting amendments to the interpretation section of the principal Act to bring that section up to date. Clause 4 amends section 12 of the principal Act which provides for the establishment of the Swine Compensation Fund, and the amendments provide:

(a) that bulk payments of duty to the Minister in lieu of payments by means of duty stamps will be credited to the fund; although in the past such payments have been dealt with in this way, it has been thought prudent to make this clear;

(b) for the recasting of the provisions of this section that provide for payments out of the fund; briefly, the following payments may be made:

(i) for the cost of administration of the principal Act;

(ii) for compensation under the principal Act;

(iii) by way of grants to the Pig Industry Research Unit which have by this amendment been increased by a maximum of $15 000 a year;

(iv) to assist the industry generally.

Apart from the increase of the grant to the research unit referred to above, the most significant alteration made here is to enable annual surplus amounts to be applied for the benefit of the industry. The Government intends that, in the disbursement of these amounts, it will pay close attention to the views of the industry expressed through an informal committee intended to be established.

Clause 5, by amending section 14 of the principal Act, merely provides that, in future, stamp duties will be fixed by regulation, subject of course to the limitation that they will not exceed the present rates. In fact, the maximum payment in respect of any one pig or carcass is, by this provision, reduced from 35c to 21c. As indicated, the provision of a flexible arrangement of this nature will enable the revenue accruing to the fund to be reduced, if this becomes necessary.

Mr. ALLEN secured the adjournment of the debate.

EVIDENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 27. Page 686.)

Mr. GOLDSWORTHY (Kavel): I support the Bill, but with some reservations. It seeks to empower an arrangement with courts in other States and overseas for the taking of documentary evidence which, if submitted to a South Australian court, can be admitted as evidence. In his second reading explanation the Attorney-General asserted that this Bill seemed to have the general approval of the legal fraternity and that it was supported by the Law Society. Inquiries made by the Opposition indicate that this statement is not based on fact. The committee concerned with criminal law is not happy with this Bill, and I do not know how the Attorney-General can assert that

it is. The Bill is reasonably straightforward but there appears to be some difficulty in relation to the consideration of criminal cases, because it is considered to be highly desirable in criminal cases being tried before a jury to have defendants and witnesses appear before the court so that their reactions can be assessed. Not only the content of the evidence must be considered but also the demeanour, and the way in which a witness replies should be assessed by the jury and others in the court.

There appear to be strong reservations within some sections of the legal fraternity about certain aspects of this Bill. It is most undesirable to have any part of the evidence in criminal matters, however minor, not heard before a judge and jury. It would put the defendant at a serious disadvantage, and is too drastic a change in the law to be justified on the principle of convenience. One of the main drawbacks to this situation is that the jury would not see the person who had given evidence and thus be able to assess from his personal demeanour his value as a witness and, more importantly, the truth or otherwise of his statement. Members of a jury could not be expected to draw any conclusions from a written document, unless they also had an opportunity to see and hear the defendant.

The Law Society assistance scheme does not cover any interstate involvement. Therefore, a person working under this scheme would himself either have to brief interstate counsel or attempt to be accepted in an interstate scheme. Any person in Van Beelen's situation, which I think involved bringing an expert witness from overseas for both trials, would not be prejudiced by this, as the Government paid all fees, but there is no binding requirement for the Government to involve itself in the expenditure of summoning witnesses before a court. In major trials it is often considered politic by the Government to do so. In the Bailey murder trial an aircraft was chartered to fly Bailey to Central Australia to the scene of the crime to try to verify information he wished to put before the court. I think the Van Beelen trial cost $250 000, but that was an unusual case.

These interstate arrangements do not exist concerning the Law Society assistance scheme. A pre-trial conference could solve matters. The criminal law subcommittee believes that the civil court situation is quite adequate at the moment. However, although that committee is not happy with the new requirements, it accepts them in respect of the civil jurisdiction. Although I believe there are valid objections to the Bill, the Opposition is willing to support the second reading, and in Committee it will move an appropriate amendment to cover the matter I have raised.

The Hon. L. J. KING (Attorney-General): I do not intend to enter into the matters raised by the honourable member as to trial by jury. I think it is sufficient to say that this Bill provides machinery, which was carefully worked out by officers of the Standing Committee of Attorneys-General, to enable evidence to be taken in one jurisdiction for use in another on a convenient and reciprocal basis. It is enabling only: it does not have to be used in any one case, and it is really fairly difficult to visualise circumstances in which it could be used in a trial before a jury. I doubt personally whether it could ever be used in those circumstances. However, I do not think there is any real point in excluding from the machinery of the legislation cases tried before a jury. The provision exists, and it is a useful enabling one. It is entirely at the discretion of the court whether it is used in a case. I want to refer to the suggestion that I told the House without justification that this Bill had the support of the Law Society. In fact, the position is best explained if I read a letter I wrote to the President of the Law Society on September 6, 1974, as follows:

Dear Mr. Thomson,

re: Evidence Act Amendment Bill

I acknowledge receipt of your letter of August 29, 1974.

This letter was received by me after the second reading explanation had been given in this House. The letter continues:

I feel some surprise at its contents. Before taking the decision to proceed with this Bill, I caused my department to seek the views of the Law Society. Those views were conveyed to me by the society's letter dated February 22, 1972, in the following terms:

> Re taking of evidence away from a court of trial. I acknowledge your letter dated August 3, 1971.
>
> At a meeting held on February 21, 1972, the council resolved that it was in favour of the South Australian Parliament passing legislation in similar terms to the Bill to amend the Victorian Evidence Act, 1958, which was drafted for consideration by the Standing Committee of Commonwealth and State Attorneys-General and dated June 15, 1971, and that it also favoured a provision similar to section IIIA of the Victorian Evidence Act, 1958-1966.

Having received that support, I gave instructions for the preparation of the Bill. The Bill which has been introduced into the House follows the Victorian Act and the only variations are of a drafting or machinery nature. The decision to proceed with this Bill was taken after ascertaining the society's views. My second reading speech indicated that the proposals had the support of the society. It is disconcerting to find that the society's views have now changed.

I shall reconsider the matter in the light of the society's present views. I must however bear in mind that the legislation was prepared after a decision of the Standing Committee of Attorneys-General made on the recommendation of the standing committee's officers, that it has been the law in Victoria since 1958 without objection or difficulty, that it was recommended in the 21st Report of the Law Reform Committee—

that is, the South Australian Law Reform Committee—

> that it received the approval of the judges of the Supreme Court, and that it was proceeded with only after receiving the approval of the Law Society.

Yours faithfully,

It is disconcerting to know that a section of the Law Society has apparently reconsidered its attitude to part of the measure. There is no reason why it should not, but I make the point that the decision to proceed with this Bill was made after consultation with the Law Society and after the proposals had received its approval, and that the House was told that on the basis of that indication from the Law Society to which I have referred. I have considered the points made by the criminal law subcommittee of the Law Society but I do not find them convincing. I think that the reasons which motivated the various bodies, namely, the Standing Committee of Attorneys-General, their officers, the judges, and the Law Reform Committee of South Australia, to recommend this measure are valid, and I think the reasons for commending this to the Law Society in 1972 are valid and that those members of the society who are on the criminal law subcommittee and who took a different view on this occasion are mistaken in that view. I think South Australia should follow the lead given by the standing committee and participate in this reciprocal exercise to facilitate the administration of justice.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Enactment of Part VIB of principal Act."

Mr. GOLDSWORTHY: I move:

In new section 59d (2) to strike out "in respect of both civil and criminal proceedings" and insert "only in respect of civil proceedings".

The tenor of the Attorney-General's remarks on the first of the two points he has raised was to the effect that the provision should be made all-embracing, even though it would rarely, if ever, be used in criminal proceedings. However, that does not answer the point that it is desirable in criminal cases before a jury for witnesses to appear before the court. If it is desirable that witnesses should appear, they should indeed appear. The Attorney did not attempt to answer my point that it could be grossly unfair to a defendant if certain witnesses did not appear.

As to the Attorney's professed surprise that the Law Society had changed its mind, I think it was in February, 1972, that the first approach was made to the society; so, it would have been more appropriate to ascertain the society's current feelings before introducing the Bill. It would not have surprised me if the society had had second thoughts about this. The objection it now raises is a valid one. It seems nonsensical to make the provision all-embracing, when it appears to be highly undesirable to include criminal cases in the legislation.

The Hon. L. J. KING (Attorney-General): I really do not believe that there is any question of the society's having changed its mind, because the fact that its correspondence does not refer to its previous position indicates that the members of the criminal law subcommittee who took this view were unaware of the considerable thought that had gone into the matter two years previously. It was a question not of a change of mind but of failure on the part of the society's members to advert to what they themselves had decided previously.

The amendment goes far beyond the reasons the honourable member advanced in support of it. His point is that it would be undesirable to use this procedure in cases of trial by jury, but his amendment excludes criminal proceedings altogether from the scope of the Bill; that would mean that the principal purpose for which it was to be used would be excluded. The most common case in which it is necessary to use this kind of evidence is in criminal proceedings of a summary kind before a magistrate, such as in a speeding case, where the offence is committed in South Australia, the trial takes place here before a magistrate, and one of the witnesses is perhaps a Queenslander, who may have been here on holidays and who has gone home to Queensland.

The question is whether he should be transported from Queensland to Adelaide to give evidence at considerable expense, which, if the defendant is convicted, he will have to pay, or whether one uses a procedure of this kind, which may be considerably cheaper than bringing a witness who may not have the slightest wish to come to South Australia from Queensland, thereby disrupting his life and taking him away from his own affairs. I do not think it is possible to generalise: it is for the court in each case to decide what approach should be followed. This procedure would be used largely in criminal proceedings of a summary kind before a magistrate. To remove this would considerably limit the effectiveness of the legislation and would deprive the community of the undoubted convenience that the legislation will provide; and it would certainly cut right across the intentions behind the negotiations that took place between officers and Ministers at Attorney-General level in order to arrive at some suitable machinery for this purpose. I oppose the amendment.

Mr. MILLHOUSE: I, too, oppose the amendment. I have watched the fumbling efforts of Liberal Party members on this matter, and it simply points up the great disability under which they labour, despite the denials of their Leader, in not having any competent legal advice to take on these matters.

Mr. Payne: The member for Bragg is not present now.

Mr. MILLHOUSE: The member for Bragg apparently had the call but did not avail himself of it.

The ACTING CHAIRMAN: Order! The honourable member must confine his remarks to the subject matter of the debate.

Mr. MILLHOUSE: I was side-tracked by a Government member.

Mr. Venning: No, you went out on your own.

Mr. MILLHOUSE: Is the member for Rocky River talking generally, or only about this debate?

Mr. Venning: Only about this debate.

Mr. MILLHOUSE: I see. Both members' references to the Law Society are irrelevant: it does not matter what it has said on the matter but I think it is regrettable it should have been consulted a couple of years before the Bill was introduced. Inevitably, there are changes in committees during that time; so, it would have been wiser if the Attorney-General had checked again with the society before introducing the Bill. Whatever the society says, and whatever the rights and wrongs of a change of attitude may be, it is irrelevant in this debate. The plain fact, as the Attorney-General has said, is that magistrates' courts will be able to avail themselves of the provisions, and they are criminal courts.

