HOUSE OF ASSEMBLY

Tuesday, October 1, 1974

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

PETITIONS: SPEED LIMIT

Mr. BLACKER presented a petition signed by 83 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. McANANEY presented a similar petition signed by 24 persons.

Mr. EVANS presented a similar petition signed by 56 persons.

Mr. ARNOLD presented a similar petition signed by 237 persons.

Petitions received.

PETITION: WATER RATES

Mr. EVANS presented a petition signed by 17 persons who expressed concern at the present inequitable system of estimating and charging water and sewerage rates, particularly in the present period of high inflation. This practice had resulted in water and sewerage rates being increased, in many instances, by more than 100 per cent, which was an unfair, discriminatory and grossly excessive impost on them and which would cause hardship to many residents on fixed incomes. The petitioners prayed that the House of Assembly would take action to correct the present inequitable and discriminatory situation.

Petition received.

PETITIONS: COUNCIL BOUNDARIES

Mr. BLACKER presented a petition signed by 20 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.

Mr. ALLEN presented a similar petition signed by 265 persons.

Mr. McANANEY presented a similar petition signed by 973 persons.

Mr. BLACKER presented a similar petition signed by 570 persons.

Petitions received.

QUESTIONS

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

WOOL LOANS

In reply to Mr. RODDA (September 19).

The Hon. J. D. CORCORAN: On September 19, 1974, the day the honourable member asked this question, the Australian Government announced the advancement of up to $150 000 000 to the Australian Wool Corporation in order to maintain wool prices.

MURRAY RIVER FLOODING

In reply to Mr. ARNOLD (September 24).

The Hon. J. D. CORCORAN: The Flood Liaison Committee, in its inspections along the Murray River, has taken some note of the problems associated with the private buildings situated on the river flood plain. It has estimated in a very broad way that there could be at least 2 000 houses and shacks that could possibly be protected by means of sandbag levee banks. Assuming the average house would require between 1 000 and 1 500 sandbags, the result would be a possible demand for between 200 000 and 300 000 sandbags. Desirable as it may be to aid these isolated private houses, it is not practicable to supply aid in this sector.

DERNANCOURT SCHOOL

In reply to Mrs. BYRNE (September 18).

The Hon. HUGH HUDSON: The Education Department has plans to commence work on a new school known as Dernancourt East during the 1976-78 triennium. Present indications are that there is no need for a school in this area in the immediate future. It is not possible to say at this stage when a new school will be provided.

NORTHFIELD HOSPITAL

In reply to Mr. WELLS (September 18).

The Hon. L. J. KING: Contract documents have been prepared for the construction of two 100-bed buildings for nursing home patients, together with a new boiler house and workshops. Tenders will be called for these works as soon as funds become available. Loan funds at present available to the State Government for the year 1974-75 are fully committed, but the need for additional funds for hospital construction generally is now under discussion with the Australian Government. It is intended to replace existing unsatisfactory buildings at Northfield wards progressively in accordance with a programme extending over several years. However, this work can proceed only after consideration of relative priorities for construction of hospital and allied health service projects within the funds to be made available.

Mr. MILLHOUSE (on notice):

1. Is there any hospital accommodation vacant at Northfield Hospital and, if so, why is it vacant?

2. Are there any plans to use Northfield as a day hospital and, if so, for how many patients?

3. Why is it not yet being used for this purpose?

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

1. to 3. Patient accommodation at Northfield wards that is now vacant and the reasons therefor are as follows:

(a) Ward A3: previously a 10-bed ward, is being used as an activities centre for patients. This is a necessary facility.

(b) Wards B5 and B6, which are reserved for patients suffering from infectious diseases, are only partially occupied, and this is because incidence of infectious disease, which requires special hospitalisation, is relatively low at present, and other patients cannot be integrated with patients who have infectious diseases.

(c) Ward C3 is to be the day hospital for Northfield wards, and it is planned to accommodate up to 60 patients on a day basis in this ward.

(d) Ward III, Morris wards, is planned to accommodate 15 spinal injuries patients and 13 long-term neuro-surgical patients. The spinal injuries

accommodation is not required at the present time, because ward IV is coping adequately with the number of admissions to phase II of the spinal injuries unit and the neuro-surgical section is undergoing some minor alterations.

(e) Wards D1, D2, D3, and D4 have been vacated and stripped of reusable fittings before demolition to enable stage I of the redevelopment to proceed.

LOTTERY AND GAMING REGULATIONS

In reply to Mr. PAYNE (September 18).

The Hon. L. J. KING: When lottery regulations were introduced in February, 1971, it was contemplated that the limits for prizes and gross proceeds would meet the requirements of associations conducting lotteries. To date the legislation has worked smoothly. There have been very few approaches from the public to warrant reconsideration of this matter as it applies to sweepstakes, and for this reason no changes are contemplated. However, it is suggested that interested parties can put their cases to the Chief Secretary. In the case of general (special) lottery licences, regulations permit the conduct of 12 lottery licences a year, where the total prize value a lottery is over $5 000. Since the inception of the lottery regulations the department has received and approved 10 such applications for licences falling within this category. Statistically, five licences were issued in 1971-72; three were issued in 1972-73; and two were issued in 1973-74. As can be seen, the demand for this category of licence is limited and indeed decreasing. Because the department was willing to approve a total of 36 such licences during the previous three financial years, it is considered that there is no justification to depart from the present policy.

TICKET SELECTOR

In reply to Mr. EVANS (September 18).

The Hon. G. T. VIRGO: The bus ticket vending machine being tried out by the Municipal Tramways Trust is of English manufacture, and has been made available to the trust on loan by the manufacturer's Australian agents for trial and evaluation. Similar machines are being successfully used by some English public transport authorities, but difficulties have been experienced in adjusting the mechanism that checks that the coins are valid Australian currency. Difficulties have also been experienced in adjusting the ticket feed mechanism to suit locally produced tickets. All defects have been attended to by the agents without charge. The latest available quotations for this and similar ticket vending machines varied from $1 500 to $1 700. No further machines of this kind will be installed by the trust unless further tests indicate that the machine is reliable and is able to meet the trust's requirements.

SOUTH ROAD

In reply to Mr. PAYNE (September 24).

The Hon. G. T. VIRGO: Because of technical difficulties encountered in linking the intended traffic signals with the signals at the intersection of South Road and Daws Road and the control panel of the St. Marys fire station, there has been a delay in the preparation of the specifications for this installation. It is now expected that tenders will be called within the next two months.

COUNCIL GRANTS

In reply to Mr. GUNN (September 17).

The Hon. G. T. VIRGO: The total provision for grants to councils in the 1974-75 financial year is $3 830 000, and this compares favourably with the actual total figure of $3 597 386 for 1973-74. These funds are by way of assisting councils with work on roads of lesser importance and which are primarily the responsibility of councils. Irrespective of the total amount of funds available for grants, it has been made quite clear that no individual council can expect to continue to receive annually the same, increased, or, in fact, any grants. The funds available must be distributed in consideration of needs, priorities, changing conditions, and many other factors including grant balance held by councils at June 30 of each year.

The terms of the Australian Government legislation covering aid for roads include provision for non-transferrable allocations in specific road categories, not necessarily consistent with the existing State road classification. This requirement has varied grant funds available for some road classifications while not affecting the total, and this also has had an influence on 1974-75 allocations. These factors have resulted in variations in allocations to individual councils, some receiving less, some the same, and others more. There has been no discrimination against any area or any council. The Highways Department normally holds back about 10 per cent of total grant funds available in making initial applications, so that emergencies such as flood damage and other needs can be covered during the balance of the year. This has been done for 1974-75 as in the past.

Despite the long-term advice referred to above, many councils are now in a position where they rely on Government grants for nearly all road work, to maintain employment, and for their very existence. I have consistently advocated that councils must be able to "stand on their own two feet" in the sense that they must not depend on Government road grants to survive. As such funds must be disbursed in accordance with varying priorities, this statement is valid.

BUS SERVICES

In reply to Mr. EVANS (August 13).

The Hon. G. T. VIRGO: Only two of the privately operated bus services recently transferred to the Municipal Tramways Trust were operating from the Franklin Street Passenger and Parcels Depot. They are Choats Passenger Services Proprietary Limited and Ex-Servicemen's Omnibus Services Proprietary Limited. The services to Meadows, Mylor, and Lobethal were not transferred to the trust. The two services that were transferred have continued to operate from the terminal, and the trust has no plans at present to vary this arrangement. However, a rationalisation of services, which may result from investigations now in progress, could make it necessary for one or both services to be withdrawn from the depot. No formal agreement exists between the company operating the depot and the bus services using it, but when the depot was opened the bus services concerned were required by their licensing authority to establish their terminals at the depot. The services are charged a monthly rental to cover the costs incurred by the company in operating and maintaining the depot.

STATE PLANNING OFFICE

In reply to Mr. MATHWIN (September 18).

The Hon. G. R. BROOMHILL: The amount of $16 000 relates to the purchase of eight vehicles as follows: five to replace existing vehicles in accordance with Government policy, that is, two years or 25 000 miles, and three as additional vehicles on account of increased travel involved with subdivision and interim development control.

WATERFALL GULLY RESTAURANT

In reply to Mr. DEAN BROWN (September 18).

The Hon. G. R. BROOMHILL: During the last financial year, an amount of $29 264 was spent on upgrading the Waterfall Gully restaurant. While it is appreciated that the present chairs do not blend in with the surrounds, the allocation of funds to other areas of a higher priority have precluded the provision of the necessary funds (about $1 000) this financial year. However, there is nothing to preclude the lessee from purchasing the new chairs, if he so desires.

WORKER PARTICIPATION BRANCH

In reply to Mr. DEAN BROWN (September 18).

The Hon. D. H. McKEE: During the Appropriation Bill debate the honourable member asked which Government departments are accepting help from the Worker Participation Branch of my department. The following is a list of those departments:

Crown Law Department,
Education Department,
Hospitals Department,
Lands Department,
Libraries Department,
Registrar General's Department,
Woods and Forests Department.

In addition to the above departments, the South Australian Housing Trust, the Municipal Tramways Trust, the South Australian Railways, and the Natural Gas Pipelines Authority have also made contact with the branch.

MURRAY RIVER QUEEN

In reply to Mr. ARNOLD (September 12).

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

(1) The *Murray River Queen* was assisted by the Industries Assistance Corporation by way of a loan of $200 000, which is repayable over 10 years at normal bank interest rates.

(2) The vessel commenced cruising in March, 1974, and, following the vessel's failure to perform to design specifications, was subsequently withdrawn from service for modifications in May. During its initial period of operation the vessel achieved a 78 per cent occupancy rate compared to a level of occupancy at which it was calculated the vessel would break even of 48 per cent. Therefore, during this period the vessel operated quite profitably and, although exact figures are not yet available, an estimated operating profit of $16 000 was made. The vessel was out of commission until the middle of August, during which time modifications were made so that the vessel is now operating close to design specifications. Since the vessel recommenced operations it has broken even, having a level of occupancy of approximately 50 per cent. However, firm bookings for the period until the end of January, 1975, indicate that an occupancy level equivalent to that experienced during its first period of operation or better will be achieved (for several cruises in this period the vessel is booked out). Therefore, it is possible to say that the vessel has never operated, apart from the period during which it was taken out of service, at below break-even level, and gives every indication of being a huge success. An indication of this is the high degree of satisfaction expressed by passengers as shown in letters of appreciation which the management has received, and also by the considerably high level of rebookings already made (on one trip this was as high as 80 per cent).

(3) I do not know the basis of the suggestion that the vessel cannot travel beyond lock 1. The dimensions of the vessel are such that it can pass through all locks on the Murray River. Present modifications being undertaken to lock 1 are being made to change the method of operation from manual to hydraulic, and to upgrade the gates themselves, not to enable the vessel to pass through. The only limiting factor at the moment is the height of the Murray River, which means that the vessel is unable to pass under the bridge at Murray Bridge. Conversely, in normal times there are some shallow places in the river above lock 2 that prevent the vessel from passing beyond this point. Modifications to lock 1 are expected to be completed by August, 1975.

PETRO-CHEMICAL PLANT

Dr. EAST1CK (on notice):

1. Have any groundwater movement tests been carried out on the silt flats east of the mangrove belt at Redcliff, and what were the results of any such tests?

2. Were any follow-up tests suggested and conducted?

3. If follow-up tests have been conducted, have the results been released and, if not, why not?

4. What additional tests on the aquifers of the area are contemplated, and who has designed such tests?

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

1. Work undertaken in connection with assessment of foundation conditions in the area immediately east of Red Cliff Point indicates the occurrence of highly saline groundwater at depths of two to four metres. The Mines Department is at present engaged in a groundwater study of the region which is directed initially to the collection of data relating to existing wells. Results are expected to be available within two weeks.

2. Follow-up testing is contemplated.

3. The results will be released as soon as studies are completed.

4. The Mines Department has proposed a programme of aquifer testing in two stages:

(a) Seismic surveys are to be conducted to determine bedrock configuration prior to drilling of five bores in the Redcliff area, and three bores in the foothills of the ranges to the east.

(b) Detailed investigations, including drilling and assessment of quantity and quality of groundwater available, will be undertaken, dependent on the results of the first phase.

Dr. EASTICK (on notice):

1. Will cyclohexane be a product or ingredient in the processes associated with the Redcliff petro-chemical project?

2. Has this product been associated with any accidents in other petro-chemical complexes and, if so, what were the circumstances and the result in terms of personal injury?

3. What is the history of earthquake activity at the Redcliff site and along the proposed pipeline route?

4. What consideration has been given to possible pipeline damage resulting from earthquake activity?

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

1. Cyclohexane will not be a product or an ingredient in the processes associated with the Redcliff petro-chemical project.

2. An accident occurred in the United Kingdom earlier this year resulting in loss of life. While cyclohexane was the offending substance, the cause of the explosion was

believed to have been the failure of a temporary supply line. It should be realised that cyclohexane is not regarded as a particularly dangerous chemical, as it has about the same ignition characteristics as gasoline.

3. Though the Torrens sunkland comprises one of the most active seismic zones in Australia it is nevertheless a comparatively stable sector of the earth's crust. The Redcliff area is as prone to earthquake as is Adelaide, while the route of the pipeline is considered to be quite stable seismically.

4. There have been two separate approaches to this problem:

(a) A study of seismic activity in the area was commissioned in 1973 by my department, through the Physics Department at the University of Adelaide, and it is expected that the results of this study will be made available in the form of a report in October. This report will be made available to the petro-chemical consortium so that its findings will be reflected in plant design.

(b) A report on the existing environmental profile prepared by the Mines Department 12 months ago drew attention to the possibility of earthquakes during the life of the plant, with recommendations for appropriate safeguards with regard to foundations and design of plant, storage tanks, and pipelines.

THEBARTON COMMUNITY CENTRE

Dr. EASTICK (on notice):

1. Have funds been made available by the Australian Government for detailed planning and commencement of construction of the proposed Thebarton Community Centre?

2. When is it expected that work will begin on the site?

3. When will compulsory acquisition processes be commenced in respect of the dwellings at 37 and 40 Meyer Street, Torrensville?

4. When will these two houses be required to be vacated for demolition, and on what terms and conditions will the present occupants be allowed to live in them, should they so wish, until that time?

5. If precise answers to the foregoing are not yet available, when will the occupants of these houses be given a clear indication of what the immediate future holds for them?

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

1. No further funds have been allocated as yet by the Commonwealth Government to either the Thebarton or Angle Park Community Centre projects for detailed planning and commencement of construction.

2. The commencement of work on the site depends on funds being available. However, planning is directed towards commencing work on the site in August or September, 1975.

