HOUSE OF ASSEMBLY

Thursday, October 10, 1974

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

EXPLOSIVES ACT AMENDMENT BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

SOUTH AUSTRALIAN MUSEUM BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

PETITION: COUNCIL BOUNDARIES

Dr. EASTICK presented a petition signed by 111 persons stating that they were dissatisfied with the first report of the Royal Commission into Local Government Areas, and praying that the House of Assembly would not bring about any change or alteration of boundaries.

Petition received.

OMBUDSMAN'S REPORT

The SPEAKER laid on the table the report of the Ombudsman for 1973-74.

QUESTIONS

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

WATERLOO CORNER

In reply to Mr. RUSSACK (September 26).

The Hon. G. T. VIRGO: The delay in completing construction of the Waterloo Corner intersection on the Port Wakefield Road has been caused by difficulties associated with the acquisition of Mr. Piscioneri's property. The difficulties have now been resolved, and work is proceeding as quickly as possible. It is expected that reconstruction at Waterloo Corner will be completed by mid-February, 1975.

PORT WAKEFIELD ROAD

In reply to Mr. BOUNDY (September 26).

The Hon. G. T. VIRGO: The Highways Department construction gang located at Two Wells will remain operative until the completion of the construction of the Two Wells to Dublin section of the Port Wakefield Road and the duplication at Waterloo Corner. Further construction work on the Port Wakefield Road is subject to the availability of funds from the Australian Government under the National Highways Act. On the basis of present priorities, construction of the next stage, the Virginia by-pass, has not been included in the department's present advance construction programme. Termination of work will inevitably mean a rearrangement of personnel comprising the Two Wells gang. However, the principal reason for Mr. Wilkins' discussion with the gang was an urgent need for additional men in the Northern District. Employees who may have had a preference for work in this district were given the chance to volunteer for immediate transfer. Alternative employment will be offered to employees at the completion of the gang's present programme.

T.A.B.

In reply to Mr. BECKER (September 26).

The Hon. L. J. KING: Action has already been taken for the accounts of the Totalizator Agency Board to be audited by the Auditor-General. The Auditor-General took over these duties as from July 1, 1974. The necessary amending legislation will be enacted as soon as practicable.

MINERAL RESOURCES

Dr. EASTICK: Does the Premier see the apparent change in the Commonwealth Government's attitude in relation to natural resources as an indication that we could be in for a period of increased Commonwealth assistance in the search for and extraction of the State's natural resources? It has been widely reported today that the Prime Minister is returning to Australia from his latest overseas jaunt with a changed attitude towards utilisation of natural resources. Until now we have seen the Commonwealth Government following the policy of the Minister for Minerals and Energy (Mr. Connor), who believes that, with regard to our mineral wealth, we should continue to sit on our assets. The Prime Minister is reported to have had a flash of inspiration that we should perhaps be using some of our reserves, instead of withholding them from other countries in an attempt to obtain better prices. If this policy change eventuates, does the Premier see the opportunity for increased Commonwealth Government assistance for South Australia's oil and mineral search, particularly as the Minister of Development and Mines said yesterday that he would like to see a stepping up of activity in our offshore tenements, and that, because of this, there was a need for continuing negotiation with the Commonwealth Government?

The Hon. D. A. DUNSTAN: As far as I am aware, the newspaper speculation reported this morning related only to the subject of uranium. The Leader has talked about topics at large.

Dr. Eastick: Topics at large that are important.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: If the Leader wants a reply, I suggest he listen.

The SPEAKER: The honourable Leader is out of order in interjecting.

The Hon. D. A. DUNSTAN: The reports in this morning's newspaper, which were highly speculative, related only to the subject of uranium. If the newspaper's correspondents concerned had bothered to follow the statements of the Commonwealth Minister for Minerals and Energy over the past fortnight, they would have seen that there was no conflict between him and the Prime Minister on this topic. What is more, the State Government, with the support of the Commonwealth Government, has encouraged uranium exploration and development in South Australia, and will continue to do so.

INDUSTRIAL NOISE

Mr. MAX BROWN: Can the Minister of Labour and Industry say what steps have been taken by his department to initiate a programme to educate employers in this State about the drastic need to reduce the noise hazard so prominent in industry generally, particularly in heavy industry? I draw the Minister's attention to the fact that the Victorian Minister of Labour and Industry (Mr. Rafferty)—I do not know whether he uses the same kind of rules—

The SPEAKER: Order!

Mr. MAX BROWN: —has expressed concern that about 6 000 Australian workers each year suffer ear damage caused by industrial noise. This is an abnormally high figure, and I hope that South Australia is playing its part in solving this problem.

The Hon. D. H. McKEE: I am pleased to hear that the honourable member is concerned about industrial deafness. Some time ago an extensive survey was conducted throughout the State with regard to industrial noise. Recommendations are now being made, and regulations will probably be introduced under the Industrial Safety, Health and Welfare Act. We hope that the survey will be completed and that we will be able to introduce the appropriate measure some time next year.

STATE FINANCES

Mr. COUMBE: Can the Treasurer say whether Cabinet has yet decided what additional taxes will be levied on South Australian taxpayers and, if it has, what these taxes will be and when they may be introduced? Immediately after the Commonwealth Budget was brought down, the Premier announced that new taxes were on the way for all South Australians because of the Commonwealth Government's failure to provide grants that had been requested by the State Government. At that time, the Premier spoke of the need for an additional $6 000 000 to be raised; he subsequently increased this sum to $7 000 000, as the amount likely to be required because of the down-turn in receipts from stamp duties and conveyances.

The Hon D. A. DUNSTAN: The answer is "No". The honourable member will have to contain himself in patience until next week.

Mr. BECKER: Can the Treasurer say whether the State Budget is running to schedule? Can he explain why, in the revenue statement for the month of September, 1974, education expenditure appears to be $4 000 000 under Budget, while expenditure on medical, health and recreation services appears to be $4 000 000 over Budget? For the month of September, 1974, $9 800 000 was spent on education, bringing the total expenditure for the past three months to $45 000 000 out of a Budget allocation of about $197 300 000. For medical, health and recreation services, $11 000 000 was spent in September, with the expenditure for three months being $33 400 000 out of a Budget allocation of $119 000 000. The position of the revenue statement as at the end of September is that payments exceed receipts by $2 600 000. Is the Treasurer satisfied that the Budget is running to schedule and that departmental expenditure is in line with estimates? It is interesting to note that payments towards deficits have not been made by the Railways Department; this is not usually done until October, when the payment will be about $13 000 000. Will revenue be sufficient to cover that payment, bearing in mind that stamp duty receipts are still down by about 50 per cent?

The Hon. D. A. DUNSTAN: The payments by specific departments depend on pay-outs, so that there are variations from month to month. Receipts in the month of September were above what had been expected, largely because the Australian Government fixed a figure of 25 per cent increase in wages for payment under the formula, compared to the 20 per cent figure it had told us about at the time of casting the State Budget. However, we cannot get any comfort from that fact, because if in fact a 25 per cent increase in wages occurs during this year (which is the only way in which we will get the full amount) there is still a gap between what is paid to us under the formula and what is raised by pay-roll tax and what we will need to pay. The statement for this month simply means that, with the increase in the figure to 25 per cent, there has been a larger payment in under the formula, but that is against a contingency that may well occur.

True, our accumulated deficit has come back to between $2 000 000 and $3 000 000, but that is because of unusual payment conditions this month. It is also true that at this stage the down-turn in State taxes seems to have levelled out a bit in stamp duty. Although the sum we are receiving is lower than we had budgeted for, the down-turn seems to have levelled out a little at this stage; one cannot say definitely what will be the situation in future. What has happened is that we have instituted several continual budgetary controls that require constant reporting from the major expenditure departments, so that I will have a further report during next month that will be rather more comprehensive than reports I have been able to get previously. I expect that during October and November there will be a markedly worse situation than is now showing in the September figures.

WEEDICIDES

Mr. McANANEY: Will the Attorney-General ask the Minister of Health whether he is satisfied that the Dangerous Drugs Act is up to date and includes all dangerous modern weedicides and whether the present regulations are satisfactory and are adequately policed? The National Health and Medical Research Council of Australia, in May, 1972, amended the uniform poisons standards by requiring that additional herbicides be added to schedule 5. As far as I know, this has not been done in South Australia. At a recent Women's Agricultural Bureau safety school in the Hills area, many cases of poisoning in the district were raised. Bottles containing dangerous weedicides were produced, and it was demonstrated that the labels of these bottles came off easily and had no instructions on them as to how the contents should be used. Among the resolutions passed by the bureau that should be investigated by the Minister are the following:

(1) Standardised permanent labelling should be affixed to all containers of harmful substances.
(2) The circumstances under which the substance can be fatal should be clearly stated.
(3) Safety directions should be in larger print and positioned above or before directions for use.
(4) A system of visual warning symbols, preferably to international standards, should be developed for use on all containers of harmful substances.