I point out to the member for Kavel (I think he must have missed this point; perhaps it was the member for Bragg who was supposed to have taken it, so I cannot blame the honourable member for fumbling) that the next proposed section of the Act (which is part of this clause) contains the safeguard that the court taking the evidence must believe it necessary or expedient to take advantage of these proposed provisions. It will not happen automatically; it will happen only when there is a lack of judgment (which, unhappily, sometimes occurs), but that does not justify abandoning the whole idea. As a rule, this will be availed of only where necessary and expedient, that is, where convenient. There is no reason why, in other circumstances, the provision should be availed of at all. Therefore, I suggest that the Bill be passed without having this amendment in it.

Mr. GOLDSWORTHY: Does the Attorney-General contemplate that this provision would be invoked to save the expense of transporting witnesses to a South Australian court? I take it that a court would have to be convened in the State or country involved, and I should have thought that this would be expensive.

The Hon. L. J. KING: What the member for Kavel suggests is not necessarily so. The matter does not involve a sitting by a court: it involves using corresponding courts in the other States, as other provisions make clear. The court structure already exists.

Mr. Goldsworthy: Would you have to convene a special sitting of that court?

The Hon. L. J. KING: Not necessarily. A case of this kind would be brought on at an ordinary sitting of the court: there would be no need to have a special day or sitting. Undoubtedly, there would be reciprocal arrangements between the States and, as in the example I gave of a witness at Townsville, Queensland, a police prosecutor at

Townsville would be willing to undertake with the South Australian Police Force to look after the prosecution there and question the witness concerned. The defendant would have to decide whether to be represented by counsel anyway, whether the case was heard in Adelaide or elsewhere, and that might involve him in expense. It is a matter of judging in each case where the balance of convenience and expense lies. As the member for Mitcham has pointed out, the court must address itself to that matter in deciding whether to use this procedure. Doubtless, in many cases it would be more convenient to bring the witness to Adelaide, but there are many cases where it would not be.

We can take the example of a traffic case and a witness living in Townsville who has to be transported to Adelaide. I could add, if I liked, that the man was suffering from a heart condition, needed constant attention by his medical adviser, and would be subject to much stress if he travelled. We can multiply factors of that kind, and it is a matter of how far we let our imagination go. In the administration of justice, there are many cases where the hardship on a witness who must travel a long distance outweighs all other considerations, and where a procedure of this kind is important. The important thing is that the procedure should exist in all cases, each case depending on its own facts.

Amendment negatived; clause passed.

Title passed.

Bill read a third time and passed.

ART GALLERY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 12. Page 921.)

Mr. GOLDSWORTHY (Kavel): I do not think it necessary to speak at length on this short Bill. The import is clear: the Government wants to take the administration of the Art Gallery Act from the Minister of Education and vest it in the Premier. The Premier seems to have interested himself to some extent in the arts in this State.

Mr. Millhouse: Don't you think this is going from the frying pan into the fire, though?

Mr. GOLDSWORTHY: Mr. Speaker, the Government's intention in the Bill is clear. If this is the Government's wish, I cannot see any objection to the terms of the Bill, and I support it.

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

IMPOUNDING ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 2, after clause 4 insert new clause 5 as follows:

5. *Amendment of principal Act, s.* 46—*Liability of owner of straying cattle*—Section 46 of the principal Act is amended by striking out from subsection (3) the passage "five miles" and inserting in lieu thereof the passage "eight kilometres".

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

That the Legislative Council's amendment be agreed to. Because the amendment simply converts miles to kilometres, the Government has no objection to it.

Mr. RODDA: I got into some trouble when this Bill was considered here some time ago. As the Minister said, the amendment makes a metric conversion. The Opposition therefore has no objection to it.

Mr. McANANEY: I think someone ought to commend the other place for its vigilance in protecting the laws of this State and ensuring that they are brought up to date.

Motion carried.

EVIDENCE (AFFIDAVITS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 18. Page 1028.)

Mr. GOLDSWORTHY (Kavel): This short Bill provides that affidavits may be sworn before proclaimed postmasters and proclaimed police officers, in addition to proclaimed bank managers. Because it should provide added convenience to the public, the Opposition supports it.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Power of other persons to take affidavits."

Mr. MATHWIN: Have many problems been encountered by people wishing to have affidavits signed by a bank manager? I imagine that the services of a proclaimed bank manager are usually always available.

The Hon. L. J. KING (Attorney-General): The matter arose out of a submission from the Deputy Commissioner of Police, who pointed out the difficulties experienced by police officers in preparing briefs, particularly for preliminary hearings under the new procedures that we have introduced to reduce the expense of preliminary hearings of charges relating to indictable offences. Instead of requiring witnesses to give evidence in all cases, they can make statements verified by affidavits and hand them to the court. This system saves much expense. The Deputy Commissioner of Police has pointed out that it will greatly reduce the work involved in obtaining signatures of authorised persons if some members of the Police Force are authorised to take the affidavits, which are generally prepared in the police station. It is therefore convenient not to have to go looking for a local bank manager or a commissioner for taking affidavits, in order to have the oaths taken. It seemed to be a practical solution that, as other statutory declarations can be taken by the people referred to in the Bill (postmasters and police officers), the provision should be extended to cover affidavits for use in courts. The suggestion met with the approval of the judges.

Clause passed.

Title passed.

Bill read a third time and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1—Insert Title as follows:—

"A Bill for an Act to amend the Local Government Act, 1934-1974."

No. 2. Page 1—Insert words of enactment as follows:—

"BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:"

No. 3. Page 1—Insert new clause 1 as follows:—

"1. *Short Titles*—(1) This Act may be cited as the 'Local Government Act Amendment Act (No. 2), 1974'.

(2) The Local Government Act, 1934-1974, is hereinafter referred to as 'the principal Act'.

(3) The principal Act, as amended by this Act, may be cited as the 'Local Government Act, 1934-1974'."

No. 4. Page 1—Insert new clause 2 as follows:—

"2. *Commencement*—This Act shall come into operation on a day to be fixed by proclamation."

No. 5. Page 2, lines 35 and 36 (clause 7)—

Leave out "at least two-thirds of the total" and insert "a majority of the whole".

Amendments Nos. 1 to 4:

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

That the Legislative Council's amendments Nos. 1 to 4 be agreed to.

When the Bill left this House it was part of a comprehensive Bill dealing with several matters. The other place, however, has divided the Bill into two Bills. The part with which we are about to deal is the part dealing with meetings of council and when they should be held. These amendments are purely and simply machinery amendments and made necessary only because of the splitting of the Bill into two.

Motion carried.

Amendment No. 5:

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

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

Amendment No. 5 is the only real matter contained in the Bill. Regrettably, the Legislative Council has attempted to destroy what I believed was a fair approach by this Chamber to a vexed question. Members will recall that, when I introduced the Bill, I did so on the basis that meetings of local government should be held at night unless it was the unanimous wish of all council members that the meeting be held during the day. In the usual spirit of compromise I accepted a Liberal Party Opposition amendment that it ought to be a two-thirds majority. Now we find that the Liberal Party Opposition in another place has a different view from that of the Liberal Party in this place. I remind members opposite that the vote of this Chamber in support of the amendment of the member for Glenelg was a unanimous vote in the spirit of compromise.

I did not accept the first amendment, which was moved by the member for Kavel, because it did little more than provide for the *status quo:* that is exactly what the Legislative Council is attempting to do now. If the Legislative Council wishes to throw this Bill out, as it did prior to last Christmas, then that action will be on its head, not mine: it will be its responsibility. Members in another place do not accept that an elected person should be able to attend council meetings.

Mr. Coumbe: Rubbish!

The Hon. G. T. VIRGO: The member for Torrens knows that it is not rubbish. I can give him an example of a person who was elected to a council but could not serve because the council would not change its meeting time from day to night.

Mr. Coumbe: I bet I've been to more council meetings than you have.

The Hon. G. T. VIRGO: I do not care whether the member for Torrens has been to more council meetings than I have: that has nothing to do with the matter. My point is that people should be able to nominate for and be elected to council without having to take time off from work and lose money. People should be able to attend council meetings to hear discussed those matters that affect them. That is the whole purpose of the amendment. It is all right for the member for Heysen, the member for Torrens, and a few other members who are self-employed and can come and go when it suits them. It is the man who works for an employer that I am concerned about, because he cannot walk off the job and go to a council meeting when he wishes. An employer will not countenance that sort of conduct.

It was the member for Rocky River who, when the Bill was being debated, admitted that he would not let one of his employees have time off from his farm duties to attend a council meeting.

Mr. Venning: That's not true.

The Hon. G. T. VIRGO: He is no different from any other employer, because employers will just not let their employees have the necessary time off.

Mr. VENNING: On a point of order, Mr. Acting Chairman. I did not say I would never allow an employee off my property to attend a council meeting.

The Hon. G. T. VIRGO: If the honourable member can tell me how many of his employees he allowed to attend council meetings, this Committee would like to hear it. What we are concerned with here is a fairly straightforward and fundamental matter. Surely, a few weeks ago we unanimously accepted a compromise between the Government and Opposition in an endeavour to get a satisfactory solution, so should we not stick with what we said then or should we suddenly bow to the dictates of another place, which seems to boast that it represents the permanent will of the people without its ever going to the people, and support the contention that people should be denied the right of participation in local government affairs? I believe that local government is an important part of our system of government and that we should provide to the greatest possible extent the facilities to allow everyone to know what is happening in local government and to allow everyone to participate in its affairs. Heaven knows, enough people are disfranchised today by virtue of the vote for the Legislative Council, and thousands of people will not be permitted to take part in the affairs of local government because of the attitude of the Legislative Council. Now, it is trying to prevent even the people who pay rates from standing for council or attending meetings because of the antiquated system of holding meetings during the day-time. I hope that the Committee will stand resolutely behind its previous decision and unanimously reject the Legislative Council's amendment.

Mr. GOLDSWORTHY: The Minister of Local Government seeks to wring every bit of political mileage out of this issue. The situation is different from that obtaining when this matter was previously discussed, when the Minister saw fit to reject a Bill of 38 clauses which foundered on one provision.

The Hon. G. T. Virgo: It was the Legislative Council. It would not even give a conference.

Mr. GOLDSWORTHY: It was the decision of the Minister not to accept the Legislative Council's amendment. The major part of the Bill originally put to members has passed into law, so the Minister seeks to weave this great web of political propaganda about what was originally one of 38 clauses. We have had a tirade from this self-styled advocate of democracy. I do not know how the Government lines up its one vote one value theory with the Bill in its original form, seeking to give a complete right of veto to one council member. Now, the Government has shifted ground (in a spirit of compromise, we are told) and seems to think a two-thirds majority will solve the problem. Originally, I moved the first amendment for the Opposition, seeking to provide that an absolute majority would determine when the council should meet; that was almost identical with this amendment of the Legislative Council referring to a majority. When that amendment was lost, another amendment was moved subsequently by the member for Glenelg.

The Hon. G. T. Virgo: And you voted for it.

Mr. GOLDSWORTHY: If an Opposition has two options and the first is closed, it takes the next best. My amendment was not carried, although it had the wholehearted and unanimous support of the Opposition. The second amendment represented the only compromise then

open to the Opposition. The Minister indicated that he would not accept the first Opposition amendment, although obviously it would not have been moved if the Opposition had not considered it desirable. I do not know what credence the Minister gives the idea that local government is important as the third tier of government and should have a reasonable degree of autonomy. In this situation. I believe the autonomy of local government could well be extended. Many cases could be cited to advance the point that, if a member wishes to serve on a council, he can make satisfactory arrangements to do so. I support the Legislative Council's amendment, which is in line with that moved by me for the Opposition.

