

HOUSE OF ASSEMBLY

Thursday, November 21, 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:

Highways Act Amendment,
Licensing Act Amendment (Fees),
Statute Law Revision.

BUILDERS LICENSING ACT AMENDMENT BILL

At 2.4 p.m. the following recommendations of the conference were reported to the House:

As to amendment No. 2:

That the House of Assembly amend this amendment as follows:

- (a) by leaving out from paragraph (a) of new subsection (6) the passage "personally or by counsel to the board" and inserting in lieu thereof the passage "to the board either personally or, subject to subsection (7) of this section, or a representative approved by the board;
- (b) by inserting after new subsection (6) the following subsection:

(7) Where the board proposes to order the holder of a licence to carry out remedial work and, in the opinion of the board, a fair estimate of the cost of carrying out the proposed remedial work is two thousand dollars or more, the board shall, if the holder of the licence desires to be represented by counsel, allow the holder of the licence to make representations by counsel to the board before it proceeds to make an order.

and that the Legislative Council agree thereto.

As to amendment No. 3:

That the House of Assembly amend this amendment by striking out the words "frivolously or" from paragraph (a) of subsection (1) of new section 18b.

and that the Legislative Council agree thereto.

As to amendment No. 4:

That the House of Assembly amend this amendment—

- (a) by striking out from proposed subparagraph (ii) the passage "on the nomination of" and inserting in lieu thereof the passage "from a panel of three nominees submitted to the Minister by";

and

- (b) by striking out from proposed subparagraph (iii) the passage "on the nomination of" and inserting in lieu thereof the passage "from a panel of three nominees submitted to the Minister by";

and that the Legislative Council agree thereto.

As to amendment No. 5:

That the House of Assembly do not further insist upon its disagreement to this amendment.

As to amendment No. 6:

That the Legislative Council do not further insist upon this amendment.

As to suggested amendment No. 1:

That the House of Assembly agree to amend the Bill in terms of this suggested amendment.

As to suggested amendment No. 2:

That the House of Assembly—

- (a) amend the suggested amendment by leaving out from subsection (2) of proposed new section 19n the passage "the board in the notice published under subsection (1) of this section (not exceeding ten dollars)" and inserting in lieu thereof the word "regulation";

and

- (b) amend the Bill in terms of the suggested amendment as so amended.

and that the Legislative Council agree thereto.

Consideration in Committee.

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

That the recommendations of the conference be agreed to.

Honourable members will see from the report that there has been much compromise by both sides in this matter. In relation to amendment No. 2, a form of words has been found whereby a licensee can be represented by counsel where, in the opinion of the board, a fair estimate of the cost of carrying out remedial work is \$2 000 or more. The word "frivolously" was struck out of the relevant paragraph in amendment No. 3, but the provision still allows the board to act where, in its opinion, the complaint has been lodged vexatiously or for some ulterior purpose.

In relation to amendment No. 4, a compromise has been reached whereby we provide for a nominee from the Master Builders Association and a nominee from the Housing Industry Association to be on the board, but we provide that each of those persons be selected by the Governor from a panel of three provided by these organisations. As to amendment No. 5, it is recommended that the House of Assembly do not further insist on its disagreement to this amendment. As to amendment No. 6, it is recommended that the Legislative Council do not further insist on its amendment.

As to suggested amendment No. 1, it is recommended that the House of Assembly agree to amend the Bill in terms of this suggested amendment. As to suggested amendment No. 2, it is recommended that the House of Assembly amend the suggested amendment by using a form of words that means that, rather than write a specific amendment into legislation, we provide for an amount to be determined by regulation. Valuable compromise has been reached at the conference.

Mr. EVANS: I support the Minister's comments and say that the amendment that now will allow an indemnity scheme to operate in the State is something for which I have been fighting for a long time. I am pleased that it seems that such a scheme will operate under legislation in South Australia. There has been compromise and I consider that the amendments are good and that they will not harm the legislation.

Motion carried.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

PETITIONS: PETROLEUM PRODUCTS

Mr. RODDA presented a petition signed by 472 motorists and residents of South Australia stating that they opposed the introduction of the Business Franchise (Petroleum) Bill because it would significantly increase the retail price of petroleum products, and praying that the House of Assembly would not continue with such legislation.

Mr. BECKER presented a similar petition signed by 55 motorists and residents of South Australia.

Dr. EASTICK presented a similar petition signed by 13 478 electors, taxpayers, and residents of South Australia.

Petitions received.