3. At present the Lands and Building Officer has not received approval to proceed with compulsory acquisition under the Education Act. He will begin acquisition proceedings when approval is given, with a view to acquiring the dwellings by June or July of 1975.

4. If the houses are acquired, demolition will begin in about September, 1975. Until demolition begins it would be possible for the present occupants to rent the dwellings from the Education Department.

5. The occupants have already been told that their dwellings will be required by June or July of 1975. There is no requirement for the department to purchase before that date, unless the occupants wish to sell.

SEAT BELTS

Mr. BECKER (on notice):

1. How many motorists and their passengers have been reported for not wearing seat belts since introduction of this legislation?

2. What is the total number of convictions, giving sex and age groups respectively, and the range of penalties imposed?

3. Is it intended to extend the legislation to cover all motor vehicles and, if not, why not?

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

1. and 2. The following is the only statistical detail kept by the Police Department:

	Charged		Convicted	
	Males	Females	Males	Females
1971-72 (part year) ..	17	1	16	1
1972-73	50	3	47	2
1973-74	38	5	36	4
1/7/74-present date ..	21	—	20	—

3. No, because it would be highly dangerous for vehicles that are not equipped with proper anchorage points.

PARLIAMENT HOUSE

Mr. MATHWIN (on notice):

1. What is the present number of staff employed by the Public Buildings Department on Parliament House renovations?

2. How many different classes of tradesmen are employed?

3. What are the particular trades of the men employed, and how many men are employed in each of these trades?

4. Are any apprentices employed and, if so, how many and to what trades are they apprenticed?

5. Are any labourers employed and, if so, how many and for what trades are they labouring?

6. Are any outside contractors working on Parliament House renovations and, if so, how many and for what work are their contracts?

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

1. 110.

2. Eight.

3.

Carpenters	28
Ironworkers	2
Plumbers	6
Painters	29
Electricians	9
Bricklayers	8
Plasterers	5
Builders labourers	22
Construction officer	1
	110

4. Yes.

Carpenters	2
Painters	1
Bricklayers	2

5. Yes, 22.

Assisting bricklayers	3-4
Assisting plasterers	3-4
Operating diamond-core borers	2
Operating cement mixers	2
Attending to scaffolding requirement	4

Remainder used as and where required throughout the building on various work.

6. Yes, five. Mechanical services, laying carpets, wall hanging, western doorway alteration, and extension of granite work and mosaic tiling.

FISH

Dr. TONKIN (on notice):

1. What was the level of mercury contamination in fish considered acceptable in South Australia until just recently?

2. What is the new level to be, and is it acceptable to interstate and other markets?

3. What guidance will be given to members of the fishing industry to enable them more easily to comply with the acceptable limits set?

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

1. 5.5 p.p.m. in solid food.

2. 1 p.p.m. This limit would be acceptable to certain oversea markets, but not those in other States. Large sharks are the only species likely to be affected.

3. It is intended to hold discussions with the Australian Fishing Industry Council on this matter.

AIR POLLUTION

Dr. TONKIN (on notice):

1. What levels of carbon monoxide pollution have been established in various parts of the metropolitan area, and in the city, by the continuing monitoring system?

2. Are hydrocarbon, oxide of nitrogen, and lead levels increasing?

3. Is there any indication that the smog problem is decreasing as a result of any measures now being taken?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. The results of the continuing monitoring programme show that the level of carbon monoxide was noticeably higher in the central business areas than in other parts of the city and metropolitan area. Levels in Gawler Place and Rundle and Hindley Streets averaged 13, 10, and 11 parts per million, respectively, for the 8-hour period 0830-1630 hours. At no stage have measured levels of carbon monoxide in the outer city and metropolitan area exceeded the World Health Organisation long-term goal of 9 p.p.m. The levels of carbon monoxide were not considered to be hazardous in any of the streets measured. A report of the two-year monitoring programme, which has recently been completed, is in the final stages of preparation.

2. Levels of oxides of nitrogen and lead in air have been measured in recent months, but the collection period is not long enough to permit the assessment of trends. Because of technical faults in the equipment, it has not been possible to measure hydrocarbon levels. These faults will be overcome soon.

3. Levels of photochemical oxidants, which are the important products of combustion contributing to the occurrence of smog, have been measured since May, 1974. The measured levels have not exceeded the recommended 8-hour average of 60 ug/m^3. Here again, the measurement period is insufficient to permit the determination of trends. The control of emission sources that will result from the implementation of the Australian design rules for motor vehicles can be expected to result in lower levels of photochemical oxidants in the future.

NUCLEAR FALL-OUT

Dr. TONKIN (on notice):

1. What measurements and monitorings have been made on radio-active fall-out levels in South Australia, particularly with reference to milk supplies?

2. What have been the results of these over the last 12 months?

The Hon. G. R. BROOMHILL: With reference to monitoring of milk, the Metropolitan Milk Board reports that for more than 11 years the board has been co-operating with the Australian Radiation Laboratory, which is attached to the Australian Department of Health, in supplying composite milk samples for radio activity analysis. Daily samples representative of the milk processed each day are forwarded to Melbourne. Sampling reverts to a weekly cycle after 100 days following official advice of the last atmospheric nuclear explosion. Detailed results of analyses published by the Atomic Weapons Tests Safety Committee are tabled in Commonwealth Parliament. The A.W.T.S.C. reports are available from the Australian Government Publishing Service, 12 Pirie Street, Adelaide. The board states that at no time have any previous results of tests produced a content of radio activity in Adelaide's milk supply even approaching a very small percentage of the National Radiation Advisory Committee's safety limit. The Prime Minister has also advised that the Australian Government has undertaken to issue prompt advice, if it believes that any special dietary measurers should be taken against the effects of fall-out.

CONTAINER TERMINAL

Dr. TONKIN (on notice):

1. What progress is being made on the construction of the container terminal at Outer Harbor and when is it expected the terminal will be ready for operation?

2. Are there any factors that have caused a re-assessment of the priority of the terminal and, if so, what are these factors?

3. Have these factors caused any change in overall planning for the terminal?

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

1. Progress is generally up to schedule, and it is hoped to complete all the work by February, 1976.

2. No.

3. *Vide* 2.

PETROL

Dr. TONKIN (on notice):

1. What are the reasons for the present difficulties being experienced by petrol retailers in obtaining adequate supplies of motor spirit?

2. What reserves of motor spirit of super grade and standard grade, respectively, are now held in storages in South Australia?

3. By how much is this higher or lower than the levels held in the periods immediately preceding the imposition of restrictions on two previous occasions?

4. When is it expected the supply of motor spirit to retailers will return to normal conditions?

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

1. Stocks of motor spirit held by the refinery and oil companies were depleted when production throughout Australia was affected by the industrial disputes last August. Because of an Australia-wide shortage of tankers, the refinery at times has not been able to operate at full production, nor has it been possible to supplement substantially local production from other States. However, no serious difficulties have been experienced in maintaining adequate supplies of motor spirit to industry and the public, nor are any cases known of petrol retailers who have not been able to carry on their business.

2. The quantity of motor spirit stored at the refinery and at bulk storages varies from day to day. Sufficient reserves are always held to maintain essential services.

3. *Vide* 2.

4. This will depend upon the volume of production throughout Australia, consumption in this State, and availability of shipping.

GLENSIDE HOSPITAL

Mr. MILLHOUSE (on notice): What plans, if any, are there to improve conditions for long-stay patients at Glenside Hospital, and when will any such plans be put into effect?

The Hon. L. J. KING: Stage I of the redevelopment of Glenside Hospital, which is a 64-bed subacute ward building, has been approved and tenders are being called. Further, the report of the Parliamentary Standing Committee on Public Works recommending this project contained reference to the total redevelopment programme, including the following cost estimates:

	$
Stage I—Subacute wards: design and construction time—24 months	850 000
Stage II—Subacute, special care and psychogeriatric wards: design and construction time—36 months	3 500 000
Stage III—Village centre, special care wards, therapy and maintenance facilities: design and construction time—30 months	2 400 000
Stage IV—Subacute wards, adolescent unit, psychogeriatric wards: design and construction time—30 months	4 200 000

Stages beyond I are subject to availability of finance.

URANIUM

Mr. MILLHOUSE (on notice): Are there any proposals for the building of a uranium enrichment plant in South Australia and, if so, what are they?

The Hon. D. A. DUNSTAN: The Australian Government Minister for Minerals and Energy announced that, in company with the South Australian Government, he was willing to enter into a feasibility study on the location of uranium enrichment plants in South Australia. This was a proposal solely for a feasibility study, and did not commit either Government to a proposal in an actual establishment. The feasibility study was to be based on:

(a) the availability of coal from either Leigh Creek or Lake Phillipson to provide the necessary cheap electricity generation;

(b) the iron triangle to be regarded as a regional growth centre; and

(c) the Australian Government considered the area had potential strategic value.

The Minister for Minerals and Energy has, since that time, repeated his intention to be involved in a feasibility study, and negotiations on this matter are continuing.

BICYCLES

Mr. MILLHOUSE (on notice):

1. Is the riding of push bikes permissible on the Main South Road between Darlington and Reynella and, if not, why not?

2. If bicycles are permitted on this road, are the cyclists protected by the police and how?

3. Is it intended to construct a cycle track on or adjacent to the Main South Road, if so between what points, and when?

4. If a track is not to be constructed, why not?

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

1. Yes.

2. Cyclists have the same rights and duties as other vehicles under the Road Traffic Act, as on other roads.

3. No present proposals.

4. It is considered that the high cost of constructing a cycle track between Darlington and Reynella would outweigh any benefits to be gained, because of the few cyclists who would use it.

FIRE BRIGADE

Mr. MILLHOUSE (on notice):

1. What is the present strength of the South Australian Fire Brigade?

2. Is the strength up to establishment and, if not, why not?

3. What action, if any, is being taken to recruit members for the brigade?

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

1. Strengths:	Existing	Authorised
Senior officers	13	13
Station officers	107	107
Senior firemen	29	29
Firemen	314	312
Recruits	—	—
Auxiliary staff	119	122
	582	583
Non-fire fighters:		
C.O. office	3	2
Country inspector	1	1
Assistant to country inspector	1	1
Fire training officer	1	1
Fire prevention officer	3	3
Control room operators	20	20
Maintenance department	26	26
Engineering department	24	24
Sundry staff	4	4
Storeman	1	1
Assistant storeman	1	1
Board office staff	14	15
	99	99

2. At present the existing strength is one under that authorised, and that is because of normal fluctuations in auxiliary staff employed in country areas.

3. There is no action being taken to recruit members, as there is a waiting list for employment with the South Australian Fire Brigades Board.

POLICE FORCE

Mr. MILLHOUSE (on notice):

1. What is the present strength of the South Australian Police Force?

2. Is the strength up to establishment and, if not, why not?

3. Has there been an intake of police cadets during September, 1974, and, if not, why not?

4. When next will there be an intake of cadets and of how many?

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

1. The active strength of the Police Force on August 31, 1974, was 2 289.

2. In keeping with the practice that has applied for many years, the force is not maintained at a fixed establishment. The requirements are based on forward manpower planning which, in turn, is related to assessed and predicted workloads. The manpower increase target for 1973-74 was attained, and no difficulty is expected in achieving manpower goals in this financial year.

3. No cadets actually entered the Police Academy in September, 1974. This is normal, because intending school leavers desire to finish their education to the end of the school year. A cadet course commenced in September, 1974, and consisted of cadets previously enlisted and held on strength awaiting course commencement.

4. Cadets commence courses every 13 weeks of each year. Intakes are in January, March, June, and September. The next course or courses will commence early in January and the number will depend on the result of the current recruiting programme, which is numerically ahead of a similar period last year. It is expected that by January the cadet establishment will reach 450.

TRAMWAYS TRUST

Mr. MILLHOUSE (on notice):

1. Does the Municipal Tramways Trust own land in the area bounded by Pulteney Street, Wakefield Street, Chancery Lane, and Angas Street, Adelaide and, if so, how much?

2. Is the trust in occupation of this land?

3. If the trust is not occupying such land, who is and under what arrangements?

4. To what use is the land being put?

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

1. Yes—about 1.5 hectares.

2. No.

3. and 4.

Lessee	Term	Use
Public Buildings Department	Indefinite period, subject to 12 months notice.	Car parking.
Yorke Motors	Indefinite period, subject to 12 months notice.	Car sales and servicing.
A. S. Tillett	Indefinite period, subject to 12 months notice.	Monumental mason.
Litchfield Engineering	Indefinite period, subject to six months notice.	Engineering works.
A. B. Fishing Club	Indefinite period, subject to six months notice.	Car parking.

STOCK MOVEMENTS

Mr. RODDA (on notice):

1. What has been the percentage increase in cattle and sheep numbers moved by rail from Naracoorte since the opening of the new stock selling complex at this centre?

2. If there has been an increase, what does it represent in terms of railway income?

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

1. Sheep 45.6 per cent; cattle 25.2 per cent; and calves 131.0 per cent.

2. $33 991.

MINES DEPARTMENT

Dr. EASTICK (on notice):

1. For what period and in what capacity was Mr. Walter Jones, of 19 Mortimer Street, Kurralta Park, employed by the Mines Department?

2. Did Mr. Jones at any time submit a report to the Minister of Mines, and, if so, by whose hand was it delivered, when was the report received, and what was the nature of its contents?

3. What action was taken as a result of the report?

4. Will the Minister make a copy of the report available to me?

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

1. Mr. Walter Jones was employed as a fitter in the Mines Department from July 17, 1963, to November 1, 1972.

2. Mr. Jones had a brief interview with the Hon. G. R. Broomhill, as Minister Assisting the Premier, at which time he handed to the Minister a list of what he alleged to be shortcomings in the administration of the Thebarton Depot of the Mines Department. The Minister took these matters up with the Director of Mines, but an investigation did not reveal any of the complaints to be of such a substance as to warrant any basic restructuring in the administration of the depot.

3. See 2 above.

4. The list of complaints was given to the Minister unsigned on the understanding that they were not being made officially and, therefore, it was not retained in departmental files.

OFF-ROAD VEHICLES

Mr. MILLHOUSE (on notice):

1. Is control over off-road vehicles being considered and, if so, what kind of control?

2. Is it intended to introduce legislation on this subject during the present session and, if so, when is it intended to introduce such legislation?

3. If legislation is not intended, why not?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. Yes; restriction of the use of these vehicles to certain areas where they can be controlled and the areas managed properly.

2. No; legislation will be introduced once matters of vehicle control, areas of use, and management practices have been finalised.

3. See 2.

STATE SCHOOLS

Dr. TONKIN (on notice):

1. What is the student capacity of all State schools, both primary and secondary respectively, for 1975?

2. What is the expected enrolment for 1975?

3. What increase in enrolments is now expected as a result of the Commonwealth Government's decision to lower the maximum deduction for income tax purposes, in respect of education expenses, from $400 to $150 a year?

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

1. In July of this year, after the mid-year intake, there were 151 861 students in primary schools. An additional 5 170 pupil places will be provided in new schools opening during 1975. In most secondary schools which have suitable enrolments the capacity of the school is roughly

equivalent to the present total enrolments. A few high schools and many schools that were previously known as technical high schools, could cater adequately for additional enrolments without the provision of additional rooms. Some new schools such as Banksia Park, Augusta Park, and Morphett Vale have accommodation in excess of their present enrolments. These schools are expected to reach capacity within the next few years.

2. The expected primary enrolment in 1975 is about 148 000. This number will grow during the year with the continuous entry at age five, and with some schools with further enrolments in mid-year. An estimated 86 600 will be accommodated in secondary schools in 1975.