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

TECHNICAL EDUCATION

Mr. GOLDSWORTHY: Will the Minister of Education approach his Commonwealth colleague to press for the reinstatement of the technical education programme so that progress in that area is not impeded in South Australia? A report appearing in yesterday's press indicates that the Commonwealth Government has again gone back on one of its undertakings: in this case, in respect of technical education in terms of the recommendations of the Kangan Committee on Technical and Further Education, recommendations which the Commonwealth Government said earlier that it would adopt. The newspaper report, relating to matters raised by the President of the Technical Teachers Association in Adelaide, states:

> The situation is getting drastic . . . and the money to be provided to the States for the abolition of technical education fees would be insufficient, placing a serious burden on State Budgets. In South Australia a building programme to improve technical colleges and to provide major new facilities, including the Regency Park complex, was being affected.

In view of this rather disturbing information, will the Minister consult his Commonwealth colleague to see whether the programme could be reinstated?

The Hon. HUGH HUDSON: Some matters should be clarified. First, the issues involved are not quite as stated by the honourable member. This matter was taken up by

me with the Australian Minister for Education (Mr. Beazley) at a meeting of the Australian Education Council in Adelaide last Thursday. Further submissions of a detailed nature will be made to Mr. Beazley following more detailed work that we are now carrying out. The Commonwealth Government has accepted the Kangan committee's recommendations, but has decided to implement them over a two-year period rather than over an 18-month period, and this reduces the rate of support per annum that would otherwise have applied.

Mr. Coumbe: Is there a reason for that?

The Hon. HUGH HUDSON: I presume that the overall inflationary situation that led Mr. Snedden to say that, if he were elected Prime Minister, he would defer the recommendations altogether—

Mr. Gunn: You'd better be careful.

The Hon. HUGH HUDSON: I do not have to be careful about that: it was official Liberal Party policy at the time of the Commonwealth election in May this year.

Mr. Gunn: That's untrue.

The SPEAKER: Order!

Mr. Goldsworthy: Far from it: it's the No. 1 priority.

The SPEAKER: Order! The honourable Minister of Education.

The Hon. HUGH HUDSON: The Commonwealth Leader of the Opposition made clear that until they come

Mr. Gunn: You show me that statement publicly.

The SPEAKER: Order! If the honourable member for Eyre persists with interjections Standing Orders will again prevail.

The Hon. HUGH HUDSON: A statement was made, I believe, by Senator Rae that until inflation was brought under control the Kangan committee's recommendations would not be proceeded with. However, the current Commonwealth Government has proceeded with those recommendations, but is implementing them over two years rather than over 18 months, together with that part of the recommendations that provides assistance at an implied rate to enable fees to be abolished. The latter procedure has caused budgetary problems for departments of technical and further education and for technical divisions of Education Departments. In this State, the budgetary figure that was approved first by the House of Assembly and later by the Legislative Council was based on the assumption that the support in terms of the Kangan committee report would be over a period of 18 months, and the Government, having had the Budget approved, does not intend to resile from that budgetary figure. Therefore, regarding current expenditure by the Further Education Department in this financial year, the department will continue with its present Budget allocation, even though that decision was based on the assumption that there would be a higher level of recurrent support from the Commonwealth Government than we would otherwise be getting. Accordingly, the problem that arises in our case regarding recurrent expenditure relates to 1975-76 and the amount of cash flow that will come from the Commonwealth Government in that year. It is in respect of recurrent costs that I have already taken up this matter with Mr. Beazley, and I will soon take it up with him again in more detail.

Regarding capital expenditure, we had assumed that the Commonwealth Government would adopt the Kangan committee's recommendation that would have provided additional money above the basic amount raised on a $1 for $1 basis, and we had based our planning on receipt of a significant proportion of that. Again, on the capital side, we may be in some difficulty as a result of the modification of the recommendations. At this stage I cannot give any further indication of precisely what the difficulties will be: I merely say that further education in this State has an extremely large capital programme ahead of it. So, the Kangan committee's recommendations, even if they had been accepted fully, would not have meant—

Mr. Coumbe: Can you spend the money?

The Hon. HUGH HUDSON: Yes, we can spend the money all right. Indeed a contract has been let for stage 1 of Flinders college. There is no difficulty about expenditure of the funds. We had our design programme in further education geared to a level where we could have spent it. At this stage, I cannot say what the final outcome will be in relation to the capital programme, but I assure members that I shall be pushing South Australia's case as hard as I can.

PAPER DISPOSAL

Mr. WRIGHT: Will the Attorney-General ask the Chief Secretary to investigate the business activities of Mr. D. Sutherland, of 13 Aberly Drive, Happy Valley, also known as D. & I. Constructions, of 20 Starr Street, Plympton? I have received from Mrs. P. Steinle, the Social Secretary of the Keswick Aged Citizens and Pensioners Club, a letter that states:

I am writing on behalf of Keswick Aged Citizens and Pensioners Club *re* some papers I sold to Mr. D. Sutherland on August 22 and have been unable to get any satisfaction as to payment of same. Mrs. Shevor has also been trying to contact them, but we have got nowhere, so we would be very grateful if perhaps you could help us obtain the payment. I would say we had approximately two tons, and they quoted me $20 a ton.

Although I have done everything possible to try to contact Mr. Sutherland by telephone and in other ways, so far he has not replied to telegrams, and the pensioners have asked me to inquire into this matter, because a loss of $40 to a pensioners club is a large loss. In addition, this morning I have made further investigations about Mr. Sutherland and have found that he is considered in the trade to be an extremely unsavoury character. I believe that a person masquerading as an honest businessman and depriving pensioners of money they have collected should be investigated with the view to putting him out of business completely.

The Hon. L. J. KING: I will ask the Chief Secretary to refer the matter to the Police Department.

FARM INCOMES

Mr. BLACKER: In view of the current economic situation, can the Premier say what the Government believes, as a matter of policy, to be a fair and equitable return on capital invested by primary producers in the exercise of their farming pursuits? Is it savings bank interest or less? Dos the Government believe that the wages of a property owner-operator should be considered a fair return over and above the interest on capital involved? Although a few primary producers are in a reasonable financial situation, many are facing extreme difficulties.

The Hon. D. A. DUNSTAN: I find it difficult to understand what the honourable member is trying to ascertain. Does he suggest that the Government has the duty to guarantee someone who is in business in the rural sector a return on capital plus wages? We do not offer, nor would I have thought that anyone who supported the free enterprise system would seek, such a guarantee for any business in the community. Apart from that, the Government is not called on in any way to say what it thinks is an appropriate rate of interest on capital or an appropriate amount of wages or salary to be paid by participants in a

business. Under a free enterprise marketing system we do not fix prices: they are fixed in the market place. I do not know what the honourable member wants us to do, but I have no proposal that the Government should state, as a matter of policy, that anyone in the rural sector should get a specific rate of interest on capital as a return, plus wages. I would not have thought that in good times such people would want to be held to that, and I should be interested to know whether in bad times they would want to be subsidised. There is no area in which a Government should make such a statement of policy.

CONTAMINATED FISH

Mr. RODDA: Is the Minister of Fisheries aware of reports that two lorry loads of shark from South Australia were confiscated at Portland in Victoria because the fish was allegedly contaminated by mercury? I have also been told that a family in the South-East claims to have been eating shark for years without suffering any detrimental effects, although I cannot verify the *bona fides* of that claim. As the confiscation of South Australian products is occurring on the one hand, and on the other hand there is a claim by a family that it has proved shark meat to be safe to eat, will the Minister comment?

The Hon. G. R. BROOMHILL: It is a fact that the Victorian Government took charge of the fish to which the honourable member has referred on the basis that it was contaminated and exceeded the permissible mercury content in that State. As a result of that action, I have approached the Commonwealth Ministers for Health and for Science, pointing out that it can be argued that the permissible mercury level in Victoria and most other States is considerably higher than is considered appropriate by several authorities. When authorities fixed a level of .5 parts a million of mercury content in fish as the standard beyond which it is unsafe for human consumption, they based that figure on the assumption that people would regularly eat fish containing that level of mercury. That level allows a safety factor of at least 10 times. It seems to me that much more research is needed in this matter.

Tests undertaken in Victoria of families who have regularly consumed quantities of this fish over several years have shown that the physical systems of these people do not contain a mercury content at a harmful level. The honourable member says (and I have heard similar statements from other people) that he knows of people who have eaten large quantities of this fish over several years. However, I point out that this family may have been eating meat from small sharks that would be well below the safe mercury level. It has been ascertained that, roughly, any shark smaller than 76 centimetres in length will contain less than .5 parts a million of mercury. Therefore, the Victorian Government would accept such fish. When people are said to have eaten shark over a long time, it is not possible to know whether they have been eating meat from large sharks, in which the mercury content is naturally much higher. As I have said, being concerned about the situation, we should like to see far more research carried out. Having spoken to the Commonwealth Ministers concerned, I have arranged to have discussions on the matter as soon as possible with the relevant State and Commonwealth organisations.