Mr. MILLHOUSE: No matter what the member for Kavel and his colleagues may say, the Bill left this place with the provision in it for a two-thirds majority. That provision was put in it by the member for Glenelg, and it was the unanimous decision of the Committee that it be accepted. It does not matter what the member for Kavel said about 37 other clauses; those are the plain, cold, and (for the so-called Liberal Party) hard facts of the situation. We were all agreed on a two-thirds majority when the Bill left this House. I recall members on both sides waiting with eager expectation to see whether the member for Goyder and I were going to split and whether I would support the Bill as originally brought in and he would go the other way. The situation did not arise, because the member for Kavel gave away his amendment and did not call for a division; it was lost on the voices. The member for Glenelg immediately moved his amendment, the one we are now debating. It was accepted by the Minister. It was left to the member for Kavel, one of the pretenders on the front bench, to lead off for the Opposition.

The provision came into the Bill through the action of the member for Glenelg and his Party colleagues. What has happened in the other place reminds one irresistibly of the saying about the Bourbons at the time of the Restoration in France in 1814: they had learnt nothing and they had forgotten nothing. It makes nonsense of all the suggestions we hear from members of the Liberal Party that there has been change in their Party, a changed outlook, and so on. Their colleagues in the other place are still calling the tune and are still bent on dominating by imposing their will on Parliament, even though it means humiliating their colleagues in this place, as they are doing now. Their colleagues, having put up an amendment that was accepted by the Government, now find that, because of the actions of Liberal members in another place, they have to backtrack and try to oppose the amendment carried in this place. I suppose that is a matter of Parliamentary tactics, and I leave them to get out of the mess as best they can. On the merits of the matter, I find I must support the view of the Government. I believe that the position reached in this Chamber when the Bill left here previously was a fair one. As I supported it then, unlike other members on this side I see no reason whatever to change my mind now.

Mr. MATHWIN: True, the Opposition supported my amendment to provide for a decision by a two-thirds majority of elected members of a council. However, this was done only after a previous amendment had been lost. All metropolitan councils, except the Adelaide City Council, now meet during the evening, with many other councils throughout the State also meeting in the evening. The Minister should be flexible in his approach to this matter, as members of councils in outlying areas of the State face a great problem in attending evening meetings, and this applies equally to workers who may be members of councils. If a council meets at 7.30 p.m. or 8 p.m., council business, which now involves new and lengthy procedures, may cause the meeting to last until the early hours of the following morning. Some councillors would then face a drive of 40 km or 50 km to their homes.

The Hon. G. T. Virgo: You would rather see them lose a day's pay?

Mr. MATHWIN: I think there are other ways of solving the problem.

The Hon. G. T. Virgo: Like Aiderman Spencer, you don't want the riff-raff, do you?

Mr. MATHWIN: In his short period in local government, the Minister no doubt attended late council meetings. If he thinks he is doing councillors a favour by having them travelling home at such late hours after meetings two or three times a month, he has no appreciation of their situation. The Minister should have considered having separate arrangements for the metropolitan area and country areas. Last year, the fate of similar legislation was due to the Minister's arrogant approach, when he refused any amendments at all. Without giving the matter further thought, he introduced this Bill, whose clauses, except for clause 7, are good clauses. In fact, many of the procedures contained in these clauses are already followed by councils. Had it met last night, the Mitcham council would have appointed another mayor, yet the provision dealing with that matter is contained in this Bill. That practice has been followed for many years.

The Hon. G. T. Virgo: It isn't in that Bill at all.

Mr. MATHWIN: Yes it is. It was placed there to pad out the Bill, which was really designed to provide for councils to meet in the evening. The Minister should bear in mind the history of this legislation. However, in moving his motion, he tried to mislead members by dragging red herrings across the path.

Mr. COUMBE: It is interesting to see the so-called responsible Minister of Local Government laughing about this serious matter; this will be remembered by many people in South Australia who are involved in local government. In moving his motion, the Minister gave us much rhetoric accompanied by his usual abuse, as he dragged a red herring right across the track. He purports to be a great democrat that believes in majority rule. What the Legislative Council proposes is a majority decision: the reference is to "a majority of the whole". The Minister says he believes in majority rule, and this amendment is democratic because it refers to a vote of the elected members of a council. I remind the Minister that the Constitution of the State refers to a majority of the whole. The Minister has often said that at union meetings a majority vote (even a majority of one) should carry the day.

The Hon. G. T. Virgo: Would you agree with adult franchise for councils?

The ACTING CHAIRMAN (Mr. Crimes): Order!

Mr. COUMBE: Here again, the Minister is trying to drag a red herring across the track, as he did just now in connection with representation. We are here considering clause 7 of the old Bill before it was split, which deals with voting in the council. I am canvassing not the hours at which councils should meet but the matter of the majority. The Minister knows that this Party first suggested the amendment of "a majority of the whole". When that was defeated, as usual, we accepted the next best amendment, which was "at least two-thirds". The Minister indulges in this practice himself but does not like it now when it rebounds on him.

The Hon. G. T. Virgo: Are you sticking to your previous decision or not?

Mr. COUMBE: I propose to get the best possible action for local government. I am being consistent, because we moved this amendment for "a majority of the whole". When that was defeated, we accepted the next best thing. When the opportunity presents itself, we try to improve on the position as it now stands (the two-thirds majority) and there is nothing inconsistent about that. It is the Minister himself who is trying to delude this Committee and the people of the State.

Mr. GUNN: We have again today listened to the Minister engaging in personalities, assisted by the member for Mitcham. It will be interesting to see how the member for Goyder votes on this matter, whether he will support his constituents or the member for Mitcham. The last time this matter was debated in this Chamber there was a division in the Liberal Movement. The member for Mitcham has spoken a lot of nonsense about a supposed directive from another place. That is all nonsense, because the member for Kavel moved his amendment and the Minister refused to accept it. The effect that this amendment will have on local government is all the more pertinent to these discussions because, if the Minister of Local Government has the courage to continue with the recommendations of the Royal Commission into Local Government Areas and those recommendations are forced through this Chamber and into law, this amendment, which we on this side support, will be even more important, because local government representatives in country areas will be forced to travel greater distances to attend meetings, and the councils will be handling much more business because they will be covering bigger areas, and the meetings will last longer. For instance, in respect of the electoral District of Flinders, there was a recommendation to amalgamate the District Council of Tumby Bay with most of the District Council of Port Lincoln.

The Hon. G. T. Virgo: You are supporting the Royal Commission's recommendations?

Mr. GUNN: No. That will then be a very large council area. If the headquarters happened to be at Tumby Bay, how far would a district councillor who lives at Mt. Hope have to travel?

The Hon. G. T. Virgo: Will you support the Royal Commission's findings?

Mr. GUNN: I will make a decision when the matter is before the House; I shall make my judgment on that matter at that time. If the Minister of Local Government and his Party have the courage of their convictions and allow members to vote by their consciences, I will vote by my conscience. I challenge the Minister to allow his members to have a conscience vote. Will he allow his members to put into effect the views of their ratepayers? The Minister talks about democracy and denying people the right to engage in local government activities, but that is nonsense. I ask him to accept my challenge. This matter could have been passed through both Houses many months ago if the Minister had been a responsible Minister. He put into the Bill many things that local government had for a long time requested but, with his usual tricks, he added a little bitter with a lot of sweet: he tried to bribe local government into accepting a completely unacceptable proposition by including many undesirable features. The member for Whyalla indulged in political argument to bring discredit to the Legislative Council. He and his colleagues were up to their political skulduggery.

Mr. Max Brown: You do not even know what that word means.

The ACTING CHAIRMAN: Order!

Mr. GUNN: They were trying to bring discredit on the Legislative Council, for political reasons. Judging by the reaction of the member for Whyalla, I am close to the mark there.

Mr. Max Brown: You are a million miles off the mark.

The ACTING CHAIRMAN: Order! I ask the member for Eyre not to be provocative.

Mr. GUNN: I had no intention of being provocative; I was making one or two observations on what I had noticed over the last few months. However, I have made my point. I support the remarks of the member for Kavel. The member for Glenelg explained why he moved his amendment. We were trying to improve a bad situation. If the Minister wants to assist local government, he will support the Legislative Council's amendment.

Mr. VENNING: I support the amendment. I have listened with interest to all that has been said in the Chamber this afternoon and observed the Minister's reactions. If he had been more genuine in the way he put his case, he would have been more serious in his reactions, but he has treated the whole thing as a joke. Clause 7 of the old Bill, before it was divided, will go down in the history of this House and of local government as one of the most shocking pieces of legislation ever. In my own council area in the country, the Minister is responsible for permitting an additional member to a ward of my home council when, in fact, a counter petition in excess of the number of signatures required rejected an increase.

The ACTING CHAIRMAN: Order! The honourable member must relate his remarks to the motion before the Chair.

Mr. VENNING: I will tie up my remarks with local government. It is obvious that the Minister's attitude on this is socialistic. That is the point I make about the situation in my own council area, where there have been a petition and a counter-petition. The Minister said that the petition, although it had fewer signatures than the counter-petition—

The ACTING CHAIRMAN: Order! The honourable member must tie up his remarks with the motion.

Mr. VENNING: I am making the point that I am not impressed with what the Minister said. From my experience with councils in my district, they meet in the evening. Therefore, I support the amendment.

Mr. RUSSACK: I supported the amendment moved by the member for Kavel (which was not accepted by the Minister), and eventually supported the amendment moved by the member for Glenelg. Therefore, I consider that I am consistent in supporting the amendment from the other place. However, the principle of autonomy of councils is involved. This afternoon the Minister said that councils should stand on their own feet regarding finance, and be self-reliant. Therefore, why should not councils have autonomy to decide when they will meet? Why should they be told from a central Government when and bow they conduct their meetings? If the Minister and Government are consistent, councils should have the autonomy to decide when they will meet.

Mr. McANANEY: I strongly support what has been said by the previous speaker about the autonomy of councils. The Minister said that people would have to make a sacrifice to take time off to attend council meetings, but he knows that there is a 10 per cent absenteeism throughout Australia, as many people take a day off whenever they want it.

The Hon. G. T. VIRGO: The member for Gouger claimed that councils should have autonomy to determine the time and place of meetings.

Mr. Venning: A very good point.

The Hon. G. T. VIRGO: Yes it is, and I agree with it. This amendment seeks to achieve that objective and to provide that members of councils will, in certain circumstances, make the decision. No-one is taking away the autonomy of councils, because the Bill provides that, in determining the time and place of a meeting, a two-thirds majority will be required. The honourable member's suggestion is almost as bad as that of the member for Eyre, who said that sitting in councils was a lot of nonsense. It is not: it is a serious matter. The members for Kavel and Gouger are the only Opposition members who have been consistent. However, if the member for Kavel had been sincere with his amendment, he would have contributed more than a speech of 10 lines as reported in *Hansard.* The member for Gouger said about the same amount.

Mr. Goldsworthy: You know that the *Hansard* report of Committee debates is condensed.

The Hon. G. T. VIRGO: Apparently, no-one else supported the amendment of the member for Kavel. When the member for Glenelg moved his amendment, he was satisfied with about three lines of *Hansard.*

Mr. Goldsworthy: That weakens your point.