3. We expect to have surplus accommodation. It should be noted that the department has an Emergency Accommodation Committee whose function it is to examine requests from schools for additional accommodation to meet emergency requirements. A certain number of rooms are held in reserve to meet any unexpected enrolment increases at the beginning of the next school year. In addition the new Demac programme is likely to increase significantly our capacity to meet emergency needs. I would point out to the honourable member that a similar scare was raised in certain quarters last year about enrolments in non-government schools in 1974. In fact, enrolments in non-government schools rose significantly this year. Because of our previous experience, it is not possible to say what effect, if any, the Australian Government's action will have, particularly as that Government at the same time revised upwards substantially the per capita aid to independent schools in 1974 and the prospective aid for 1975.

VAUGHAN HOUSE

Dr. EASTICK (on notice):

1. Has workmen's compensation detail relating to the Vaughan House officer referred to in his reply to my Question on Notice on August 27, been finalised?

2. If a figure for lump-sum payment has been arrived at, has the amount been accepted by the injured officer?

3. If the figure for lump-sum payment has not been finalised, what has caused the delay?

4. When is this detail expected to be finalised?

5. Is this officer still receiving workmen's compensation and, if so, what is this amount?

6. What is the present salary of a residential care officer at Vaughan House?

7. When did the officer in question receive the injury or injuries for which compensation is being sought?

8. What injury or injuries were sustained?

9. Does the Government accept full liability for the injury or injuries?

10. Is treatment still being received for the injury or injuries?

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

1. No.
2. No.
3. Negotiations including negotiations about medical reports are proceeding. The officer has retained a solicitor to act for her.
4. Not known.
5. Yes: $72.15 a week.
6. Salary range $5 553 to $6 491 a year.
7. July 24, 1972.
8. Back injury.
9. Yes.
10. Medical certificates are still being received.

FURTHER EDUCATION DEPARTMENT

Mr. EVANS (on notice):

1. What area of Adelaide House, Waymouth Street, Adelaide, has the Further Education Department leased and what was the date of commencement of the lease?

2. What is the cost a month of this lease?

3. On what date was this building occupied by staff and by what number of staff?

4. On what date did the staff leave?

5. What office equipment, such as typewriters, photocopiers, and guillotines, remains idle in this building and what is the value of this equipment?

6. For what purpose is the leased area to be eventually used?

7. What is the total cost of any alterations to this building undertaken by the Education Department?

8. Has any class or classes of any college of advanced education been conducted in hotels and, if so, where, when, and why?

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

1. 577 square metres from February 1, 1972. 577 square metres from March 1, 1973. 354 square metres from December 1, 1973.

2. The cost of leasing levels 16 and 18 is $2 150 a month each level, and $1 384 a month for level 17.

3. The building was initially occupied by 35 officers in June, 1972; 68 officers now occupy the three floors.

4. No staff has vacated accommodation on the three floors.

5. There is no surplus or idle office equipment. The value of equipment is about $6 500.

6. The leased areas are used exclusively for office accommodation with supporting service areas, such as a printing room and library resource area.

7. The total cost of alterations is about $31 600. This cost is not for alterations to existing partitioning, etc., but is the cost incurred in initially establishing these areas as suitable for staff accommodation.

8. It is presumed that the honourable member is referring to classes conducted by the Further Education Department, and not colleges of advanced education. On this basis, as far as can be ascertained, the only centre that has conducted short courses using hotel facilities is the South Coast Further Education Centre at Victor Harbor. A one-day managers seminar was conducted on April 22, 1974, as a developmental step in part of the tourist personnel training course run by that centre. The convention room in the Hotel Crown at Victor Harbor was used as the venue. Four other short-term classes in wine service and wine knowledge of two hours were conducted at the same venue on the following dates: July 29, 1974, August 5, 1974, August 12, 1974, and August 19, 1974, again as part of the tourist personnel training course.

RIDING SCHOOLS

Mr. MILLHOUSE (on notice):

1. Has consideration been given to controlling the activities of riding schools and, if so, what conclusion has been reached?

2. If this matter has not been considered, is it intended to consider it, and, if so, when?

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

1. Consideration is being given to the controlling of the activities of riding schools by the Minister of Recreation and Sport. Investigations are not yet complete.

2. See 1.

LIBYA TRADE

Mr. MILLHOUSE (on notice): When will the agreement signed in June, 1974, between the South Australian Government and the Libyan Government concerning agricultural development in Libya be tabled in this House?

The Hon. D. A. DUNSTAN: Today.

FRUIT FLY

Mr. MILLHOUSE (on notice):

1. Has the Government received a report on biological control, with particular reference to fruit fly, and, if so, when was it received?

2. If received, is it intended to make the report public and, if so, when?

3. If it is not intended to make the report public, why not?

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

1. No recent scientific report on the biological control of fruit fly has been received. The matter of biological control and possible eradication of fruit fly species in Australia has been referred to the Entomology Committee of the Standing Committee on Agriculture. The Entomology Committee is expected to report to the next regular meeting of Standing Committee on Agriculture in February, 1975.

2. and 3. *Vide* 1 above.

MINISTERIAL STATEMENT: MONARTO

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: The Ministry was more than mystified by newspaper reports last week of an attack made on the development of the city of Monarto in the Commonwealth Parliament by a South Australian member of that Parliament, the member for Boothby, who cited as his authority some supposed report by some French experts, condemning Monarto. We were rather put about to try to find out what precisely this report was and what was the basis of the attack that was made on the development of Monarto by a member of the Commonwealth Parliament who cited some authority.

Apparently, the authority was a document entitled *Occasional Paper No. 1*, *Urban and Regional Development, Overseas Experts' Reports,* 1973. That report was tabled in the Commonwealth Parliament, and the only reference to the city of Monarto is at page 29. The report in question deals with observations made by two Frenchmen in 1973 on some of the new city projects. The two gentlemen concerned came to South Australia by car in 1973, having travelled from Portland by way of Mount Gambier, and they spent less than one day in Adelaide. They saw no officers of the Industrial Development Department, and they obtained no statistics from the Government. Their report was on the basis of an assessment of Adelaide as a low-density city in contrast with their own French experience: contrasting Adelaide with the cities of Lyons and Marseilles, for goodness sake! However, they have reflected on the difficulties of development of a low-density city, which, of course, is not in French experience—

Mr. Millhouse: Why were they ever asked by the Commonwealth Government to make any study?

The SPEAKER: Order!

Mr. Millhouse: That's what I can't understand.

The SPEAKER: Order! If the honourable member for Mitcham disregards Standing Orders, Standing Orders will prevail.

The Hon. D. A. DUNSTAN: The honourable member must know that the Commonwealth Government did not ask them to make these studies. These gentlemen reported to the Cities Commission, which was set up under the former Liberal Government.

Mr. Millhouse: But, why should they be asked?

The Hon. D. A. DUNSTAN: I do not know. All I can say is that, if anyone gave me a report like that, I would want to know why he was paid anything for it.

Members interjecting:

The Hon. D. A. DUNSTAN: It is part of this page of this utterly inadequate, ill-researched and absurd series of observations—

Dr. Eastick: Who were the South Australian authorities?

The Hon. D. A. DUNSTAN: There was none.

Dr. Eastick: It states in here, on page 29—

The Hon. D. A. DUNSTAN: The only South Australian authority who conceivably could have been quoted on page 29 would be the Director of my department, who took them to lunch, but he has told me that all that happened at lunch was that there was an exchange of civilities. After all, they were officers of the department of the Director of Regional Development in France (Monsieur Monnet), who is an extremely efficient regional planner whom I know well. However, all that happened was that those gentlemen got some civilities from us. They were taken to see the site of Monarto, but this report was made before the report to the Commonwealth Government on its own feasibility study on Monarto.

Dr. Eastick: Was that before or after the Pak-Poy report?

The Hon. D. A. DUNSTAN: Before.

Mr. Chapman: Those circumstances were pretty accurate.

The Hon. D. A. DUNSTAN: What circumstances?

The SPEAKER: Order! The honourable Premier sought leave of the House to make a Ministerial statement, and leave was given unanimously by the House. Ministerial statements are not to be the subject of interrogation or persistent interjection, so any honourable member who interrupts during the course of a Ministerial statement will suffer the consequences of Standing Order 169. The honourable Premier.

The Hon. D. A. DUNSTAN: All I can say is that for this absurd document, hopelessly ill-researched—

Mr. Dean Brown: Events since have proved it to be correct.

The Hon. D. A. DUNSTAN: The events since have proven no such thing. Of all the studies carried out, far more have been carried out in relation to Monarto than in relation to any other urban or regional development in the history of this country. That a document of this kind is the basis of an attack by a Commonwealth member representing this State on a project accepted and supported unanimously by both sides of this House shows just how uninterested he is in seeing to it that the basis of his attack has been properly researched at all. The other astonishment I express is that newspaper reports should have headlined so empty a piece of nonsense as this.

Mr. Mathwin: Won't you tell—

The SPEAKER: I will tell the honourable member for Glenelg that Standing Order 169 will prevail.

QUESTIONS RESUMED

PETRO-CHEMICAL PLANT

Dr. EASTICK: Can the Premier guarantee that the proposed time schedule for the Commonwealth inquiry into the environmental aspects of the Redcliff project will in no way prevent adequate investigation of all factors which, unless completely considered, could lead to irreversible damage to the waters and marine life of the gulf, the countryside surrounding the site, or the atmosphere? I am concerned about these matters. The outline given of the commission's inquiry suggest that it is intended to force the indenture legislation into this House before the Christmas adjournment. From replies given this afternoon by the Premier to my Questions on Notice, I find that investigations at the site indicate saline water at depths of two metres to four metres. If ponding basins are to be constructed in this area, where saline water exists at this shallow depth, one can only guess how much effluent material will go into the gulf or the surrounding countryside.

The Hon. D. A. Dunstan: What nonsense!

The SPEAKER: Order!

Dr. EASTICK: On this basis, I seek an assurance from the Premier that no action will be taken that will disadvantage the South Australian public or the environment.

The Hon. D. A. DUNSTAN: I am horrified and dismayed at the utter irresponsibility that has just been displayed by the Leader. If he were interested at all in the environmental aspects of this project, he would know that it had already been announced publicly that the ponding basins at Red Cliff Point would be concrete-lined and that there would be no seepage. I have heard so much nonsense on the subject of the environmental impact of the Redcliff project that it is about time a few things were stated publicly.

Mr. Gunn: You haven't told us anything up to now.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Yes we have, and it is obvious that whatever is said publicly is never listened to. The Leader has not bothered to read (and does not know about) what has been said publicly about the ponding basins. That is the situation: members opposite do not bother to do their homework.

Mr. Dean Brown: Rubbish!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member is an obvious case in point. The position on this matter had better be stated. Let us not have some vague fears expressed. What is it that is alleged against this plant as being potentially dangerous to the environment of the area? What things can conceivably come from a plant of this kind that can be said to affect the environment?

Mr. Chapman: The promoters behind it—

The Hon. D. A. DUNSTAN: If the honourable member (and I take it he is speaking on behalf of his Party) is attacking Imperial Chemical Industries, Alcoa, and Mitsubishi and the others who have invested in the project, we are glad to know that that is the attitude of the Liberal Party. Is that its attitude? Does the Leader accept what the honourable member says?

Dr. Eastick: It would be wrong of me to interject.

The Hon. D. A. DUNSTAN: In other words, the Leader will not stand by what one of his irresponsible back-benchers does in attacking this investment.

Mr. Mathwin: Do you reply to every interjection?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If I do not agree with an interjection by a back-bencher of my Party, I shall say so.

Mr. Mathwin: You didn't—

The SPEAKER: Order! In accordance with Standing Order 169, I warn the honourable member for Glenelg, and all other honourable members who totally disregard Standing Orders will suffer the same consequences.

The Hon. D. A. DUNSTAN: The things that can affect the environment from this plant concern the discharge of effluent, and on that subject there is complete coverage. There will be no discharge of effluent from this plant, as will be shown clearly to the public inquiry. There will be no discharge of effluent from this plant that will interfere with the prawn-breeding grounds, taint the fisheries, adversely affect the gulf, or cause thermal pollution of any kind. The fumes from this plant will be much less than those from most industrial plants in this State and cannot be said to cause adverse environmental impact in this area. The major part of the discharge from the plant into the air will be of steam, and that will cause no trouble. There will be considerable noise from the plant but it will be an isolated plant: it will not be established on LeFevre Peninsula, near Elizabeth, or at any of the other alternative sites suggested by the members of the Opposition. There will be much light from the plant when in flares but that will also be a matter of isolation. What else is there that members opposite say will affect the environment?

Dr. Eastick: What does Dr. Cass say? Is he satisfied?

The Hon. D. A. DUNSTAN: Dr. Cass is satisfied with the provisions laid down in the indenture and he believes that a public hearing will effectively satisfy the public as to the nature of the establishment of this plant. The plant will affect the environment much less than do existing plants on Spencer Gulf. For the Leader to say that it is adverse to the State to bring the indenture agreement to this Parliament before Christmas means that the Leader is now saying that the attitude taken by the Liberal Party is that it will prevent this development.

Dr. Eastick: That wasn't said.

The Hon. D. A. DUNSTAN: The honourable member knows perfectly well—

The Hon. J. D. Corcoran: That's what it means.

Dr. Eastick: It does not.

The Hon. D. A. DUNSTAN: If honourable members here or in another place oppose the passing of this indenture before Christmas they are opposing this development even though the Leader (and it is one of his normal courses in this House: the interjections and protests he makes are never consistent with what he has said five minutes earlier) has accused me of delaying the project. He has protested that the Government has been at fault because the indenture has not been in here earlier. He has accused me on the basis that every week that goes by before the indenture is in here increases cost to the consortium. Now he says that it is wrong of me to bring it in before Christmas, when he knows perfectly well there is a constant escalation in costs which could marginally put this whole project out of court if it is not given effect to. If we do not develop the hydro-carbon liquids from the Cooper Basin (and that means getting the indenture in the order that the Government has announced), those hydro-carbons will be lost to South Australia for ever. We will not get the

benefit of them economically; we will not get the enormous replacement of import costs that will occur from the plant; we will not get the employment; and we will not get the royalties. The Opposition had better make up its mind: either it must act responsibly in relation to this development, a development which has the overwhelming support of the people and of the business community of this State, or it must stand up and be counted so that all may see that the development is prevented by its numbers in another place. However, the Opposition cannot have its cake and eat it on this one, and I am sick of it trying to do so.

Mr. COUMBE: Can the Premier give me specific assurances regarding the indenture Bill, in the light of the recent announcement by Dr. Cass? Has the further delay caused by the Commonwealth Government's public inquiry into the project meant that the "crunch" day, referred to by the Premier recently as meaning an early deadline for the signing of the indenture, will pass before final agreement can be reached with the Commonwealth Government on its inquiry? Further, does either the State Government or the Commonwealth Government now consider that there is a danger that the project will not go ahead as originally planned? The Premier will recall that he said recently that, unless the indenture Bill was before Parliament by the end of September (and he later amended that to some time in October), there would be a real danger that the project might not be proceeded with. September has passed, yet all we have is a new study that seems likely to delay even further the commencement of this project, because of the Premier's reference, in reply to an earlier question of mine, to the content of the environmental clause contained in the agreement.

The Hon. D. A. DUNSTAN: The time tabling of this matter has to be agreed with the petro-chemicals consortium. It also depends on the agreement between that consortium and the consortium of producers on the field with regard to the prices of feed stock. Negotiations with regard to the prices of feed stock are proceeding. Regarding the attitude of the petro-chemicals producers, it has been pointed out to them that before the matter could proceed there had to be an environmental status statement. In fact, those producers have postponed the date of the final production of the statement so that they might be satisfied with its contents and so that the fullest information might be given. The environmental status statement will be the basis on which the commissioners will inquire. That is all agreed with the consortium. It was foreseen that, when the indenture Bill was introduced, a Select Committee would hold an inquiry. That will be necessary but, if in the meantime, before the Indenture Bill is introduced, it is possible to publish the environmental status statement by the commissioners, much of the matter that might otherwise have been placed before the Select Committee will already have been dealt with and made available to the Select Committee by the commissioners.

