HOUSE OF ASSEMBLY

Thursday, October 31, 1974

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

ASSENT TO BILLS

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

Gas Act Amendment,
Morphett Street Bridge Act Amendment,
Parliamentary Superannuation Act Amendment,
Savings Bank of South Australia Act Amendment,
Statutes Amendment (Committee Salaries).

PETITION: WATER RATES

Mr. EVANS presented a petition signed by 41 persons who expressed concern at the present inequitable system of estimating and charging water and sewerage rates, particularly in the present period of high inflation. This practice had resulted in water and sewerage rates being increased, in many instances, by more than 100 per cent, which was an unfair, discriminatory and grossly excessive impost on them and which would cause hardship to many residents on fixed incomes. The petitioners prayed that the House of Assembly would take action to correct the present inequitable and discriminatory situation.

Petition received.

PETITION: SODOMY

Mr. CHAPMAN presented a petition signed by 221 persons objecting to the introduction of legislation to legalise sodomy between consenting adults until such time as Parliament had a clear mandate from the people by way of a referendum (to be held at the next periodic South Australian election) to pass such legislation.

Petition received.

DISTINGUISHED VISITOR

The SPEAKER: I notice in the gallery a distinguished visitor, His Excellency, Phya Kamchan Pradith, Ambassador to Australia for Laos. Knowing that it is the unanimous wish of the House, I invite His Excellency to take a seat on the floor of the House, and I ask the honourable Attorney-General and the honourable Leader of the Opposition to conduct our distinguished visitor to the Chair and introduce him.

His Excellency Phya Kamchan Pradith was escorted by the Hon. L. J. King and Dr. Eastick to a seat on the floor of the House.

QUESTIONS

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

PORT LINCOLN WHARF

In reply to Mr. BLACKER (October 23).

The Hon. HUGH HUDSON: It is not intended to use the old bulk loading plant at Port Lincoln indefinitely after the new plant is commissioned, but it will be held in reserve for at least 12 months after the commissioning of the latter as an alternative facility in case there are any teething troubles. Over-capitalisation does not apply, as funds have already been expended on both the new and the old facilities, and there is no credit to be obtained by the sale of the old plant which has depreciated to a certain extent over the past 14 years. When the old plant is finally dismantled, the possibility of using the wharf as a fish unloading facility will be considered.

PARINGA BRIDGE

In reply to Mr. ARNOLD (October 22).

The Hon. G. T. VIRGO: The approaches to the Paringa bridge on Sturt Highway were recently inspected by the Highways Department, and arrangements are in hand to implement the following measures:

1. Erect additional warning signs.

2. Install raised pavement markers to delineate the approaches to the bridge.

3. Relocate the existing signs with a view to improving their value to motorists.

It is also intended to investigate the feasibility of installing street lighting on the bridge structure. A study of accident statistics at this location indicates that between January 1, 1970, and December 31, 1973, only three accidents have occurred involving semi-trailers, and that only one of these resulted in a fatality. In none of these accidents has the condition of the road been assessed as the cause of the accident.

VEHICLE WEIGHTS

In reply to Mr. RUSSACK (October 15).

The Hon. G. T. VIRGO: Values for gross vehicle weight and gross combination weight limits are not determined from any set formula, as the factors that affect these values vary with every model and make of vehicle assessed. Assessments are made after taking into consideration manufacturers' specifications, legal axle loads, axle and tyre equipment, and any other components having a bearing on carrying capacity. Gross vehicle weight ratings less than those specified by the manufacturer usually only result when:

(*a*) The gross vehicle weight specified by the manufacturer exceeds the aggregate load that can be legally carried by the number of axles fitted—as specified in the Road Traffic Act.

or

(*b*) When the standard specification (on which the manufacturer's rating was determined) has been changed by the replacement of some load-carrying component (for example, tyres) in such a way as to reduce the overall carrying capacity of the vehicle.

Gross combination weight ratings less than those specified by the manufacturer can arise in the case of articulated vehicle units where the specified rating exceeds the aggregate legal axle loads or the maximum recommended tyre loads for the complete vehicle. Some difficulty has been experienced in the determination of ratings for older vehicles where information in relation to manufacturer's ratings is either not available or obscure. This is particularly so in cases where the type of vehicle was produced with a variety of options, all of which slightly affect the manufacturer's gross vehicle weight rating.

Owners of vehicles that have been assessed are advised in writing that "an owner may within 14 days submit any further information which he considers justifies a review of the assessment". Owners of vehicles, and more particularly owners of older vehicles, who have reason to doubt the accuracy of the assessment given should therefore apply, stating such information so that the matter can be reviewed by the Advisory Committee for Load Ratings. The 20 per cent allowance referred to is not included in the rating shown in the registration certificate. The Road Traffic Act allows an aggregate weight on all axles of a vehicle of up to 20 per cent above the rating shown in the certificate.

BEACH PROTECTION

In reply to Mr. MATHWIN (October 15).

The Hon. G. R. BROOMHILL: If the honourable member refers to the Coast Protection Board's study report of the metropolitan coast, I advise that this report is now being printed and it is likely that the board will be able to make copies available to councils in the metropolitan coast protection district soon. I understand that one of the recommendations in the report is that parts of some esplanades be closed to through traffic. This proposal is particularly desirable in places of congestion and where open reserves are opposite the beach, as, for example, is the present situation at Brighton. I know that the board is keen to initiate procedures for the closure of esplanades in such circumstances, and is willing to help finance the cost of the work involved. It will, in fact, do this with the pending closure by the Noarlunga council of a section of the esplanade opposite Christies Beach.

STENHOUSE BAY HOUSES

In reply to Mr. BOUNDY (October 15).

The Hon. G. R. BROOMHILL: One of the conditions of the agreement being negotiated with Waratah Gypsum Proprietary Limited for the purchase of Stenhouse Bay provides for some of the houses plus the store to become the property of the Government. The other houses will become the property of the Government if not removed by a date to be specified. Consideration is now being given to the development of Stenhouse Bay as a tourist resort, incorporating the use of existing facilities such as housing, store, recreation hall, etc. However, inquiries made suggest that the condition of most of the houses is such that it would be uneconomical to upgrade them to a standard suitable for occupancy.

SOOT NUISANCE

In reply to Mr. GROTH (August 13).

The Hon. G. R. BROOMHILL: The Minister of Health states that soot fall-out from the premises of Uniroyal at Salisbury has been investigated by officers of the Public Health Department. Soot fall-out is likely to occur during blowing operations, and the company has indicated that, if possible, it will take care to soot blow when wind conditions are favourable. Soot blowing is allowed under the Clean Air Regulations, 1969. Conversion of the factory boilers to natural gas will take place during the Christmas holiday period, and this will reduce the problem.

MINISTERS' ABSENCE

The SPEAKER: Before calling for questions from honourable members, I inform the House that, in the absence of the honourable Premier because of sickness and of the honourable Minister of Education on Ministerial duties, any questions that would normally be directed to either of those two Ministers may be directed to the honourable Attorney-General. Also, in the absence of the honourable Minister of Labour and Industry, questions that would normally be directed to him may be directed to the honourable Minister of Environment and Conservation.

PETROCHEMICAL PLANT

Dr. EASTICK: Has the Minister of Development and Mines been given any cause for concern that the Redcliff petrochemical industry may still not be out of jeopardy, particularly in view of the strong feeling among some sections of the oil and gas exploration industry that the national pipeline grid proposed by the Commonwealth Minister for Minerals and Energy (Mr. Connor) is not likely to be built? In putting my question to the Minister, I wish to know whether he considers that, if, as has been suggested, the national pipeline grid does not proceed, there will be any adverse effect on the viability of the Redcliff petrochemical plant. I will quote from a report which appears in yesterday's *Financial Review* and which states that Mr. Piesse (President of the Australian Pipeline Contractors Association) at the association's annual general meeting said:

> I find it difficult to believe the proposed national pipeline grid is feasible at this time or in the foreseeable future. The economic problems of Australia are now so immense that our industry can, I believe, put paid to Mr. Connor's huge and immensely costly grid system for many years to come.

It is on the basis that the pipeline was to be integrated into the overall project at Red Cliff Point that I seek this information from the Minister. Is there cause for concern about the viability of the Redcliff project, if there is a breakdown in negotiations with regard to the national pipeline grid? I understand that the position is firm in relation to the Moomba-Sydney gas pipeline, which is also an integral part of the total project, because the Sydney market requires gas to be delivered soon. However, we are not looking only at the Moomba-Sydney pipeline and that from Moomba to Red Cliff Point: we are looking also at the integration that is an essential part of the total from the national grid.

The Hon. D. J. HOPGOOD: I am afraid that I cannot see how this statement really has any impact on the Redcliff project. First, the fact that someone somewhere makes a statement criticising general strategy does not mean that the general strategy is ill-conceived. Even if it were, it still would not follow that the Redcliff project was not a goer. The general strategy of Mr. Connor is for a pipeline system that will link the Eastern States and South Australia with the Mereenie and Palm Valley field in the Northern Territory, the North-West Shelf, and possible further developments. At one time the Commonwealth Minister would have liked a pipeline under the control of the National Pipelines Authority that would link the whole of this system with the Bass Strait fields and the fields around Lakes Entrance, but that has been pre-empted.

Dr. Eastick: What it may—

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: The point I want to make is that the Redcliff project relies on, first, a spur from a pipe already there, namely, the gas spur from the Moomba-Adelaide gas pipe, and it relies on the construction of a liquids pipeline. Those things can be considered in isolation from the whole concept of a national grid. Those matters were being discussed and evaluated well before the overall concept arose. Mr. Connor has stated publicly that he intends to proceed with the Mereenie and Palm Valley pipe as soon as the Moomba-Sydney pipe has been completed. I think this statement was directed more at the economics of the expansion from the Mereenie and Palm Valley field on to the North-West Shelf. I am not able to give any assurance to the House as to the economics of that project. I simply make the point that it has no immediate or short-term effect on the economics of the Redcliff project. If the pipe is built, it will mean in the long term that South Australia will be tied into not only the Northern Territory and South Australian gas reserves but also the North-West Shelf gas reserves, and we would like to be in that position. However, we are, after all, talking about a situation which is well in the future and which may be well beyond the lifetime that is foreseen for the Redcliff plant.