MONARTO

Mr. DEAN BROWN: Can the Minister of Development and Mines say whether the Government is planning to introduce legislation dealing with the location of industry in order to ensure that at least some industrial development will proceed at Monarto, rather than in the Adelaide metropolitan area? In a recent excellent article in volume 12 of *The Developer* of May, 1974, Mr. Alan Tate (a world authority on the establishment of new towns) recommends that at least three types of legislation should be introduced to ensure that new towns were successful. He states:

> It seems to me that for a successful programme of new-town development all three of these measures are needed: halting urban growth, direction of industry, and creating development machinery to ensure that the towns are in fact built.

It seems to me that the growth of the Adelaide metropolitan area has already slowed down. We have no legislation to direct industries to Monarto, although we have established the Monarto Development Commission. Therefore, apparently the Government, more or less by default, has covered one of the three types of legislation recommended, but has not dealt with the other two. Mr. Tate lists five actions any Government should take in establishing a new town. His first point is that the sites are selected by the Government after planning studies and public inquiry. However, I point out to the Minister that the Monarto development site was not selected after planning studies or after a public inquiry. I suggest that the Minister read the report, because I believe that he will learn much from it, and I suspect that he will see some of the faults with the Monarto proposal as presently planned. I do not necessarily support legislation to force industries to Monarto, but I strongy suspect that that will be necessary, otherwise Monarto will be a town of people, but without industry.

The Hon. D. J. HOPGOOD: The honourable member has rather spoiled his track record in his last three sentences. I was ready to spring to my feet and congratulate him on his constructive question and thank him for the interest and support he is showing in this venture, because we are always pleased to receive constructive suggestions on how to improve our strategy further for the growth of the new city.

The Hon. G. T. Virgo: You don't expect to get anything constructive from him though, do you?

The Hon. D. J. HOPGOOD: Planning studies were made before the site was chosen. It was, however, opposed to our policy to hold a public hearing, because of the speculation in land that had been precipitated as a result of the hearing, unless it had been possible for us to get through the Parliament somewhat more far-reaching legislation than we were able to. Members will recall a circular area of 30 km radius near Murray Bridge within which the establishment would occur. What we would have had to do was to have the legislation apply to the whole State, and I doubt whether such legislation would have been passed by Parliament.

Turning to the substantive part of the question, I thank the honourable member for the suggestion, which the Government is willing to examine, although I think it unlikely that we would proceed in this way. I point out that we have one Act that could operate in somewhat the way in which Mr. Tate advocates (namely, the Planning and Development Act) because the extent to which further industry could locate within the present metropolitan planning area depends entirely on the availability of zoned industrial land which, in turn, depends on what might further happen under the Planning and Development Act. Regarding the kind of strategy with which the Government is concerned, what we have done is to set our face against generating further incentives over and above those already applying across the board. What we will do is to generate certain incentives that will apply in those growth areas nominated by the Government, that is, Monarto, the iron

triangle, and the green triangle, and they will apply only to those areas to ensure that industries are encouraged to locate there. The exact form of the incentives is a matter for discussion with the Government at present.

DUKES HIGHWAY

Mr. NANKIVELL: As a continuing and serious deterioration is taking place in the pavement of Dukes Highway, will the Minister of Transport obtain a report from the Highways Department on the works programme proposed this year for the highway in respect of both maintenance and reconstruction? People travelling on the highway are conscious of the fact that signs, now placed near Ki Ki, state: "Road Hazards Ahead". However, when they reach the hazards they find that areas of pavement are broken and that the substructure of the road has subsided. In fact, the situation between Coonalpyn and Ki Ki is one that should concern the Minister, because of danger to the public travelling over that section of road. Also, another section farther south, between Coombe and Tintinara, is also breaking up rapidly. I understand from my colleague the member for Victoria that the section of road in his district between Bordertown and Keith is in much the same condition. As this is a serious matter, and as it is a major State highway, will the Minister obtain a report urgently on what is intended to be done to upgrade and maintain this road?

The Hon. G. T. VIRGO: I have been trying to locate the relevant report so as to provide the honourable member with on-the-spot information. However, as I cannot put my finger on it now, I will obtain that information for him. I point out that the Whip has two copies of the report available for members and that additional copies are available in the Library.

EROTICA

Mr. MILLHOUSE: Will the Premier ask the Commonwealth Government to take appropriate action to prevent the distribution through the post of letters from Scandinavia peddling erotica? A constituent of mine, a lady of about 70 years of age, has contacted me and shown me a letter which, although she opened it, was addressed to her husband, who died seven years ago. The letter is from a crowd that calls itself Euro-Discount, having an address in Copenhagen. The letter is in English, and the few sentences that explain the letter are as follows:

> You never received a letter from us before, and it is up to you whether this letter is going to become the first and the last. At any rate, we hope that this will not be the case.

I am not sure whether the hope is that it will be the first or the last, but that is what the letter states. The letter continues:

> To come all out from the very beginning: we are one of the largest and oldest sex consignors in Scandinavia. Three million customers in more than 20 countries buy from us anything sexy and erotic. We carry stocks at all times of approximately 500 different porno and sex films and more than 1 000 different sex magazines, dias, photos, books, etc. There will be something for any taste:

The letter concludes with an invitation to treat. The letter, although the lady assures me that it did not upset her, is certainly going to upset many members of the community. As it was sent to her deceased husband, the letter has apparently been sent at random through the post. I know that it is extremely difficult to stop this sort of thing happening, but, if anything can be done either on a diplomatic level or through the Postmaster-General's Department, I suggest that it should be done. Therefore, I make this request of the Premier.

The Hon. D. A. DUNSTAN: If the honourable member will let me have a copy of the letter, I will inquire of the Postmaster-General.

BANK CARD SCHEME

Dr. TONKIN: Can the Attorney-General say what investigations have been made by officers of his department into the proposed bank card scheme, and what, if any, have been the results of such investigations? Will he take all possible action to minimise the incidence of fraud and other offences that may conceivably arise from the misuse of bank cards? I think all members have been made aware of the imminent introduction of the bank card system in Australia and South Australia. Fears have been expressed that the system could well be open to abuse by the misuse of such cards. Indeed, reports from other States indicate that cards have been sent to the wrong people and that some customers of banks have received as many as three cards from various sources. The scheme may work well, but there seems to be some doubt about the dangers that may be associated with it, and this is an aspect I believe the Attorney-General could consider, if he has not already considered it.

The Hon. L. J. KING: Yes; several aspects of the bank card system cause me concern. One is the danger of fraud, to which the honourable member has referred. I do not know what can be done to minimise it, if the banks operate the system as has been described in the press. Another aspect is that people may take exception to being sent an unsolicited bank credit card. I should think that a bank disposed to operate in this way would confine itself initially to sending a letter inquiring whether the person wished to have a card sent to him.

Another aspect that is of great concern and importance is the extent to which the banks can be required to comply with the law relating to consumer credit that applies to other credit providers in South Australia. Members may recall that banks were excluded from the provisions of the Consumer Credit Act because of the constitutional difficulties involved in including them. Under the Constitution of the Commonwealth of Australia, the Parliament of the Commonwealth has power to make laws with respect to banking, and it has, in fact, exercised that power in passing the Banking Act. Some provisions of the Consumer Credit Act cannot be applied to banks, by virtue of section 109 of the Commonwealth Constitution, which provides that, where a Commonwealth law on a subject conflicts with a State law, the Commonwealth law shall prevail. It is possible that some provisions of the Consumer Credit Act may be applied to banks, and that matter is being considered now.

However, there is an area of constitutional doubt here that is a source of great concern to me, because it would be a most unsatisfactory and unfortunate situation if banks were engaged on a large scale in what is consumer credit business but on different terms from those applying to others engaged in the same business. It would be very unsatisfactory if customers who did business with finance companies, retail stores, and the like were protected by provisions that this Parliament has thought necessary for the protection of consumers in these circumstances, while, at the same time, those who obtained credit through the banking system under the bank credit card system were deprived of such protection. The problem is being considered (indeed, it has been for some considerable time), but the difficulties are formidable, and it may be that only legislative intervention by the Commonwealth Parliament can solve it.

MONITORING SYSTEM

Mr. GUNN: Will the Premier allow members to inspect the new monitoring system his Government has set up in his department? There has been much public comment in relation to this project, and, so that members can be fully aware of what facilities the Government has provided for itself, I hope that the Premier will allow members to inspect these facilities, and that they may avail themselves of the information that has been collected, collated, and put on file.

The Hon. D. A. DUNSTAN: The possible provision of information from this service is being considered at present, and I hope to be able to let the honourable member know soon.

Dr. Eastick: Had a change of heart?

The Hon. D. A. DUNSTAN: If the Leader wants to look a gift horse in the mouth, he can.

Members interjecting:

The Hon. D. A. DUNSTAN: The question of providing information for members is being considered.