Mr. Coumbe: Is the environmental clause likely to be affected by the Commonwealth inquiry?

The Hon. D. A. DUNSTAN: The environmental clause itself is not likely to be affected by the inquiry, because it is the strongest of its kind ever seen in Australia or in most other countries.

The Hon. G. R. Broomhill: It is continuing power.

The Hon. D. A. DUNSTAN: Yes. We have discussed the clause with Dr. Cass. It is in the kind of terms that the Commonwealth Government had previously asked of the Western Australian Government regarding the Ord River agreement, although it did not get that clause. So, it is in line with the policy Dr. Cass has already adopted, but it is important from the public point of view that there be a public inquiry and hearing. I have no doubt that at that public hearing people who have been saying the most absurd things about the environment on this topic will be made to stand up to their statements. That will be an interesting public exercise which, I am sure, will be useful to this House and to the Select Committee.

Mr. GOLDSWORTHY: Does the Premier assert that Dr. Cass is perfectly happy with the environmental aspects of the Redcliff project? The Premier said, when replying to the Leader's question, that there was nothing to worry about regarding the environment and that he had made public statements which we were told we had not listened to. A press report announcing the inquiry indicates that Dr. Cass is not satisfied with the environmental aspects of the project and that the purpose of the inquiry is to satisfy not only the public but also Dr. Cass and the Commonwealth Government. That statement certainly does not tie up with what the Premier has said this afternoon. Does the Premier assert that Dr. Cass and the Commonwealth Government are satisfied that the environmental controls will be adequate?

The Hon. D. A. DUNSTAN: I shall not comment on the honourable member's glosses on what Dr. Cass is alleged to have said. If he wants to quote Dr. Cass he had better do so directly because, as far as I am concerned, the things I have said are correct.

DRINK CONTAINERS

Mr. KENEALLY: Will the Attorney-General have investigated the widespread practice among shopkeepers of refusing to refund, in cash, deposits on soft-drink containers and compelling customers to accept merchandise in lieu thereof? I have received numerous complaints from my constituents, and I know that this practice is carried out in other parts of the State. Although it happens mainly in respect of children, who, when they return their bottles after drinking the contents, are compelled to take 10c worth of sweets instead of having their 10c refunded, it also happens in respect of adults. I am particularly concerned that this is happening in my district, but I have been assured that it is a widespread practice. Will the Attorney-General have this matter investigated and obtain a report for me?

The Hon. L. J. KING: Yes.

MINING LEASES

Mr. MAX BROWN: Will the Minister of Development and Mines consider sending an officer of his department to Whyalla to confer with officers of the Whyalla City Council on problems pertaining to mining leases at Mt. Laura? The councillors at Whyalla are concerned about certain future requirements of the Mines Department in respect of these leases. The council supports these requirements, especially those regarding rehabilitation. I believe that general discussions on the requirements should take place between the Minister's department and officers of the council.

The Hon. D. J. HOPGOOD: I shall be only too pleased to oblige.

MOTION FOR ADJOURNMENT: PETRO-CHEMICAL PLANT

The SPEAKER: Today I received the following letter from the honourable member for Mitcham (Mr. Millhouse) :

I hereby notify you that it is my intention this afternoon to move that the House at its rising do adjourn until tomorrow at 1 o'clock for the purpose of discussing the following matter, namely, that, in the interests of South Australia and its environment, the public inquiry into the environmental implications of Redcliff should not be as hurried as is apparently proposed, but that sufficient time as desired by the Commonwealth Minister for the Environment and Conservation (Dr. Cass) be taken for it and that, if necessary, the time table agreed between the South Australian Government and the consortium be altered to allow this.

Does any honourable member support the proposed motion?

Several members having risen:

Mr. MILLHOUSE (Mitcham): I move:

That the House at its rising do adjourn until tomorrow at 1 o'clock,

for the purpose of discussing a matter of urgency, namely, that, in the interests of South Australia and its environment, the public inquiry into the environmental implications of Redcliff should not be as hurried as is apparently proposed but that sufficient time as desired by the Commonwealth Minister for the Environment and Conservation (Dr. Cass) be taken for it and that, if necessary, the time table agreed between the South Australian Government and the consortium be altered to allow this.

Mr. Speaker, I am indebted to you for regarding this matter as urgent and for calling it on within 40 minutes of the House's meeting. I appreciate the support that I have had on this occasion from the members of the Liberal Party.

Mr. Wells: From some of them!

Mr. MILLHOUSE: I shall be charitable. I think most of them rose: certainly, sufficient of them to allow me to move the motion did rise, and therefore I make no criticism of them. In accordance with my usual practice, I notified the Leader of the Opposition at about the same time as I notified you, Mr. Speaker, that I intended to move this motion this afternoon. I asked for the Leader's support, and I appreciate having got it. I must say, though, that I have been rather amused by the questions that the Leader, the member for Torrens, and the member for Kavel have asked, anticipating the matters that are contained (as they well knew) in the motion. However, that was all grist to the mill.

Suddenly this morning (or yesterday, for those who read yesterday's *Financial Review) we* find for the first time that there is to be a public inquiry into the Redcliff project. There has never been a hint of it previously. For the period of about 20 months since February, 1973, controversy has been going on about this project, specifically about two aspects of it. The first is the financial aspect and the second is the environmental aspect, yet it is not until now, after the Premier's crunch time, that we hear that there will be a public inquiry into environmental aspects.

It is a long time since I have seen the Premier as agitated as he was this afternoon when replying to the question asked by the Leader of the Opposition. I do not believe his statement this afternoon that this means nothing and that he and the Commonwealth Government are happy: I consider that he is extremely unhappy at this development. This morning I did my best to check the accuracy of the report in the *Advertiser,* and I consider that the report is correct. I will refer to that report, because this is new material that has not been canvassed previously. The report states:

State agrees to public inquiry into Red Cliff. The Federal Government—

not the State Government—

will hold a public inquiry into the environmental implications of the Redcliff project in South Australia. Subject to the findings of a two-man Federal commission, it may now be November before State Parliament receives the necessary indenture.

I pause to say that, in my experience and in the Premier's experience, as well as in the experience of every other member who has had anything to do with public affairs, it is utterly impossible for an inquiry of this magnitude (and we do not have to have much imagination to realise how many people will come forward at this inquiry) to be completed within four weeks from the day on which it is commenced. It is utterly absurd to think that that can be done. Anyway, that is what the report states. It continues:

Subject to the findings of a two-man Federal commission, it may now be November before State Parliament receives the necessary indenture.

Well, if the inquiry is to be genuine at all, that time will be long after November. The report states that public hearings are expected, and so on. In view of the assertions that the Premier has made this afternoon, I desire specifically to direct to his attention the statement made by Dr. Cass. The report continues:

Dr. Cass issued a statement soon after—

after State Cabinet, apparently, had capitulated to the demands of its Commonwealth colleagues yesterday—

indicating his dissatisfaction—

that is what the newspaper report states, and let the Premier say that that is wrong if he likes—

with the need for a hasty inquiry—

which this must be, if it is suggested that it will be finished within one month—

and the time table agreed between the South Australian Government and the consortium to establish the petrochemical plant near the top of Spencer Gulf.

The next part of the report is in quotation marks, and I take it that these are the direct words of a statement made by Dr. Cass. The report states:

I regret the time table that is proposed, but this is necessary if an examination of the environmental consequences of the proposal is to be made before any final commitment is taken by either Government, he said.

How many times have we heard in this House that the State Government and the Commonwealth Government are fully committed to the Redcliff project? In all fairness to the Premier, I say that we did hear a few weeks ago that he now had to keep the Commonwealth Government up to its word, but neither he nor any other member of the South Australian Government suggested that there was not an irrevocable commitment by this Government and the Commonwealth Government to the Redcliff project, until we heard from Dr. Cass (Commonwealth Minister for the Environment and Conservation) that there was no final commitment by either Government.

They cannot have it both ways. If there is a final commitment, any inquiry into the environment must be a sham, because a final commitment does not allow of an adverse answer. That is only a matter of common sense, or logic if we like. Indeed, that is one of the biggest complaints I have had about this whole matter. Mr. Warren Bonython summed it up in the press report this morning of his comment at a Liberal meeting last evening. That report states:

They gave the go-ahead before a proper assessment of the environment was made.

This is not the first time that Mr. Bonython or I have said that. I will make my position absolutely clear on this matter, and I believe that I speak for my colleague the member for Goyder and the whole Liberal Movement. We do not consider that a decision on the project at Red Cliff Point should have been taken before a proper environmental impact study had been made and before we all knew that this project was safe.

That is precisely the point of view that conservationists have expressed, and I believe (let the Premier or the Minister deny this) that it is the point of view that the Commonwealth Government, particularly the Commonwealth Minister, has taken. That is implicit in the whole of this report. I will leave out the next paragraph of the report, because I do not think it is relevant. The report also states:

> The project has been subject to a great deal of criticism, partly because of the possible effects it may have on the marine environment of Spencer Gulf.

That is correct. The report also states:

> The hearing will provide the opportunity for these criticisms to be dealt with thoroughly.

Then we find that the basis of the hearing is to be an environmental status report. That is the first time I have heard that term, but I suppose it is the same as an environmental impact study. The report states:

> The basis for the hearing will be an environmental status report being prepared by the Imperial Chemical Industries, Alcoa, and Mitsubishi partners in the project. Their report is expected to be made public on October 15.

That pushes the matter another fortnight ahead, because if the inquiry is to be based on that report and that report will not be public for another fortnight, the inquiry cannot begin, because no-one can prepare to give evidence until after that report has been made public and has been studied.

The Hon. D. A. Dunstan: Why can't they prepare their evidence now? What do they fear, specifically?

Mr. MILLHOUSE: I hope that the Premier replies to me soon and that it will not be necessary for him to interject now. Despite all that he has said here this afternoon and on many other occasions, he knows perfectly well what fears the people have. I have already explained my position, which I consider is the position taken on this matter by conservationists as a whole in this State and throughout Australia. That is the situation we find by reading this morning's newspaper. Those of us who looked at the *Financial Review* yesterday found that the same thing was reported, but that more detail was given regarding the financial aspects of the matter and the deep difficulty into which this Government is falling. This is what the *Financial Review* states:

> The South Australian Government is asking the Commonwealth Government to subsidise the Redcliffs petro-chemical venture to the tune of $170 million. With the creation of only about 2 200 jobs if the project proceeds the total South Australian-Commonwealth Government subsidy of more than $200 000 000 would mean that the taxpayers' cost per job is more than $90 000. The South Australian Premier, Mr. Dunstan is most anxious to get a commitment from the Commonwealth Government before Christmas.

That is not what the Premier said this afternoon. What he said in the past was that he already had a binding commitment and that he had only to make the Commonwealth Government live up to it. How he reconciles those two things, I do not know, but that is what he said. The report continues, after an announcement that a public examination is to start next month:

> This hearing will in effect amount to a sort of environmental impact statement, asking the consortium to demonstrate the need for this plant to be located near Port Augusta in the northern Spencer Gulf region of South Australia. Mr. Dunstan has picked this site to decentralise jobs from Adelaide.

I do not know whether that is the gloss of the writer of the article, whether it comes from Dr. Cass, or where it comes from. However, I do believe it to be accurate. I believe this Government picked the site without proper consideration being given to the environment and the impact of this project on it. This afternoon the Premier was asked what else besides effluent, fumes, noise, and light, people were worried about. Let me reply to that question. I do not say for a moment that it will be a full reply, but it is a reply, which I put in the form of a question so that he may reply if he wishes. So far as I am aware, the constraints (and we do not know what they are, but I assume, for the sake of argument, that they are to be effective) about which we have heard so far concern what will happen at the site itself.

What about shipping proceeding to and particularly from the site down the gulf? What control will there be and what protection will there be against accidents once shipping leaves the site? We know that one of the major problems relates to the gulf waters themselves and that the problem does not cease within the area of Red Cliff Point. What protection will there be (and I use this as an example) up and down the gulf? That is something that has not yet been answered. I hope, therefore, that I will get a reply this afternoon. I do not presume to know or to be aware of all the factors that should be taken into account in this matter. However, I do know that people who are far more able than I am are worried about this.

The Premier said that he had the overwhelming support of the business community. That may be so, although I doubt it, but I will leave it there. The Premier certainly does not have the overwhelming support of academics from the two South Australian universities, people who are experts on environmental matters and who are deeply worried about this matter. We have seen repeatedly letters to newspapers, articles, reports of discussions, and statements that have been made on this subject. The Premier may have the business community behind him, but other influential sections of the community are not behind him, and he has taken no account of them at all.

I do not wish to speak at length on this motion, because there is a time limit. I hope that other members will participate and that the Premier and the Minister of Environment and Conservation (who has sat in the House while I have been speaking) will take the opportunity to speak to the motion. If there is to be any sort of genuine inquiry that will admit adverse answers, it must be an inquiry that will take much longer than four weeks or six weeks; it will take a significantly longer time. If we are not to have an inquiry that will allow a "No" answer (and by that I mean an inquiry that will conceivably show that this project would be so adverse to the environment that it should not proceed at all), it will be a complete sham.

I do not believe, having read the report in this morning's paper of the statement by Dr. Cass (having checked it as well as I could) and the report in yesterday's *Financial Review,* that Dr. Cass or the Commonwealth Government considers that this is a sham. I believe, as is stated in the paper, that this is an unwilling compromise on both sides. On one side is the State Government, which is committed to the Redcliff project come what may and

which makes a travesty of all the words that have been said about the environment and the support of the Labor Party and the care of the Labor Party in the cause of conservation; and on the other side is the Commonwealth Government, which is unwillingly agreeing to something done quickly when it would rather, as I would rather, there was a proper inquiry and a proper environmental impact study made by someone completely detached, someone who does not have an axe to grind, as members of the consortium obviously have. It is an unsatisfactory situation; however, it could be retrieved if the State Government would accept the points I have made in my motion this afternoon.

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): It must be pleasant to be in the position of the member for Mitcham and be able to act irresponsibly in this matter. As the Premier indicated earlier to the Leader of the Opposition and his colleagues, they will not be placed in the same situation as the honourable member: they will be given an opportunity both here and in another place when faced with legislation on this matter to make a responsible decision whether the project shall proceed or not.

That is not the situation, however, in which the member for Mitcham finds himself. He has made charges over some months about the failings of the Government in relation to the effects on the environment of the Redcliff project. In fact, he has been most outspoken. The honourable member has received several invitations to visit my department to establish exactly the procedure that we intend to undertake in relation to the indenture and the enabling legislation that is to be introduced. It is regrettable that the honourable member has not taken the opportunity to do so because, if he had, he would not be making the sort of charge he has made here today.

Mr. Millhouse: Now you've finished with the insults why don't you get on with what I said?

The Hon. G. R. BROOMHILL: It is not an insult, but a legitimate point. I should be interested to hear the honourable member's reply to it. The member for Mitcham referred to a newspaper report that appeared this morning. Somehow or other he found a means of suggesting that what had happened had made the Commonwealth Minister for the Environment and Conservation and the State Minister most unhappy. However, that is not the situation at all. I point out that we as a Government, together with several environmentally conscious groups within the community and the Commonwealth Minister for the Environment and Conservation, know that there are normal procedures we should like to follow in the perfect situation on every occasion in relation to developments of this nature where a total environmental impact study is made and where decisions are made to proceed or not to proceed with a specific development.