The Hon. G. T. VIRGO: No, it strengthens it considerably, because the members for Kavel and Gouger flew a flag and received no support from their colleagues. I told the member for Glenelg that, in an effort to get the Bill through, I was willing to compromise. That was not the first time I had used those words. On March 28, 1974, when considering the message from the Legislative Council about this Bill, I said:

I believe a conference will achieve a great deal, because there is room for compromise.

It was the Leader who kept taking points of order, alleging that I was not speaking in accordance with Standing Orders. So that all honourable members are clear regarding who did what, I suggest they read page 2863 of *Hansard,* the last two lines of which state:

The Legislative Council intimated that it had refused to to grant a conference.

Let us be clear about who rejected the Bill: it was not the Minister, as the member for Glenelg suggested.

Mr. Goldsworthy: Look, it was made perfectly clear—

The Hon. G. T. VIRGO: I made perfectly clear that there was room for compromise. Indeed, I asked for a conference, and it was the Legislative Council that refused, by a vote of 11 members to seven members, to grant the House of Assembly a conference.

Mr. Goldsworthy: That had been made clear previously.

The Hon. G. T. VIRGO: I am not worried about what was made clear. I am not going to bow to the dictates of the Legislative Council. I do not have to do so like members opposite do. I feel sorry for the member for Glenelg. He has squirmed because he moved the amendment that has put the Opposition in its present invidious position. One by one, they got up and repudiated his move on August 27. The clever member for Glenelg has squirmed because he caught himself: he did not consult the Legislative Council and ask whether he could move this amendment. He just went ahead and did it, and members in another place are out to teach him a lesson. In future, he had better see the appropriate person (presumably Murray Hill) and ask whether he can move an amendment, or he will get his knuckles rapped as he has in the past. It is fallacious for the member for Glenelg to say that this is directed at the Adelaide City Council, and he knows that that is so. This provision, if carried, will have equal application to all 137 (or whatever number there are in future) local government bodies in South Australia.

Mr. Mathwin: How many of them meet during the day?

The Hon. G. T. VIRGO: For Opposition members to talk about two, three and more meetings being held and people having to go long distances is a clear indication that they have not read the Bill, as it refers not to special meetings or committee meetings but to ordinary council meetings.

Mr. Goldsworthy: There aren't any.

The Hon. G. T. VIRGO: That statement illustrates the honourable member's level of intelligence. If he reads the Act, he will find that remarks of that nature are stupid. We have, therefore, a simple question to resolve: do we believe that the stand which this Chamber unanimously took—

Mr. Goldsworthy: Come off it!

The Hon. G. T. VIRGO: I know it hurts the member for Kavel, because he is in the awkward position that only three or four weeks ago he voted in favour of something, and today he is trying to find enough courage to vote the opposite way, merely because his masters in the Legislative Council have told him to do so. It will be interesting to see what Opposition members do when the vote is taken.

Dr. EASTICK (Leader of the Opposition): It was difficult to know whether the Minister was going to break into laughter during his speech. It is certain that, when this matter was last before the House, the Minister punted and lost. He was warned during the previous debate of the fate the Bill would meet if he persisted with his attitude. The Minister then tried to push the Bill through both Houses of Parliament and failed. He was warned that, if he continued in that vein, the measure would fail, even though members had lauded the contents of the Bill in every other respect. If one examines pages 443 and 444 of the Votes and Proceedings for the 1973-74 session, one can see the sequence of events, as the Legislative Council reported on the Bill. On page 444 one can see message No. 176, dated March 28, 1974, from the Legislative Council, as follows:

Mr. Speaker, the Legislative Council insists on its amendment No. 1 in the Local Government Act Amendment Bill to which the House of Assembly has disagreed. The Bill is returned herewith.

It was ordered that the message be taken into consideration forthwith, and that the Speaker leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the Legislative Council's message. In Committee, the Minister of Local Government moved that the disagreement to the Legislative Council's amendment be insisted upon. The question was put, and the House divided. As members voted 20 to 16, the matter was resolved in the affirmative. One sees from message No. 178 (on page 445 of the Votes and Proceedings) that the Legislative Council refused to grant a conference on the Local Government Act Amendment Bill, as requested by the House of Assembly in message No. 213.

Mr. Keneally: And that's it.

Dr. EASTICK: There is no argument about that.

The Hon. G. T. Virgo: The Legislative Council threw it out, by refusing to grant a conference.

Dr. EASTICK: The Minister knew he could not bluster his way through. He had been warned.

The Hon. G. T. Virgo: I don't take warnings from the Legislative Council.

Dr. EASTICK: I told him what would happen, but he persisted in his attitude. He took a punt and came a cropper.

Mr. Mathwin: He wanted it passed: in one day.

Dr. EASTICK: He was arrogant enough to try to get his own way.

The Hon. G. T. Virgo: Arrogant enough to ask for a conference!

Dr. EASTICK: The Bill was not defeated: it was laid aside.

The Hon. G. T. Virgo: It was defeated.

Dr. EASTICK: It was laid aside.

The Hon. G. T. Virgo: What's the difference?

Dr. EASTICK: It is different in that officers of Parliament under Parliamentary procedure differentiate between the two. The digest we used to have of the proceedings of the House clearly indicates a difference. The point I make is that the Minister refused to adopt a reasonable attitude to the measure on that occasion.

The Hon. G. T. Virgo: And the Legislative Council refused to grant a conference.

Dr. EASTICK: The Minister should have taken note of the resolutions passed by many local government associations in recent weeks (he was present with me at one of them, at which the resolution was taken after he had left). The resolution was conveyed to him by the member for Kavel that the decision of that local government body (of 23 member councils) was that, in its own interests and in the interests of those it represented, it believed that an absolute majority was all that was necessary on this measure. My colleague promoted that resolution.

The Hon. G. T. Virgo: Ah! That was a meeting called for political expediency so that you could come into the Chamber and use it; that's typical. You said he proposed it.

Members interjecting:

The ACTING CHAIRMAN. Order! The honourable Leader of the Opposition.

Mr. Goldsworthy: As a result of what I heard at the meeting, I promoted it here.

Dr. EASTICK: The Minister knows that he was the only member of Parliament who was given a platform at that meeting on that day; so, his statement that the member for Kavel promoted it at that meeting is out of order.

The Hon. G. T. Virgo: You said it; I didn't.

Dr. EASTICK: I believe the point has been adequately made—

The Hon. G. T. Virgo: It certainly has.

Dr. EASTICK: —namely, that the measure, which I intend to support, is the one put to the Chamber previously by the member for Kavel, because I believe that it is in the best interests of local government, as a result of representations it had made to me. I also believe that it is the one which truly supports the democratic attitude (the same attitude that existed previously in the Chamber) of an absolute majority: one more than one-half.

Mr. MATHWIN: Again, the Minister has tried to mislead the Committee by attacking me. He said that the amendment did not refer to ordinary meetings.

The Hon. G. T. Virgo: I said it applied only to ordinary meetings.

Mr. MATHWIN: All right. "Ordinary meetings" means that several meetings of council may be held on the same evening, whereas open council meetings are usually held on a different evening. Followed by council meeting is a committee meeting, usually the local health committee. The Minister tried to mislead the Committee into believing that meetings are held on separate occasions, but on one evening three or four committee meetings may be held. Even the Minister, with his meagre experience in local government, knows that at council meetings, several committees meet on the one evening. I suggest that the Minister read his own Bill and, if he cannot understand it, it is his responsibility to go to someone in local government who can understand it. The clause, as it stands, relates to ordinary council meetings, which are either open or committee meetings.

If the Minister suggests holding all these meetings on one day or one evening, he is wrong. He knows that, if committees do not conclude all of their business, the remainder of the business is referred to the next committee meeting or to open council. On one evening a meeting of the whole council, and meetings of the finance committee, the works committee, the foreshore works committee, and the by-laws committee could all be held. On the following night open council could meet. The Minister is confused about open council meetings, prior to which the building committee might meet and evidence might be taken from objectors to buildings to be erected under the Planning and Development Act. After the open council meeting is concluded, when council is present in its full regalia, the members may form themselves into the local health committee. We are concerned with councils that meet at ordinary council meetings, followed by committee meetings. It is all right for the member for Whyalla to shake his head: he would not know what it is all about. I do not know whether this is the procedure in Whyalla, but it is the procedure in most councils. The Minister is way off the beam in his attack on me.

The Committee divided on the motion:

Ayes (25)—Messrs. Boundy and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hudson, Jennings, Keneally, King, Langley, Mathwin, McKee, McRae, Millhouse, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Noes (16)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, McAnaney, Rodda, Russack, Tonkin, and Venning.

Pairs—Ayes—Messrs. Broomhill and Hopgood.

Noes—Messrs. Nankivell and Wardle.

Majority of 9 for the Ayes.

Motion thus carried.

The following reason for disagreement to the Legislative Council's amendment No. 5 was adopted:

Because the amendment removes the compromise unanimously accepted by this House.

ARBITRATION ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, lines 1 to 4 (clause 3)—Leave out subsection (2) and insert new subsections (2) and (3) as follows:

(2) An agreement—

(a) to submit to arbitration a claim, difference or dispute arising out of an agreement for the performance of major building work; or

(b) to submit to arbitration a claim, difference or dispute where the circumstances on which the claim is based have occurred, or the difference or dispute has arisen, before the agreement is made,

shall not be rendered void by the provisions of subsection (1) of this section.

(3) In this section—

"building work" has the meaning assigned to that expression by the Building Act, 1970-1971:

"domestic building work" means building work in relation to a dwelling house or proposed dwelling house or the curtilage of a dwelling house or proposed dwelling house but does not include any such building work where the consideration for which it is to be performed exceeds in amount or value fifty thousand dollars:

"major building work" means any building work except domestic building work.

No. 2. Page 2 (clause 3)—After new subsections (2) and (3) insert new subsection (4) as follows:

(4) This section does not apply to—

(a) an agreement entered into before the commencement of the Arbitration Act Amendment Act, 1974; or

(b) a submission in respect of a claim, difference or dispute of a kind that is not justiciable by a court.

Consideration in Committee.

Amendment No. 1:

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

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

The amendment, relating to clause 3, inserts new subsections (2) and (3), the effect of which is to exclude from the operation of this Bill what is described in the amendment as major building work, which is work other than domestic building work. Commercial buildings and domestic buildings where the consideration exceeds $50 000 are excluded from the provisions of the Bill. It is with considerable regret that I recommend that the Committee accept the amendment. I believe that the type of clause referred to in the Bill should be excluded in relation to all contracts, without exception; that is the case I put to members, and I adhere to that view. There has been substantial opposition to this clause from the building industry and people concerned with building in relation to major building works, for reasons which I must say I do not find convincing, although I understand them. However, they have convinced the Legislative Council, and I do not think it is a matter on which I should recommend that we should reject the amendments with the ensuing conference and its uncertain outcome.

I think the important area with which we are concerned is what might be loosely described as the consumer area: the area in which the ordinary member of the public contracts, because he is the person who is not in a position very often to protect himself by initiating appropriate terms in the contract. Certainly, he is protected by the Bill as it comes from the Legislative Council. I suppose that if those who are concerned with major works choose to enter into these contracts we are less concerned with them; they are more able to protect themselves. Nevertheless, I would have preferred the Bill in its original form, and I am especially concerned about the limit of $50 000 in relation to domestic building. However, if the Bill is passed in this form (and it will be if the Committee accepts these amendments) it will be a major break-through, and I think, when it is understood how important this legislation is to people and how one can get on quite well without the *Scott v. Avery* type of clause, sufficient confidence will be engendered to overcome opposition to its extension to major building works. I hope we will then be able to persuade the building industry (and, indeed, the Legislative Council) that it is desirable to take the further step. The principle established by this Bill is too important to be jeopardised by engaging in a confrontation over the type of major building work referred to in the amendment. For that reason, and with great reluctance, I recommend that the Committee should accept the amendment.