Dr. Eastick: Simultaneously!

The Hon. D. A. DUNSTAN: I cannot give the honourable member a reply until this consideration has finished. However, I should have thought that the honourable member would find great difficulty in accepting anything from the system, because he thinks that this system is illegal.

Mr Goldsworthy: Are you keeping a dossier on us?

The Hon. D. A. DUNSTAN: I will consider the request for a visit to ascertain whether a guided tour can be arranged: I cannot arrange for any member to walk into a Ministerial office at any time. I am sorry about that but, after all, I suppose I cannot expect to be able to walk into the honourable member's office at any time, either.

Mr. Mathwin: What about coffee and biscuits?

The Hon. D. A. DUNSTAN: I will see whether some hospitality can be arranged for the honourable member if he is hungry, and I will tell the member for Eyre whether we can arrange something for him.

CARAVANS

Mr. EVANS: Can the Minister of Tourism say whether the many families living in caravans in this State are doing so by choice or are they being forced into that situation because of the disgraceful shortage of rental and purchase houses? I am sure the Minister's department would have details of how many caravans were permanently occupied for residential purposes in this State, and I am sure that details should be available as to whether people live in caravans from choice or are being forced to live under these conditions. From my limited survey in the past two days, I consider that over 500 families are living in caravans throughout the State, and a recent programme televised by the Australian Broadcasting Commission seemed to suggest that people should buy a caravan and live in it. No doubt councils and the Minister's department must be concerned about the coming Christmas period and school holidays when there is always a serious shortage of caravan space because potential tourists will not visit this State if families living permanently in caravans are occupying so many sites. I exclude people who live in caravans because of employment in remote parts of the State or because they are employed by a mining company or with the Railways Department or some other group.

The Hon. G. R. BROOMHILL: The honourable member is invariably too limited in his research, although I must concede that in this instance he has carried out his research only in the last day or two. I therefore suggest that the honourable member should not direct such a question to me, because I know of no problems of this nature occurring in caravan parks in this State. Of course, people are restricted in the use of caravan camp sites to what is considered an appropriate holiday period. I am not sure whether that restriction is for a month or three weeks, but there is certainly a specified period after which caravans are prohibited from staying in a park. As a result, the problem of people living permanently in caravan parks does not occur in relation to—

Mr. Evans: It does.

The Hon. G. R. BROOMHILL: —those parks under my jurisdiction. I also believe that for other caravan parks local government regulations are comparable. Accordingly, the information the honourable member seeks is unavailable.

RURAL GUARANTEE ADVANCES

Mr. McANANEY: Can the Treasurer say what justification there is for increasing the interest rate on rural guarantee advances to 11 per cent, which is far above the rate charged on housing loans?

The Hon. D. A. DUNSTAN: I do not know what the honourable member means by "far above that charged on housing loans", but what happens with the increase of interest rates on any statutory lendings for which the Government is responsible through its instrumentalities is that a charge is made commensurate with the cost of currently raising money plus a service charge. That happens in all cases.

GLADSTONE GAOL

Mr. VENNING: Will the Premier consider compensating fully the staff of Gladstone Gaol if the Government finds it necessary to close the gaol? I am sure the Premier is aware of the situation and of the publicity that has already been given to the decision to close the gaol. Today, I have received from some of the people concerned a three-page letter in which they express their concern about the situation. About 25 families associated with the gaol, most of whom have their homes at Gladstone, will be affected. These people have already been advised that they will be phased into other areas of the department's activities. However, that will mean that about 25 houses will be put on the market simultaneously, and that they will have to sell their houses for $10 000 or $12 000 and then have to pay up to $30 000 for a house in Adelaide. These people also have hire-purchase commitments.

The Hon. D. A. DUNSTAN: I doubt whether the Government can meet everyone's outgoings in a matter of this kind and simply provide them immediately with comparable privately owned houses in Adelaide. However, the matter will be looked at by the relocation committee and we shall try to do our best for the people involved.

MINISTERIAL STATEMENT: WARREN RESERVOIR

The Hon. HUGH HUDSON (Acting Minister of Works): I seek leave to make a statement.

Leave granted.

The Hon. HUGH HUDSON: The lowering by .76 metres of the first 6 m of the Warren spillway was successfully completed this morning. The spillway was removed in two 3 m sections by light charges of explosives in three rows of holes drilled in the top of the spillway section. No problems were experienced in the removal of the two sections to date, and vibrograph readings taken on the dam structure were scarcely perceptible. The remaining 6.1 m of the proposed lowering of the spillway

will be done in two sections this afternoon. Television and news media representatives attended the lowering of the spillway by invitation.

PERSONAL EXPLANATION: SECRET BALLOTS

Mr. MATHWIN (Glenelg): I seek leave to make a personal explanation.

Leave granted.

Mr. MATHWIN: On August 14, I introduced a Bill relating to the holding of secret ballots before strike action whereby the Industrial Court might, by order, direct that a secret ballot of members, or of an association, as the case might be, or of members comprising a section of the association, be taken to ascertain whether or not the majority of those members was in favour of a strike taking place. Today's *Advertiser* contains the following report:

> The Bill is different from the private member's Bill of Mr. Mathwin (Liberal, Glenelg), which makes it compulsory for secret ballots to be held in the event of strikes.

I wish to make clear that I am not in favour of compulsory ballots in any shape or form.

HOSPITAL AND MEDICAL CENTRE

The Legislative Council transmitted the following resolution in which it requested the concurrence of the House of Assembly:

> That this House resolve that the providing of a hospital and medical centre by the Government of this State on the lands comprised in certificates of title register books, volume 3267 folio 73, volume 3952 folio 112, volume 3252 folio 35 and volume 4004 folio 310 or any portion or portions of such lands shall be a public purpose within the meaning of the Lands for Public Purposes Acquisition Act, 1914-1972.

PARLIAMENTARY SALARIES AND ALLOWANCES ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Parliamentary Salaries and Allowances Act, 1965-1966. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

It is designed to achieve five main objects. First, the first, second, third and fourth schedules to the principal Act being now obsolete, none of their provisions can any longer be regarded as providing the tribunal with any statutory guidelines for the purposes of making a determination. This Bill therefore repeals those schedules and incorporates in the principal Act such of the provisions of those schedules as should be preserved for the purpose of providing the tribunal with such guidelines. Secondly, specific provision is made for the tribunal to fix a special remuneration for the Minister who carries out the functions of Deputy Premier over and above the remuneration he receives in his capacity as a member of Parliament and as a Minister of the Crown.

Thirdly, the Bill provides for additional allowances to be fixed for Ministers whose districts are outside the metropolitan area, as defined in the Bill, and enacts certain matters to which the tribunal should have regard in determining such additional allowances. Fourthly, the Bill provides, as the second schedule at present does, that each member of Parliament is entitled to a district allowance in addition to his basic salary, but a district allowance payable to a member, other than a Minister, pursuant to a determination made after July 1, 1974, must be fixed by the tribunal having regard to certain criteria that are laid down in the Bill for the tribunal's guidance. Lastly, the Bill proposes that certain duties are to be deemed part of the duties of a member of Parliament to which the tribunal must have regard when fixing any allowance payable to a member in respect of the expenses of discharging his duties as a member.

The need for a specific allowance for the Deputy Premier is self-evident; he is required to perform onerous duties and bear greater responsibility for which he ought to be recompensed. As the Act now stands, it does not require that Ministers whose districts are outside the metropolitan area should be given any special consideration. It is evident that in these cases a Minister may be required to give up much of his home life and incur considerable travelling expenses by reason of his Ministerial duties, and that he ought to be compensated for these factors.

At the moment, all members of Parliament (other than Ministers) receive certain fixed district allowances. The Government believes that the criteria for fixing these allowances are too rigid and that the tribunal should be able to fix a more realistic allowance having regard to the facts pertaining to an individual district, subject of course to keeping equality between districts within the metropolitan area and, where possible, between districts outside that area. It is hoped that these amendments will both enable the tribunal to make determinations on a more flexible and realistic basis and remedy existing unfair disparities and inadequacies in remuneration.

Clause 1 is formal. Clause 2 amends section 2 of the principal Act. The definition of "basic salary" in the Act as it now stands is meaningless as it is related to the obsolete provisions of paragraph 1 of the second schedule That definition is accordingly repealed and replaced by a more realistic definition. The clause also enacts a new definition of "metropolitan area" for the purposes of interpreting the Bill and strikes out the definition of "Ministerial office", which is unnecessary as it has a well recognised meaning. The clause also clarifies the definition of remuneration. Clause 3 amends section 3 of the principal Act by up-dating the citation of the Public Service Act. Clause 4 amends section 4 of the principal Act by up-dating the citation of the Public Service Act and altering the reference to Public Service Commissioner to that of the Public Service Board.