What I have outlined is the ideal situation that we would all like to achieve. It is all very well for members of the community, to whom reference has been made in this debate, to say this. However, Governments and members of Parliament have to face the fact that on some occasions they cannot achieve this ideal situation. To provide a proper environmental impact statement on a project of this type would take at least three years, as that time would be necessary in which to undertake all the studies that would need to be made in order to make such a statement.

I do not intend today to canvass the points made by the Premier on several other occasions. If we had adopted the perfect course in this case, we would not need to worry about commencing an impact study; with the kind of time table involved, we would not have a project. Accordingly, we have had to see what we can do in the present situation. I point out that, in the cases of the feasibility of establishing a uranium enrichment plant or a future power station on Spencer Gulf, we are able to follow the procedures that are desired by ordinary members of the community, the Commonwealth Minister for the Environment and Conservation, and so on.

Mr. Millhouse: Why is there no danger in not following that procedure in this case?

The Hon. G. R. BROOMHILL: I thought I had pointed out the time factor.

Mr. Millhouse: I didn't ask why you weren't doing it; I asked why there was no danger in not doing it. Is there any risk in not doing it?

The Hon. G. R. BROOMHILL: The risk is that the project will not proceed.

Mr. Millhouse: Is there any risk to the environment in not doing it?

The Hon. G. R. BROOMHILL: If the honourable member will bear with me, I will tell him what steps we have taken, as a result of not being able to follow the course that we would have deemed most desirable, to protect the community from any adverse effects on the environment. We have made clear that we want to involve the community and this Parliament in the matter as much as possible. We have said that studies will be undertaken on a continuing basis. Over the last 18 months, we have set in train a series of studies designed to draw attention to possible dangers to the environment. Broadly, we must consider the major effect of the project on the gulf, bearing in mind the problems associated with the possible disposal of effluent and heated water into the gulf in a way that could pollute it, affecting especially the fish-breeding grounds. In addition, we must consider forms of emission from the plant that could affect the surrounding countryside. These are broadly the major aspects that we must consider.

Information can be provided for the House and the public about the stage that certain reports have reached at present. When reports are completed they will be presented, and information will be given about when other studies undertaken are expected to be concluded. We have said that, on the basis of these studies, we will write into the legislation provisions necessary to protect the environment. We have said that, as a Government, we will not look to the consortium to set the standards; the Government will establish standards that will come before this Parliament in the form of regulations. Therefore, if any study points to standards that are unsatisfactory, the matter can be aired publicly as the project continues. What the member for Mitcham conveniently forgets when debating this matter is that the indenture legislation to be introduced later this year does not contemplate the establishment of this project immediately to commence operating the following week or year. The plant will not be operating until 1979.

Mr. Millhouse: Is there any chance that standards may be so high as to dissuade the consortium from going on?

The Hon. G. R. BROOMHILL: Because of their involvement in comparable plants in other parts of the world, members of the consortium well know the sorts of standard that will be required.

Mr. Millhouse: Do they know precisely the standards?

The Hon. G. R. BROOMHILL: Of course they do not.

Mr. Millhouse: Is there any chance they may not go on with the project when they do find out?

The Hon. G. R. BROOMHILL: I doubt that. The consortium members know the sorts of standard associated with this type of development. From time to time reference has been made (and I think the member for Mitcham has said this) to authorities who deal with the environmental hazards facing other countries that have complexes of this type. I think that the honourable member spent some time in this place complaining about the effects of vinyl chloride monomer, and the damage this has caused in other countries. This statement has been standard in all the literature that various environmental groups have posted to us, despite the fact that we have often made clear that the plant in this State will not undertake a process of that type.

The honourable member has referred to the time schedule, and this is most important. To provide Parliament with the opportunity of establishing a Select Committee so that the matter could be dealt with in detail, with evidence being taken from interested people, the Premier had in mind introducing legislation last month. As this was not possible, we found that we had a breathing space. During this time, the status report, to which the member for Mitcham has referred, will become available, on October 15. Because of that, we were able to renew discussions with the Commonwealth Minister for the Environment and Conservation, telling him that we would be able to undertake an inquiry, although regrettably not as comprehensive as we would like.

Mr. Millhouse: In other words, just a sham.

The Hon. G. R. BROOMHILL: Earlier, the honourable member said that the Commonwealth Minister would make sure that it was not a sham, but now he suggests that it will be a sham. He cannot have it both ways, although he would like to, The position is that our time table now provides a full opportunity for members of the community who have been so outspoken on the matter to make submissions to the commission.

Mr. Millhouse: Who will be the commissioners?

The Hon. G. R. BROOMHILL: The commissioners will be Mr. William Watson and Dr. John Hookey. Mr. Watson is a scientist—

Mr. Millhouse: Do you know his qualifications?

The Hon. G. R. BROOMHILL: —with a specialty (and I will get his full qualifications) in systems analysis, I understand. Dr. Hookey is a specialist in environmental law. First, we will provide the community with the status report. After it becomes available on October 15, members of the public will have an opportunity to analyse it. Now that this hearing has been publicly announced, no doubt the people to whom the member for Mitcham has referred from time to time will be able to spend time in preparing submissions to make at the hearing, which will commence in Adelaide on October 23. It seems to me that the honourable member should applaud the State and Commonwealth Governments for providing this opportunity for a public hearing; of course, this will not be the end of public involvement in the matter.

Dr. Tonkin: I suppose it could be said that it's better than nothing.

Mr. Millhouse: They were—

The Hon. G. R. BROOMHILL: The member for Mitcham is suggesting that we have been pushed into something.

Mr. Millhouse: You aren't saying you're doing this willingly!

The Hon. G. R. BROOMHILL: I am saying that we are doing it with much willingness. If the honourable member disputes that statement, he is entitled to his opinion. However, I point out to him and other members that what we will be doing to ensure the tight schedule we are confined to—

Dr. Eastick: Are you going to talk out the time?

The Hon. G. R. BROOMHILL: Would the Leader rather I did not speak?

Mr. Millhouse: No; go on.

The Hon. G. R. BROOMHILL: The commission will be in Adelaide tomorrow to consider all the information available on the Redcliff project, so that it will be properly informed on the total situation confronting us in order to enable the hearing to be conducted as expeditiously as possible.

Mr. Millhouse: What is the target date for the completion of the inquiry and the presentation of the report?

The Hon. G. R. BROOMHILL: The public hearings will be held in Adelaide on October 23, 24, 25, 26, 28, and 29, following the earliest possible public announcement of this situation so that conservationists both individually and in groups will be able to prepare submissions that they think should be included, and then have the chance to be present at the hearing.

Mr. Millhouse: When will the report be available?

The Hon. G. R. BROOMHILL: We understand the report will be ready by Friday, November 4, and it will be forwarded to Dr. Cass, the Commonwealth Minister and—

Mr. Millhouse: There won't be much time to consider the evidence.

The Hon. G. R. BROOMHILL: In reply to the honourable member's interjection, I am admitting that this is not the ideal situation, but, if we did not take this action, the honourable member would still object. We have taken it to give everyone possible the chance to allay the sort of nonsense the honourable member has used when he has criticised the Government.

Mr. Millhouse: It gives the commission less than a week from the end of taking evidence.

The Hon. G. R. BROOMHILL: The honourable member knows from what the Premier said earlier this afternoon during Question Time that this measure must be passed before Christmas if it is to be implemented successfully in South Australia. It would be more satisfactory if we had more time, but additional opportunity will be given to the community early next year, when a full environmental impact statement will be available to be further considered by the public. I repeat what I said earlier, that, because of the standards that will be required to be set and the protection that needs to be built into the operation of this project, these matters will not only be aired publicly but also will come before this Parliament for its approval or otherwise. The only other point made by the honourable member referred specifically to the problem of shipping and discharges. I am not sure what dangers are being suggested by the honourable member. Should we ban all shipping that comes into the area because of the likelihood of a spill or the sinking of a vessel? When the honourable member was a member of the Government, did he consider what would happen if a vessel heading for Port Pirie or another section of the gulf was likely to sink in the gulf? These matters can

be adequately dealt with when we consider the problems of the contents of vessels that will be entering and leaving the gulf, and they are all part of the studies to which I have already referred.

At 3.15 *p.m., the bells having been rung:*

The SPEAKER: Call on the business of the day.

Mr. EVANS (Fisher): Mr. Speaker—

The SPEAKER: Order! Pursuant to Standing Order 59, the motion is withdrawn.

FAIR CREDIT REPORTS BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to confer on consumers certain rights in relation to accumulated information that might be used to their detriment; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

In this State, as elsewhere, a large volume of personal data is accumulated and used for a variety of commercial purposes; for example, to enable informed decisions to be taken on whether credit is to be granted, whether an insurer should assume a particular risk, whether employment should be offered to a particular person, and so on. Credit bureaux are growing, and considerable mutual co-operation between grantors of credit occurs with the object of facilitating the flow of information about people who do business with them. I do not for one moment deny the value of this; the sort of society in which we live makes it inevitable, and I suppose desirable, that information be available upon which a well-informed judgment can be made in commercial matters.

But the existence of accumulated personal data and the dissemination of information about people and their lives render it imperative that precautions be taken to ensure the accuracy of the information. The possibility of individuals and business concerns being severely harmed by inaccurate or misleading information arouses a real and widespread fear and warrants intervention by the Legislature. At present a person may be denied credit on the basis of mistaken information, although he has no knowledge of the source, or even the existence of the information, and thus no opportunity to rectify the mistake. The law leaves him without a remedy.

The Bill recognises the important role played by credit reporting agencies in our economy. Those who extend credit or insurance or who offer employment have a right to the facts they need to make sound decisions. Likewise, a person who has been the subject of a report from a credit reporting agency should have a right to know when he is being denied credit, insurance, or employment, because of adverse information in a credit report and a right to correct any erroneous information in his credit file. The procedures established in the Bill assure the free flow of credit information.

At the same time they give a person who has been the subject of a credit report access to the information in his file, so that he is not unjustly damaged by erroneous information. The Bill is based upon the principle that, if a person is denied a business benefit, he should know of information about him which is in the possession of the person denying the benefit and should have an effective opportunity to correct it. I seek leave to have the explanation of the clauses incorporated in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clauses 1, 2 and 3 are formal. Clause 4 contains several definitions required for the purposes of the new Act. A "reporting agency" is defined as a person or body of persons that furnishes consumer reports to traders, either for fee or reward or upon a regular co-operative basis. Clause 5 deals with the application of the Act. It will apply in any case where the consumer report is supplied to a trader carrying on business in this State, and the subject of the report is a person domiciled or resident in this State.

Clause 6 deals with certain general principles that a reporting agency must adopt. First, it must adopt all reasonably practicable procedures for ensuring the accuracy and fairness in the contents of its reports. Secondly, it must use the best evidence available and, where unfavourable personal information is to be included in a consumer report, it must make reasonable endeavours to substantiate the information if the primary source of that information is merely hearsay. Thirdly, a reporting agency is prohibited from including in a consumer report information as to the race, colour, or religious or political belief or affiliation of any person.

Clause 7 imposes obligations upon a trader. Where a trader denies a prescribed benefit, or grants such a benefit but on terms that are less favourable than those upon which they may be available to other persons, and the trader has, or has had during the preceding period of six months, a consumer report in his possession, the trader is required to inform the person to whom the report relates of that fact. Where the consumer wishes to take the matter further, he may obtain from the trader disclosure of the substance of the information contained in the consumer report and the name and address of the reporting agency.

Clause 8 deals with the duties of the reporting agency. Where a person has been denied a benefit by a trader, he may apply to the agency for disclosure of the information contained in its files relating to himself. The agency, in order to test the *bona fides* of the applicant, may require him to make a declaration stating that a trader has informed him of the report, or that he reasonably suspects upon grounds stated in the declaration that the trader has had possession of a consumer report. The reporting agency is obliged to take reasonable steps to ensure that information is disclosed to a consumer in a form that is readily intelligible to him.

Clause 9 deals with the correction of errors in a consumer report. A consumer who disputes the accuracy or completeness of information compiled by a reporting agency is then obliged to verify or supplement the information in accordance with good practice. It must inform the consumer whether it has made any amendment to its file in consequence of his objection. In the event of an amendment being made it must also inform traders who have received the erroneous or incomplete report within a preceding period of two months. Where the agency fails to make any correction, the consumer may appeal to the tribunal against its failure to do so. The tribunal is empowered to make such orders upon the hearing of any such appeal as it considers just.

Clause 10 protects a reporting agency, and a person from whom it may have obtained information, from civil liability in defamation. The clause provides that, where a person ascertains by virtue of the provisions of the new Act that information has been compiled or communicated by any person, no action in defamation shall lie against the person who compiled or communicated the information, unless it is proved that the information has been compiled

or communicated in bad faith. Clause 11 confers upon the Commissioner for Prices and Consumer Affairs powers of inspection that he will require in order to ensure that the new Act is complied with. Clause 12 establishes a number of offences.

Clause 13 confers upon the tribunal a general power to enforce, by order, compliance with the provisions of the new Act. Where an agency commits an offence under the new Act, or is guilty of behaviour that shows that it is unfit to furnish consumer reports, the tribunal may, on the application of the Commissioner, prohibit it from furnishing such reports. Any contravention of such a prohibition may lead to a penalty of up to $10 000 or imprisonment for two years. Clause 14 extends criminal liability attaching to a body corporate under the new Act to a director of the body corporate, unless he can prove that he had no knowledge of, or could not by the exercise of reasonable diligence have prevented, the commission of the offence.

Clause 15 deals with the procedure to be followed in prosecutions for offences against the new Act. Clause 16 provides for the making of regulations. In particular, power is conferred for prescribing the form of declarations to be made by consumers who seek disclosure of information from a reporting agency.

Dr. EASTICK secured the adjournment of the debate.

ROYAL INSTITUTION FOR THE BLIND ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

This short Bill is, amongst other things, intended to change the name of the body corporate incorporated under the principal Act, the Royal Institution for the Blind Act, 1934, from the Royal Institution for the Blind (Incorporated) to the Royal Society for the Blind of South Australia Incorporated. This change has been proposed by the board of management of the body corporate, which considers that the inclusion of the word "Institution" in the name of the organisation is "a most austere and frightening one and possibly excludes application being made to us by a number of handicapped people for information, counsel training and the help and benefits that we are able and willing to make available to them". With this contention the Government is inclined to agree, and this measure is introduced accordingly. The Bill also changes the constitution of the board of management of the organisation to provide for the appointment of the Executive Director and to ensure that one member of the board will be an employee of the organisation elected by employees. I seek leave to incorporate the balance of the second reading explanation in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal and provides for a new short title to the principal Act to reflect the change in name of the organisation. Clause 2 is formal. Clause 3 amends the interpretation section of the principal Act to recognise the new name of the institution and also provides in that section definitions of "employee" and "Executive Director". The definition of "subscribers" is also updated. Clause 4 effects the change in name of the institution and also makes certain consequential amendments which, I suggest, are self-explanatory. Proposed subsection (5) relates to an incorporation, many years ago, of the organisation, under an old Associations Incorporation Act; that incorporation has for many years had no force or effect, and this provision formally recognises the situation.

Clause 5 amends section 9 of the principal Act to provide for an Executive Director on the board of management and for one member of the board to be an employee of the institution elected by the employees. Clause 6 inserts a new section 10a of the principal Act to recognise formally the existing appointment of an Executive Director, and also inserts a new section 10b to enable annual "subscriptions" to be effectively increased. Clause 7 amends section 13 of the principal Act to give the board power to make rules in connection with the election of an employee of the institution to the board.