Mr. GUNN presented a petition signed by 19 citizens of South Australia stating that the present fuel tax would severely disadvantage all rural people of this State, and praying that the tax be not levied on rural districts, especially in respect of petroleum products consumed by rural producers.

Petition received and read.

MINISTERIAL STATEMENT: RAILWAY HOUSING

The Hon. G. T. VIRGO (Minister of Transport): I seek leave to make a statement.

Leave granted.

The Hon. G. T. VIRGO: Yesterday in this House the member for Davenport made some rather wild but not unusual allegations about railway houses in the Islington area. In my reply I said that, as the allegations were based on the statement that the railway houses were not used, his case must fall if that were untrue. I believe that the following facts will speak for themselves and, I hope, serve the member for Davenport in future. The three cottages concerned are Nos. 409, 411 and 416. Cottage No. 409 was allocated to a railway employee, a fireman from Peterborough who was being transferred to Adelaide and was to have occupied the cottage on Saturday, October 26. He travelled to Adelaide from Peterborough together with his wife and, I understand, his family; however, I have not been able to verify the size of the family. On arriving at the cottage, he was deprived of legal occupancy because of the actions of the people whose cause the member for Davenport espoused yesterday. The Railways Department was faced with a situation with a man who had been transferred to the city in accordance with railway operations, but who was in Adelaide without accommodation and with nowhere to put his furniture. Despite the criticisms so often levelled in this House and in other places at the Railways Department, it did everything possible to protect its employee. It arranged for alternative accommodation for this gentleman and his family and furniture. None of this would have been necessary had the ladies to whom the honourable member referred in this House and in the newspaper not debarred this person from his legal occupancy. On the following Monday, the department arranged to move this gentleman, after consultation with him, into a house at Clearview. House No. 411 was allotted to a railway employee who currently is in the district of the member for Heysen as a signalman at Mount Barker Junction.

Mr. McAnaney: Are you going to close his box, too?

The Hon. G. T. VIRGO: The honourable member should know what is happening in his own district. The man concerned inspected the cottage on November 16 and found it unoccupied. On November 17, he found that it was occupied and he, too, has therefore been deprived of legal occupancy. I think the House should know what is the situation in relation to all Railways Department houses, even though the honourable member's question referred only to houses at Islington. The innuendo in his remarks was that cottages were vacant for long periods.

Mr. Gunn: For 12 months at Thevenard.

The Hon. G. T. VIRGO: I am dealing with the metropolitan area but, if the honourable member wants some information about Thevenard, I can get that for him. At Draper, cottage No. 443 was vacated on June 7, 1974, and has been allotted to a ganger. Cottage No. 714 at Enfield was vacated on September 9, and has been allotted to an assistant train controller who moves in tomorrow. At Kilburn, cottage No. 345 was vacated on April 9, 1974, and reoccupied on November 20. At Largs, cottage No. 664 was vacated on October 19 and allotted to a district foreman. At North Adelaide, cottage No. 398 was vacated on October 19 this year and allotted to an assistant ganger. At Outer Harbor, cottage No. 835 was vacated on September 15 and has been allotted to a packer.

At Rosewater, cottage No. 361 was vacated on May 6 and is today being allotted to an employee (who is being transferred from the country) by the housing committee. Cottage No. 752 at Kilburn was occupied until recently, but a fire broke out and destroyed the kitchen. Repairs

have now been effected and tenants will occupy it today. I now come to the three cottages concerned with the honourable member's wild allegations. He said:

My question to the Minister is a plea that this housing which is vacant and which is not required . . .

The situation is that cottage No. 409 was vacated on September 7, 1974, and allotted on September 24 to the gentleman at Peterborough to whom I have referred.

Mr. Venning: Tell us about all the other ones.

The SPEAKER: Order! Unless honourable members abide by Standing Orders, Standing Order No. 169 will prevail, with honourable members being named this afternoon.

The Hon. G. T. VIRGO: Cottage No. 416 was vacated on June 6, 1974, and allotted on June 13. Because the employee concerned changed his mind and did not go through with his transfer from the country to the city, this cottage remains vacant and is available for the person who gets the job. Cottage No. 411 was occupied on February 7, 1974. It was then vacated again two or three weeks ago, and it was ready for the gentleman from Mount Barker Junction to occupy (if the present occupants are not there).