Clause 5 amends section 5 of the principal Act, which deals with the powers and functions of the tribunal, by adding a further power to determine specific additional remuneration for the Deputy Premier. Clause 6 enacts new sections 5a, 5b, 5c and 5d of the principal Act. New section 5a provides that the remuneration payable to a member must include a basic salary and incorporates the relevant provisions of Part I of the second schedule. New section 5b deals with district allowances. Subsection (1) provides that a member of Parliament is entitled to a district allowance in addition to his basic salary, but a district allowance payable to a member, other than a Minister, pursuant to a determination made after July 1, 1971, must be fixed by the tribunal, having regard to all relevant matters including those laid down in that subsection.

Subsections (2) and (3) incorporate the provisions of paragraphs 7 and 8 of the second schedule to the principal Act. Subsection (4) provides that district allowances payable to members whose districts are within the metropolitan area must be equal. Subsection (5) provides that district allowances payable to members whose districts are outside the metropolitan area must, where the districts

have reasonably similar characteristics, be equal. Subsection (6) requires district allowances payable to Ministers to be fixed at such annual rate as the tribunal may determine, having regard to all relevant matters.

New section 5c deals with remuneration of Ministers and substantially incorporates the provisions of the third schedule to the principal Act, except that subsection (3) of that new section is consequential on the provisions of clause 5 of this Bill. New section 5d deals with the remuneration of certain officers of Parliament and incorporates the relevant provisions of the fourth schedule to the principal Act. This clause, at proposed subsection (2), also fixes the additional salary of the Leader of the Opposition in the House of Assembly as the same as the salary payable to a Minister of the Crown.

Clause 7 repeals subsection (2) of section 12 of the principal Act, as that subsection is now obsolete, and enacts two new subsections, (2) and (3), in its place. New subsection (2) provides that the duties of a member shall be deemed to include acting as agent for his constituents, keeping in touch with his constituents and attending functions, and possessing means of transport. New subsection (3) provides that a Minister whose electoral district is outside the metropolitan area shall be granted an extra allowance, having regard, amongst other things, to his absences from home and his travelling expenses. Clause 8 repeals the first, second, third and fourth schedules, which, as I have explained earlier, are now obsolete, and the relevant provisions of those schedules are being incorporated in the principal Act by the provisions of this Bill.

I should point out to members that for some time the officer responsible to Parliament for consolidating the Acts has been complaining to me about the Parliamentary Salaries and Allowances Act, because, as it contains many redundant provisions, it is impossible effectively to incorporate it in the consolidation that he is preparing. I have had repeated requests from him to proceed with a measure that would deal with those redundancies. Of course, the measure also deals with the other matters that I have explained to members.

Dr. EASTICK secured the adjournment of the debate.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Parliamentary Superannuation Act, 1974. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

This short Bill, which amends the Parliamentary Superannuation Act, 1974, is intended to make six disparate amendments to the principal Act, and it is suggested that the most convenient method of explaining these amendments is in the consideration of the relevant clauses of the measure.

Clause 1 is formal. Clause 2 enacts a new section 14a in the principal Act and gives a member, who for one reason or another ceases to be entitled to contribute for an additional pension by reason of being in receipt of "additional salary" as defined, the right to continue to make voluntary contributions and so preserve, to a considerable extent, his right to an additional pension.

Clause 3 amends section 16 of the principal Act and now provides that a member who retires involuntarily will be entitled to a pension if he has had six years service. I stress the word "involuntarily". Last evening I heard an Australian Broadcasting Commission broadcast that stated that the effect of this measure was that any member at the end of six years service was entitled to a pension, whether he decided, for reasons of his own, to continue in Parliament or not, but I am afraid that the measure is not so generous. In addition, this clause provides that a member who has attained the age of 60 years and who retires voluntarily will be entitled to a pension after six years service.

Clause 4 amends section 17 of the principal Act and is intended to correct an anomaly that may occur where, by reason of the "freezing" of Parliamentary salaries, the pension payable to a member who retires towards the end of the "freeze" will be substantially less than that of a member of similar length of service who retires shortly after the commencement of the period covered by the "freeze". During the period of the "freeze" the latter member would, in these inflationary times, have received the advantage of one, two or three automatic adjustments of pension.

In addition, this clause provides for the lifting of the pension "ceiling" from 70 per cent of salary to 75 per cent of salary (only at the end of a very lengthy period of service). Clauses 5 and 6 combined are intended to provide a rather more generous "commutation percentage" for a retiring member of or over the age of 60 years who is entitled to a maximum pension. In the case of such a member, he may commute up to 40 per cent of his pension in lieu of the 30 per cent at present provided for. Clauses 7 and 8 provide that a spouse pension payable to the spouse of a deceased member will be payable for life and will not be suspended during any subsequent marriage of the spouse. This, of course, brings the legislation into line with the Public Service Superannuation Act.

Dr. EASTICK secured the adjournment of the debate.

STATUTES AMENDMENT (COMMITTEE SALARIES) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Constitution Act, 1934, as amended; the Public Accounts Committee Act, 1972, and the Public Works Standing Committee Act, 1937, as amended. Read a first time.

The Hon. D. A. DUNSTAN: I move:

That this Bill be now read a second time.

This Bill amends the Constitution Act, the Public Accounts Committee Act, and the Public Works Standing Committee Act to the end that the fees, payable to the Chairmen and members of the various committees constituted under or referred to in those Acts, be adjusted. For some time the Government has been concerned that remuneration of the Chairmen and members of these committees has not kept pace with the clearly declining value of money and hence the work performed by those people has become increasingly less well remunerated.

With this in mind, the Government caused an in-depth examination to be made of, amongst others, the committees touched on by this Bill. This examination was carried out by the Public Service Board in this State and included an examination of the position in other States and in the Commonwealth Parliament. Arising from this examination, certain recommendations have been made to the Government, and this Bill gives effect to those recommendations by proposing amendments to the relevant Acts.

I point out to members that, in the hearings before the Parliamentary Salaries Tribunal last year, I specifically requested that the tribunal consider these matters, and at

that time I had a report from the Chairman of the Public Service Board (not the final report that I have now had from him) which examined some of these matters and which I forwarded to the Parliamentary Salaries Tribunal for its information and assistance, by agreement with the Chairman of the tribunal.

After consideration, the tribunal did not make any recommendation but referred the whole matter back to Parliament for a policy decision. In consequence, that policy decision falls to us to make. Following that decision by the tribunal, I had the matter further investigated by the Chairman of the Public Service Board, and he made the recommendation on which this measure has been based. Not all committee salaries are dealt with in this measure, as some others will be dealt with by regulation under other measures. The effect, however, is that there is some movement in respect of most Parliamentary standing committees, except for the Land Settlement Committee concerning which there is no increase at all.

Clauses 1 to 4 are formal. Clause 5 amends section 55 of the Constitution Act by increasing the fee payable to the Chairman of the Subordinate Legislation Committee from $600 a year to $1 900. This clause also increases the fee payable to each member of that committee from $500 to $1 400 a year. Clause 6 is formal. Clause 7 adjusts the fees payable to the Chairman and members of the Public Accounts Committee by increasing the Chairman's fee from $1 500 to $1 900 and the fee of a member of that committee from $1 000 to $1 400. Clause 8 is formal. Clause 9 adjusts the salary of the Chairman and members of the Parliamentary Standing Committee on Public Works. In the case of the Chairman, the salary is increased from $1 500 to $2 500 and in the case of each member the increase is from $1 000 to $1 750. These recommendations of the Chairman of the Public Service Board were made after investigation of the current work load of committees and a comparison not only with Parliamentary standing committees elsewhere but also with the normal fee allowance made for Government boards and committees which receive remuneration within the State. The work load has been related, in consequence, and that has given rise to the recommendations he has made.

Dr. EASTICK secured the adjournment of the debate.

LOCAL GOVERNMENT ACT AMENDMENT BILL (BOUNDARIES)

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1974. Read a first time.

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

That this Bill be now read a second time.

It proposes significant changes in boundaries of local government areas in South Australia. The changes proposed are in accordance with the reports of the Royal Commission which have already been laid before the House, together with some modifications which are outlined in the schedule to the Bill. I introduce this Bill in the belief that the recommendations made in the two reports of the Commission were correct, and were necessary and appropriate for the strengthening of local government as the third tier of government in this State. However, it has become increasingly clear that opposition whipped up by some sections of the community may well have destroyed the whole of the Commission's report and, in the interests of local government, I do not think we can afford to let that happen. The recommendations, as modified by the Bill, will provide the most practical reforms in the circumstances.

I urge members to deliberate seriously on these matters, placing the interests of local government as a whole above those of sectional groups which may have a vested interest in preserving the *status quo.* I think every member will agree that local government is a very desirable and, indeed, essential form of government, and I for one would not like to see it lose its capacity to perform the important functions with which it has been entrusted. Yet I sincerely believe that it will lose that capacity if something is not done quickly to correct anomalies resulting from the present antiquated distribution of local government boundaries which has remained largely unchanged for many years despite extensive changes in population densities and in social and economic facts of life. My belief is supported by some very forthright opinions of the Royal Commission and I quote some extracts, as follows:

(1) ...in the present state of local government in South Australia, the time will fast approach when local government, if it exists, will be an empty shell; and

(2) we believe that the realignment of boundaries is a matter of urgency.