WORKER PARTICIPATION

Mr. COUMBE: Will the Minister of Environment and Conservation, in the absence of the Minister of Labour and Industry, provide further information on worker participation in management following the release of the Prowse report on the Quality of Worklife Unit? Some months ago, before Mr. Prowse went overseas on a study tour, opposition to the scheme was expressed by some union members, and I emphasise "some". Since then the Premier has made at least two public speeches to my knowledge on the subject and has said that he is disappointed at the response from the private sector of industry and that legislative action might have to be taken in future. I therefore ask the Minister whether there has been a change of attitude from the union concerned and, if there has not, what action he intends to take.

The Hon. G. R. BROOMHILL: I should think the question had been answered fully by the Premier and the Minister of Labour and Industry recently.

The Hon. G. T. Virgo: Very adequately, too.

The Hon. G. R. BROOMHILL: However, I will consider whether the question contains any new content and, if it does, refer it to the Minister of Labour and Industry to ascertain whether he wishes to add anything further.

ADULT EDUCATION

Mr. ALLEN: Can the Attorney-General, in the absence of the Minister of Education, say whether there is a shortage of finance for adult education classes in this State? My attention has been drawn to the situation at Peterborough, where an excellent adult education workshop has been established but where classes are being held up, we are told, by a shortage of finance. A short article that appears in this week's *Northern Argus,* based at Clare, states:

Dame Rumour is oft a fickle jade . . . but persistent whispers hear tell, that the Mid-North adult education centre based at Clare is in financial trouble. "Supply" seems to have been cut short, we hear tell and, consequently, there could be some curtailment in classes and the scope of subjects that may be offered in the New Year.

Can the Minister say whether the report is correct?

The Hon. L. J. KING: I will refer the matter to the Minister of Education.

FISHING LICENCE

Mr. CHAPMAN: Will the Minister of Fisheries investigate the actions of his Acting Director (Mr. Olsen) concerning the recommendations and evidence that led to the recent cancellation of the rock lobster licence held in the names of L. J. and J. L. Vahlberg, South Australian fishermen? Accordingly, will the Minister report the full details surrounding the incident to the House? On or about March 22, 1974, Mr. Manos, SM, handed down a judgment against the said fisherman. He found Messrs. Vahlberg guilty of an offence under section 52(3) of the Fisheries Act, 1971. The defendant was duly convicted and fined, with costs. It is understood that the Minister subsequently has taken further disciplinary action against the defendant, following certain recommendations and evidence being supplied to him by the Acting Director. In order to bring to the notice of the House the details of my explanation, I refer to the relevant paragraphs of a statutory declaration made by a member of the Rock Lobster Industry Advisory Committee today.

The SPEAKER: Is that statutory declaration lengthy?

Mr. CHAPMAN: No, Mr. Speaker. In identifying himself, the signatory states:

(1) I am a member of the Rock Lobster Industry Advisory Committee.

(2) The said committee comprises seven members and a Chairman, Mr. A. M. Olsen, Acting Director of Fisheries.

(3) At a meeting of the Rock Lobster Industry Advisory Committee held on the 18th day of September, 1974, at the Department of Fisheries offices, 183 Gawler Place, Adelaide, in the said State the Chairman of the said committee requested the views of its members on a recommendation he had made to the Minister of Fisheries in regard to the cancellation of a particular fisherman's licence.

(4) Mr. Olsen informed the members of the committee that he had recommended the cancellation of the licence for a period of three months.

(5) He advised the members that the case related to a fisherman who had been convicted of taking lobsters from another man's pots and who as a result of the conviction had been fined the sum of $50-00.

(6) At this meeting I expressed my dissatisfaction with the manner in which the matter was being dealt and my opinion that the proposed cancellation was too severe.

(7) A majority of the members of the committee supported a proposal that a recommendation be made to the Minister for the cancellation of the licence for a period of two months.

(8) On the 21st day of October, 1974, I met Mr. Olsen . . .

(9) As I was leaving his office he informed me that Parliamentary pressure had been placed on the Minister of Fisheries who had as a result referred the recommendation of the 18th September, 1974, back to the committee for confirmation that it was still of the same opinion.

(10) He advised me that I would receive correspondence in this regard during the next few days.

(11) He then said, "And by golly if you fellows don't back me on this I'll get even with you."

This statutory declaration was declared and witnessed by a JP on October 31, 1974. Subsequent to that conversation, the signatory received the correspondence. From the evidence received, it is claimed that the Acting Director of Fisheries has acted most improperly and has used his high office to threaten and intimidate in order to substantiate his recommendations to the Minister in this case.

The Hon. G. R. BROOMHILL: I am aware of the judgment to which the honourable member has referred, the conviction recorded, and the decision by the Acting Director to cancel the authority for two months. I think that, in view of the serious suggestions contained in the material that the honourable member has read, it is only proper that I should call for a full report and give it to the House. I should appreciate the honourable member's giving me a copy of the material that he has read so that I can ensure that everything is covered.

RURAL ASSISTANCE

Mr. NANKIVELL: Will the Attorney-General ask the Minister of Lands what funds are at present available to this State under the Rural Industries Assistance (Special Provisions) Act, and what part of these funds has been committed by direction of the Commonwealth Government for farm build-up purposes? Further, assuming that the balance is available for debt adjustment or carry-on finance, if the value of approved applications for assistance exceeds the funds currently available for this purpose will the Government make immediate representations to the Commonwealth Government for the release of funds at present committed to farm build-up or, alternatively, for additional funds for debt adjustment and carry-on finance purposes? My question is prompted by the need to provide adequate and immediate financial assistance for the many people involved in the cattle breeding and fattening industry.

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

Mr. RODDA: Will the Attorney-General discuss with his Leader the possibility of officers of the Premier's Department making a detailed examination of the plight

of the rural industry and primary producers along the lines of the apparently successful study that has been made on the automotive industry? A serious financial position is arising among primary producers throughout the State, and officers of the Premier's Department possess the expertise and ability to seek the information necessary to study the rural scene. I will list three cases of hardship that have occurred in my district. One concerns a family that is developing a property running 100 breeders and, subject to the season, they bring in fattening cattle. This family is trying to service a $30 000 loan but, on present income, they do not have a snowball's chance in the hot place.

The SPEAKER: Order! The honourable member for Victoria should know that, when giving an explanation, he must be brief, otherwise leave of the House may be terminated by members at any time. The honourable member must not comment when explaining his question.

Mr. RODDA: The second example concerns a farmer on a 200 hectare property who has been given notice that, within 28 days, he must discharge in full a $20 000 debt. The third example concerns a 30-year-old man who is developing a property in the South-East and who has been told that he must discharge a $20 000 loan immediately. As all these are typical examples of people in rural industry throughout the State, I believe that is time their pleas were examined.

The Hon. L. J. KING: In the course of the reply, I do not intend to comment on the theological presupposition underlying the honourable member's reference to the fate likely to befall a snowball in the place of punishment to which he has referred. However, the Government and I are conscious of the difficulties confronting rural industry throughout Australia, including South Australia, and are conscious of the need to examine the problems associated with that industry and the people who gain their livelihood from it. However, I do not know whether the course suggested by the honourable member is the best course, although I know that, as he acknowledges, the officers of the Premier's Department are highly qualified and well equipped to tackle the problems of industry and of the economy generally in South Australia.

This is a tribute to the great care the Premier has taken over a period in developing the Premier's Department and its staffing as a means of looking after the State's economic well-being, and we have seen evidence of that in the last week. It is perhaps not beside the point to note that the Premier's initiative and policy in that regard have met constant opposition with regard to the development and staffing of his department. I hope that the critics are now satisfied that what has been done has produced excellent results for the people of South Australia. However, whether the staff of the Premier's Department should be given the task of examining the condition of the rural industry and what can be done to assist it are matters that I will refer to the Premier.

HALLETT COVE

Dr. TONKIN: Will the Minister of Environment and Conservation ask the Government to take further urgent action to preserve the foreshore of Hallett Cove now that permission has been granted for preliminary roadworks to proceed in connection with the proposed housing subdivision? It has been announced today that construction is to proceed on the roadworks necessary for the subdivision of the proposed Hallett Cove area. Approval for this subdivision is still subject to a decision by the Commonwealth Government whether or not it requires more land in the buffer zone adjoining the foreshore, which is of great national interest as well as of interest to South Australians. Because of our dependence on the Commonwealth Government for funds, we must await a decision by that Government whether the foreshore will be afforded the necessary buffer zone. I believe the South Australian Government should make urgent representations to the Commonwealth Government for an early and urgent decision on this matter. I hope that if the decision is not favourable, the South Australian Government can find some money from somewhere to purchase the land.

The Hon. G. R. BROOMHILL: It appears that the honourable member misunderstands completely the position in relation to Hallett Cove. The site of scientific interest is the main area of historical importance. The Commonwealth Government is looking at a proposal to extend the buffer zone already purchased by the State Government around that area. The areas it is looking at are not on the foreshore, but are behind an extension of the buffer zone that has already been purchased. The protection necessary for that area is already afforded by the Coast Protection Board, which scrutinises closely any activities in the area. It is not a question of coast protection being involved but rather consideration by the Commonwealth Government whether it will fund any additional buffer zone adjoining the site of scientific interest.