Mr. RUSSACK secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (MEETINGS)

Consideration in Committee of the Legislative Council's message that it insisted on its amendment No. 5 to which the House of Assembly had disagreed.

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

That disagreement to the Legislative Council's amendment No. 5 be insisted on.

There seems to be a great deal of hoo-hah about what is a fundamental principle associated with the Bill, which I do not think is really understood properly. It has been suggested from time to time that Parliament is taking away from councils their autonomy, so that councillors will not be able to determine when a council will meet. That is not the issue. The issue is whether the council should do this by the existing provision of a simple majority of those being present; by a unanimous choice, as was originally provided in the Bill; by a two-thirds majority, which was the principle of the amendment of the member for Glenelg which the Government insisted on; or by an absolute majority, the principle on which the Legislative Council has insisted ever since the matter went before it late last year.

As the present Act stands, some council members, perhaps elected unopposed, may be prevented from attending meetings. I know of one instance where a person elected by a substantial majority was prevented from taking his position on the council. It can be argued that that situation no longer prevails because the council concerned has changed its practice of holding daytime meetings to one of night-time meetings. I want to prevent a recurrence of this, and that is the whole purpose of this motion. I still hold the view that it should not be competent for council members, no matter how many of them there may be, to prevent an elected person from taking his seat on the council. In a spirit of compromise, however, I believe that half a loaf of bread, or that even a slice of bread, is better than none at all, but we have not been able to obtain even a slice. I think the amendment of the member for Glenelg as a compromise was fair and reasonable, and at that stage it had the unanimous support of this Chamber.

I am distressed to read the comments of the Leader in another place that there will be no compromise. It seems to me that, if we have reached the stage where the other place is not willing to discuss a different view between the two Chambers, we have reached a very low ebb, and I hope that the Committee will agree to the disagreement. I

hope that managers will be appointed and that on this occasion the Legislative Council will see fit to grant the conference that it denied us last year.

Mr. GOLDSWORTHY: I cannot support the motion. The Minister knows that the amendment of the Legislative Council was moved by the Opposition in this Chamber, and he knows perfectly well that it was defeated by the weight of Government numbers.

The Hon. G. T. Virgo: It was defeated on the voices: it was on the weight of nothing.

Mr. GOLDSWORTHY: He knows the Government defeated the amendment, and the Opposition had no option but to do what was considered to be the next best thing. The Minister has mentioned one isolated case of someone being prevented from sitting on a council, but the details of the incident are unknown to me. I believe it would be possible to find an isolated instance to prove just about anything. How the Minister thinks this compromise can overcome that situation, I do not know. I think the Minister's whole effort is rather hypocritical.

Mr. GUNN: I support the remarks of my colleague the member for Kavel, because he has clearly stated the position of members of my Party in regard to this matter.

The Hon. G. T. Virgo: DeGaris is still the boss!

Mr. GUNN: If one reflects for a moment and remembers what took place during the previous session one can recall the belligerent attitude the Minister adopted on that occasion. He tried to inflict on local government a course of action which was totally unsatisfactory to people living in outlying areas.

The Hon. G. T. Virgo: That's untrue.

Mr. GUNN: We know the Minister is a past master of contradiction and he is again proving that today. When this matter was before us a few weeks ago, the member for Kavel properly moved a motion, which was a compromise, and the Government, by sheer weight of numbers, defeated it.

The Hon. G. T. Virgo: That's untrue.

Mr. GUNN: However, the member for Glenelg moved an amendment, which was accepted. The Opposition supported the amendment moved by the member for Kavel, and our colleagues have insisted on it. It will be interesting to see the reactions of the member for Mitcham and his colleague, who is now absent from the Chamber and who, when this matter was last before us, was standing over a barbed-wire fence. I believe that the course of action taken by another place is the proper course to adopt.

Mr. MILLHOUSE: I am surprised at the attitude taken by the members of the so-called Liberal Party. They have had their noses rubbed in the dirt by their colleagues in another place. Even now, when the whole tradition of this Chamber is that we support the attitude taken by it as a whole not once but three times, Liberal Party members are still willing to toe the line dictated to them by their colleagues in another place, particularly by the honourable Mr. DeGaris, the Leader of their Party. I support the Minister, and I supported the compromise when it was unanimously supported in this place. I have supported it consistently ever since, and I note that the member for Glenelg supported the Minister when this matter was last before us.

Mr. Mathwin: It was my amendment.

Mr. MILLHOUSE: Yes. After what the member for Eyre said about the brief absence from the Chamber of the member for Goyder, we will see whether his Party calls for a division. I invite the honourable member to call for a division and I point out to him that the member for Goyder is now in the Chamber and that, if he wants to try to put him over a barbed-wire fence, he will have the opportunity of doing it. However, I do not believe that the so-called Liberals will call for a division. They want to be able to complain, but they do not want to stand up and be counted. Although I may be doing them an injustice, they will have the opportunity to confirm this. I support the motion.

Mr. COUMBE: I am not going to argue the technicalities advanced by the member for Mitcham. The whole question is whether or not the Bill should provide for a majority of the whole or for a situation in terms of the amendment moved by the member for Glenelg.

Mr. Millhouse: What did you do when he moved his amendment?

Mr. COUMBE: Read *Hansard*!

Mr. Millhouse: You supported it, as did all your colleagues.

Mr. COUMBE: Has the member for Mitcham ever changed his mind?

Mr. Millhouse: You changed your mind under pressure.

Mr. COUMBE: I resent any suggestion by my erstwhile friend that I have changed my mind because of outside pressure. I am willing to state my own views at any time, and they will be my own views.

Mr. Millhouse: Tell us why you've changed your mind!

Mr. COUMBE: The member for Kavel moved an amendment that was not accepted, and we took second best. Now we have an opportunity to improve on that. The Legislative Council's amendment is a fairer and better way, because it allows a majority of council members to decide their sitting hours. I support the amendment and oppose the Minister's motion.

The Committee divided on the motion:

Ayes (26)—Messrs. Boundy, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran, Crimes, Duncan, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Mathwin, McKee, McRae, Millhouse, Olson, Payne, Simmons, Slater, Virgo (teller), Wells, and Wright.

Noes (17)—Messrs. Allen, Arnold, Becker, Blacker, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy (teller), Gunn, McAnaney, Nankivell, Rodda, Russack, Tonkin, and Venning.

Pair—Aye—Mr. Langley. No—Mr. Wardle.

Majority of 9 for the Ayes.

Motion thus carried.

A message was sent to the Legislative Council requesting a conference at which the House of Assembly would be represented by Messrs. Goldsworthy, Harrison, Mathwin, Virgo, and Wright.

EXPLOSIVES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 25. Page 1148.)

Mr. EVANS (Fisher): I support the Bill, and believe that the moves being made are necessary. By the first major amendment, the Government is giving the magazine authority, through the Mines Department, the power to call for tenders for, rather than to auction, any material which is not claimed after being left at the Government magazine and on which the original owner has not paid the fees or dues. I have not had experience of having explosives left

at the Government magazine, but I have acquired explosives from the magazine and have received good service from the magazine personnel. They are cautious people and take every precaution necessary to make sure that no major problem is caused by an explosion.

Most citizens in Adelaide do not realise how much explosive is held on any day at Dry Creek, particularly by the Government authority, and it is to the credit of the persons at the magazine and to the whole department that we have not had a major catastrophe. I hope we never do have one. Explosions have occurred in other countries, and usually they occur when people become too familiar with their work and take risks that cause danger. The Bill takes away the burden of holding a public auction for perhaps only one box or a few boxes of explosives. Of course, large quantities also could be involved. The auction could take place only at either a licensed magazine, whether a Government magazine or otherwise, or at a place to which the explosives were transported. The present method is inconvenient, and it is only common sense to change it.

The other major amendment gives the department power to charge for the time that inspectors take to travel to a property, whether near the city or otherwise. The explosive could be at Coober Pedy or in any other remote country area where, because of a danger, it needs to be disposed of or taken by the department. Previously the Government (the community) has had to bear the cost and the person responsible for taking proper care of the explosive has escaped without paying. The Bill gives the department the power to charge the original owner of the explosives for the services of the inspectors in either disposing of the material or bringing it back to Dry Creek for safe storage. That will be a fair method, and it should be supported.

In my 22 years experience with inspectors in relation to quarries, I have found them to be fair. I think that sometimes they would have been justified in taking me to task or in taking to task other persons associated with me as employees or employers, because of the way we used explosives. The inspectors are reasonable and practical men. To the credit of the Mines Department, its officers are men of practical experience who take on the responsibilities of inspections and who are sensible in their approach to this work. I believe there has been only one death in this State since 1945 (when I became associated with quarries) as a result of misuse of explosives. Of course, that is one too many. In many other cases, both young people and even older people have experimented with explosives to try to avoid paying the high price of fireworks on Guy Fawkes day or to make fireworks to use in fishing or some other practice.

Credit for the excellent safety record that exists in quarrying operations, roadworks, the removal of heavy timber, and the construction field must go to those people who use explosives, to those with permits, and to those who police and inspect operations in those fields. When in the field one sometimes takes the department to task over the way the head of the department or his inspectors try to enforce the law, because it often places an increased financial burden on the operation.

A matter I should like to raise, although somewhat divorced from the Bill but associated to a degree, relates to the State Government Insurance Commission which, at present, refuses to accept insurance where there is any risk or where explosives are used. The commission will not cover operators for more than $40 000 even though the operator may insure his plant with the commission. The commission recently refused to accept a public risk coverage on an increase from $40 000 to $100 000 in relation to explosives. The commission must realise that Mines Department inspectors are strict and conscious of the public risk when people use explosives.

Inspectors have all the power in the world to ensure that members of the public are not injured or harmed by the activities of people using explosives where the operators hold permits or licences. If people use explosives outside that field, they are operating illegally and their operations are not a matter for insurance cover. It is worth making the point that the commission was set up to protect people and to offer all types of insurance to people who may be involved in accidents; however, the commission refuses to protect the public in the case of an accident occurring where a person was carrying out explosive work. I hope that the Minister of Education (as he is in charge of the Bill at present) will take up with the commission the point I have raised.

When this Bill was being debated in another place, the point was raised by the Hon. Mr. Story (and the Hon. Mr. Banfield, representing the Minister of Development and Mines, agreed with the point) that employees of the Mines Department were housed in poor accommodation and that they appeared to be a forgotten section. The Minister made the point, however, that efforts were being made to house employees in better accommodation. It is worth remembering that the Mines Department is a department about which we hear little and about which few complaints are received. In other words, it is effective, practical, and has no real problems, but it appears that, if one says nothing about the poor accommodation and accepts what is given, one becomes a member of the forgotten race.

If this Bill should pass, any person who holds a licence or permit to use explosives and who obstructs an inspector can be not only fined but can also lose his licence. I believe that is fair. I have no doubt that in the past the opportunity has been taken to cover up certain operations that may not have been completely honest and carried out as the department would have wished: for example, delaying an inspection by an inspector so that detection of an offence, whether small or large, could be prevented. I realise it is important to give the department power to take away permits: it is right and proper to do so. The department and the industry should be applauded for the grand record they have achieved in this field because, if explosives had not been used properly and policed properly, serious damage and heartbreak could have been caused in the community.

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

MARGARINE ACT AMENDMENT BILL

In Committee.

(Continued from September 25. Page 1152.)

Clause 2—"Commencement."

The Hon. HUGH HUDSON (Minister of Education): I move:

After "proclamation" to insert "not being a day that occurs before the first day of February, 1975".

The purpose of the amendment is obvious: it is to limit the time at which the legislation can be brought into force by proclamation.

Amendment carried; clause as amended passed.

Clause 3—"Interpretation."

Mr. DEAN BROWN: I move:

After paragraph *(a)* to strike out "and"; and to insert the following new paragraph:

and

(c) by inserting after the definition of "place" the following definition:

"polyunsaturated margarine" means table margarine—

(a) that contains no animal fats or oils and no fat or oil produced elsewhere than in Australia and no fat or oil obtained from any product produced elsewhere than in Australia;

and

(b) in which the total fatty acids present contain not less than forty per centum cis-methylene interrupted polyunsaturated fatty acids and not more than twenty per centum saturated fatty acids:

I support the principle of the eventual abolition of margarine quotas. However, it is important to protect two sectors of the industry. First, we should allow the dairying industry to adapt as quickly as possible to the likelihood of a greater threat from the table margarine industry. This will require quotas to be phased out gradually. Secondly, we should allow the new dairy blend product to become established on the market before it is flooded with table margarine. It would be most unfortunate, now that this new product is developed, if it were swamped by the various margarine manufacturers.

Last week I said that all available oils used in margarine were produced in Australia. However, my figures were about three years old and applied to only one year. At present, only about 50 per cent of the vegetable oil used in table margarine is actually produced in Australia.

Consumers throughout Australia are concerned about their state of health. At present there is a great demand (whether it is justified is another matter) for polyunsaturated margarine, margarine produced wholly from vegetable oils with a ratio of polysaturated to unsaturated fats of two to one. Because of the great demand, certain sections of the margarine industry have falsely created publicity about a shortage in polyunsaturated margarine. In Canberra, Mr. Dawson is paid about $30 000 to lobby for certain sectors of the margarine industry. His main employer is Unilever Corporation, not the Australian companies.

The Australian Labor Party in this State and federally has made certain promises to Mr. Dawson and his backers with respect to margarine quotas. For this reason, certain accusations have been made by a member of Parliament in Queensland against the A.L.P. I understand that a five-figure sum was given by Unilever to the A.L.P. to help in its campaign for the Commonwealth election earlier this year. The following report appears in the *Warwick Daily News* of August 29, 1974:

Queensland M.P. claims A.L.P. was bribed by Unilever. The Commonwealth A.L.P. was accused in State Parliament yesterday of accepting a five-figure campaign contribution from the multi-national Unilever Corporation in return for a political favour. The charge was made by Mr. Ahern (N.P. Landsborough).

If the legislation is adopted, it will be interesting to see which company benefits most. To produce margarine in South Australia, it is necessary to have a licence as well as a quota. The only company in South Australia that has a licence and a quota to produce table margarine is Unilever. No wonder the Government has come forward with a Bill of this kind. If the claim to which I have referred is correct (and I do not know whether it is), obviously Unilever is the one company that will benefit.

Mr. McAnaney: Is it a pay-off?

Mr. DEAN BROWN: I think that could be suggested, although I would not like to do so, because I hope members opposite have more principles than that. One company in South Australia that has a licence to produce margarine is Marrickville Margarine Proprietary Limited, but it does not have a quota. Therefore, if the quotas are abolished altogether we can see two companies involved. The Government has not yet said publicly that it will give a licence to other margarine manufacturers. Unless it does so, it is throwing open quotas in this country for the benefit of two margarine manufacturers. I understand that the Minister of Agriculture has privately given an assurance that further licences will be issued. However, the assurance has not been made publicly, and I heard about it only third-hand. I should like an undertaking immediately from the Minister whether this is Government policy. If it is not, we can assume the worst: that possibly Unilever is being paid off.

First, we must satisfy the needs of the South Australian public for polyunsaturated margarine. In my amendments, quotas in relation to polyunsaturated margarine are abolished. For five months, I would like to protect the new dairy blend manufacturers to give them the opportunity to obtain part of the market. In addition, for a short period initially we should protect the dairying industry. The industry must be allowed to adapt to any necessary changes. Unilever apparently has 54.4 per cent of the cooking margarine market in Australia, representing a growth since 1962-63 of 1 500 per cent. All other cooking margarine manufacturers have increased their market in the same time by only 210 per cent.