If the Commission is correct, and I believe it is, local government is in a very real danger of collapse. That is why I urge members to deliberate very seriously in the interests of local government and to desist from engaging in petty Party politicking. The opposition to the recommendations has raised many issues but most of them are without substance. I will not discuss them all now, because the answers are in the reports of the Royal Commission for anyone to read, and it is obvious that many persons vigorously involved in this opposition have not read them. I will, however, mention some of the complaints that have been made, namely, first, that areas proposed by the Commission are too large. Yet, as the Commission points out, the present largest rural district council in terms of revenue will not grow bigger under the recommendations; in fact it becomes slightly smaller. Further, no metropolitan council would become larger than the largest metropolitan councils presently existing.

I have received complaints from larger councils in the metropolitan area which are most irate at having been accused by innuendo of being incapable of providing a good service. The council area in which I reside is certainly one of the larger ones, and I believe that that council gives a service at least equal to that of any other council in South Australia, and this furphy of smaller councils serving better is typical of much of the uninformed propaganda being circulated.

The second complaint received was that large councils are inefficient. The Commission states that any council, large or small, can be inefficient. Efficiency depends largely on the calibre of officers and members, not on size. Another complaint was that particular areas provide good services. The Commission did not deny this, but did point out that many areas depended on the activities of other councils. That means that the ratepayers of adjoining councils are paying for the facilities for which the resident ratepayers ought to be paying themselves.

A further complaint was that the Commission was unduly restricted by its terms of reference with respect to minimum revenues. Yet the Commission states in both reports that, had it been required to set a minimum rate revenue, it would have set amounts no less than those that were set by the terms of reference and, in the country, would have fixed a considerably higher minimum. The Commission stated it would have reached the same conclusions had there been no stipulation of this kind.

The Commission, in its reports, has dealt with many important matters: the future of local government, the

needs of the community, rating comparisons, wishes of the people, loss of identity, size, the economics of local government and other important matters. It is absolutely essential that the reports be read to obtain an overall picture. I urge all members to do this.

Clauses 1 and 2 are formal. Clause 3 amends the definition of "metropolitan municipal council" in section 5 in a minor way and is related to the provisions of clause 6. Clause 3 also inserts a new subsection (8) in section 5. This is a transitional provision which relates the rights and liabilities of a council named in the principal Act to some other council created under this Bill.

Clause 4 repeals section 6 and inserts a new section. The existing section names metropolitan councils and is long out of date. The new section provides for metropolitan councils to be declared as such by proclamation. This will be particularly important when new areas are created. Clause 5 amends section 9a to bring it up to date. This section mentions the District Council of Salisbury which of course has not existed for years. The section can be applied to any district council which may be seeking city status. Clause 6 amends section 24. This section empowers the Governor by proclamation and without petition to exercise some of the powers of section 7 in respect of matters affecting councils. The amendment empowers the Governor to issue a proclamation forming areas that accord with the areas outlined in this Bill. It also empowers the Governor to issue proclamations to provide for matters which are consequent on the creation of new areas.

This Bill does not, of its own force, create new council areas. If the Bill is passed, the Commission will then inquire into consequential matters such as the definition of wards, by-laws, division of assets and liabilities, staff, council names, and so on. It is intended that, over a period, as the Royal Commission inquires into these matters, proclamations will be issued forming the new areas and covering these other matters. Clause 7 inserts the twenty-fifth schedule to the Act. This schedule comprises maps showing boundaries recommended by the Commission in grey and modifications to those boundaries in red. Certain areas will retain existing boundaries.

I draw attention to three errors that have regrettably been included in the maps at the end of the Bill. Having looked at these errors, we are satisfied that they are not sufficiently important to justify a reprint. The recommendations of the Commission's first report and alterations determined by the Government are included in the map, but the recommendations of the Commission's second report are excluded. In its second report, the Commission made three alterations to the first report. The first alteration relates to the area of the Salisbury council. On the metropolitan map, members will see that the boundary line shown in grey should be removed and a new red line inserted. I will show members the three alterations involved.

The second alteration refers to the Minlaton council. The first report suggested that it should not continue as a council, but the second report recommended that it be retained. Therefore, the line shown is red rather than grey, as it should be. The third alteration relates to the amalgamation of the Bute and Port Broughton areas as recommended in the second report. Again, a minor adjustment to the lines is necessary. Although the maps now form an integral part of the Bill, we are assured that these minor alterations do not affect consideration of the Bill.

As I have said before, if the Bill passes the second reading stage, I will move that it be referred to a Select Committee to enable those who wish to make further submissions to do so. I sincerely hope that the Select Committee will conclude its deliberations as soon as possible, as it is important to deal with the matter expeditiously. Many people in local government are not clear about the position and, bearing in mind the importance of the matter and all the factors involved, it is imperative that we deal with it quickly. I seek leave to have incorporated in *Hansard* without my reading it the remainder of my explanation dealing with local government boundaries in the various planning areas.

Leave granted.

EXPLANATION OF PLANNING AREAS

Metropolitan Planning Area:

(1) The Corporations of the Cities of Brighton, Glenelg, Kensington and Norwood, and Payneham, and the Corporations of the Towns of Hindmarsh, St. Peters, Thebarton, and Walkerville will remain with existing boundaries.

(2) The Corporation of the City of Marion will retain its existing boundaries with Brighton and Glenelg, but other boundaries will be as recommended by the Commission.

(3) The Corporation of the City of West Torrens will retain its existing boundaries with Glenelg, Thebarton and Woodville. The present West Beach ward of the Corporation of the City of Henley and Grange will be included.

(4) The Corporation of the City of Woodville will retain its existing boundaries with Hindmarsh, West Torrens, Enfield and Port Adelaide, except where it crosses the Port River. The northern portion of the Corporation of the City of Henley and Grange will be included.

(5) The Corporation of the City of Port Adelaide will retain its existing boundaries with Enfield and Woodville (except where it crosses the Port River). Other boundaries will be as recommended by the Commission.

(6) The Corporation of the City of Prospect will retain its existing boundaries, except with Enfield. That boundary will be as recommended by the Commission.

(7) The Corporation of the City of Enfield will retain its existing boundaries except with Prospect. That boundary will be as recommended by the Commission.

(8) The Corporation of the City of Burnside will retain its existing boundaries with Kensington and Norwood. Other boundaries will be as recommended by the Commission.

(9) The Corporation of the City of Tea Tree Gully will retain its existing boundaries with Enfield and Salisbury, except near the northern end to take in an alteration recommended by the Commission. Other boundaries will be as recommended by the Commission.

(10) The Corporation of the City of Salisbury will retain its existing boundaries with Enfield and Tea Tree Gully, except near the northern end as referred to in (9). Other boundaries will be as recommended by the Commission, except that the boundary with Elizabeth at (and near) the Para will remain as it exists at present.

(11) The Corporation of the City of Elizabeth will have boundaries as recommended by the Commission, except for the existing boundary with Salisbury mentioned in (10).

(12) The boundaries of Adelaide, Noarlunga, Willunga, Stirling, Mitcham, Unley, and Campbelltown will be as recommended by the Commission.

Yorke Planning Area: The boundaries will be as recommended by the Commission.

Riverland Planning Area:

(1) The District Council of Barmera will retain existing boundaries.

(2) The District Council of Berri will be as recommended by the Commission, but Barmera will be excluded.

(3) All other boundaries will be as recommended by the Commission.

Mid-North Planning Area: The boundaries will be as recommended by the Commission.

Whyalla Planning Area: The Corporation of the City of Whyalla will retain its existing boundaries.

Outer Metropolitan Planning Area:

(1) The Corporation of the Town of Victor Harbor and the District Council of Encounter Bay will be amalgamated.

(2) The District Council of Port Elliot and Goolwa will retain its existing boundaries.

(3) All other boundaries will be as recommended by the Commission.

Flinders Range Planning Area: The boundaries will be as recommended by the Commission.

Kangaroo Island Planning Area: The boundaries will be as recommended by the Commission.

South-East Planning Area:

(1) The District Councils of Beachport, Lacepede, and Robe will retain existing boundaries.

(2) The Corporation of the City of Mount Gambier will extend its boundaries into the District Council of Mount Gambier (as sought by the the city in the submission to the Commission).

(3) The District Councils of Millicent and Tantanoola will be amalgamated.

(4) The balance of the District Council of Mount Gambier and the District Council of Port MacDonnell will be amalgamated.

(5) Other boundaries will be as recommended by the Commission.

Eyre Planning Area:

(1) The District Councils of Cleve, Elliston, Franklin Harbor and Tumby Bay will retain existing boundaries.

(2) The Corporation of the City of Port Lincoln will extend its boundaries into the District Council of Lincoln as sought in its petition.