Dr. EASTICK (Leader of the Opposition): I was willing to accept the Bill as it left this place. However, I acknowledge the comment of the Attorney-General relating to the degree of interest shown in this measure by persons who will be involved, although I found many of the arguments advanced to be lacking in depth. If the Bill proceeds in its amended form, it can be further amended later to extend its operations if it can be shown that it is advantageous to do so. The arguments advanced to members in another place to make these amendments in relation to the nature of transactions between individuals and the housing industry, having regard to the Builders Licensing Act and the alterations recently made, could provide the type of assistance that would have been better contained in this Bill originally. I do not believe that, by accepting this amendment, we have opened the door for a major breakdown in the measures the Attorney-General seeks to have covered. I assure him I would support further consideration of the original measures if it could be shown in practice that the theory of the proposition had broken down.

Mr. EVANS: I support the amendment. I did: not realise, when the Bill went through this Chamber, what effect it would have on the building industry. However, I do not think I could get it changed now, and I am willing to see how it works in practice. There is no doubt it will involve increased costs in house building. Most people are cautious and afraid to face the courts because of the cost involved. Consequently, if there is any risk of this occurring, allowance will be made in the contract. Over the years, the building industry has been reasonably successful in its handling of disputes, something that has not been achieved by the courts. Delays are costly, and the cost of winning a point may be greater than the loss incurred in the first place. Builders and clients will now know that minor complaints can be taken to the courts. The handling of disputes by arbitrators has been as successful as the handling of disputes in the courts.

Mr. Millhouse: Are you familiar with section 24 of the Builders Licensing Act?

Mr. EVANS: I know that sometimes agreement has not been reached to go to arbitration. The industry fears what we are doing today and no doubt fears what the Legislative Council has agreed to. If this is a burden the Attorney-General and other legal advisers believe must be placed on the house owner, the person who will meet the cost in the long term, allowance will be made in the contracts for increased costs. The same comment applies in relation to the provisions of the Builders Licensing Act. I know that some people have added to the cost of the contract to cover situations that may not be their fault, but rather the fault of someone else. I know that the Attorney-General can argue that a client places his trust in a builder to make sure that the interest of the client is protected at all times; otherwise a court or the Builders Licensing Board will decide. However, this causes an increase in the cost of the average house.

The Hon. L. I. King: Only to the extent that shoddy workmanship is cheaper than good workmanship.

Mr. EVANS: The Attorney knows that in any profession, including the legal profession, people can set out to do good work and things beyond their control can go

wrong. In past cases, where an arbitration clause has been included in a contract and has been acted on, there has been reasonable success. We will never have the perfect system. A builder who has money can slow down the process in court so that for the house-owner there is extra frustration and trauma in waiting for his house. It is said that within a couple of weeks a court can give a decision, but I doubt this.

I will accept the amendment that only disputes in relation to industrial buildings or houses of a value of more than $50 000 will be dealt with by arbitration, with disputes in all other cases being dealt with by the court. However, I predict that there will be an increased cost because of delays, and the cost will be not only financial but also in human suffering. I know the arguments about shoddy workmanship and the problems associated with contracts taking longer to be completed than originally planned, with the owner having to find bridging finance, and so on. I hope that we can accept the assurance of the Attorney-General and other lawyers that the house-owner will be protected by this scheme and guaranteed good workmanship. However, having been on the other side in this matter and had practical experience, I am afraid that the position may not be as stated. Reluctantly, I support the Legislative Council's amendment.

Mr. MILLHOUSE: I have been listening to the honourable member, who sounded quite plausible in what he said, more in sorrow than in anger. However. I find it difficult to follow his line of argument. I interjected (and he chose to ignore the interjection, which is technically correct) whether he had taken into account section 24 of the Builders Licensing Act, a section that has been in operation certainly since this Government came into office in 1970, or even before that. We had some arguments about it in the late 1960's. Section 24 cut out arbitration altogether in contracts of less than $20 000, although this was not mentioned in the second reading explanation of this Bill. That means that the average house contract has not been subject to an arbitration clause or, if there is an arbitration clause in the contract, it has been nullified since that provision in the Builders Licensing Act came into effect.

To my knowledge, it has not caused the terrible hardship and mental trauma the member for Fisher has mentioned. The Legislative Council's amendment will mean that in future there will be arbitration only in contracts of more than $50 000, whereas before it was clear that there would be no arbitration. I suggest to the member for Fisher that what he has been saying is, in the light of section 24, unless I have misunderstood him altogether, absolute nonsense.

Mr. EVANS: I was aware of section 24 of the Builders Licensing Act but was hoping the member for Mitcham would not raise that matter. That Act will be discussed later. The honourable member will know that the average price of a house these days is more than $20 000.

Mr. Millhouse: But that provision has been in operation for five years.

Mr. EVANS: That provision would not operate under present building conditions, because the figure is too low. Now that the matter has been raised, no doubt some Government member will want to increase the figure in the Builders Licensing Act. The member for Mitcham is putting the burden back on to the industry.

Mr. MILLHOUSE: For the first few years during which that section was in operation, $20 000 was well above the cost of building a house. It may be that that limit is now being reached because of inflation; but the honourable member chose to ignore that. The provision came into effect some years ago, so we have experience of it. I referred to it only because I had some professional experience of it in a matter last week where the contract was for $18 500 for a very nice house in the district of, I think, the member for Mitchell, not very far from the boundary with Mitcham. There was no arbitration, because the contract that had been entered into 18 months ago was for $18 500.

Mr. EVANS: To the price for the average house over the past four years, through legislation, we have added $1 400 in every $20 000. In addition to that, there would be legal expenses if there was a dispute, and no doubt they would be considerable. There would be an addition of $1 200 to a contract signed only 18 months ago. We will add to the cost by taking out the right to arbitration.

Motion carried.

Amendment No. 2:

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

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

This amendment really falls into two parts. The first part makes clear that an agreement entered into before the commencement of this amending Act does not fall within its purview. The second part provides that a submission in respect of a claim, difference or dispute of a kind that is not justiciable by a court does not fall within this provision. I think the second part of that amendment requires some explanation. The point was made in another place that there were certain types of dispute that were not justiciable by a court at all. They do not often occur, and it is unusual for them ever to reach arbitration. There are circumstances, for instance, in which, say, an application may be made to an architect by a builder for some extension of time for performing the work, and there may be provisions in the contract that in the event of a refusal the matter goes to arbitration. That is the type of dispute that is not justiciable by a court, at all events in those circumstances. There are probably other such examples. This is not a matter of great importance but the point, having been raised, should be covered. I ask the Committee to agree to the amendment.

Motion carried.

JUDGES' PENSIONS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 18. Page 1029.)

Mr. COUMBE (Torrens): This Bill, though short, is of some importance to Their Honors the judges. Its main object is to bring the Judges' Pensions Act into line, not in all but in most respects, with the Bill passed earlier this year dealing with Public Service superannuation. I say "not all" because there are different circumstances relating to this type of pension, as it is non-contributory. Therefore, certain aspects do not apply to both measures. There are, I think, one or two aspects that have been introduced after consultation with Their Honors, but the Bill deals mainly with bringing the whole of this scheme broadly into line with the benefits that have been provided in the Superannuation Act passed at the end of last session.

I have considered the relevant parts of the Superannuation Act and Judges' Pensions Act and have noted the alterations. They are simple enough and should be passed without much comment. There would not be many judges retiring at 60 years of age, but provision has been made for this. We should not consider this measure in the old context of judges of the Supreme Court sometimes not

being appointed until after they had reached the age of 60 years, as we are now referring to judges in various jurisdictions. Pensions are made available for widows and children, and some provisions of the Superannuation Act do not appear in this legislation because of the difference between a contributory and a non-contributory scheme. Clause 11 repeals section 14a of the principal Act and provides for a system of "automatic" adjustment of pensions related to movements in the cost of living. I do not know whether this provision will remove the need to review the Act periodically, but it may do so. I believe these provisions are suitable, and I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Death of Judge."

Mr. GOLDSWORTHY: If a former judge married after retirement and then died, that spouse would not be pensionable. Is that the position?

The Hon. L. J. KING (Attorney-General): That is so, and that is the provision contained in the Superannuation Act. I will elaborate on this when I move my amendment to clause 10.

Mr. GOLDSWORTHY: Is it a fact that, generally, in our superannuation legislation, if a superannuant marries after retirement and then dies, the widow of that marriage does not become a superannuant?

The Hon. L. J. King: Yes.

Clauses 7 to 9 passed.

Clause 10—"Pension under an Act amended by this Act."

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

After "amended" to insert:

(a) by striking out from subsection (2) the passage "who had been married to that person while he was a judge"; and

(b)

Judges who contributed to their pension under the pre-1971 scheme had rather unusual rights under the Act regarding widows; the widow was entitled to the widow's share of the pension after the death of the judge, even though the marriage had been entered into after the judge had retired. The 1971 Act provided that the marriage must have taken place whilst the judge was serving as a judge. However, that had the effect of divesting judges who had contributed under the old scheme of a right they had acquired. That did not affect anyone at the time, but the situation has changed, and it has been brought to the Government's attention that the 1971 Act deprived judges, who had contributed under the old scheme and had already retired, of an entitlement they had acquired, even though the occasion for its exercise had not arisen. This amendment is to cover the position of judges who had contributed on a certain basis prior to 1971 but who had their rights taken away by an Act passed after their retirement. Whilst the Government takes the view that it is a wrong superannuation principle that a pensioner should be able to acquire additional rights by marrying after the pension period has commenced, we cannot overlook the fact that these people should not be deprived of their rights *ex post facto.*

Mr. GOLDSWORTHY: How many judges would be involved?

The Hon. L. J. KING: One judge is actually involved, and three other judges would be in that position if they remarried. Therefore, four people are potentially involved, whilst one is actually involved.

Mr. Goldsworthy: Can this happen again?

The Hon. L. J. KING: No.

Mr. GOLDSWORTHY: It has come to the attention of some Opposition members that these anomalies have arisen in other circumstances, although the disadvantage is not of the magnitude that applies in this case. However, a superannuant has claimed that an option under which he originally agreed to contribute was no longer open to him. This is not a unique situation, and it is an anomaly that should be rectified.

The Hon. L. J. KING: I do not accept the principle that in all circumstances this sort of adjustment should be made. I bear in mind that under this Act those judges will acquire advantages which were not part of their bargain, so to speak. I do not think it is a case in which one can say that the judge entered into a contract with the State for the rights that existed in the pre-1971 Act and therefore he is entitled to have them. Under this Act, those judges will get cost of living adjustments, too, which were not part of the bargain into which they entered. I would not want this to be taken as a precedent that the Government in all circumstances would act in the way in which it acted here, but I think that in these circumstances it is fair to say that the right that was taken away in 1971 should be restored.

Amendment carried; clause as amended passed.

Clause 11 and title passed.

Bill read a third time and passed.

[Sitting suspended from 5.58 to 7.30 p.m.]

MOTOR FUEL DISTRIBUTION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

BUILDERS LICENSING ACT AMENDMENT BILL

In Committee.