SCHOOL FIRES

Mr. GOLDSWORTHY: In the absence of the Premier and the Minister of Education, can the Attorney-General say what investigation the Government is undertaking to safeguard school buildings from arson? A disastrous fire occurred two nights ago and the damage is estimated at $600 000. Over the years school fires have cost millions of dollars. Is the Government investigating warning devices, sprinkler systems, the introduction of patrols, or the employment of caretakers resident at or near schools in an attempt to prevent these fires? Even if only one fire were prevented, the money saved would be more than that required to introduce the preventative measures I have suggested.

The Hon. L. J. KING: I will get the information the honourable member seeks.

GOVERNMENT STATEMENTS

Mr. DEAN BROWN: What action will the Attorney-General take to ensure that the Premier and other Ministers stop grossly misleading the public by making inaccurate statements? I will point out to those somewhat vocal Government members some of the misleading statements that have been made. First, I refer to the Minister of Agriculture, particularly concerning a letter he sent to Mr. Max Saint about the transfer of wheat quotas for landholders at Monarto. Reports in the *Bridge Observer* of October 29 clearly indicate that the Minister sent a letter; yet public statements reported in yesterday's *Hansard* report of the proceedings in another place clearly indicate that the Minister claimed that he did not send a letter. I will now refer to another matter relating to the same Minister's contradictory statements concerning Deep Creek. A careful examination of *Hansard* again reveals the contradictions in that Minister's statements. I will now refer to statements the Minister of Transport has made concerning—

The SPEAKER: Order! Will the honourable member say how many examples he will give?

Mr. DEAN BROWN: Two more, Sir, after this one.

The SPEAKER: Are they brief?

Mr. DEAN BROWN: Yes, Sir.

The SPEAKER: Otherwise, leave will be withdrawn.

Mr. DEAN BROWN: These statements concern concrete and railway bridges on the east-west line. I will go no further than that.

The Hon. L. J. KING: On a point of order, Mr. Speaker, the honourable member asked what steps the Government would take to prevent the making of misleading statements on behalf of the Government. He then sought leave of the House to explain his question, but he has used that leave to give a series of accounts of matters that seem to have little relation to one another and absolutely no relation to his question. My point of order is that he has exceeded the leave he has been given.

The SPEAKER: Order! As a point of order has been raised during the granting of leave to explain a question, I take the point of order as a refusal to continue the leave.

Mr. Dean Brown: They can't face the truth.

The SPEAKER: I warn the honourable member for Davenport for the first time and will implement the provisions of Standing Orders if he disregards the authority of the Chair.

Mr. Wells: The honourable member can't tell the truth.

The SPEAKER: Order! I warn the honourable member for Florey also.

The Hon. L. J. KING: As this kind of question does not deserve an answer, I will not give one.

MONARTO

Mr. PAYNE: Has the Minister of Development and Mines given any specific commission to Mr. Ivon Wardle (member for Murray) to obtain information on British new towns for possible incorporation in planning studies for Monarto, and is he aware that the honourable member is displaying considerable enthusiasm for the Monarto project? This enthusiasm on his part appears to be at considerable variance with the attitude that has been displayed by other members of the Opposition.

The SPEAKER: Order! The honourable member must not comment.

Mr. PAYNE: If I can obtain leave from you, Sir, and leave of the House, I will quote from a press release issued by the Information Service of the British High Commission in Australia to support the reason behind my question. If I may be permitted to quote as briefly as I can from this release, I believe that it will illustrate further the reason behind my question. This press release, which is headed "Australian MP talks to Scottish new town artist", states:

> David Harding, who has the unusual job on the planning staff responsible for a Scottish new town project of official artist, told an Australian M.P. that artists had a real place in planning, providing they forgot their "precious fine-art views" . . .

He said a little more but, in keeping with your rulings and desire in this House, Mr. Speaker, for members to be as brief as possible, I will move on to a further part of this report, which states:

> The Australian MP was Mr. Ivon Wardle, who represents the Murray constituency in South Australia's House of Assembly, Adelaide. Mr. Wardle is visiting new town projects in Britain, Europe, America and Canada looking for ideas that can be incorporated in Adelaide's new satellite town at Monarto in his constituency . . .Mr. Wardle said that he was impressed at Glenrothes (the new town) with the way cultural, educational and industrial developments had been harmonised to provide a modern living environment. He said, "I think our Monarto project might well incorporate some of Glenrothes's best features, particularly that of involving artists in the environmental planning and community building."

The Hon. D. J. HOPGOOD: I have not given the member for Murray any specific commission. However, when he returns I shall be most interested to hear from him about the information he has received. Through the expertise of its officers, the Monarto Development Commission has much information available to it about new towns in the British Isles, but we are not so narrow minded as to suggest that all the information available on this topic is presently available to us. We will want to regard the member for Murray as a source of expertise on the matter when he returns if, in fact, he is willing to make this information available to us, as I imagine he probably will be. As a result of the information the member for Mitchell has given this afternoon, I find that the member for Murray appears to have a refreshingly supportive attitude on this matter. His attitude seems to stem from an earlier, more innocent age, when the Opposition's attitude towards Monarto was guided by the merits of the proposal rather than by Party politics.

Dr. EASTICK: Will the Minister acknowledge that the member for Murray is undertaking a Parliamentary study tour, the subject of which was revealed to the Government before he left? In addition, will the Minister, in his capacity as Minister assisting the Premier, acknowledge outright or seek to confirm that the honourable member discussed with Government officers the towns he should visit, so as to gain the best advantage of the study tour in relation to the subject of new towns? The member for Murray is undertaking a tour for a specific purpose, and it does not require a Gestapo-type dossier—

The SPEAKER: Order! I rule that remark out of order.

Dr. EASTICK: —to be introduced into a matter of this nature. When the member for Murray returns from overseas next Sunday, I am sure he will be happy to make available to the Government any information he has gleaned, because it has been with full Government knowledge and help in making arrangements for the visit that he has been making various inquiries.

The Hon. D. J. HOPGOOD: Never before, I suggest, in the history of British Parliaments has a press release from the British High Commission been likened to a Gestapo-type document.

The SPEAKER: Order! I ruled that remark out of order.

Mr. Becker: Let the Government deny that it does not keep dossiers!

The SPEAKER: Order!

The Hon. D. J. HOPGOOD: The reply to the Leader's question is "Yes, but so what?" I thought I had made perfectly clear in my reply that I was, on behalf of Mr. Wardle, applauding the contents of the document and the sentiments expressed in it, and that I was sure I would find whatever further he had to say upon his return of much assistance to the Government. I have not suggested, nor has my colleague, that Mr. Wardle has in any way acted improperly.

The Hon. L. L King: It sounds as though he is deriving much benefit.

The Hon. D. J. HOPGOOD: Certainly. I merely compared the statements that had emanated on Mr. Wardle's behalf to the statements that his colleagues have made recently in this House.

MODBURY HEIGHTS LAND

Mrs. BYRNE: In the absence of the Minister of Education, will the Attorney-General ascertain whether the Education Department intends eventually to build a high school on land held by the department at Modbury Heights, on either section 1586 or 1587?

The Hon. L. J. KING: I will obtain the information.

WHEAT

Mr. McANANEY: Will the Attorney-General ask the Minister of Agriculture to ascertain from the Wheat Board when the next advance will be paid on the 1973-74 wheat crop and whether any following advances may be made before the end of June next? If these payments do not add up to the total value of the whole crop, can an approach be made to the Commonwealth Government for it to make full payment on wheat delivered to the pool? The proceeds received from the 1973-74 wheat crop so far do not yet cover the cost of sowing that crop. Now, the 1974-75 crop is about to be reaped, and an advance very much below the cost of sowing that crop will be received. The Commonwealth Government will have no chance of attaining its objective of a greatly increased wheat crop next season unless growers receive at least total payment for the 1973-74 crop and the cost incurred in sowing the 1974-75 crop, before they have to sow the 1975-76 crop.

The Hon. L. J. KING: I will obtain the information for the honourable member.

COMMONWEALTH GAMES

Mr. BECKER: Can the Minister of Recreation and Sport say whether the Government has received an approach from the South Australian branch of the Commonwealth Games Council or any other interested sporting organisation for support to hold the 1982 Commonwealth Games in Adelaide? I believe that most South Australians were disappointed that Adelaide lost the 1962 Commonwealth Games to Perth. Because of the establishment at Olympic Sports Field of a tartan track that is equal to any track in the world and because of the improvement of sporting facilities and the growing interest in sport and recreation in the past 12 years, I ask the Minister whether the time is now opportune for the State Government to encourage an application for the holding of the Commonwealth Games in the future, say, in 1982. Such an event would not only be a tremendous boost to amateur sport in this State and to the future growth of the little amateur athletics league: it would also be a shot in the arm for the tourist industry. If an approach is made, will the Government support such an application?

The Hon. G. R. BROOMHILL: An approach has been made to the Government. At present we are doing some of the background work to establish whether we could cater for such an event. I concede that the honourable member has identified the advantages to tourism in this State. We have now greatly increased facilities, so that we are more able to conduct an event such as this. However, many other matters must be considered before a serious application of this type can be made. I assure the honourable member that we are looking seriously at these matters.

Mr. Becker: Discussions are being held?

The Hon. G. R. BROOMHILL: Yes. I shall be happy to inform the House when all these matters have been considered.

ROYAL VISIT

Mr. MATHWIN: I ask a question of the Attorney-General, who is fourth in line from the Premier. Can he say whether any invitation has been extended to Princess Anne to visit South Australia soon? Has she been invited to Expo 75? A report in today's *Advertiser* quotes Princess Anne as saying she would like to come to Australia (I do not blame her for that), being willing to come, if invited, at the earliest opportunity. The recent successful visit of Prince Charles to other States in Australia has shown that, apart from a small minority, most Australians really appreciate the Royal Family.

The Hon. L. J. KING: I am nut aware that any invitation has been extended, or that the occasion has arisen to extend an invitation, to Princess Anne. I am sure that if she visited this country she would be most welcome in South Australia, and that a very cordial welcome would be extended to her not only by the Government but also by the people of this State. I think that protocol in such matters requires an invitation to a member of the Royal Family to be extended by the Prime Minister or the Government of the Commonwealth of Australia. However, I will refer the honourable member's suggestion to the Premier and discuss with him whether it will be appropriate to take the course suggested by the honourable member.