There are eight railway houses in addition to these: one at Blair Athol, two at Clearview, two at Kilburn and three at Woodville Gardens. All of these are waiting legal documentation for transfer to the Housing Trust. It is therefore clear that the allegations against the Railways Department made in this House and to the press have no foundation. The honourable member obviously does not understand railway operations. There will always be delays when transfers are made from the country to the city and it has been the policy of the Railways Commissioner to provide houses to help these people in their work. The honourable member has not had the same experience as have the members for Florey and Ross Smith, who have on many previous occasions discussed with me, with former Ministers, and with the Railways Commissioner the problems associated with accommodation. They have a complete understanding of such problems and they have sympathy for the workers in the department for whom these houses are provided.

Mr. Wells: Why don't you have enough guts to apologise?

The SPEAKER: Order!

Mr. Dean Brown: I will make a statement later.

The SPEAKER: Order!

Mr. Wells: Get up now!

The SPEAKER: Order!

Mr. DEAN BROWN (Davenport): Mr. Speaker, I seek leave to make a personal explanation, in accordance with Standing Order 137.

Leave granted.

Mr. DEAN BROWN: The Minister of Transport has given certain information to the House in the form of a Ministerial statement. He referred specifically to many cottages that he claimed were either not vacant at this stage or, if they had been vacant in the past, had been vacant for only a short period. He accused me of misrepresenting the facts when I asked a question about this matter in the House yesterday. I wish to make quite clear that the Minister, in listing cottages and their numbers, did not list the cottage that I visited three times.

The Hon. G. T. Virgo: What's its number?

The SPEAKER: Order!

Mr. DEAN BROWN: I cannot give the Minister the number, as I have promised the four ladies involved that I will not disclose the position of the house.

Members interjecting:

The SPEAKER: Order!

Mr. DEAN BROWN: There are representatives of three television stations and reporters from at least two newspapers to back up my statement that the Minister did not list the number of the house that I visited on those occasions, and that is the house where all the photographs had been taken.

The Hon. G. T. Virgo: You list the number!

The SPEAKER: Order!

Mr. DEAN BROWN: I think my claim yesterday has also been fully backed up by a reported statement—

The SPEAKER: Order! The honourable member sought leave of the House to make a personal explanation, and that leave was given unanimously. In a personal explanation, an honourable member may state only what is in the nature of that explanation. He is not permitted to debate the matter or to introduce extraneous matters.

Mr. DEAN BROWN: In my explanation, I am telling the House that I did not misrepresent the facts yesterday. I have already indicated this by saying that the house which I visited, which I referred to specifically yesterday, and which was photographed was not referred to by the Minister. In addition, as evidence that I have not misrepresented the facts, I refer to a statement on the 5DN mid-day news, when Mr. Marshall, the South Australian Secretary of the Australian Railways Union—

The SPEAKER: Order! If the honourable member persists in that vein, leave of the House for him to make a personal explanation will be withdrawn. A personal explanation is not a matter for debate. The House gives unanimous leave for an explanation and not for a debate on the matter.

Mr. DEAN BROWN: I appreciate that, and I thank you, Sir, for your ruling. I simply wish to point out that I did not misrepresent the facts. I can present other people as witnesses to back up the facts I have outlined, people who have conclusive evidence of the facts I gave.

The SPEAKER: Order!

Mr. DEAN BROWN: In addition, there is a statement made by a certain gentleman on a 5DN news programme and that—

The SPEAKER: Order! Leave is withdrawn.

Mr. Dean Brown: The Minister should now stand up and apologise.

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

Mr. Dean Brown: You should now stand up and apologise.

The Hon. Hugh Hudson: You ought to talk!

The SPEAKER: I warn the honourable member for Davenport. If he is going to persist in flouting the authority of the Chair, the honourable member will be named.

Mr. Gunn: What about the Minister of Education?

The SPEAKER: I warn the honourable member for Eyre.

MINISTER'S ABSENCE

The SPEAKER: The Acting Deputy Premier will be acting on behalf of the Attorney-General during the absence of the Attorney-General on Ministerial duties and he will receive any questions intended for the Attorney-General.

QUESTIONS

RUNDLE STREET

Dr. EASTICK: Can the Premier say whether the Government intends to proceed with the Rundle Street mall and, if it does, whether he will introduce the first phase of the project soon so that the benefits will accrue for the Christmas period? The most recent decision of the Commonwealth Government not to make funds available at this time, if ever, for the project has caused considerable concern to those people who have consistently promoted this concept as a worthwhile project. Indeed, in a report in a recent *Advertiser*, under the heading "Mall must go on", R. T. Barclay, of Maslin Beach, draws attention to an *Advertiser* editorial of November 15 which indicates that, in the first instance, traffic should be excluded from Rundle Street so that the mall concept be permitted to flow. The September, 1974, edition of *Illustrated London News*, at page 71, sets out considerable information on implementing a mall concept. The report states:

Others have judged that provision of real access to all premises would be, in terms of cost, delay and difficulty, frankly not worth the candle.