(Continued from September 19. Page 1070.)

Clause 3 passed.

Clause 4—"Interpretation."

Mr. EVANS: This clause appoints the Builders Appellate and Disciplinary Tribunal. I should like to read the views that the Master Builders Association has expressed to the Leader of the Opposition, and I hope that the Minister will say, perhaps more comprehensively than he has said in reply to the second reading debate, why the Government is setting up the tribunal. The letter from the Master Builders Association states:

We do question, however, the establishment of the Builders Appellate and Disciplinary Tribunal. We do not see why such a tribunal should be necessary. It would be less cumbersome and costly simply to provide the board with additional powers.

The Hon. D. J. HOPGOOD (Minister of Development and Mines): I received a similar communication from the Master Builders Association some time ago and was a little bemused by it, because I should have thought that this move was in a sense a concession to the industry, providing a vehicle of appeal from the statutory body that licensed the individuals in the industry. True, there is in the present Act a right of appeal to what we may call the outside courts, and that has been retained. However, there is always a waiting time associated with getting a case before a court. This body, which will deal strictly with appeals from decisions of the Builders Licensing Board, will not have the same backlog of cases, and it will be rather easier to get an early hearing.

The other point (and really this is the basis for the way in which we are operating here) is that there is provision in the present Act for a hearing on the basis of a decision that the board has taken, but this hearing is conducted by the same board, so in effect it is an appeal from Caesar to Caesar. Here we are establishing something that could be regarded as being similar to the Planning Appeal Board, which operates under the Planning and Development Act. We are separating from the board all its present *quasi* judicial functions and giving them to a tribunal. 1 should have thought that this would be favourably received by people who may want to appeal against a decision of the board but who consider that the deck is stacked against them somewhat if the appeal is back to the board.

Mr. EVANS: Is it contemplated that some members of the tribunal could be members of the board, or will the Minister guarantee that they will be completely different people?

The Hon. D. J. HOPGOOD: There will be no common membership as between the bodies. To have any common membership would vitiate the whole purpose of setting up the tribunal. I give that assurance.

Clause passed.

Clauses 5 to 8 passed.

Clause 9—"The register."

Mr. EVANS: This is the first time that we have provided for the holder of a provisional general builder's licence, and the move has been announced recently. I ask the Minister how many applications the board has had, if any, from persons who want to hold such a licence. The intention in establishing this kind of licence was to give an individual who may have general knowledge within the building industry the opportunity to prove his capacity to get a general licence, as against a restricted licence. In this way, perhaps more people would be encouraged to go into the general building field. If the Minister has not the information, perhaps he could get it for me.

The Hon. D. J. HOPGOOD: I have not the exact figures with me, but I recall that my colleague the member for Gilles asked a question about this matter some time ago, when I think I was able to say that, in the brief time the amendment to the Act providing for a provisional licence had been operating, there had been about 70 applications for such a licence, not all of them having been approved. I will get up-to-date figures for the honourable member. I do not know whether I heard the honourable member correctly, but I understood him to say, regarding clause 9 *(a)*, that we were providing a statutory warrant for something that I had announced. However, this was done by an earlier amendment.

Mr. COUMBE: In the second reading debate I asked whether the restricted builder's licence granted for the various grades had been reviewed. There seemed to be a discrepancy regarding the period for which a person served in order to qualify. Some invidious comparisons have been made *vis-a-vis* trades. Can the Minister say whether this matter has been found wanting or whether any review has been made?

The Hon. D. J. HOPGOOD: No review has taken place, but I intended to take up this matter with the board as a result of the honourable member's comments during the second reading debate. I will do so.

Mr. MATHWIN: If this clause is passed, section 12 of the principal Act will read ". . . relating to every person who as at the date to which the register is made up, is the holder of a general builder's licence, or the holder of a professional general builder's licence, or the holder of a restricted builder's licence". That, to me, is bad English, but is that the way it will read? Can the Minister also say why subsection (3) of section 12 is to be struck out and replaced by a new subsection?

The Hon. D. J. HOPGOOD: It arises largely as a result of the total computerisation of the records of the Builders Licensing Board and the fact that licences are valid from one calendar year to another, whereas under the old arrangements the gazettal meant the gazettal of out-of-date information. By placing this towards the end of the calendar year instead of at the beginning of the calendar year, there will be an up-to-date record. Regarding the actual wording of section 12 (1), following the passing of this amendment, it will read:

Subject to subsection (2) of this section, the board shall keep and maintain a register containing the names, addresses of and other prescribed particulars relating to every person who as at that date to which the register is made up, is the holder of a general builder's licence, the holder of a provisional general builder's licence, or the holder of a restricted builder's licence.

There should be no ambiguity there, although I suppose we could do away with the repetition of the words "the holder of" in each of those phrases.

Mr. MATHWIN: Does the Minister mean that we will add to the present Act "the holder of a general builder's licence, the holder of a provisional general builder's licence, or the holder of a restricted builder's licence"?

The Hon. D. J. HOPGOOD: That is correct. We are simply inserting the category "provisional general builder's licence", which is not in the present Act.

Mr. MATHWIN: Section 12 (5) provides:

A certificate signed by the secretary certifying that a person was not on a date or during a period specified in the certificate the holder of a general builder's licence or the holder of a restricted builder's licence which authorises the holder thereof to undertake and carry out building work within the classified trade specified therein shall, in any legal proceedings, be *prima facie* evidence of the facts therein certified.

Can the Minister say what the amendment will achieve?

The Hon. D. J. HOPGOOD: All the amendment does is simply add the new category "provisional general builder's licence" to the existing categories of "general builder's licence" and "restricted builder's licence". So, in that respect, the wording will be much the same as in section 12 (1).

Clause passed.

Clause 10 passed.

Clause 11—"General builder's licence."

Mr. LANGLEY: Many people have been troubled by builders who have demanded payment before starting any building work. Also, during the course of construction some builders ask for more money than they are entitled to receive. This notorious practice has happened several times in my district, especially to the aged, who have lost thousands of dollars by overpaying builders.

Mr. Coumbe: What's the reason for this?

Mr. LANGLEY: They have been asked to pay before a certain section of work has been completed.

Mr. Coumbe: These are progress payments?

Mr. LANGLEY: Yes. When a tradesman builds up to a certain height or when a plumber has done a certain amount of plumbing work, he often asks for a progress payment. Even after payment has been made, sometimes the work has not been finished.

Mr. Mathwin: They should pay only for the work done.

Mr. LANGLEY: I am stating cases in which people have overpaid for work that had not been finished satisfactorily. Painters are a good example, because often they demand $100 or $200 before they start the work, and they do not always finish the job. People have paid money for work that was not done. Can the Minister say whether there is any control over the kind of builder to whom I have referred?

The Hon. D. J. HOPGOOD: People who lose money in the manner to which the honourable member referred should take the matter immediately to the Builders Licensing Board, so that the board can properly investigate it. Actually, I believe that the board is able to investigate the matter as the Act stands at present, but it is clear that the board's hand is being strengthened. I thank the honourable member for drawing it to my attention, but that is not the major reason for the amendment, which arises particularly out of a case in which a ruling was given about a person's ability to supervise, organise and control, based not on that person's experience in the building industry at all but in some other entirely different form of human endeavour where the person had shown his managerial ability over people but not necessarily any skill in the building trade.

Mr. MATHWIN: What does the Minister have in mind by inserting in section 15 "to organise, supervise and control building work generally and otherwise"? The wording seems to be rather wide. I also query the use of the words "as would render him fit" in the second reading explanation.

The Hon. D. J. HOPGOOD: What we are doing is not detracting from a power already in the Act but simply adding to it. If this clause is passed, the passage "to organise, supervise and control building work generally and otherwise" will be added to the powers already in section 15 (3). I again draw the Committee's attention to the particular case in which an appeal against a decision of the Builders Licensing Board not to grant a general builder's licence was upheld on the ground that the appellant, although there was no basis in the material placed before the court to show that he would have come in under this amendment, nonetheless had shown his ability to organise, supervise and control in an entirely different field. It is thought that this should be tied down more carefully so that in any future action of this nature such a decision would not be given. It specifically ties to building work the ability to organise, supervise and control. The word "otherwise" must be read within the whole context of this clause and the principal Act. The member for Unley has pointed out that the commercial ability of a person to carry out the operation properly can also be taken into account.

Clause passed.

Clauses 12 and 13 passed.

Clause 14—"Repeal of ss. 18 and 19 of principal Act and enactment of Parts IIIA and IIIB in their place."

Mr. EVANS: This clause transfers to the tribunal some of the present powers of the board. The Housing Industry Association is not at all happy with the Bill. It says that it perpetuates the effect of the original Act in that it is purely working for the benefit of the owner-consumer. The association implies that the legislation is not working for the benefit of the builder. Further, the Housing Industry Association claims that the Bill negates the common law right of the builder while still preserving the same right to the other party. I cannot follow that point, but the Minister may like to consider it. The right to go to court still exists for both parties. The association also states that the Bill causes undue expense to the builder to fight every complaint, however trifling, in order to keep his livelihood. I attempted to make that point during the second reading debate. Any legislation of this type increases the cost to the eventual purchaser. This move may result in a better article, but at the same time it may increase the cost considerably.

The Housing Industry Association also says that the Bill only serves to increase the overall cost of housing, because provision for the high costs of possible actions must be written into every contract, and that there is no provision for the builder to seek redress, through this tribunal or Act, of complaints of non-compliance against the owner-consumer. Where the owner-consumer is at fault, there is no right of the builder to seek redress. The main purpose of the legislation is to ensure that we get work of good quality and good people in the industry. I can see the concern of the association that it has no redress: if the builder abides by all the rules and regulations, the client may not do so. Of course, there are not many areas where the client can fall down in relation to his obligations, except in the non-payment of money.

Perhaps the owner may not be able to arrange finance in time, and perhaps, despite escalating costs, there is no provision in the contract for a rise-and-fall clause, which is a must under present-day conditions if a builder is to have a chance of surviving. The Housing Industry Association also says that the original Act was designed as a licensing Act, and this Bill is changing the complexion completely; it is now a piece of consumer-oriented legislation to the detriment of the building industry and the builder. I do not support that argument in total. If we can improve the reputation of the minor section of the building industry that was at fault in the past, it should help the building industry. Perhaps the Minister would like to comment on those points.

The Hon. D. J. HOPGOOD: I am not sure why the consumer should come into the matter in relation to legal action. The way in which the system operates, and in which it will continue to operate, is that the consumer who has a problem goes to the Builders Licensing Board, which may take up the matter or which may decide not to take it up. If the board decides not to take it up, the consumer still has the right of common law action, as has the builder in certain circumstances, and the builder's right is as broad as that of the consumer. In that event, the consumer has nothing further to do with the board. He cannot take out a case against the board because the board has refused to take up the cudgels on his behalf.

If, on the other hand, the board takes up the matter on his behalf, the clause outlines the various avenues the board can examine and, in the event of a certain determination being made by the board, under these amendments we are now considering the builder has the right of appeal to this tribunal under, I suggest, rather better conditions than if he went to the courts outside. I am not sure how the consumer comes into it on this point, nor is it clear to me within the confines of the Act how the builder would want to bring an action against the consumer. He still has the right of common law action.

Mr. Coumbe: The board is a body corporate and can be sued.