How has Unilever achieved that growth? It has not done so by undercutting the prices of others. The average price for a Unilever product is 5c a pound higher than that charged by other manufacturers. The amount spent by Unilever accounts for 76.7 per cent of the total funds spent on advertising cooking margarine. No doubt the same situation will apply as that which applied in the soap industry when, in the judgment of the Prices Justification Tribunal, an unreasonable amount was spent on advertising. Perhaps it is a rigged market whereby companies compete through advertising and not on a price basis. I understand that Unilever spent $434 670 on advertising cooking margarine, and that company has obtained a large part of the market. No doubt the company will do the same with table margarine, and it staggers me that this Government is willing to help multi-national corporations rather than Australian companies.

We have introduced a definition for dairy blend and one for polyunsaturated margarine. Cooking margarine must have more than 90 per cent mutton and beef fat or oil, and table margarine must have less than 90 per cent. Therefore, a table margarine could be produced with 89 per cent animal fat and 11 per cent vegetable oil, but the product would have no relation to polyunsaturated margarine, which is wholly vegetable oil. The public could be fooled by two products being sold under the same name of table margarine. I suggest that quotas on polyunsaturated margarine be lifted, but not on other table margarines that could contain up to 89 per cent animal fat, because such a product should be produced under the present quota system.

The quotas on polyunsaturated margarine should be lifted from July 1, 1975. That would allow time for dairy blend to establish a market, for manufacturers to apply to the State Government for a licence to produce table margarine, and for companies to establish plants in this State.

I have tried to help Australia's vegetable oil industry, which now faces depressed prices and produces about 50 per cent of the total requirement of Australian margarine manufacturers. The most important oils are safflower, sunflower, and cotton-seed, although rape seed oil is also used. However, some varieties contain erucic acid, which may be a health hazard. Mr. Dawson, the advocate for Unilever, has claimed that sufficient oils are produced in Australia to satisfy the Australian margarine market. That may have been the case three years ago and, if it is so now, we should insist that all vegetable oils used in margarine are produced in Australia.

The Hon. Hugh Hudson: What margins of cost would you pay for that Australian requirement?

Mr. DEAN BROWN: I do not think it would significantly affect the price of margarine. I have included in my amendments a definition of polyunsaturated margarine, and this is the first time that such a definition has appeared. Also, I have included two requirements for this margarine. My amendments protect the Australian industry on what I consider to be a reasonable basis: first, we protect the Australian margarine manufacturer; secondly, we protect the interest of the Australian consumer who requires unlimited quantities of polyunsaturated margarine; thirdly, we protect on a short-term basis the potential manufacturers of dairy blend; and fourthly, we protect the dairy industry for five months to allow it to adapt to any potential threat to the industry. It is done on a reasonable basis. This schedule will allow time for dairymen to phase out from butter production to some other use of dairy products or to move from dairy products to some other field altogether. The amendments are logical; they are in the interests of all Australians; and no Government member could possibly condemn them in any way. Therefore, I have great pleasure on behalf of the Opposition in moving these amendments.

Progress reported; Committee to sit again.

[Sitting suspended from 4.22 to 4.43 p.m.]

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

In Committee.

(Continued from September 26. Page 1180.)

Clause 3—"Interpretation."

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

In the definition of "small claim" to strike out paragraph *(d)* and insert the following new paragraph:

> *(d)* upon a cause of action of a kind declared by the Attorney-General, by notice published in the *Gazette,* to be a cause of action upon which a small claim may be founded:

The reason for this amendment is partly the point raised by the member for Mitcham in the second reading debate that one of the Acts contemplated as giving rise to a small claim, namely, the Manufacturers Warranties Act, 1974, is not yet an Act. When the Bill under discussion was drafted, it was expected that it would follow the Manufacturers Warranties Bill, but the latter Bill remains on the Notice Paper, and it would be odd to insert in the Bill under discussion a provision regarding a measure that has not been passed.

In considering that aspect, it has occurred to me that it is likely that we will want to include in the small claims jurisdiction matters arising under Acts of a consumer kind that this Parliament will pass in future. Doubtless, we have not seen the end of legislation designed to protect the public. It would be unfortunate if, every time we wanted to bring something within the small claims jurisdiction, we had to amend the principal Act or include a provision in the special Act. If we did that, people would have to go to a lawyer to find out whether a certain matter was dealt with under this Act or by special Act. A satisfactory way to solve the problem seems to be to provide that the Attorney-General may publish in the *Gazette* a notice that a cause of action is to be a cause of action upon which a small claim may be founded. Although this sort of provision may be open to criticism, in some circumstances, it will do no harm here.

Mr. Coumbe: Is this better than by regulation?

The Hon. L. J. KING: I suppose there is regulation-making power in the principal Act, but I do not know whether it is necessary to make regulations on a point like this. It is not a thing that can be abused, really. It can apply only to claims for amounts under $500, and I do not think it possible to conceive of any motives that an Attorney-General could have for putting in something that ought not be a small claim. If it were abused, Parliament could amend the Act.

Mr. MILLHOUSE: The Attorney-General is probably correct. Theoretically, we are giving away a power of legislation, but I think there is not too much danger in it and I will support it. However, I wonder about the phrase "upon a cause of action of a kind declared". How will the Attorney describe causes of action? It is easy enough to say that it applies to actions arising under a certain Act, but he goes further and makes it a general power to declare other sorts of action also. The Attorney has not done anything about the term "quasi-contractual obligation" in paragraph *(b)* of the definition of "small claim" that I queried previously. I wonder how the Attorney will proceed under that power of which I do not approve but with which he has been provided.

The Hon. L. I. KING: As to the quasi-contractual obligation, I thought I had followed the excellent example of the member for Mitcham, when Attorney-General, because he put that provision into the Local Courts Act in 1969. To be fair to him, however, he may have inherited it, because I did not check back beyond 1969. If he inherited it, he adopted it, but I suspect he put it in. Section 42 (1) of the Local Courts Act provides:

> Except where the action has been removed into the Supreme Court by the defendant, in any action in the Supreme Court for any cause of a kind that is within the jurisdiction of a local court, where—
>
> *(a)* the plaintiff recovers a sum in an action founded on contract or on a quasi-contractual obligation that does not exceed the amount of the local court jurisdictional limit;
>
> or
>
> *(b)* the plaintiff recovers in an action founded on tort a sum that does not exceed one-fifth of the amount of the local court jurisdictional limit,
>
> the plaintiff shall have judgment to recover that sum only and no costs, unless the Judge trying the action or, if there was no trial, a Judge of the Supreme Court in chambers otherwise orders.

So the phrase used here is one that is enshrined in that Act, and it is at least as certain in its meaning now as it was in 1969. I believe it was properly inserted previously, and it was inserted for the reason I referred to during the debate (that, where there are actions treated by the text writers under the heading of "quasi-contractual", I believe they are sufficiently well understood to be used in an Act of Parliament). They are certainly used in the existing Act. Concerning the phraseology to which the honourable member refers, we are simply following the language of paragraph *(d)* and relating it to two specific acts. It would be open to the Attorney-General simply to declare a cause

of action arising under the Manufacturers Warranties Act (1974, 1975, or whatever it is) or any other Act he cares to name. I believe it is covered adequately.

Mr, MILLHOUSE: I enjoyed watching members on both sides enjoying my discomfiture over quasi-contractual. I accept what the Attorney-General said. It reminds me of a case I had in court a few years ago when the interpretation of a provision fell to be determined. Some very harsh things were said to me by the court about what Parliament had inserted on my suggestion. I am in the same position today. I can say nothing more about section 4 (2) *(d)*. It must be a good way of describing a cause of action. I am not really happy about the other matter, though; however, it is not worth pursuing, except to say that the Attorney did not really answer the point I made but simply repeated what he had said. It is all very well to say "a cause of action arising under a specific Act", but the way this amendment is drafted is not limited to such a description and could apply to any cause of action arising under common law as well as Statute. That is what I am worried about.

The Hon. L. J. KING: I acknowledge that; I did not mean to evade it. I believe this is a useful provision, if only for the reason given by the honourable member in relation to "quasi-contractual obligation". It seems to me to be a useful provision to have to cover any possibility that some cause of action, which could be the subject of a small claim, does not fall as the court interprets it within actions of contract, in tort, or on quasi-contractual obligation.

Amendment carried.

The CHAIRMAN: There are on honourable members' files amendments to clause 3 in the names of both the honourable Attorney-General and the honourable member for Mitcham. In this clause, both members seek to insert new paragraph *(b)*, and I intend proceeding first with the amendment of the honourable member for Mitcham. However, to safeguard the amendment of the honourable Attorney-General, I will only put to the Committee portion of the amendments of the honourable member for Mitcham. Both members seek in their new paragraph *(b)* to insert the words "by striking out". I will therefore put the question that these words be inserted. If the Committee agrees to these words, I will then put a further part of the honourable member for Mitcham's amendment, namely, that the words, "from paragraph *(a)*" be inserted.

If this latter amendment is agreed to, I will proceed further with the amendment of the honourable member for Mitcham. However, should it be negatived, I will regard the whole amendment as having been negatived and will then proceed to deal solely with the amendment of the honourable Attorney-General.

Mr. MILLHOUSE: I move:

After "amended" to insert "*(a)*"; and to insert the following new paragraphs:

(b) by striking out from paragraph *(a)* of the definition of "the local court jurisdictional limit" in subsection (2) the word "ten" and inserting in lieu thereof the word "fifteen";

and

(c) by striking out from paragraph *(b)* of the definition of "the local court jurisdiction limit" in subsection (2) the word "eight" and inserting in lieu thereof the word "twelve".

I am content with what you said, Mr. Chairman. The effect of my amendments is to raise the jurisdiction of the Local Court. The Bill, as drafted, provides no increase in the jurisdictional limit of the Local Court. The limits were last changed in 1969 when the intermediate jurisdiction of the court was set up. As then Leader of the Opposition, the Premier bitterly opposed the introduction of this jurisdiction. I remember that, on the day the new court first sat, the Attorney-General did not refer to the position taken on the matter by his colleagues; all he said was that the origin of the whole scheme had been in a memorandum that he had submitted some years earlier to the Law Society. That was one of my early clues to his character. In 1969, the upper limit of the jurisdiction of the Local Court was set at $10 000 in road accident or running-down cases and $8 000 in all other civil cases, with the limited jurisdiction limit being $2 500. Those limits were fixed then after much thought by the then Government and after I had had long conversations with many people, including members of the profession, members of the Law Society, and the Supreme Court judges. Although my first proposals were for higher sums, I was persuaded that the sums to which I have referred were appropriate.

The intermediate jurisdiction has worked exceedingly well, speeding up hearings and removing a load from the Supreme Court. In fact, by this time, without the new jurisdiction, the load on the Supreme Court would have been insupportable. Since 1969, the value of money has declined considerably. In addition, the Local Court has so proved the value of this jurisdiction as to warrant an increase in it. In my amendments, I propose to increase the limit in running-down cases from $10 000 to $15 000; in ordinary civil cases, from $8 000 to $12 000; and in limited jurisdiction (magistrates' cases) from $2 500 to $4 000. Although these increases are rather more than would represent the corresponding decline in the value of money, I hope members will agree that they are justified. I do not think that an increase up to $20 000 is justified.

In my amendments, I retain the distinction between running-down cases and other cases, as road accident cases are less complicated than are civil matters concerning contracts or other causes of action. The increase I propose will further relieve the burden on the Supreme Court judges by giving more work to the Local Court. The last thing we should do is so increase the number of Supreme Court judges as to reduce the standing of the court. I would rather see an increase in the number of Local Court judges. I believe we should increase the jurisdictions to the amounts I have suggested, and I oppose any greater increase.

The Hon. L. J. KING: It is true that in 1964, I think, I prepared a memorandum (when I was a member of the Council of the Law Society, and I still am a member) suggesting the introduction of an intermediate jurisdiction for judges. My memorandum was followed shortly after by one from Miss Roma Mitchell, Q.C. (as she then was: now Justice Mitchell), who supported my view, and the Council of the Law Society constituted a committee to devise proposals to establish an intermediate Judiciary. The decision to establish it was taken by the Hall Government, no doubt on the recommendation of the member for Mitcham as Attorney-General. I supported that decision at the time and since then have consistently propounded those views, which have been justified by the way in which the intermediate Judiciary has affected the administration of justice.

It has been an outstanding success, has relieved much of the burden of the Supreme Court, and has generally provided a service that commands the confidence of the legal profession and of litigants. The time has come, however, to increase substantially the jurisdiction of judges of the Local Court. By how much, is a matter of judgment and degree. One of the important factors is a comparison of

the work load of courts. The present civil list in the Supreme Court is at least 15 months behind, and the rate at which actions are being set down indicates that unless something is done the backlag will soon be much greater. The sittings of the Full Court are increasing in length, and we can expect the civil list to get further behind. No doubt we will have to face the question of increasing the number of judges in the Supreme Court, but that decision will involve problems of courts and chambers. We should not increase the number of judges in that court so that it is beyond the capacity of the legal profession to provide judges with the qualities that we are entitled to expect of judges of the Supreme Court.

I have discussed this matter with the Senior Judge of the Local Court, and he said that his court could absorb the jurisdiction up to $20 000 without the need to appoint additional judges. The increase to $20 000 would also give substantial relief to the Supreme Court, and I have discussed this matter with the Acting Chief Justice who agrees. The Law Society has taken an adverse attitude and does not favour the increase in jurisdiction of the Local Court beyond the present monetary limits, but no cogent reasons have been advanced for this attitude. I believe we should abolish the distinction between a running-down personal injury case and other cases. The same amount is often involved, as are the rights of parties and their interests, and one cannot assume that a personal-injury case will involve less difficult questions of fact or law than do other cases. I oppose the amendments moved by the member for Mitcham only because, if they are defeated, I intend to move to increase the jurisdiction of the Local Court to $20 000 for all types of action within its jurisdiction.

Dr. EASTICK (Leader of the Opposition): I support the amendments to be moved by the Attorney-General. We are considering more than just the immediate matter now before the Committee but, as discussion on these matters has ranged over a wide area, I accept the information given by the Attorney-General and his assurances on the nature of the discussions he has had with the Senior Judge in both jurisdictions. However, can he comment on the Law Society's argument, which is different from the detail put forward by several members of the society who are not necessarily members of the society's council? It is with that in mind, and with assurances from people outside who practise in these various areas, that I support the action the Attorney-General has outlined and oppose the amendments now before the Committee.

The Hon. L. J. KING: The society's council passed a resolution opposing the increase in the jurisdiction and advised me of it. However, I do not think that the society's letter indicates any real reason. As I was not present at the meeting at which the resolution was passed, I do not know what views were put forward. I agree with the Leader: many lawyers have said to me, "When are you going to increase the jurisdiction of the judges in the Local Court?" I was therefore surprised at the resolution. I cannot give the Leader any more information than that.

Mr. MILLHOUSE: As the Attorney has said, it is a matter of judgment on what the increase, if any, should be, and I do not intend to argue for my sum against his. I only make the point, particularly for the benefit of the Leader and his followers, that it is significant that the society has expressed opposition not only to the Attorney's proposal but also to mine. The society does not favour an increase. I did not know that a resolution to that effect had been passed, but it does not surprise me, because several members of the profession, whom I see often, whom I respect, and who are somewhat senior men, have said, "What on earth are you doing that for? It's unnecessary and undesirable."

I give the Attorney that information as a caution, and that is why, having put my amendments on file and learned of his, I have decided to go no further than the amendments I have on file, because they represent, I believe, as good a compromise between his view and what he says is the view of Their Honors the Local Court judges and the society's view. Whether the society's view reflects absolutely accurately the view of the profession one cannot tell, but we must assume that it does, because the members of the society's council are elected by their colleagues. Bearing that in mind, I think that the increase in my amendments is both justified and justifiable, so I intend to adhere to them and, if I am defeated on the voices, divide on them.