It may well be that that view is pertinent to the South Australian scheme. The report continues:

The streets were paved over from wall to wall and private cars excluded under powers obtained in the 1966 Leeds Corporation Act. But lorries and other delivery vehicles were allowed in, initially at all times.

I raise that matter because I believe that the system does not have to be finalised to allow the concept to be used, particularly when pedestrian traffic will be at its height.

The Hon. D. A. DUNSTAN: The mall will occur. The Government made clear in its policy speech before the last State election that a Rundle Street mall was Government policy and that it would occur during the time of this Parliament. However, the Government has been striving to get an agreement and an effective consensus with all the people immediately affected by this mall. Rundle Street traders have insisted that it is no use proceeding with partial development, because experience in other countries is that, if a job is to be done, it must be done properly, not partially, from the outset. After discussions with Rundle Street traders and the Adelaide City Council, the current proposal is that the first stage of the mall should be started in March, but that will depend on whether agreement is achieved with the people involved as to the financing of phase one. At this stage the Government's propositions on that score have not been answered. Until that matter is decided we do not believe we can simply take unilateral action and use force merely to close Rundle Street for a period. The Government believes it is preferable to have effective agreement among all the parties concerned, not only the Government but also the Adelaide City Council, Rundle Street traders, and the public as well. The Government suggested that the mall should be established on a trial basis before Christmas, but that suggestion has not as yet been acceded to by the people involved, so we cannot say whether agreement will be reached on that score. So far as the chances of establishing the mall are concerned, I have already outlined those to the Leader.

MOTOR CYCLE SALES

Mr. SLATER: I ask the Acting Deputy Premier, representing the Attorney-General, whether motor cycles could be included when amendments to the Second-hand Motor Vehicles Act are considered, because the same warranty conditions should apply to motor cycles as apply

to motor vehicles. I have been told of the case of a 16-year-old boy who bought a motor cycle for \$825 cash from a firm trading as Lomac Investments Distributors of 99 Churchill Road, Prospect. The motor cycle was in a defective condition when sold: the traffic indicators were not operating; after a few miles on the same day the exhaust muffler fell off; and the machine appears to have other mechanical faults. These matters were taken up with the proprietor of Lomac who was most aggressive in his attitude. He was adamant that after the motor cycle left his yard he could not care less and that the boy would have to bear the cost of all repairs. As it appears that it will be necessary to include provisions of this nature in consumer protection legislation, I ask the Minister whether action can be taken so that some redress can be effected in this specific case.

The Hon. HUGH HUDSON: I will take the matter up with my colleague.

STATE FINANCES

Mr. CUMBE: Earlier this week the Treasurer criticised his Commonwealth colleagues for not making further revenue funds available for South Australia and he expressed his concern (a concern shared by all members) at the likely revenue deficit to be faced by this State and the consequent drain on the Loan Account. Can the Treasurer say what is the position of the Loan Account of the State at the moment and what is its likely future movement?

The Hon. D. A. DUNSTAN: The amount of moneys I shall be holding in Loan as compared to the \$4 000 000 which I estimated at the time of the Loan Estimates will in fact be about \$20 000 000. In other words, I have increased markedly the holdings of Loan funds in order to ensure that we have some protection against the prospective revenue deficit. I have notified the Commonwealth Government to this effect. That will not affect the originally intended Loan expenditure markedly, because we were able to obtain a large extra sum in Loan funds as a result of the Commonwealth Government's decision (about which I have told the House) following the previous Premiers' Conference. Additional Loan funds were made available, and we got about \$12 000 000. I am holding that and the original prospective amount, and I am trying to make savings where I can to hold in hand about \$20 000 000 in the present situation, so that the prospective deficit, if we have additional revenue as a result of a measure now before the House, would be containable. It is not easy, however, to achieve what the State normally could stand. That is the general position. I have pointed out to the Commonwealth Government that, in the present situation of lack of liquidity, particularly in the building construction industry and with the present lack of forward planning and orders in that industry, it would be desirable, as an economic measure, that we expand Loan expenditure for construction. However, it is impossible for us to do that in a situation where we are faced with a revenue position that would mean that, if we constructed additional buildings, we could not staff them and we would be faced with a revenue deficit that would not be containable. I have put this position strongly to the Commonwealth Government in the letter to which I referred when I addressed the Norwood Rotary Club.