(3) The District Council of Lincoln will retain existing boundaries except for the areas to be transferred to the city (as in (2)).

(4) Other boundaries will be as recommended by the Commission.

Murray Mallee Planning Area:

(1) Coonalpyn Downs: As recommended by the Commission, with the exclusion of the portion of the hundred of Carcuma at present in the District of Lameroo.

(2) The District Council of Lameroo will retain the existing boundary with Pinnaroo. Changes in north and south will be as recommended by the Commission, except for part of the hundred of Carcuma which will remain in Lameroo.

(3) The District Council of Pinnaroo will retain its existing boundary with Lameroo. Changes in north and south will be as recommended by the Commission.

(4) Other boundaries will be as recommended by the Commission.

Mr. COUMBE secured the adjournment of the debate.

MORPHETT STREET BRIDGE ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Local Government) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

The Hon. G. T. VIRGO moved:

That this Bill be now read a third time.

Mr. COUMBE (Torrens): I concur in what the Minister has said and I am not going to disagree with the Bill as it comes to us on third reading. I also indicate the concurrence of my colleagues on the Select Committee. Members of that committee found that the evidence taken agreed with remarks made by members on second reading: the Adelaide City Council requires the relief recommended in the Bill. What is even more important is that the council is unique, as regards its obligations, when compared to other councils in the State and, in fact, compared to councils in other Australian capital cities, because the Highways Act does not apply to the council. I support this measure.

Bill read a third time and passed.

POTATO MARKETING ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF BILL

This short Bill arises from a recommendation of the South Australian Potato Board established under the principal Act, the Potato Marketing Act, 1948, as amended, and provides for the licensing of potato packers. The packing of potatoes has, since the principal Act was first enacted, developed into a specialised and large-scale industry. In the board's view, regulation of this industry is necessary for uniformity and orderliness of marketing. In substance and in form the proposed amendments follow closely amendments passed by this House in 1964 which, amongst other things, provided for the licensing of potato washers.

Clauses 1 and 2 are formal. Clause 3 amends section 3 of the principal Act, the definition section, and inserts a definition of "potato packer" which is self-explanatory. Clause 4 inserts new section 19b in the principal Act, and this section provides for the licensing of potato packers. As has been indicated in form and expression, it follows the provisions of section 19a of the principal Act which

relates to potato washers. Clause 5 makes certain consequential amendments to section 20 of the principal Act, which sets out the power of the board to make orders relating to prices and charges, etc.

Mr. McANANEY secured the adjournment of the debate.

PRIVACY BILL

Adjourned debate on second reading.

(Continued from October 8. Page 1354.)

Mr. RODDA (Victoria): This Bill has probably caused more controversy than any other Bill we have had to debate for a long time. Indeed, the debate from the Opposition has been cast wide and we have considered many aspects of the term "privacy". Indeed, we have heard quotations from Cicero, the common law, Magna Carta and, indeed, authorities such as Sir Robert Menzies. However, I will not canvass any of those authorities in my treatment of the Bill: I will consider it merely from the point of view of an ordinary, humble citizen of this State and, perhaps, from the point of view of the farmer, to whom it may seem that the right to privacy is of no great concern. During the time I have been a member I have come to have a great personal regard for the Attorney-General, but—

The Hon. Hugh Hudson: But!

Mr. RODDA: —I am not quite on all fours with the honourable gentleman on this measure. In his second reading explanation, the Attorney said:

> For some time now, law reform commissions, commissions of inquiry, and legislatures in various parts of the world have concerned themselves with the question of the preservation of privacy.

I think that any fair-minded person can accept that statement. Later in his second reading explanation, the Attorney said:

> Thus the privacy this Bill is designed to protect is that area of a man's life which, in any given circumstances, a reasonable man with an understanding of the legitimate needs of the community would think it wrong to invade.

I wonder who in South Australia is intent enough to invade what we call one's privacy. Although I did not have the pleasure of seeing the Attorney on *Monday Conference,* I believe that he performed well in the ratings attached to this medium in this day and age. In the feedback from people in my district and elsewhere in this State, and even from some places in other States—

Mr. Payne: He went all right.

Mr. RODDA: He always goes all right. I must concede that. Clause 5 refers to "spying, prying, watching or besetting; the overhearing or recording of spoken words; the making of visual images". I wonder what will happen to some of our cartoonists. If I had the ability of Petty or Mitchell, I would be looking for a job in a shearing shed, because that is well-paid work these days. Such cartoonists could come within the ambit of the legislation and, if someone objected to that kind of publicity, he would be backed up by this legislation and could be called to book for making a visual image. My main concern is the effect the legislation will have on the media.

Mr. Keneally: Do you believe they should be able to spy?

Mr. RODDA: I do not believe that the press spies. The press makes pertinent comments, and it has probably made them about the member for Stuart. Although we could place this obstacle in the path of the press, the Attorney has been reported in the press as saying that it has nothing to fear. After all, what is contained in the Bill will become law and, if a charge is laid under the legislation, the learned judge will be guided by the Act. The charge will be spelled out in the Act, and that is where the crunch will come if someone is found guilty. The definition of "spying" in the *Oxford Dictionary* is as follows:

> Keeping watch on movements of others, exploring secretly, keeping close and secret watch.

Also, "prying" is defined as:

> Looking or peering inquisitively, inquiring impertinently into a person's affairs.

Mr. Keneally: How many affairs have you had?

Mr. RODDA: I hope that, if this Bill is passed, its provisions will not operate retrospectively! The *Oxford Dictionary* definition of "watching" is as follows:

> In an alert state, being on the look-out, keeping vigilance, maintaining constant observation.

The definition of "besetting" is as follows:

> Hemming in, occupying or making impassable, encompassing.

These definitions seem to be wide, but this legislation will apply them to people who poke their noses into other people's affairs, and it will also apply them to the press. The Attorney-General has assured the press that this legislation should not concern them, but members of the press are concerned and I share their concern. I draw the attention of members to the introductory paragraph of a communication that members have received from the Australian Journalists Association, which states:

> The Australian Journalists Association believes there are dangers to the legitimate activities of its members in the Privacy Bill introduced in the South Australian Parliament. The A.J.A. and its members have always recognised and respected the right of privacy. This is shown clearly in the following sections of the A.J.A. code of ethics:
>
> (3) He shall in all circumstances respect all confidences received by him in the course of his calling.
>
> (6) He shall use only fair and honest methods to obtain news, pictures, and comments.
>
> (7) He shall reveal his identity as a representative of the press or radio and television services before obtaining any personal interview for the purpose of using it for publication.
>
> (8) He shall do his utmost to maintain full confidence in the integrity and dignity of the calling of a journalist.

From my experience members of the press have always lived up to that code of ethics. They may say and print things that we do not like, but it has been the freedom of the press that has made this country what it is today. If an event is not given publicity, the public complain. Sometimes journalists are unfairly taken to task for not covering all aspects of the news as it happens. Not so long age both the *Advertiser* and the *News* gave good coverage to activities in the law courts in this State. Recently, these items of news have been discontinued and only a brief reference to these matters is now made. Cause lists are published daily, but, in many cases, no detailed report of any case appears in the newspaper. Some time ago a person complained to me that the press had not reported fully the proceedings in a court case in which the defendant had committed an offence for the third time. This is a practical example of a member of the public complaining to a member of Parliament because this service has been discontinued, but I believe it was discontinued for a satisfactory and enlightened reason. Some remedies in relation to infringements have been written into the Bill, and clause 9 (3) provides, in part:

In awarding damages or in providing any other remedy in an action the court shall have regard to all circumstances of the case including—

(a) the effect or likely effect of the infringement on the health, welfare or social, business or financial position of the plaintiff;

(b) any distress, annoyance or embarrassment suffered or likely to be suffered by the plaintiff by reason of the infringement;

This provision seems to create what has been called a grey area, because, if a journalist reveals that he is a journalist and in doing so causes distress or is annoying, he comes within the ambit of this legislation. As a citizen of this State I cannot support this sort of legislation, because I find that this change is alien to me. Conditions exist at present that contribute to good living and our quality of life, and I cannot understand how this legislation is required in order to make this a better place in which to live.

To be fair to the Minister, I realise that he has introduced much legislation that has been for the good of the community, but I cannot understand how this controversial Bill will improve one iota our quality of life. I read the Attorney's reference to the women weeping at the funeral, but I think that is a borderline description of the invasion of someone's privacy. Although this legislation seems to be aimed at people who are required to keep the community informed, it may well affect people who will be looking under the bed, on top of the bed, and down the barrel. That is the only way I can describe how members of the media will look at events which it is their job to report. This legislation must shackle them to the "nth" degree, once it is placed on the Statute Book. As an ordinary member of the community, I cannot support it.

Mr. Keneally: You're anything but ordinary.

Mr. RODDA: Yesterday we discussed a Bill that will make it necessary to declare what loot we possess. Just because I own more than 400 ha of land in the South-East, which a valuer recently valued at over $600 a hectare so as to just about make me a quarter of a millionaire, I do not see why I should do so.