The Committee divided on Mr. Millhouse's amendments:

Ayes (2)—Messrs. Boundy and Millhouse (teller).

Noes (40)—Messrs. Allen, Arnold, Becker, Blacker, Broomhill, Dean Brown, and Max Brown, Mrs. Byrne, Messrs. Chapman, Coumbe, Crimes, Duncan, Dunstan, Eastick, Evans, Goldsworthy, Groth, Gunn, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McAnaney, McKee, McRae, Nankivell, Olson, Payne, Rodda, Russack, Simmons, Slater, Tonkin, Venning, Virgo, Wells, and Wright.

Majority of 38 for the Noes.

Mr. Millhouse's amendments thus negatived.

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

(b) by striking out the definition of "the local court jurisdictional limit" in subsection (2) and inserting in lieu thereof the following definition:

"the local court jurisdictional limit" in relation to an action or a claim means a limit of twenty thousand dollars:

I have already explained my reasons for moving this amendment.

Mr. MILLHOUSE: I accept the situation that the limit will be increased to $20 000. Does the Attorney intend to increase the limit of limited jurisdiction matters?

The Hon. L. J. King: No.

Mr. MILLHOUSE: If the Attorney raises the limit to $20 000, when I wanted to make the respective limits $12 000 and $15 000, why will he not increase the limited jurisdiction from $2 500 to $4 000? I understand he will not do that, although his refusal to do so will be a bit of a smack in the eye for the magistrates.

The Hon. L. J. KING: I thought it would be better dealt with when the honourable member moved the amendment.

Mr. Millhouse: I am not going to move it now; there's no point.

The Hon. L. J. KING: That is rather a shame, because I had most of the honourable member's amendments ticked; in fact, it will rather confuse the issue if they are not moved.

Amendment carried; clause as amended passed.

Clause 4 passed.

New clause 4a—"Jurisdiction of courts of full jurisdiction."

Mr. MILLHOUSE: I move to insert the following new clause:

4a. Section 31 of the principal Act is amended by striking out the passage "eight thousand dollars" wherever it occurs and inserting in lieu thereof in each case the passage "twelve thousand dollars".

If the Attorney is relying on my moving these amendments, I shall do so. I should like to know whether we are to increase the limited jurisdiction.

The Hon. L. J. KING: I oppose this new clause, as it is consequential on what we have already discussed. If this new clause is defeated, I will take it that the increase in the jurisdiction should be to $20 000.

New clause negatived.

New clause 4a—"Jurisdiction of courts of full jurisdiction."

The Hon. L. J. KING moved to insert the following new clause:

4a. Section 31 of the principal Act is amended by striking out the passage "eight thousand dollars" wherever it occurs and inserting in lieu thereof in each case the passage "twenty thousand dollars".

New clause inserted.

New clause 4b—"Jurisdiction of courts of limited jurisdiction."

Mr. MILLHOUSE: I move to insert the following new clause:

4b. Section 32 of the principal Act is amended by striking out the passage "two thousand five hundred dollars" wherever it occurs and inserting in lieu thereof in each case the passage "four thousand dollars".

Perhaps the Attorney will now give me the explanation about limited jurisdiction cases that I have sought already about three times.

The Hon. L. J. KING: What the limit should be is largely a matter of judgment and degree. The fact is that the magistrates in the local court at present are fully occupied. The civil jurisdiction of magistrates in South Australia at $2 500 still exceeds substantially the civil jurisdiction of magistrates in other States. There is a substantial degree of uncertainty which attends the present situation and which causes me concern. We have appointed many young, excellent magistrates who are working extremely well, but we face the position in which senior magistrates in the Local and District Criminal Courts Department are nearing (and I think at least one has attained) the optional retiring age of 60 years. I do not know what they intend to do but, if they retire at the age of 60 years, the civil jurisdiction in the Local Court could be exercised by relatively junior magistrates; indeed, we are already in that position in country areas.

I regret that the member for Mitcham should suggest I was having a slap at the magistrates: nothing could be more absurd, and it was not a worthy suggestion. We should take care when increasing jurisdiction to ensure that senior and experienced officers are available to exercise the responsibility involved, particularly in country areas in which we now cannot provide a senior magistrate to take a specific case, which has to be heard by the magistrate for the district. The limit of $2 500, which is the civil jurisdiction of magistrates, is higher than the amount allowed in other States. While the judges can handle the additional work, we should leave the situation as it is, but, if extra judges had to be appointed to handle the work, a different approach to the matter might have to be made.

Mr. MILLHOUSE: The Attorney's actions speak louder than his words, and it is a reflection on the ability of magistrates that he has refused to support what is a small increase.

The Hon. L. J. King: Was it a reflection on the judges when you would not go to $20 000?

Mr. MILLHOUSE: No, indeed.

The Hon. L. J. King: How do you explain it?

Mr. MILLHOUSE: It was I, on your own admission, who precipitated the increase at all.

The Hon. L. J. King: You had your chance to go to $20 000.

Mr. MILLHOUSE: For the reasons I have given, I do not regret my actions. To refuse such a modest increase, which is less than the increases the Attorney has made in the jurisdiction of Local Court judges, is a reflection on magistrates.

New clause negatived.

New clause 4b—"Repeal of section 32a of principal Act."

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

4b. Section 32a of the principal Act is repealed.

The new clause abolishes the distinction between personal injury and other claims, and I have already given my reasons for it.

New clause inserted.

New clause 4c—"Cost where plaintiff sues in Supreme Court."

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

4c. Section 42 of the principal Act is amended by striking out from paragraph *(b)* of subsection (1) the words "one-fifth" and inserting in lieu thereof the words "one-half".

Section 42 of the principal Act provides:

Except where the action has been removed into the Supreme Court by the defendant, in any action in the Supreme Court for any cause of a kind that is within the jurisdiction of a local court where:

(a) the plaintiff recovers a sum in an action founded on contract or on a quasi-contractual obligation that does not exceed the amount of the local court jurisdictional limit;

or

(b) the plaintiff recovers in an action founded on tort a sum that does not exceed one-fifth of the amount of the local court jurisdictional limit,

the plaintiff shall have judgment to recover that sum only and no costs, unless the judge trying the action or, if there is no trial, a judge of the Supreme Court in chambers otherwise orders.

The purpose of the section is to discourage people from bringing actions in the Supreme Court that ought to be brought in the Local Court. It is important to provide incentives or disincentives, as the case may be, to ensure that the parties to litigation and their legal advisers make use of the increased jurisdiction we are providing for the Local Court. The Law Society has pointed out that the sum of one-fifth in actions in tort is neither a real incentive nor a disincentive and that it would be more appropriate that it be increased. A party's legal advisers should be able to advise the party, at least to the extent of 50 per cent, that his claim can be dealt with in the Local Court instead of in the Supreme Court. It is an important purpose of the Bill to reduce the number of cases set down in the Supreme Court and to have cases already in the Supreme Court removed out of it into the Local Court list. Some penalty needs to be imposed on those who insist on setting cases down in the Supreme Court when the avenue of the Local Court is provided for them.

New clause inserted.

New clause 4d—"Action of replevin may be commenced in Supreme Court."

Mr. MILLHOUSE moved to insert the following new clause:

4d. Section 46 of the principal Act is amended:

(a) by striking out from subsection (2) the passage "two hundred dollars" and inserting in lieu thereof the passage "three hundred dollars";

and

(b) by striking out from subsection (2) the passage "forty dollars" and inserting in lieu thereof the passage "sixty dollars".

New clause inserted.

New clause 4e—"Appeal from Local Court to Full Court."

Mr. MILLHOUSE moved to insert the following new clause:

4e. Section 58 of the principal Act is amended:

(a) by striking out from subsection (1) the passage "two hundred dollars" wherever it occurs and inserting in lieu thereof in each case the passage "three hundred dollars";

and

(b) by striking out from subsection (3) the passage "two hundred dollars" and inserting in lieu thereof the passage "three hundred dollars".

New clause inserted.

New clause 4f—"Mode and effect of appearance."

Mr. MILLHOUSE moved to insert the following new clause:

4f. Section 98 of the principal Act is amended by striking out from subsection (6) the passage "two thousand five hundred dollars" and inserting in lieu thereof the passage "four thousand dollars".

The Hon. L. J. KING: I cannot be as obliging on this new clause, which relates to the jurisdiction of magistrates.

New clause negatived.

Clause 5—"Right of appearance."

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

(3) Where a person has the conduct of an action or proceeding in any local court by virtue of rights of subrogation conferred on him by contract or by operation of law, the court may permit that person to appear as a party to the action or proceeding.

The amendment is designed to meet the point raised by the member for Bragg during the second reading debate. There are situations, as a result of contracts between parties (for instance, in regard to a policy of insurance) or the operation of the law (such as the law regarding guarantees), where one person becomes entitled to prosecute an action in the name of another. If an insurance company pays out a claim to the insured, the insurance company is subrogated to the rights of the insured against any other person that may have caused the damage and it can prosecute an action. A guarantor is subrogated to the rights of the debtor and is entitled to prosecute any claim that the debtor may have against other parties.

In those circumstances, it seems appropriate that the person who has obtained these rights by subrogation should be entitled to appear in the case rather than the party whose name appears in the proceedings but who has no real interest in the outcome of the proceedings and is taking no part in them. The amendment is couched in a permissive form. I can conceive of situations in which both parties may turn up, both the actual party in the proceedings and the party that claims to conduct the proceedings by subrogation. If there were a dispute of that sort about who should appear, the court would have to decide, so I do not think we can confer an absolute right on the insurance company, the guarantor, or whoever else, to appear in person.

Mr. MILLHOUSE: I support the amendment and express appreciation for the astuteness of the member for Bragg. I do not know whether he raised it on his own behalf or whether he was prompted, but this was the most significant point raised during the second reading debate. In most small claims, where an insurance company sues for the cost of repairs to a vehicle, the owner of the vehicle has long since forgotten about the accident and does not want to be brought into the matter, but this would be impracticable (because the action must be taken in the name of the owner of the vehicle, the insured) if we did not include this provision. I see that the Leader is looking suspiciously at the member for Bragg because of what I have said, and I am sorry if I have embarrassed that honourable member within his Party.

One other point may be worth checking and perhaps attending to in another place. When I was in amalgamated practice, I acted for Lloyd's underwriters, particularly Edward Lumley and Sons (South Australia) Proprietary Limited. I think that, besides the State Government Insurance Commission, Lumley's is the only insurance company that accepts third party insurance, and it handles much comprehensive insurance as well. Harvey Trinder and perhaps one or two other companies represent underwriters. We always had a problem about a representative action. We used the name William Starling Lark, when necessary, as the name of a party. In other cases, the insurance company would be named as a party. In fact, the representative person is not the only insurer: he is simply the representative of underwriters at Lloyds. Looking at this and considering it strictly as a court would consider it if the point were ever taken, I wonder whether it is sufficiently comprehensive to cover the case of underwriters. Perhaps it may be worth getting in touch with the Lumley company and Harvey Trinder to check that they will be able effectively to operate under this provision as drawn; otherwise it would be grossly unfair to those carrying on business in this way.

The Hon. L. J. KING: I will check the point. I have not had representations from the Lumley company.

Mr. Millhouse: It may not know about it.

The Hon. L. J. KING: True, but I should have thought the company would be aware of it. I will contact it. to see whether there is any problem.

Dr. TONKIN: I thank the member for Mitcham for his congratulations. This matter was brought to my attention. It was not picked up by insurance companies: it was pointed out to me by a practitioner who does much work in this sphere. I am grateful that the problem has been solved. I have learned much about the law of subrogation in this way.

Amendment carried; clause as amended passed.

Clause 6 passed.

New clause 6a—"In case of sickness, etc., the court may suspend execution."

Mr. MILLHOUSE moved to insert the following new clause:

6a. Section 165 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "two hundred dollars" and inserting in lieu thereof the passage "three hundred dollars";

and

(b) by striking out from subsection (2) the passage "two hundred dollars" and inserting in lieu thereof the passage "three hundred dollars".

New clause inserted.

New clause 6b—"What goods may be taken in execution."

Mr. MILLHOUSE moved to insert the following new clause;

6b. Section 168 of the principal Act is amended by striking out the passage "forty dollars" and inserting in lieu thereof the passage "sixty dollars".

New clause inserted.

New clause 6c—"Compensation in vexatious cases."

Mr. MILLHOUSE moved to insert the following new clause:

6c. Section 181 of the principal Act is amended by striking out from subsection (2) the passage "forty dollars" and inserting in lieu thereof the passage "sixty dollars".

New clause inserted.

New clause 6d—"Judgment of local courts may be removed into Supreme Court in certain cases."

Mr. MILLHOUSE moved to insert the following new clause:

6d. Section 196 of the principal Act is amended by striking out from subsection (1) the passage "two hundred dollars" and inserting in lieu thereof the passage "three hundred dollars".

New clause inserted.

New clause 6e—"Proceedings for recovery of premises and rent where term has expired or been determined by notice."

Mr. MILLHOUSE moved to insert the following new clause:

6e. Section 216 of the principal Act is amended by striking out from subsection (1) the passage "two thousand one hundred and twenty dollars" and inserting in lieu thereof the passage "three thousand one hundred and eighty dollars".

New clause inserted.

New clause 6f—"Proceedings in action for recovery of possession when rent is one half-year in arrears."

Mr. MILLHOUSE moved to insert the following new clause:

6f. Section 228 of the principal Act is amended by striking out from subsection (1) the passage "two thousand one hundred and twenty dollars" and inserting in lieu thereof the passage "three thousand one hundred and eighty dollars".

New clause inserted.

The CHAIRMAN: Does the honourable member for Mitcham intend to proceed with the insertion of new clause 6g, which appears on the file?

Mr. MILLHOUSE: No, Sir.

The CHAIRMAN: On members' files there are again amendments in the names of both the honourable Attorney-General and the honourable member for Mitcham. Both honourable members seek to insert a new clause in the Bill, and on my perusal of the proposed new clauses they appear to be identical, in that both members seek to strike out certain amounts from section 259 of the principal Act with a view to inserting new amounts in lieu thereof. However, in each case the sum proposed to be inserted by the honourable member for Mitcham is less than the sum proposed by the honourable Attorney-General. Standing Order No. 421 states:

When there comes a question between the greater and lesser sum, or the longer or shorter time, the least sum and the longest time shall be first put to the question.

In accordance with that Standing Order, I therefore propose to put the amendments of the honourable member for Mitcham first and, if they are agreed to, it will not then be in order for the honourable Attorney-General to proceed with his amendments. However, if they are negatived, the honourable Attorney-General will be able to proceed.

New clause 6h—"Extent of special jurisdiction."

Mr. MILLHOUSE; I move to insert the following new clause:

6h. Section 259 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "eight thousand dollars" wherever it occurs and inserting in lieu thereof in each case the passage "twelve thousand dollars";

(b) by striking out from subsection (1) the passage "ten thousand dollars", twice occurring, and inserting in lieu thereof in each case the passage "fifteen thousand dollars";

and

(c) by striking out from subsection (1) the passage "two thousand one hundred and twenty dollars", twice occurring, and inserting in lieu thereof in each case the passage "three thousand one hundred and eighty dollars".

Will the Attorney-General comment on paragraph (c)? Is he against that?

The Hon. L. J. KING: I shall tell the honourable member about that tomorrow. Meanwhile, I ask that progress be reported.

Progress reported; Committee to sit again.

ADJOURNMENT

At 5.59 p.m. the House adjourned until Wednesday, October 2, at 2 p.m.