The Hon. D. J. HOPGOOD: That is the point. Within the confines of the Act, the interaction is not between the consumer and the builder, but between the consumer and the board. There is no suggestion that the builder, under this Act, should have any right of action against the consumer any more than that the consumer has a right of action against the builder. The consumer does not

come into it once the board has taken up the cudgels on his behalf, or at least undertaken an investigation to obtain the facts of the case.

I concede that there is a sense in which the consumer protection aspect of the Act has been strengthend, and for that I make no apology. In some ways we are only codifying the existing practice of the board, but I think it is a necessary codification, because there is always the possibility of court actions in which the board may not fare well. I had not had the benefit of the submission of the Housing Industry Association. I suppose it is possible that builders may want to provide in contracts the cost of possible court action, but that seems a little far fetched. They may want to do the same thing in the alternative system floated by the member for Fisher in the second reading debate if they could see—

Mr. Mathwin: The builders are working on about 53 per cent now.

The Hon. D. J. HOPGOOD: Very well. I think it is a line-ball decision as between this system and that to which the member for Fisher referred earlier. If there should be a high level of complaints, this would have its impact on the premiums paid, and perhaps that would have its impact, in turn, on the cost of houses. So far as the wording of the Act is concerned, the only cost is that of the licence, which is $20 for a general builder and $8 for a restricted builder. That is as nothing in the total cost of the house. The whole point about what the member for Fisher said, I understand with the general support of his colleagues, is that one no longer gets into halts with the Builders Licensing Board but with an insurance company. As those who have had experience with workmen's compensation would know, there is likely to be just as expensive litigation in this area, fighting through the court with an insurance company, as would be the case with the Builders Licensing Board.

Mr. PAYNE: The new provisions relating to the powers of the board cover fairly well the powers of investigation to be vested in the board. Reference is made to the remedial action that can be taken, the requirement that a builder may be called on to carry out work to certain standards, and so on. Perhaps, at some future time, the Minister may consider amending the Act to provide that a reasonable starting time should be specified. The aspects we are considering now relate to consumer protection, but it is just as important to provide that a start must be made. Some contracts cover this aspect by specifying a start within a reasonable period, while others specify a date for completion with perhaps a waiver or rider to cover unavoidable delays. I have been told in the past 12 months of two cases in which young couples have carried out their part of the bargain (arranging finance, and so on) only to find that the builder did not start work. I took the matter to the Secretary of the Builders Licensing Board, but there did not seem to be any provision in the Act under which the board could help the consumer, and I cannot see it included here.

In some cases, money is being paid into a trust fund if the builder is operating correctly, but no start is made. The person building the house could possibly recover interest on the money, but that is little compensation when he has made all the arrangements necessary for the construction of the house. On one occasion, I visited a builder and asked why he would not start, but I got no satisfaction whatsoever. Obviously, he did not want to say anything and I just could not get any statement from him. In fact, he finished up by smoking one of my cigarettes, and I left, not having helped my constituent at all.

He had not gained anything because in my subsequent inquiries at the Builders Licensing Board I found I could take no action, so I had to advise my constituent to go to law. He then had to go to law to try to get something which, in my opinion, he had every right to expect from a reputable builder who had a licence issued by the board. Will the Minister note this point? In the future, he may be able to do something about it.

The Hon. D. I. HOPGOOD: I thank the honourable member for the suggestion and will take it up to see whether it is possible to frame some amendment whereby the Act could operate in this sort of area. As I have previously indicated to the Committee, there is a sense in which the board has some oversight over the business activities of building companies, apart from their ability to build a good standard house. I should have thought an investigation was possible, under these powers. However, I have had the matter drawn to my attention in a constituency sense. I suggest that possibly the contract itself is not sufficient, and that is what the honourable member has found.

The position largely is that there are a few builders who irresponsibly chased contracts beyond their ability to deliver, midway through or late last year. They signed with people fixed price contracts and then found they did not have the materials with which to continue the job. After a lapse of about four months, when they were finally able to get some bricks to put on top of each other, they found that the movement in costs was such that there was nothing in it for them as companies, and therefore the name of the game was not to proceed with the project but to offer the people an opportunity to be released from their contract. That did not help these people. It may have seemed generous in one sense, but these people were then forced to go to another builder to negotiate a contract, not at the price prevailing at the time of the signing of the fixed price contract but at the new price level that obtained four, five or six months after the original contract had been signed. So there was not much joy in it for them. I will take up the matter.

Mr. EVANS: I share the concern expressed by the member for Mitchell about the starting date for a contract and I agree with the Minister that a few builders have attempted to move out of a contract because they had attempted initially to enter into it with a fixed cost since, to a degree, they had become conversant with a reasonably stable industry with a cost escalation rate no greater than about 7 per cent to 10 per cent; then suddenly they were caught in an inflation rate of up to 40 per cent in a period of 12 months. So, when they tried to do the right thing by their client and placed a fixed cost upon the house, because of the effects of Commonwealth and State Government actions in the last 18 months or so, they were caught in an inflationary trend. They found themselves losing money and, therefore, tried the idea of asking the client to opt out of the contract. They may have used all sorts of excuses to do that. I do not support their action but I understand their problem, because initially they were attempting to do the right thing and said, "This is what I can build your house for; there is no rise-or-fall clause. I will do it for so much and take a chance with inflation." Suddenly, they were caught in an inflationary trend that was the worst in Australia's history, so the problem was created. Therefore, we cannot blame merely the builders. Action or inaction by the Australian Labor Party Commonwealth and State Governments has caused many of the problems in that area. No-one can deny that.

Further, we can attempt to put into legislation a starting time, but I believe that is not the most important consideration; the really important matter is the finishing date. It is easy to start a building but the problem in the last 18 months has been to complete it. There has been a shortage of materials; the industry has been bursting at the seams building at the highest construction rate—13 000 or 14 000 houses—

Mr. Payne: You've never had any trouble getting them completed?

Mr. EVANS: The honourable member knows that there have been problems. There is a reasonable excuse. He is a member who is concerned about the reason for not starting; I am concerned about the reason for not completing a house. If there is a strike in the brick industry, the building industry cannot function; if there is a strike in the cement industry, cement cannot be delivered. Most of the trouble in the last 18 months stems from that fact. It is not the fault of the builder: it is the fact that we have had more industrial strife in the last 18 months than since the turn of the century. So do not blame the builder. Let us be honest and say we are concerned about the starting time and also the opportunity as well as the ability for the builder to complete a building in a reasonable time. Once, it was possible to build the average house, from start to finish, in 16 weeks. That was the normal contract time, with no undue haste. Now, it is nine months. The Housing Trust built fewer houses in the last 12 months than it had built since 1947. The member for Mitchell knows he was trying to blame the builders.

Mr. Payne: No, I was not.

Mr. EVANS: The problem has been created mainly by Government policy decisions, plus the industrial strife within the industry. Is the honourable member suggesting that the industrial strife was Party political?

Members interjecting:

The CHAIRMAN: Order! I ask the honourable member to confine his remarks to the clause.

Mr. EVANS: I will do that. I refer to the clause that transfers the powers from the board to the tribunal. The Leader of the Opposition directed some questions to the Minister about the Builders Licensing Board and its operations over the last three years or so. He asked the Minister:

Since the Builders Licensing Act, 1967, came into operation, how many complaints relating to the work of the licensed builders have been lodged with the Builders Licensing Board?

To that question, the Minister replied that, for the year ended June 30, which was only part of a year (two months), 18 complaints were received in 1971. In the following year to June 30, 1972, there were 251; in 1973, there were 292; and to June 30, 1974, at a time of industrial strife, the figure had risen to 512. From July 1 to August 26 this year, there were 82 complaints. Question No. 5 asked:

In how many of the cases where the complaint was valid and substantial was unsatisfactory work made good, by the licensed builder following intervention by the board, to the satisfaction of both the complainant and the board?

The reply was as follows:

The statistics maintained by the board relate to complaints lodged and resolved within the same financial year. The details are:

Year ended	No. of complaints resolved	No. of complaints lodged
June 30, 1971	13	18
June 30, 1972	166	251
June 30, 1973 . . , .	215	292
June 30, 1974	183	512
July 1, 1974, to August 26, 1974	19	82

It should be noted that resolution of a complaint is determined by the performance of rectifications in accordance with generally accepted standards of workmanship, which does not necessarily accord with the measure of satisfaction sought by the complainant.

It seems that many people are not satisfied, even after the board has acted on their behalf, although some people may make unreasonable demands. New section 18 (2), inserted by clause 14, provides:

A complaint under this section must be made within two years after the completion of the building work to which it relates.

The Master Builders Association considers that two years is too long for a general complaint about minor faults: the period should be 12 months. Can the Minister say why a period of two years was selected, even though Government contracts include a 12-month period of guarantee against ordinary minor and major faults?

Mr. PAYNE: It seems that the member for Fisher is suggesting that, because there are Labor Governments in Canberra and South Australia, houses take a long time to build. In 1950-51, the house in which I now live took 19 months to construct, although it was an ordinary brick cottage-type house of a semi-standard design. At that time a Liberal Government was in power in Canberra and also in this State. The honourable member is entitled to suggest that the completion date is important, but I have not found the same difficulty with my constituents getting houses completed, because progress payments are made to the builder. Usually, moneys are outstanding, as the member for Glenelg knows. This is an added inducement in getting the work to the point at which additional moneys can change hands. It is the starting date that has proved to be a problem. In the case I am thinking of, it took 11 months to get the building started. Surely that could not be blamed on delays and other red herrings introduced by the member for Fisher. I did not say that the builder was always at fault: I suggested that this was a form of protection that could help the consumer.

Mr. LANGLEY: I also listened to the member for Fisher talking about the building of a house taking from 16 weeks to nine months, but I know of a big builder who received a deposit and guaranteed to build a home in nine months, but now the client finds that he will not be able to live in the house on time, because it has only just been started. A deposit of $800 has been paid, and finance was promised by a bank, but what will happen to this gentleman and his wife who are now faced with rising prices and who had a rise and fall clause in the contract? As a result of a builder rushing in to get a contract without being able to guarantee that the house would be built within nine months, it is almost a matter of taking money from the client under false pretences. The more we can help members of the public, including the prospective home buyer, the more I am in favour of such assistance.

The CHAIRMAN: The debate has ranged very wide of the mark. Members should confine their remarks to the powers of the board, and not enlarge on any other matter.

Mr. MATHWIN: This is a wide clause, and I should like to bring a couple of points to the attention of the Minister. One concerns the need for the complaint to be made within two years of the completion of building work. This seems a long period to me, especially as the time allowed for this is usually only 12 months. If a person is worried about the walls of a house cracking, that would occur during the first 12 months, as also would a movement in the foundations. Any problems resulting from hair cracks in the plaster would also occur within the first 12 months. Sometimes too much lime is put in the plaster, creating hair cracks, but this would probably occur

in the first six months. Also, joint sweating in plumbing work would be apparent almost immediately, certainly within three months. Therefore, the period of two years seems to be too long a period to be provided for in this situation.

I support the member for Fisher in his remarks on this clause. My colleague referred to the problem of inflation. In 1950-51, the rate of inflation was only 10 per cent a year, whereas now it is 40 per cent a year in the building industry. The circumstances are entirely different from those of over 20 years ago. In 1952, we were completing houses rapidly; indeed, the small cottage-type of house would be completed within 13 weeks. Will the Minister explain why the period of two years has been provided for? Will he consider amending the period to one year?