DRIVERS' LICENCES

Mr. EVANS: Will the Minister of Transport ascertain whether a more fool-proof system can be established for issuing initial drivers' licences to individuals? It has been brought to my attention that a youth, 16 years of age and living in Hawthorndene, had a slight accident in which no real damage was caused, but the accident was serious enough for him to have reported it to the police on Tuesday this week, when he was told that his licence was invalid. He applied for his driver's licence on July 24, after passing his driving test at the Colonel Light Gardens police station. He is a student at Goodwood High School. When he took the papers to the office of the Registrar of Motor Vehicles (as is normal practice for those applying in person), he passed them over the counter, and left the office with his driver's licence. However, when he showed the licence at the police station (which he is required to do when reporting an accident), the licence did not show the cash register imprint. I discussed this matter with Mr. Strutton (Registrar of Motor Vehicles), and he told me that this situation had occurred in the past, when people had the licence filled out, returned to them, and been told to hand it to a cashier. If that practice is not followed the person does not have a licence until he pays the fee and an imprint is shown on the document.

This youth believed that he had paid the $3 but, after I had questioned him and told him that the Registrar had suggested that it was more likely that he picked up the form and walked out, thinking that he had a legitimate licence, the youth replied, "I can't be sure, Mr. Evans, but I believe I have paid it." Now, he has to pay $5 to obtain a licence, after obtaining a statutory declaration from the police station. As he is a youth and no doubt at the time was nervous, that is more likely to happen than the department's making a mistake. I do not think a mistake was made by the department, but I believe that some other method should be used instead of the completed form being handed to the individual. There should be a clear typewritten statement stating that the licence is not valid until it has the imprint of the cash register on it. At present, the wording on the licence form is as follows:

> ... the person named below is hereby licensed to drive from the date of the cash register imprint to the expiry date shown.

I do not believe that anyone would read those words, which are in very small print. I showed this document to four of my Parliamentary colleagues and asked them whether they could see anything wrong with it. Only after several moments did one of them tell me what was wrong with it. I ask the Minister whether the system can be improved, because the Registrar says that other persons have made a similar mistake. One of the grave implications is that, if a serious accident occurs, the person involved is technically not licensed, and if a person is injured there could be a legal argument and no compensation paid to that individual. I am not criticising the department, but this system presents a problem, and there should be a better way of telling the person that he has to go to the cashier to pay for his licence, instead of his being handed what seems to be at first glance a genuine driver's licence.

The Hon. G. T. VIRGO: The honourable member is asking whether the present system of issuing a driver's licence should be changed.

Mr. Evans: The issue of the initial licence.

The Hon. G. T. VIRGO: At present the issuing of the form of licence is being reviewed, and I expect, within a few days, to announce what the Government intends to do that will, in effect, reply to the question asked by the honourable member. However, the announcement will not necessarily reply to the explanation that the honourable member appended to his question. Frankly, I shall be interested to read the *Hansard* record of the honourable member's explanation, because I find it absolutely unbelievable that a person could go into the office of the Registrar of Motor Vehicles, apply for a licence, and walk out and then say that he did not know whether or not he had paid the $5 licence fee.

Mr. Evans: It was a $3 fee.

The Hon. G. T. VIRGO: I thought that the licence fee had been altered: if he received it before October 1—

Mr. Evans: It was back in July.

The Hon. G. T. VIRGO: Today is October 31, and I thought that the question had some relevance to today. However, at that time the fee was $3. Even so, it does not alter my point that this person must have plenty of money in his pocket to be able to walk into an office and walk out again not knowing whether or not he has paid $3. I am sure many people in this State would be happy to be in the position of not knowing whether they were $3 lighter after the event than they were before it. I am amazed to think that the honourable member would admit that four of his colleagues were so dumb that they could not understand the wording on the licence.

Mr. Gunn: That's an arrogant attitude.

The Hon. G. T. VIRGO: The wording on the licence clearly states that the licence is not valid unless it shows the imprint of the cash register. It is not a matter of my being arrogant: that is a simple single-syllable statement designed so that everyone can understand it. I am amazed to hear that the member for Fisher admitted that four of his colleagues could not understand it.

The Hon. G. R. Broomhill: If he had asked more of his colleagues, there would be even more who couldn't understand it.

The Hon. G. T. VIRGO: It is just as well the honourable member stopped at that stage. I do not think there is anything further I can say, other than we will soon have a licence system that will be an improvement on the present system. Serious consideration has been given to this matter, and, in due course, an appropriate announcement will be made by the Government.

IRON TRIANGLE

Mr. MAX BROWN: Can the Minister of Development and Mines say what is the exact area set out as a region and commonly called in the cities in the North of this State the iron triangle? The Minister may be aware (if he is not, I am telling him now) that from time to time people in the northern cities refer to the iron triangle, but I do not think they are sure of what is meant by the two words and to what region they refer. The Mayor of Port Pirie would like the name to be changed, although I do not think he knows what it means, either.

The Hon. D. J. HOPGOOD: I am always happy to receive suggestions concerning nomenclature. The Government has set its face against any hard-and-fast definition of boundaries of the iron triangle. We are dealing not with green fields but with a region where there is already a considerable population base, and we shall build from that. As the process evolves, we may wish to alter our notions of exactly what the iron triangle comprises and what it does not comprise. However, it has been necessary for the Government to define a core area, which is the area covered by the Whyalla authorised development plan and the areas of the cities of Port Augusta and Port Pirie, as set out in the recent report of the Royal Commission into Local Government Areas.

STATE ELECTION

Mr. VENNING: Can the Attorney-General, in the Premier's absence, say what assurance members of this Chamber have that the Australian Prime Minister will take part in the next election in this State?

The SPEAKER: Order! I rule the question out of order because I understand that it asks what assurance can this House be given that someone will take part in an election in this State. It is a hypothetical question, over which Ministers and the House have no control.

LAND AGENT

Mr. DUNCAN: Can the Attorney-General say whether Ernest Seigfrid Van Reesema was prosecuted successfully this year for a breach of the Secret Commissions Prohibitions Act and, if he was, whether or not this would constitute a ground sufficient for Van Reesema to lose his licence as a land agent pursuant to the Land and Business Agents Act? In addition, has any action been taken by the Land Agents Board following the prosecution and, if it has, what action has been taken and what is the result?

The Hon. L. J. KING: I am aware of the conviction to which the honourable member refers, and am also aware that the Land Agents Board is inquiring into the matter. However, without obtaining a report, I cannot say what is the present state of the matter, so I will obtain a report for the honourable member.

FUEL OUTLETS

Mr. RUSSACK: Will the Attorney-General ask the Premier to take the necessary action to encourage oil companies to retain fuel outlets at all points where they are currently providing a significant community service and/or representing a vital part of a retailer's business? More particularly, will the Premier investigate the matter as it affects a town in my district, concerning which I should be pleased to provide him with the necessary details? It has been claimed, following the recent move to reduce fuel outlets in South Australia by 10 per cent, that certain oil companies have exploited the situation by closing pumps on the basis of

economics and have failed to take into account the vital services they provide, especially in isolated or outer country areas.

The Hon. L. J. KING: This is a matter that has very much occupied the Government's attention and, when the Government is in a position to make an announcement, the honourable member will be informed.

REVENUE MEASURES

Mr. BOUNDY: Can the Attorney-General, in the absence of the Treasurer, assure Parliament and the people of South Australia that the proposed revenue-raising measures to be applied to petrol and cigarette sales will not be imposed on a percentage basis? The *Advertiser* of October 23, which refers to a press conference called by the Premier, reports him as saying that he would legislate for a franchise licensing fee on petrol, cigarette and tobacco outlets as soon as possible. The report also states:

Fees would be assessed on 10 per cent of the total retail sales for a given period.

Today's *Australian* states that Ampol Exploration Limited is seeking a 200 per cent rise in the price of crude oil and that the Australian Government has indicated its willingness to use all the powers at its disposal to prevent this increase from being imposed.

Mr. Gunn: Why don't you get Senator Hall to do something about it?

The SPEAKER: Order!

Mr. BOUNDY: If the Australian Government fails in its attempt to prevent the increase, as the *Australian* states, petrol prices could rise by 92¢ a gallon, and it does not take a Rhodes scholar to work out that 10 per cent of 92¢ is 9.2¢ a gallon.

The Hon. G. T. Virgo: Why don't you read what Senator Rae said this morning?

The SPEAKER: Order!

Mr. BOUNDY: The suggested levy in South Australia is 6c, and a change from 6¢ to 9¢ represents a 50 per cent increase in the levy. The continuation of a percentage levy would return much more revenue to this State than was originally intended under the measure.

The Hon. L. J. KING: For constitutional reasons, the only way in which an impost of this kind could be imposed by a State Government would be by way of a franchise or licence fee based on turnover for a period prior to the period in which the impost was being levied, so that for practical purposes the fee must be calculated in relation to the turnover for the preceding financial year. Therefore, there is no question of the impost being related to any prospective increase in the price of petrol.

PERSONAL EXPLANATION: MR. MEEHAN

Mr. GUNN (Eyre): I seek leave to make a personal explanation.

Leave granted.

Mr. GUNN: During Question Time on Tuesday, in asking the Minister of Labour and Industry a question, I made some remarks about a Mr. Meehan. After a discussion with the member for Florey, I wish to withdraw any personal remarks I made in connection with that gentleman.

The Hon. G. T. Virgo: And so you should.

The SPEAKER: Order!

Mr. GUNN: In withdrawing those remarks, however, I make clear that I do not withdraw any parts of what I said that relate to Mr. Meehan's activities in enforcing compulsory unionism or closed-shop agreements on employers.