The Hon. Hugh Hudson: We always knew you were a fat cat.

Mr. RODDA: That is an interesting variation—a quarter of a fat cat. I could ease the mind of the Minister by declaring the worst side—my liabilities.

The Hon. Hugh Hudson: You're a "mortgage factor". Put it that way.

Mr. RODDA: Anyone who asks me whether I am a quarter of a millionaire, under the provisions of the Attorney's Bill, will commit an offence under this legislation. That is a paradoxical situation. On the eve of the departure from Parliament of a distinguished member, I do not believe he should go out as the sponsor of such legislation. With those few remarks, I oppose the Bill.

Mr. COUMBE (Torrens): I am speaking to the Bill because I do not wish to cast a silent vote, and I do not want the Bill regarded as King's memorial. I certainly assure the Attorney-General that I do not look on it in that light. This Bill makes me rather uneasy. I have gone through it fairly thoroughly. I will not quote from the extensive committee reports that have been referred to by other members during the debate, but I will touch on just one or two aspects of the Bill as I see them. First, we must ask ourselves, "Who has asked for the Bill to be introduced?" During the Attorney's professional performance on television a few evenings ago he indicated that the Bill emanated from a report issued by the Law Reform Committee (a committee set up by the previous Liberal Government). One does not have to implement all the recommendations of such a report, but it is pertinent to note that the Attorney has not included some of the recommendations on this subject that are contained in that report.

I keep coming back to the question, "Who in the community has asked for this Bill to be introduced?" I should be interested to hear the Attorney reply to that question. Who in the community, apart from those engaged in the legal profession, has asked for this Bill to be introduced? That is a pertinent question to ask about any legislation, but it is especially important in relation to this debate because the Bill relates to the human relationships of most South Australians. I am rather uneasy about certain aspects of the Bill because the Bill is not clear-cut; not even its most ardent supporters can say it is. I believe it contains areas of extensive vagueness, particularly in its definitions and in the effects of some of its clauses. If one looks at the obverse side of the coin one can find in South Australia no constitutional guarantee of freedom of speech.

We are talking about setting up a right of privacy that does not, as I understand it, exist in present law. I believe that our right of privacy and our freedom of speech are connected intimately, and that that is how it should be. If the Attorney really wishes to set up a general right of privacy he should clearly bear in mind both of the matters to which I have referred. Certain rights are protected by Statute law in particular, and by common law in general. The laws of trespass, nuisance, negligence, breach of copyright, patents (an important area in which I have been involved), libel and slander, to which the Attorney has referred, and some aspects of the criminal law apply in this respect.

When one considers privacy, which I believe is the gravamen of the Bill, one should consider the definition of that term. The Attorney sets out to define "privacy" in a fairly extensive clause that reminds me of the difficulties experienced in other parts of the world when members of committees and other people have sought to find a suitable definition. The member for Victoria defined some of the words in the definition clause. "Besetting", to which the Attorney referred, is defined as "hems in and sets upon; occupies". The definition to which I refer relates to this type of Bill. The word can also mean "to assail and encompass". "Besetment" is defined in part as "amounts to a besetting sin".

It is interesting to consider the attempt that has been made to define "privacy", which is what makes me uneasy. Attempts have been made to define it. When debating this matter the other evening, the member for Mitcham referred to the Nordic conference and specifically to an attempt that was made to define "privacy". The Younger committee, which has been quoted at some length in this debate, gave up trying to define it because it was too subjective. The Morison committee did not define it at all, but recognised some of the problems involved; however, that committee did not look into the matter at the same length or in the same depth as the Younger committee. I am aware that Mr. Lyon and another member of the Younger committee expressed dissenting opinions: there were two dissenting opinions out of 15.

The Hon. L. J. King: One of those in favour of defining it is the current Minister of State responsible for these

matters in the Wilson Government, so it might turn out to be more important. He will probably be there for another five years.

Mr. COUMBE: I do not know whether we are talking about the man who owns Lyons's cafes in London, but it was interesting to see that there were two dissenting opinions in a committee of 15 people. However, the committee did not really define "privacy" which, in all fairness to the Attorney, is the problem now facing him, because some of these matters are fairly vague. On television on Monday evening, the Attorney tried to explain the phrase "substantial and unreasonable intrusion".

The Hon. G. R. Broomhill: How do you think he went on television?

Mr. COUMBE: I think he would get a ticket in Actors Equity.

The Hon. G. R. Broomhill: You thought he was insincere, did you?

Mr. COUMBE: I did not say that.

Mr. Mathwin: How many stars do you think monitor Crease would give him?

Mr. COUMBE: I thought the Attorney was well made up and that he did his best to reply to questions. I was interested in his reply to a question about substantial and unreasonable intrusion. I am trying to be as fair as I can, and to the best of my recollection he gave the audience to understand that this was not minimal but something of fairly solid proportions and of some substance: certainly, that it meant more than half.

Those of us who have had something to do with mathematics would be aware (as would the Attorney) that "substantial" means anything, however small, as long as it is not so negligible as to be ignored by the law, which does not concern itself with trifles. The Attorney knows the Latin phrase *de minimis non curat lex,* which means that the law does not concern itself with trifles. That immediately changes the whole matter completely around, and I refer to the definition of "right of privacy" in clause 5.

What is "unreasonable" and how will the courts interpret that word? The word must be taken with the word "substantial", and I have quoted the maxim about the law not concerning itself with trifles. What is unreasonable in the view of the law? Something may be unreasonable in some cases yet reasonable in others, and this disturbs me.

Again, I refer to the words "distressing, annoying and embarrassing". Something may be distressing to the member for Peake (I am looking for the best-looking member opposite) but not to me. Again, something may be embarrassing to the member for Stuart, but not to me. These matters concern me greatly and, because of their vagueness and difficulty of definition, they will give rise to serious problems.

The Younger committee stated that privacy legislation was not to be recommended, because it would unnecessarily impinge on the freedom of speech and on the freedom of the press (the committee included the press, incidentally), and the committee stated that the desired balance could be attained by other means. It did not define "privacy".

Further, what is the public interest, and how will it be defined? I have an idea about what is a matter of public interest. It may be a matter of Cabinet importance, a matter of interest to this House, or a matter of whether a certain footballer will be fit to play in a grand final. This is where one comes up against difficulties. Are we talking about scandal, gossip, or whether a certain movie star wears a certain costume? I say these things to show what to me is the vagueness of the whole question.

One may almost ask whether, because of the problems that the courts will have in giving judgments, Parliament is shirking responsibility and should be more definitive. When I refer to shirking responsibility, I point out that I understand that the Attorney-General's philosophy is to get a certain amount of case law built up as a result of this Bill. However, in setting up this case law for future hearings, there could be difficulties and delays, the various judges could give differing interpretations, and it may be years before the matter settles down. In those circumstances, what will happen to the poor litigant?

Difficulties of vital importance are not covered in the Bill. I have referred to the Law Reform Committee's report and the fact that certain matters have been left out of the Bill. I admit that I have not had the advantage of seeing that report, but I understand that certain matters which were mentioned and which could be incorporated have not been included. I will deal with what I think we could add to the Bill, and I should like the Attorney to say why he has not included it.

I know the present position regarding newspapers, contempt of court, and when a case is taken to court. In the case of newspapers (and I expect that this applies also to other sections of the media), there can be what is known as an offer of amends. Should that not be inserted here as is done in cases of libel? I also believe that the offence of implied consent should be provided for in the Bill. In his television interview, the Minister has said that the Bill does not affect the press, but I believe that it does because the press reports the activities of individual persons in our community. So, I am uneasy about the effects of the Bill and I am not at all convinced that it will give effect to the Minister's desires in this regard. The Minister made a powerful and cogent speech when explaining the Bill, but he has not said who in the community has asked for it to be introduced. I would like the Minister to say who, apart from the Law Reform Committee, has asked for the measure. I believe it is another example of consumer protection legislation.

Before setting up a Bill to protect the rights of privacy we should guarantee freedom of speech. I believe that is fundamental, irrespective of what legislation the Commonwealth Government may have in the offing. This Bill relates only to South Australia and at the moment freedom of speech is not guaranteed in this State. I think the Bill will have an inhibiting effect on the media and that will not be to the advantage of the community. The press has an Unfettered right, subject to the laws of libel, to report freely the happenings in this State. This legislation may affect local journalists, but it will be interesting to see the effects of the Bill on national newspapers and radio and television programmes. I believe the programme on which the Minister appeared earlier this week was a national programme. The Bill will affect the provincial press in this State as much as it will affect what we call the daily press. I will not go into the question of what is the legitimate and the illegitimate press. I cannot support the measure.

Mr. McANANEY secured the adjournment of the debate.

ADJOURNMENT

At 4.25 p.m. the House adjourned until Tuesday, October 15, at 2 p.m.