The Hon. D. J. HOPGOOD: I must disagree with the member for Glenelg in his contention that these matters will be shown up in a 12-month period. I ask him to remember that we are providing for a period during which a matter has to be brought to the notice of the board. Word is getting around about the board, and this has resulted in provoking further complaints to the board. More people are aware of its activity. It is not impossible to conceive of a situation where, in the eleventh month following completion of work, structural faults show up in a house but the owner does not report the matter to the board for another two or three months, because this avenue has not been brought to his attention.

I remember helping to lay a floor in a large cellar that was to be used for youth activities. A water-bearing limestone area had been cut into to provide the space for the cellar, and then rough concrete treatment had been applied. Much moisture came through the concrete and there were problems about what to do, because we could have put down a floor that would eventually rot. Air vents were then put in, a compound was put over the surface, and a floor was put down.

The first winter after that was extremely dry, and it was only after two or three years that the normal weather pattern returned and the material was put to the test. If the first or second winter after the work was done had been extremely wet, at a time when the material was settling down and hardening, there would have been difficulties. In relation to water, foundations, and moving earth, it seems that a period of 12 months is too short.

For plaster, woodwork and painting, I concede that 12 months is not too short a period, but we must provide for a longer period for inadequate foundations to show up, because of the position regarding a wet winter. Some time ago, I investigated a house in the district of Tea Tree Gully. That house was badly cracked, but the structural defect was not apparent when it had been completed. I cannot remember whether the defects showed up within 12 months: I am merely saying that a defect may not show up until after 12 months, and it seemed to be acting with an abundance of caution to provide for a period of two years.

Mr. EVANS: Regarding the period in which complaints may be lodged, between now and when the Bill is dealt with in another place something acceptable may be reached in what seems to be an area of compromise. I move:

In new section 18 (1) before "building" twice occurring to insert "domestic"; and after subsection (5) to add the following new subsection:

(6) In this section—

"domestic building work" means building work in relation to a dwellinghouse or its curtilage, or a proposed dwellinghouse or its curtilage.

The Minister has admitted that we are moving towards more of the consumer-type legislation and thinking of the house-owner. I ask the Minister to accept that the investigation powers of the board and the tribunal should apply only to a domestic house or its curtilage. I am asking that industrial and commercial buildings be exempt.

The Hon. D. J. HOPGOOD: The board rarely gets complaints regarding large-scale structures, multi-storey buildings, and that sort of thing, and it does not want to be involved in that area. Its basic area of operation is that to which the honourable member has referred and to which he would like to confine the operation of the Act. However, it seems that this form of consumer protection should apply to two types of building activity, whereas the amendments would rule that out.

One type is the small shop. Few of these are being built now, because supermarkets are sweeping them out of existence, but the board should be able to investigate poor workmanship or shoddy workmanship on small shops. The second type is the apartment house. It is not clear that an apartment house would come under the definition. Technically, I do not think it would. Even if the honourable member could convince me otherwise, I would want the flexibility that is in the Act at present, and I ask the Committee to reject the amendments.

Mr. EVANS: I should like to read an opinion expressed by the Master Builders Association, so that, before the Bill is passed in another place, the industry may be able to reach a compromise with the Minister. A letter from the association states:

Our principal concern is that the effect of this legislation should be confined to the housing sector of the industry, and that it should not apply to commercial/industrial and civil engineering work supervised by architects, engineers or other professional consultants. To support this view, we point out that the architect, engineer or professional consultant is appointed by the client and is the client's representative in all matters including supervision of the construction of the works. On the other hand, the Builders Licensing Act has, as its primary intention, the protection of the home buying public. To extend the scope of this legislation to cover major works seems to us to be unnecessary and entirely inappropriate. We agree with the principle that in respect of housing projects, the Builders Licensing Board should have the power to require a builder to amend defective work. We believe this provides a necessary strengthening of the existing Act and greater protection to the home buying public. We note that this recommendation was contained within our original submission to the Government leading to the establishment of this legislation.

I ask the Minister whether he considers there is room for compromise and whether we still may be able to cover apartment houses and commercial ventures but exempt buildings erected with professional services.

The Hon. D. J. HOPGOOD: Although I cannot give an unqualified assurance, I shall be pleased to study possible compromises at any stage. However, without a more thorough investigation into the ramifications of this matter than I have been able to make, and without seeing what other form of amendment might possibly come forward, I cannot give such an unqualified assurance.

Mr. EVANS: In those circumstances, I ask my colleagues to support the amendments. If they are negatived, I hope that the Minister will have representations made to him along the lines I have suggested.

Amendments negatived.

Mr. EVANS: The Master Builders Association claims that it has been denied the right to be represented, legally or professionally, before the board so that all evidence in respect of any matter may properly be placed before it.

Will the Minister comment on that submission? Also, regarding the Builders Appellate and Disciplinary Tribunal, four of its members shall be nominated members, namely, persons with wide knowledge of, and experience in, the building industry appointed by the Governor on the nomination of the Government. The Housing Industry Association claims that it builds about three-quarters of all the houses in the State. Some builders belong to both associations, and the Housing Industry Association wants to be assured that practical, not just experienced, people will be nominated. I know of one building company that has a lawyer as one of its main administrators. I suggest that the four nominees should come from the industry itself.

The Hon. D. J. HOPGOOD: Regarding representation of persons who appear before the board, this has always been resisted on the grounds that a *quasi* judicial atmosphere might be generated that could lead eventually to things such as rules of evidence having to be drawn up for proceedings before the board, whereas the board prefers a completely informal atmosphere. This kind of informal constitution was once mooted for industrial tribunals but, as soon as lawyers became involved, we all know what developed. I have already examined this matter, because the honourable member will be aware that provision for representation on the tribunal is included in new section 19. I have been asked by the industry, "Why not also before the board?"

Having removed all of the *quasi* judicial powers of the board from it, and having given them to the tribunal, all that is left is for the board to ask technical questions about the way in which a certain job has been carried out and whether the builder believes there has been the required efficient workmanship. Some people become tongue-tied and do not represent themselves as well as they should in such circumstances, but I believe people coming before the board should be able to answer questions, otherwise they would not have received their licences in the first place.

That leaves the possibility of whether there should be someone not necessarily speaking for the person before the board but there, as it were, to advise the person and ensure that fair play is carried out. I shall be pleased to suggest to the board that that level of representation be allowed, namely, that the person before the board should be permitted to bring someone else along as an adviser who could from time to time discuss with him what was going on. However, I would resist the adviser becoming an advocate for the person before the board, because that would take us into an area where it might be necessary to introduce rules of evidence.

Regarding the second matter raised by the honourable member, I have also been approached on this matter and have resisted the suggestion that there be representation on the tribunal from specific groups within the industry. If there is any ground for this kind of representation, it is more appropriate on the board than on the tribunal, which is to ensure that the board administers the Act correctly and does not go beyond the ambit of the Act in the various determinations it makes. The board, on the other hand, investigates the standards of building work.

For those reasons, it is more appropriate, if there is to be that kind of representation, that it be on the board instead of the tribunal. My attitude is that we have provided for the nomination of members who will have wide knowledge of and experience in the building industry to be appointed by the Governor on the nomination of the Minister, and we will try to ensure that that happens. These people should be nominated on ability and experience, not simply because they happen to be the nominee of a certain body. That would be my approach to the matter.

Mr. MATHWIN: I entirely disagree with the Minister, who, being an academic, supports his own arguments, but I do not support them. Room exists for these types of person, because we are dealing with an industry completely different from any other industry. It is so wide that it is imperative that there be on the board men with practical experience in the building industry. Whom does the Minister have in mind, and whence will they come? If the Minister is still emphatic that there should be academics on the tribunal, I suggest that he should be more flexible in connection with this matter.

The Hon. D. J. HOPGOOD: Who suggested that there would be academics on the tribunal?

Mr. Mathwin: That was what you implied.

The Hon. D. J. HOPGOOD: I cannot see how the honourable member has arrived at that conclusion. As I recall, the honourable member's words about 30 seconds ago were "if the Minister is still emphatic that there should be academics on the tribunal". I made the point that, if there was a case for direct representation of the Housing Industry Association or the Master Builders Association on anything, it was stronger in relation to the board than it was in relation to the tribunal. Having made that point, I point out that nonetheless this Bill specifically provides for the nomination of four members of the tribunal who shall be persons with a wide knowledge of and experience in the building industry. The only point I am resisting is that associations within the industry should make the nomination, rather than the Government. I had a request from one of the associations that it should have two members on the board, but I am not willing to accede to that request. That association may finish up with four members on the board, but they will not be there on the nomination of that association: they will be there on the nomination of the Government. As to who the people will be, very little consideration has been given to that question at this stage; to say other than that would be to anticipate what will happen to this Bill in its passage through Parliament.

Mr. MATHWIN: I still believe that the Minister must have some idea of whom he will nominate. He has evaded the issue. There is no doubt that he has someone in mind. How will he invite nominations, and how will he choose the members? Perhaps the Minister could state the trades from which the people will come. Further, is there anything laid down as to what the expenses and allowances will be for the members of the tribunal?

The Hon. D. J. HOPGOOD: In reply to the honourable member's last question, nothing is laid down at this stage.

Clause passed.

Clause 15 passed.

Clause 16—"Offences."

Mr. MATHWIN: Regarding new section 21 (3), why is a provisional licence holder not included?

The Hon. D. J. HOPGOOD: I cannot give a direct reply to the honourable member on that matter, although I suspect that it is not a drafting error. It may be something to do with the limitations to be placed on the activities of the general builders licensees in connection with the amendments brought in last time. That is the only explanation I can offer.

Mr. MATHWIN: A provisional builder is allowed to do jobbing and is allowed to build spec houses. Further, he is allowed to build small factories and small offices as spec jobs. One would therefore wonder why this matter had not been included. I hope the Minister will let me have a more complete reply later.

Clause passed.

Clause 17—"Power of inspection, etc."

Mr. EVANS: I refer to the power of an inspector to enter a property to determine whether building work has been carried out properly. I do not think there is any problem where it is a new building. However, a problem could arise in relation to an existing house, as the owner might not be aware that an inspector was coming on to the property. Perhaps the Minister could give some guarantee that reasonable notice would be given to the owner, even though the inspector was working for his benefit. It could be an invasion of the privacy of the owner.

The Hon. D. J. HOPGOOD: I can give that guarantee. I think that the record of the board has been good in this respect.

Mr. MATHWIN: Who will authorise the entry? The previous provision was that a member or officer of the board would be authorised in writing by the Chairman to enter the premises.

The Hon. D. J. HOPGOOD: In practice, the same procedure would be followed. The word "authorised" here I understand would mean "authorised within the terms of the Act". We are simply streamlining the verbiage.

Mr. MATHWIN: Surely, if that is the case, it should be written into the Bill.

Clause passed.

Remaining clauses (18 and 19) and title passed.

The Hon. D. J. HOPGOOD (Minister of Development and Mines) moved:

That this Bill be now read a third time.

Mr. EVANS (Fisher): Although I thank the Minister for the information he has given and the co-operation he has shown, I do not support the Bill in the form in which it has come from the Committee. I believe there are one or two amendments the Minister may consider desirable after consultation with the industry. Although I will not divide the House, I ask Opposition members to call against the Bill, even though, in the main, it achieves what we would like to achieve. With the co-operation of the Minister, perhaps the Bill can be amended in another place.

Bill read a third time and passed.

ADJOURNMENT

At 9.15 p.m. the House adjourned until Wednesday, September 25, at 2 p.m.