PYAP IRRIGATION TRUST ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

WILLS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendments:

No. 1. Page 2, line 28 (clause 9)—Leave out "three" and insert "five".

No. 2. Page 2, line 31 (clause 9)—Leave out "three" and insert "five".

No. 3. Page 5, lines 15 and 16 (clause 11)—Leave out section 152e.

No. 4. Page 5 (clause 11)—After 19 insert new section 152g as follows:

"152g. *Certain matters not justiciable under this Part*—(1) Where the plaintiff in an action—

(*a*) makes pecuniary claims (including a small claim or consisting of, or including, a number of small claims) aggregating an amount exceeding five hundred dollars;

or

(*b*) makes a small claim but also seeks relief in addition to a judgment for a pecuniary sum,

the provisions of this Part shall not apply in respect of the action.

(2) Where the plaintiff in an action makes a small claim and the defendant makes a counterclaim that is not a small claim, the court shall—

(*a*) order that the claim and the counterclaim be tried separately;

or

(*b*) where an order under paragraph *(a)* of this section would result in substantial inconvenience to the plaintiff, order that the action be dealt with otherwise than under this Part (and where such an order is made, the provisions of this Part shall not apply in respect of the action).

(3) Where the defendant to an action makes a counterclaim that is a small claim, the provisions of this Part shall not apply in respect of the counterclaim unless the claims made by the plaintiff are also justiciable under this Part."

No. 5. Page 6—After clause 17 insert new clause 17a as follows:

"17a. *Amendment of principal Act, s.* 230—*Proceedings on ejectment*—Section 230 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage 'ten thousand dollars' and inserting in lieu thereof the passage 'twenty thousand dollars';

and

(*b*) by striking out from subsection (3) the passage 'ten thousand dollars' and inserting in lieu thereof the passage 'twenty thousand dollars' ".

Consideration in Committee.

Amendments Nos. 1 and 2:

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

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

They alter the figure relating to the right of appeal from the Local Court to the Supreme Court. As the Act stands at present, there is no right of appeal where the amount at issue in the proceedings is less than $300. The amendments increase the figure to $500 and really bring that into line with the figure that we have set as being the maximum for a claim to be dealt with in the small claims jurisdiction. I think it sensible that the small claims figure should be the same as the no-appeal figure, because there is no appeal, other than by leave, from a small claim. I ask the Committee to accept the amendments.

Dr. EASTICK (Leader of the Opposition): I accept the information that the Attorney has given. However, he is tying two actions together. Can he say that there will be no disadvantage to any person because that person cannot undertake an appeal at the lesser amount if his action is being taken other than in the Small Debts Court?

The Hon. L. J. KING: I cannot really give the assurance that the Leader seeks. I suppose that, if a person suffers an adverse judgment and the magistrate is wrong, if he has a right of appeal, that is an advantage that he has and, if we say that there is to be no right of appeal, it is impossible to say that no person will suffer a disadvantage. He may so suffer, but we provide that there is to be no right of appeal in certain cases because the amount involved is so small that the overall disadvantage of permitting appeals outweighs any detriment that a litigant may suffer through not being able to appeal. If we allow an appeal in small claims, whether or not a person can be dragged into higher courts and incur costs, that acts as a deterrent against his being able to prosecute these small claims. That is the reason for the provision, and I think it is sound.

Motion carried.

Amendment No. 3:

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

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

This is consequential on the two amendments that have been accepted.

Motion carried.

Amendment No. 4:

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

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

It deals with two matters which were not covered in the original Bill but which I think ought to be covered. The Bill as it left this place provided that claims for less than $500 were to be dealt with under the small claims procedure. That has several consequences, one of which is that there can be no legal representation except in certain defined circumstances. Certain difficulties about that are covered by these amendments. One is that the small claim may be incidental to a claim for some other relief. For instance, there may be a claim for recovery of possession of premises or for some preparatory relief within the equitable jurisdiction of the Local Court, or there may be some other principal relief claimed in the action, and the money claimed may be quite incidental to that principal relief.

It would be absurd, in those circumstances, if the money claim had to go into the small claims tribunal, whilst the principal relief was dealt with in another. Therefore, this amendment provides that, where a person makes a small claim but also seeks relief in addition to the judgment for the pecuniary sum, the small claims provisions do not apply. Similarly, it may be that each individual claim is for less than $500 but the aggregate of the claims exceeds $500, and there the small claims procedures would be inappropriate. Similar considerations apply in the case of a counterclaim. We can have two situations. The first situation dealt with in new section 152g(2) is as set out in the provision, which states:

Where the plaintiff in an action makes a small claim and the defendant makes a counterclaim that is not a small claim, the court shall—

(*a*) order that the claim and the counterclaim be tried separately;

The reason for that is that, when a person makes a small claim, he is entitled to have the advantages of the small claims provisions, and it would be wrong that he should be deprived of that merely because the defendant made a claim against him that greatly exceeded the small claims jurisdiction. The alternative situation is covered by the next part of new subsection (2), which provides:

or

(*b*) where an order under paragraph (*a*) of this section would result in substantial inconvenience to the plaintiff, order that the action be dealt with otherwise than under this Part (and where such an order is made, the provisions of this Part shall not apply in respect of the action).

The amendment provides that, prima facie, the making of a counterclaim for a sum in excess of $500 will not deprive a plaintiff of the right to have the matter dealt with in the small claims jurisdiction, but the court may say that the balance of convenience is the other way and that the matters ought to be dealt with together under the ordinary procedures of the court. A further situation is dealt with in new subsection (3), which provides:

Where the defendant to an action makes a counterclaim that is a small claim, the provisions of this Part shall not apply in respect of the counterclaim unless the claims made by the plaintiff are also justiciable under this Part.

If a plaintiff brings an action for a sum of more than $500 and the defendant wishes to counterclaim against that but his counterclaim is less than $500, he is not obliged to have them separated and obliged to go to the small claims tribunal, because he will want in most cases to have his counterclaim litigated in the same proceedings.

Dr. EASTICK: It was previously indicated that the changes the Bill was to effect were to be as simple and as inexpensive as possible and were also to lead to as little confusion as possible. I believe from what the Attorney-General has said that the amendments generally meet those criteria, and I have pleasure in supporting the motion.

Motion carried.

Amendment No. 5:

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

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

This amendment, which was moved by the Hon. Mr. Potter, is accepted by the Government. It increases the jurisdiction of the Local Court in ejectment proceedings from $10 000 to $20 000. The increase in property values certainly indicates the necessity for such an increase.

Dr. TONKIN: I am pleased that the Attorney-General has signified his agreement to these amendments, which further the aims of the Bill. I think they improve the Bill tremendously and it is with great pleasure that I support them.

Motion carried.

PRISONS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

LAND TAX ACT AMENDMENT BILL

The Hon. D. J. HOPGOOD (Minister of Development and Mines) obtained leave and introduced a Bill for an Act to amend the Land Tax Act, 1936-1974. Read a first time.

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

That this Bill be now read a second time.

Its main purpose is to overcome difficulties in determining liability for land tax. This tax must be calculated on the aggregate value of all land owned by the taxpayer at June

30 of each year. Under the existing Act, section 31 provides that the taxpayer in respect of freehold land is the owner of the fee simple. By definition, the word "owner" is extended to include any person entitled to purchase or acquire the fee simple. The Crown Solicitor has advised that the registered owner of the fee simple of land could dispute his liability for land tax if he could show that he had sold or contracted to sell any one of his properties before the date at which the tax was calculated, even though no transfer of the land from his ownership had been registered at the Lands Titles Office and no advice of the transfer had been given to the Commissioner as required by the regulations. It seems reasonable that a taxpayer who deals in land should advise the Commissioner of sales of his land where the transfer will not be lodged immediately at the Lands Titles Office for registration. The Commissioner is otherwise not in a position to establish positively the matters upon which liability for land tax depends. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 makes a metric conversion and introduces a consolidated definition of "owner" drawn from the material previously contained in sections 4 and 31. Clause 3 repeals and re-enacts section 31 of the principal Act which imposes liability for land tax on the owner of land. Clause 4 provides that the Commissioner may refuse to recognise any change in the ownership of any land where notice of the change has not been given as required by the regulations and that upon such refusal the person who is recognised by the Commissioner as the owner of the land shall remain the taxpayer. The regulations will be amended to require owners to give a prescribed notice to the Commissioner if they part with their ownership in the circumstances in which a transfer will not be lodged for registration at the Lands Titles Office before June 30 of the relevant year. Clause 8 provides the necessary power to make a regulation covering this matter.

Dr. EASTICK secured the adjournment of the debate.

PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Public Works Standing Committee Act, 1927, as amended. Read a first time.

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

That this Bill be now read a second time.

It is principally intended to increase from $300 000 to $500 000 the limit of the estimated cost below which a proposed public work need not be referred to the Public Works Standing Committee. The present limit of $300 000 was fixed in 1970, and is not now a realistic figure, having regard to the effects of inflation and in particular the increase in building costs which has been estimated at more than 80 per cent since 1970. Projects which in 1970 would not have needed to be referred to the committee must now be referred, and to this extent the intention of the principal Act is not now being given effect to.

A particular area in which this problem arises is that of the building and upgrading of schools. The recent trend in school construction of integrating infants and primary schools has raised the cost of construction of the average school. Thus despite cost savings due to economies of scale, a single school providing services which earlier were provided by two separate schools (which may not have been referred to the Public Works Standing Committee) now would require reference to the committee. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clause 1 is formal. Clause 2 amends section 25 of the principal Act and increases from $300 000 to $500 000 the limit of the estimated cost of a public work that does not require reference to the committee. This clause also preserves the application of the existing provisions of the Act so far as they relate to public works referred to the committee before the Bill becomes law. Clause 3 makes an amendment to section 25a of the principal Act which is purely consequential on the amendment made by clause 2. In addition, by proposed subsection (2) of section 25a, it is made clear that it will be lawful to introduce a Bill providing for a public work without having previously submitted the proposal to the committee where the Bill incorporates a provision to the effect that the principal Act will not apply to the proposed work.

Members will recall that in the past Bills authorising major public works have been introduced on the basis that their importance justifies consideration by the whole Parliament rather than a committee thereof. I would point out that the provision proposed in no way inhibits Parliament's consideration of the proposed work or even forecloses the possibility that subsequent reference to the committee may be required.

Mr. COUMBE secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (RULES)

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Road Traffic Act, 1961-1974. Read a first time.

The Hon. G. T. VIRGO: 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

Its object is to give effect to a decision made by the Australian Transport Advisory Council in February of this year. It was decided at the meeting that, in order to achieve uniformity between all States of Australia in the laws relating to the "give way" rule, a "stop" sign at an intersection or junction must mean "stop and give way to all other vehicles, whether on the left or the right". At that time, only three States, one being South Australia, did not have such a provision in their legislation. Accordingly, I undertook that the Bill would be introduced during this session of Parliament. A similar undertaking was given in respect of New South Wales and has recently been implemented. The only State that does not now conform is Queensland.

The desirability of uniformity between the States is quite obvious, and I need not emphasise it further. The other principal advantages are of course the extra protection that will be afforded to the users of major roads protected by "stop" signs, a better flow of traffic along protected roads, and a channelling of the users of minor roads to intersections that are governed by lights, or by some other means.

A full and careful survey of all locations where "stop" signs are installed will be undertaken by my department if this Bill becomes law, so that there will be no chance of

there being any conflicting signs when this law comes into operation. "Stop" lines will be incorporated in all situations. For these reasons, the commencement of the proposed Act will be on a day to be proclaimed. However, it is hoped that the survey will have been completed, all necessary changes made and the public advised and adequately informed upon the matter by March of 1975.

Clause 1 is formal. Clause 2 provides for the commencement of the Bill on a day to be proclaimed. Clause 3 amalgamates those provisions of the principal Act that deal with giving way at intersections or junctions. A driver will now be obliged to give way to all vehicles when he approaches or enters an intersection or junction and is faced by a "stop" sign or "give way" sign. The obligation to give way to the right in all other cases is unchanged. Clause 4 repeals that section of the Act that deals with giving way at "give way" signs; this is now dealt with in section 63, as amended by this Bill. Clause 5 effects some consequential amendments. Clause 6 repeals that section of the Act that deals with giving way at roundabouts (now included in section 63, as amended).

Clause 7 effects some consequential amendments. The position is clarified with respect to a driver turning left in a "turn left at any time" lane; he must obey a "stop" sign at the intersection or junction if a "stop" line is marked across the lane. Clause 8 brings section 92 of the Act into line with the other "stop" sign provisions, so that the obligations imposed upon a driver at a "stop" sign at a ramp or jetty leading to a ferry are the same as at any other "stop" sign.

Mr. DEAN BROWN secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL (POINTS DEMERIT)

The Hon. G. T. VIRGO (Minister of Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1974. Read a first time.

The Hon. G. T. VIRGO: 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

It is consequential on the Road Traffic Act Amendment Bill (Rules) now before the House. The amalgamation by that Bill of the provisions relating to giving way at intersections or junctions necessitates a few minor changes to the demerit points schedule of the Motor Vehicles Act. The effect of the changes will be that, for all offences connected with failing to give way at an intersection or junction, the number of demerit points will be four. As the Act now stands, the number of demerit points for failing to give way to the right is four, but the number for failing to comply with a "give way" sign is three. In effect, the only change will be that, for the latter offence, the number of demerit points will be increased from three to four. This increase is desirable in that two classes of offence are obviously equal.

Clause 1 is formal. Clause 2 fixes the commencement of the Bill on a day to be proclaimed. Clause 3 amends the third schedule to the Act by removing references to those sections of the Road Traffic Act that are proposed to be repealed by the Road Traffic Act Amendment Bill (Rules).

Mr. CHAPMAN secured the adjournment of the debate.

FOOTBALL PARK (RATES AND TAXES EXEMPTION) BILL

The Hon. D. J. HOPGOOD (Minister of Development and Mines) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received.

The Hon. D. J. HOPGOOD moved:

That the report be noted.

Mr. EVANS (Fisher): There are several things in the report which, as a member of the Select Committee, I believe should be recorded in *Hansard* and which concern sporting groups having to pay rates and taxes. I refer especially to the Apollo Stadium, which is the South Australian Basketball Association's headquarters and which is subject to the normal rates and taxes, including council rates, water and sewerage rates, and land tax. Pursuant to the committee's recommendation, the Bill will exempt the South Australian National Football League from the payment of water and sewerage rates, except in respect of minimum charges.

The Wayville Showgrounds, a large area involving a big capital investment, is subject to a large annual payment of water rates and taxes. I suggest that these matters be made public, because it appears to me that many other groups in the community could be in circumstances similar to those of the league. I expressed to the Select Committee concern about obtaining sufficient material to finalise the report. Although the normal practice is to advertise Select Committees in the public notice columns of the two daily newspapers, only comparatively few people (perhaps less than 5 per cent) in the community read those columns.

Mr. Jennings: They read the miscellaneous columns, though.

Mr. EVANS: I am not sure. I tend not to read either column. I doubt that all the evidence that could have been obtained from other groups in the community was, in fact, obtained, or that those sporting groups that meet the full cost of rates and taxes know that under the legislation a concession will be given to the league. However, the league will still be obliged to pay council rates, which at present amount to about $13 000 but which will escalate rapidly during the next few years, and I believe that the league may soon make another approach to the Government to have this burden removed from its budget.

I point out to members the necessity to advertise more widely and conspicuously the sittings of Select Committees and the rights of the individual to give evidence before them. Undoubtedly, when a major project such as Football Park is developed in an area, it may cause some inconvenience to the local community. A Mr. Carpenter, representing members of the local community involved in this matter, suggested that the minority might be affected to the benefit of the majority, and expressed concern on behalf of a group of local residents. I support the report and the motion, but I point out to members that we should look keenly at the position of other sporting, recreational and entertainment groups in the community, bearing in mind that the league promotes both sport and entertainment.

Dr. TONKIN (Bragg): I, too, support the motion and agree with many of the remarks the member for Fisher has made, but I believe it a pity that the system being embodied in the legislation could not be applied in some other way. I also believe that whatever form the Bill has taken, it amounts to a direct concession to the league; this is made clear in paragraph (3) of the report. I cannot help

but wonder whether it might not have been a better idea to charge the league rates and taxes (I do not know whether evidence to this effect was presented) and make a direct Government grant each year towards the league's activities in order to cover the cost of rates and taxes. I believe that such a scheme would have significant advantages, because the sum would come up for debate every year in the Estimates, and appropriate adjustments could be made to it.

I also believe that it would give a greater opportunity to other sporting bodies to apply for and receive the same kinds of concession. Having established the precedent of introducing the Bill, we may find ourselves having to consider many similar Bills relating to sporting and other organisations. Having made this point that has been made to me frequently during the last week or two since the Bill was introduced, I believe that the Government should consider my suggestion. Nevertheless, the Select Committee has produced its report, and for that reason I support the motion.

Motion carried.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

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

In the definition of "Football Park" after "Yatala" to insert "and the whole of the land comprised in Certificate of Title Register Book Volume 3759 Folio 93 being portion of section 722 Hundred of Yatala".

In the course of the Select Committee's investigations, it was revealed to us that the SANFL owned a small parcel of land, the ownership of which had come to it as a result of necessary land acquisition for road alignment. As the area of land is not at present serviced, it is not ratable, and there is no immediate intention of servicing it and therefore making it ratable. However, it is possible that at some time in future it may become ratable. As it affects only slightly the size of the concession that Parliament will grant to the league by virtue of this Bill, the Select Committee believed it was appropriate that the Bill be widened to include that small parcel of land.

Mr. EVANS: I support the amendment. I believe that, in the discussions that took place with the league, the representatives implied that only part of the land was transferred to the Woodville council for road use and the other part was to be incorporated in the general football stadium complex.

The Hon. D. J. HOPGOOD: I confirm that and simply reiterate that the type of use to which it will be put is not determined at this stage.

Mr. BECKER: I support the amendment, as I believe that any land involved in the whole complex of Football Park should be covered by the Bill.

Amendment carried; clause as amended passed.

Clause 3—"Application of Sewerage Act, 1929, as amended, to Football Park."

Dr. TONKIN: Did the Government consider making a direct grant annually to the league to cover the costs involved under the Sewerage Act and in the remaining clauses of the Bill? Why was it thought necessary to introduce this legislation rather than take the other course, as a result of which the sums would be reviewed each year when the Budget was before Parliament?

The Hon. D. J. HOPGOOD: The Select Committee understood that the Government had given an undertaking to the league that something along the lines in the Bill would be offered to it by way of assistance. I do not know that the matter of a direct grant was ever raised with the Government by the league. The Bill was designed to carry out the intentions of the Premier as delivered to the league in writing. I should think that the league would regard this approach to the matter as more desirable, since it lays down a principle which can be adhered to consistently and which is not subject to the whim of Parliament from year to year.

Clause passed.

Remaining clauses (4 to 6) and title passed.

Bill read a third time and passed.

FAIR CREDIT REPORTS BILL

Adjourned debate on second reading.

(Continued from October 1. Page 1215.)

Dr. EASTICK (Leader of the Opposition): It is difficult to speak to this Bill because of the vagueness of the definitions it contains. In this sense, the difficulty is similar to that we faced in dealing with the Privacy Bill recently. In speaking to this Bill, I seek your indulgence, Mr. Speaker, to enable me to refer to matters that were also referred to in relation to the Privacy Bill. Much has been written about credit bureaux, and the giving of information in relation to obtaining credit. At pages 100 to 102 of the *Australian Law Journal,* Jane Swanton (who was referred to in the debate on the Privacy Bill) has much to say about credit bureaux. She indicates that irreparable harm could be caused to the consumer where inaccurate or incomplete information is furnished: for example, where there is a mix-up of names, of files, or of any partial facts given. She further states:

Even if accurate, some information can be objected to on grounds of irrelevance (for example, out-of-date information); nor should the practice be permitted of collecting "soft" data, that is, information gleaned from neighbours and associates regarding drinking habits, etc. Hearsay evidence can be manifestly unreliable. Even if it is accurate, it is doubtful if such information is relevant.

I make the point that, because of the way in which we are asked to view this Bill, many unanswered questions remain as to whether the type of information required about a person would embrace all of the other material and whether it would embrace information about his medical and legal history, his employment records, and so on *ad infinitum.*

Dr. Tonkin: How far do you go?

Dr. EASTICK: Exactly: this is the vagueness to which I refer. Jane Swanton states:

In the United States of America bureaux are used by prospective employers, fathers-in-law, insurers, etc. This does not appear to occur in Australia, but if it did, it may make grounds for complaint. With data banks a man would rarely be able to escape his past. Existing legal protection is meagre. Defamation would rarely be available because a statement is not defamatory or is privileged. In the USA action for invasion of privacy will only lie if information is given to a large audience. Disclosure to one person is not actionable.

Concerning preponderance of opinion, Jane Swanton states:

The preponderance of opinion in the Rogerson committee, Queensland Act, Younger report, par. 298, and the Molomby report, is in favour of giving a consumer the right of access to a file, at least where credit has been refused as a result of a report from a credit bureau, and empowering him to ensure correction of errors. A bureau would be obliged to delete information five to seven years old.

The Hon. Mr. Story from Victoria was also referred to in the previous debate, and Jane Swanton, referring to his references, states:

Mr. Story said that no action should be taken (on credit bureaux) until data banks legislation was brought in. However, much more information is needed before this

problem can be tackled. At least 13 problems were suggested as needing consideration before data bank legislation can be initiated. Such problems should be handed to an independent body to research and report.

Jane Swanton also said:

Even in the U.S.A., where data banks are an immense problem, an expert has suggested that an independent body with supervisory powers should be set up, rather than legislative attempts made, because there is still so much that is doubtful in this area.

There seem to be areas of grey and some difficulty in understanding what is meant by some issues brought into focus in this Bill. I refer to the article prepared by the Hon. Mr. Story of the Victorian bar, "Infringement of Privacy and its Remedies", reported in Vol. 47, *Australian Law Journal,* at pages 513-515. Under the subheading "Misuse of Personal Information", Mr. Story states:

The principal problem in this area arises from the compilation and possible misuse of information stored in various public and private repositories, which for these purposes I will call data banks. By this term I mean to embrace both manual and electronic information systems . . . This balance must be achieved by regulation, and the rules prescribed must deal with both the data gathering and the data dissemination process.

One could suspect that in this Bill we are looking at the data dissemination process, although data collection has been responsible for the material available for dissemination. Mr. Story makes many points in relation to this matter. Referring to limitation of purposes, he states:

Because I start with the premise that the accumulation of information about an individual can be justified only where such accumulation is in the interests of the community, I believe that some restriction should be placed on the data which may be maintained. The most sensible method of imposing this restriction would be to provide that the information which may be maintained in any data bank must be confined to information relevant to the purposes for which the data bank is brought into existence.

This raises another issue, because the data bank in the first instance may be arranged in relation to a person's credit rating; another data bank may be raised in relation to a person's legal background; and another data bank may be raised in relation to his medical history. These various facets must be considered as a result of the writings of these people and the deep consideration they have given to a difficult problem. I believe the Attorney-General will acknowledge that earlier this month he received representations from one of the large employer organisations in the State. On that occasion the Privacy Bill, 1974, which has been before the House, was referred to, but I believe the points made by the organisation at that time are pertinent to this Bill. A statement in connection with that representation, and referring to the Privacy Bill, states:

This Bill creates some difficulty in the area of engagement of employees. Many companies request information as to the employment history of applicants for positions and in some instances require the applicant to name referees. This information is then used to enable the employer to whom application for a position is being made to inquire of previous employers or referees as to the general conduct of the person while in their employ, the reason for termination of employment, the amount of sick leave taken in the current year, and the attendance and time-keeping recorded of the applicant.

One would not expect that it was the purpose of this Bill to preclude this practice, although the vagueness in the terminology could lead a person giving a factual but unfavourable opinion subject to a claim for damages.

It may apply even more strongly to a person caught up in providing information on behalf of another person who is seeking credit. I want to take it a step further because, in an amendment I will move in Committee, I will show that, where a person has been nominated to supply information about a person's standing, it seems unnecessary for the person so nominated (who could have a claim made against him) to reveal all the information regarding the person who nominated him as referee. The amendment will go further in respect of a person seeking to open an account at a department store or wishing to enter into a financial transaction where, in seeking to establish his *bona fides* with the organisation, he tells the organisation that he has traded with other people and other organisations and says, "I authorise you to check my *bona fides* with those organisations."

In other words, the initial request may be for a check to be made in relation to the intending purchaser's ability to pay, his integrity, his health and, indirectly, his ability to work to obtain funds to pay, and is made not on the initiative of the person who is offering the commodity but as a direct result of the nomination of the person who seeks credit. We should provide an exemption to the provisions of the Bill, if we are to proceed with it, to allow a nominated person, unknown to the person seeking credit, not to have to fulfil all the requirements that might necessarily be expected of a person who is in the business of providing detail or background information or of a person who is engaged or consulted in respect of someone seeking a credit reference and who is unknown to the person seeking credit. I believe that area requires much attention and I hope that the Attorney will consider it thoroughly when replying in this debate and when the measure is considered in Committee.

Will medical practitioners or lawyers be caught by paragraph (*b*) of the definition of "reporting agency" or "agency" when it is allied to the definition of "consumer report"? I believe that the definition of "reporting agency" in paragraph (*b*), "upon a regular co-operative basis", could well include the medical and legal professions in respect of matters on which doctors and lawyers could be called in on a fairly regular basis in circumstances of this nature by emporiums or business agencies. In districts where there is only one law firm or only one medical practitioner and where, perhaps, that law firm or medical practitioner has been nominated by a person or a group of people to supply a credit reference on behalf of a consumer, the lawyer or doctor could subsequently be approached on a regular basis by the emporium or business giving credit because such an organisation might find that the detail that the person gave when "nominated" was of considerable value in making a determination.

One runs into difficulty in the medical and legal jurisprudence situation that applies to people in their professional capacity. However, it goes beyond that and applies to dentists and other professional people in the community. It could apply equally to a doctor, lawyer or dentist anywhere in South Australia but, in my opinion, it is more likely to affect adversely a person who is in practice in a small country community by virtue of the number of occasions on which inquiries could be made of him. I believe this area requires further study.

Queensland uses a system of registration in respect of this measure. The Queensland Bill (No. 50 of 1971), in sections 16 to 25, deals with credit representing agents and various aspects of a similar nature to the aspect we are now considering. Mr. Justice Zelling recommended to the Government, in a report that is now available, that the United Kingdom Bill on this matter should be followed in respect of South Australian legislation. I ask the Attorney why, when we have the Queensland Bill (which I am led to believe has been successfully applied for three years), we should adopt the United Kingdom Bill which has not been passed, and which therefore does not permit reference to decisions made in respect of the

legislation. Why is the Government accepting the United Kingdom Bill, which is untried legislation, instead of a tried and successful method of control?

Some members of the community who are interested and concerned about the measure do not, I have found, complain about the general spirit of the legislation. Moreover, they welcome such action being taken but doubt whether, in some circumstances, there is a need for it to be so wide. Other people, however, regard the Bill as inevitable and say it will have a general advantage and that they welcome the introduction of the legislation, even though some people doubt the need for the Bill. People who say the legislation is inevitable are anxious that any legislation should be workable and ask whether it is at all possible that the legislation be available at little cost: in other words, they want the cost of implementation under the Bill to be as low as possible. If there is to be a cost, it will relate back to the service given by an organisation to the public, and it is the consumer who will pay directly or indirectly. Some people who have looked closely at this measure believe they can demonstrate that parts of it are impracticable.

I have stated earlier that people are asking what is a reporting agency. They consider that much of the difficulty in interpreting and accepting the Bill is tied up in this definition. They point out that the legislation is drafted on the assumption that there is an information storage of some kind: for example, a credit bureau or a co-operative pooling of information. In South Australia there is a co-operative pooling of information by the two or three organisations that are in business to service other organisations.

People concerned believe that the Bill catches traders who give credit references on request if these references are given regularly. The word "request" is important. The people giving the references do not give them as a matter of service, other than as a service to one of their consumers or clients if that person wants to submit the name of the organisation. The organisations are not in the business of providing references: they are in the business of accepting the responsibility to provide information on request, particularly where they have been nominated by persons seeking credit.

The Hon. L. J. King: How do you say they come within the definition?

Dr. EASTICK: Organisations that have considered this matter and have taken legal advice on the definition and its scope are convinced (or they want to be unconvinced, if I may put it that way) that, now or in future, they will not be covered by the scope of this Bill.

The Hon. L. J. King: I cannot speak of the future, but I should be interested to know how they come within this definition.

Dr. EASTICK: We can discuss that when discussing specific clauses, but there is that general belief. I accept the suggestion made by these people and will seek further information in due course. One way to overcome the difficulty is to exempt credit reports containing information passed between credit providers on a reciprocal basis when that information relates solely to transactions or experiences between the consumer and the person making the report.

It is suggested that this would remove the need to record straightforward references given by one trader to another, as distinct from a credit storage. One thinks of the names of organisations in Rundle Street and the type of inter-reporting that is done by John Martins, Myers, and David Jones.

The Hon. L. J. King: Suppose there is a mistake in identity. Why should not a person affected by the mistake be able to check on the information? If John Martins confused you with me to your disadvantage, why should you not be able to have the matter put right?

Dr. EASTICK: Where a person has recommended that an organisation should inquire of the other trader, there is no point in the person who initiates the inquiry being able to claim against the organisation that he nominated.

The Hon. L. J. King: It is not a matter of claiming: it is a matter of getting access to the information to find out whether it is correct.

Dr. EASTICK: A similar exemption to the one I have mentioned is contained in section 4 (definitions) of the Queensland Act, and also in section 603 of the United States Fair Credit Reporting Act. The organisations concerned believe that they should still be covered by the legislation in so far as it relates to reports from a credit bureau or a similar service. Persons in the business of providing information would be covered by the Bill but the Bill should not cover those persons who do not claim that they are specifically in the business of providing the type of information that is intended to be given at the consumer's request. As I have said, I have on file an amendment dealing with the matter. It has been suggested that clause 7 should apply only to information that has adversely influenced the decision.

The Hon. L. J. King: The amendment isn't on my file.

Dr. EASTICK: I am sorry, it is being printed. The organisations concerned make the point that it seems pointless to tell the person about reports that have no bearing on the decision. I suppose we can say that we always will have difficulty in deciding whether the information has had an effect on the decision. If the decision has been made as a result of personal assessment of the individual when he was with the credit manager but subsequent information becomes available and is not used, the organisation would be required to make available that additional information, although it has had no bearing on the decision not to allow credit.

It is also possible that information may be sought from other organisations, but information sought from one place (such as a bank, or the person's employer) may create a situation in which a decision is made before the other information sought has been supplied. In terms of the Bill, all information obtained, including that obtained after the decision has been made, must be revealed. It seems to me reasonable to expect that there should be a time restriction in this matter.

It has been suggested to me that clause 8 should relate only to relevant information. If one store gave a credit reference to another store, the store giving the reference might be required to list information about employment, shareholding, debentures, superannuation matters, and medical history. All that information may be on an employee's file, but the contact with the organisation would have been in relation only to his ability to meet his commitments and as to his credit rating in his employer's store. Under the Bill, all other information known about that person because of his being an employee would have to be revealed.

I am also advised that there is no transitional provision in the Bill, so that, if credit reference to others is not exempted, the company being approached could not comply with clause 8 until it had installed a recording system and operated it for 12 months. I do not necessarily accept this view, but it has been drawn to my attention as a possible

interpretation of the Bill and one that requires further explanation. I have checked it with the provisions of the Acts Interpretation Act and I am not certain that the fear held by some trading organisations in this State is founded or unfounded, but I believe that it should be considered.

I am concerned about the attitude that I should adopt towards the Bill. I believe it will be of benefit in preventing wrong decisions that would adversely affect many people in the community. However, I am not willing to accept that, in its present form, it is capable of being interpreted in the way in which it was originally intended. On that basis, I support the second reading and, after further explanation, will determine my attitude in relation to its final passage.

Dr. TONKIN (Bragg): I approach this Bill with much more equanimity than that with which I approached the Privacy Bill. This Bill sets out to achieve a protection for individuals and for some aspects of their privacy. I consider that aim is admirable, and the Bill does that, without in any way impinging on the freedom of other people or of other organisations. For that reason, I believe this Bill should be considered seriously and I support it in principle.

The granting of credit has become an important and integral part of our life. Those people who grant credit must be able to assess to a relatively accurate degree exactly how well the people to whom they grant credit will be able to repay the loan. The measures taken to establish credit vary considerably. At one end of the scale is the little corner shop, an institution which I am sorry to see dying out. In that case no real investigation was made into the creditworthiness of a customer: it was largely a matter of neighbourhood trust, and it said a great deal for neighbourhoods in those days that most people in the community could give a fair indication of someone else' credit rating.

Mr. Jennings: They would even change a cheque.

Dr. TONKIN: Yes. The local publican, particularly in country towns, kept his slate, and that is a habit which is also dying out. Most publicans no longer put drinks on the slate, and I think that is a sign of the times.

The Hon. L. J. King: It is illegal to do that.

Dr. TONKIN: Possibly, but it was a custom that added to community life. The grocer, the greengrocer and the butcher gave credit, and they also used to run a delivery service. It is another sign of our changing times that these people can no longer afford to deliver goods in competition with supermarkets. They used to keep weekly and monthly accounts that most people paid. Although some people did not honour their debts, the local shopkeepers did not suffer much because of that. With the advent of the supermarket, we find transactions are on a cash basis and there is no question of credit being asked for or given.

The Hon. L. J. King: Even your local doctor used to give you credit.

Dr. TONKIN: Most doctors still give credit, but there is a tendency nowadays not to do so and it is unfortunate that the demand for cash should be coming about. Department stores need special facilities to enable them to determine a customer's creditworthiness. Hire-purchase companies are a little more detailed in their requirements than are department stores and they vary according to the amount of credit required. Banks conduct their own inquiries but, by and large, they know their own clients' affairs well.

I think the bank card system introduced in the Eastern States is an extension of the credit system and I certainly hope that the indiscriminate issue of bank cards that has apparently been going on in the Eastern States will not be repeated in South Australia when that system is introduced here. I believe that, if banks wish to maintain their reputation for an ability to determine creditworthiness, they will not issue bank cards to all and sundry. I believe they must be selective; indeed, I would go so far as to say that bank cards should not be issued unless clients and customers request them.

Credit agencies have emerged as a sign of the times. They have grown up from an amalgamation of individual credit departments of various organisations and as extensions of debt-collecting services generally. They operate on the basis that it is much better to prevent the granting of credit to people unable to pay, thus preventing the acquisition of bad debts, than it is to acquire a bad debt and not be able to do much about it. Records that have been built up over the years by various organisations have been pooled, and they represent a considerable amount of data on individuals. I believe that the average member of the community, whether or not he has ever been involved in a hire-purchase contract, would be surprised to find his name in one or other of the data banks kept by credit agencies, and it is amazing how much information has been collected and collated.

This build-up of information has been facilitated by the development of the computer and, with computer facilities, all this information can be retrieved and made available quickly. It is an efficient service, and co-ordination is one way of making certain that the information is accurate. The more information that comes from various sources and the more cross-checking that is done, the more accurate that information is likely to be. The governing factor must be the cross-checking, and every effort must be made to ensure that the information is accurate. Nevertheless, mistakes can and do occur; this is not necessarily the computer's fault (and I see the member for Peake glaring at me from across the Chamber). Frequently, the fault is that of the people who provide the information to be fed into the computer, because they do not check as thoroughly as they should. These errors can cause serious embarrassment and inconvenience and are often a serious disadvantage.

Many people can be and are confused one with the other in the building up of data information. For instance, I know of this from a member of my own family whose first name is the same as that of another girl of the same age whose second initial is the same as that of the girl of the same age, and whose birthday is only two days away from that of the other girl. These two young girls were students at the same university, in the same course and, in their first-year course, they were working side by side on the same work bench and were assessed together. It was difficult to keep their records apart, because they were both known as Anne L. Tonkin. As these things can happen and mistakes can occur, meticulous care must be exercised at all times. This care in ensuring accuracy could be ensured by giving the consumer the right to query and check for himself, and this, basically, is what the Bill provides. However, the Bill will not give everyone the right to go in and ask what is on their file in respect of their entry, because that would destroy the whole purpose of the exercise. Basically, where an adverse report has been made, or where it can be assumed that one has been made (and the facilities that have been requested are not forthcoming), I believe that the consumer has the right to ascertain what is in that report.

I will now comment briefly on clause 6 of the Bill, and I suppose that I am being somewhat pedantic when I say that I am disappointed to find no reference to sex in the

long list of race, colour or religious or political belief or affiliation of any person, but presumably there are other methods of determining from records the sex of a person. I ask the Attorney-General to assure me on that aspect when replying. The cost of the whole system must also be carefully considered, but the Bill, as drawn, is unlikely to cost the consumer (the important person) very much, although some of the Attorney-General's consumer protection legislation has proved to be somewhat costly.

Mr. Evans: Would you say it was a slug?

Dr. TONKIN: That might be one way it has been described. Although well-intentioned, it is expensive. However, the Bill now before us will not prove to be a burden on the consumer. Fears have been expressed (and the Leader of the Opposition has referred to them) that the exchange of information between traders and other organisations may bring them within the ambit of the Bill and qualify them as "credit agencies". I do not know whether that is so, but I am sure that the Attorney will let us know. It seems to me that it depends entirely on the extent to which the exchange of information is carried out; if it is a continuing exchange between one party and another, conducted frequently at regular intervals, perhaps several times a day, I believe that such organisations should come under the Bill.

The Hon. L. J. King: Under the Bill, it must be on a regular co-operative basis.

Dr. TONKIN: Exactly, but the line to be drawn must be made clear: "on a regular co-operative basis" should be qualified to some extent, because the exchange might be conducted once a month on average. Is that kind of exchange to be brought under the scope of the Bill, or must it be once a week or several times a day? As I think that the provision could be spelled out more clearly, perhaps the Attorney-General will let us know what are his intentions. It may be necessary to set out clearly the grounds for exemptions; in other words, just where does the legislation begin and end?

Generally speaking, I support the principle in the Bill because I believe its intention is good. I think it must be acceptable to most fair-minded people; in fact, all fair-minded people would probably accept the Bill as it stands. I do not believe that it will destroy anyone's privacy: it simply preserves the individual's privacy, without having the effect of another Bill the Attorney-General introduced recently, namely, to seriously impair the right of privacy of other organisations. For that reason, I support the Bill.

Mr. SLATER secured the adjournment of the debate.

ADJOURNMENT

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

That the House at its rising adjourn until Tuesday, November 12, at 2 p.m.

Motion carried.

At 4.37 p.m. the House adjourned until Tuesday, November 12, at 2 p.m.