CANNED BEEF

Mr. RODDA: Will the Acting Minister of Works confer with the Minister of Agriculture, in view of the serious over-production of beef, with a view to disposing of surplus beef? We have an excess production of beef in this country. Experts have pointed out to me that canning of

beef would be the answer to storing, supplying and distributing beef products at this time, when our oversea markets have disappeared. Many of us had the experience during the Second World War of seeing canned meat winning many a day, and many old soldiers will remember the bully beef ration. Canned beef would provide an outlet that could help this Government and all other Governments in Australia materially, and it would also help the growers.

The Hon. HUGH HUDSON: I will ensure that my colleague investigates the matter.

Mr. NANKIVELL: Can the Minister say whether it is feasible to can meat in fruit canneries during off-season periods when such canneries would normally be idle? This interesting suggestion was put forward last week by Mr. Petch, of Loxton, who said that meat killed in regional abattoirs (he suggested Naracoorte) could be canned in existing canneries when those canneries were not being used to can fruit, thereby ensuring continuous operations at those canneries, as well as providing continuous employment in the area and possibly making canneries' operations more profitable. Further, will the Minister obtain from his colleague a report on whether such a proposal is feasible and, if it is, whether he will support the establishment of regional abattoirs at Loxton, the logical place for such an undertaking in the Riverland?

The Hon. HUGH HUDSON: I shall be pleased to take up with the Minister of Agriculture the honourable member's proposition for the canning of apricot stew.

JUG PRICES

Mr. PAYNE: In the absence of the Attorney-General, who is the Minister in charge of prices and consumer affairs, will the Minister of Education ask his colleague to have the Commissioner for Prices and Consumer Affairs investigate the prices being asked for Royal Doulton toby jugs by John Martins, of Adelaide? For the information of the House, I will quote certain prevailing prices. Royal Doulton toby jugs are manufactured in three sizes, namely, small, medium and large. They have the maker's name and the year of patent clearly branded on the base. The prices that I shall quote are for jugs of the same vintage, so there should be no misunderstanding there. I understand, as other members would, that John Martins has a considerable interest in what are known as Venture stores, and I will quote the prices for toby jugs at these stores. At Salisbury, the prices for small, medium and large jugs are \$2.99, \$3.99 and \$4.99 respectively. I will not give all the prices but I point out, by way of comparison, that at Arndale the prices are \$2.45, \$2.89 and \$4.59. In the Rundle Street store, in the basement on the west side of the escalator, the price of the small jug is \$4.89. Interestingly enough, medium size jugs on the same shelf have two prices, namely, \$6.89 and \$9.89.

I have pointed out that all these jugs have the same year of origin and the same patent, so there can be no question that those matters have a bearing. At the Rundle Street store, the large jugs also have two prices, namely, \$9.95 and \$14.95. By way of further comparison, at another Venture store, large Royal Doulton toby jugs are priced at \$4.99. I am referring now to the jug that is known as the lobster man. The price of that jug in the basement of John Martins store is \$14.95. I do not consider that further explanation is needed, and I ask for action by the Commissioner for Prices and Consumer Affairs.

The Hon. HUGH HUDSON: In view of the honourable member's question and his explanation of it, I will ask my colleague to request the Commissioner to investigate the matter in detail.

DAIRYING AUTHORITY

Mr. CHAPMAN: Will the Acting Minister of Works ask the Minister of Agriculture whether that Minister intends to introduce legislation to provide for a single dairying authority in South Australia and, if he so intends, when he intends to do so? Further, when any such legislation is introduced, will it provide a requirement that all milk be pasteurised before being delivered for human consumption? A whole-milk vendor from a large country town interviewed me in this House yesterday and told me of his concern following information that he had received in his home town on this matter. The question is self-explanatory, and I seek clarification from the Minister of Agriculture.

The Hon. HUGH HUDSON: I will do that.

MOTOR VEHICLE REGISTRATION

Mr. GOLDSWORTHY: Will the Minister of Transport consider extending from two weeks to three weeks the period prescribed regarding the holding of a permit pending registration of a motor vehicle? I have received many requests for action in this matter from constituents, particularly in the Barossa Valley, who have had to reapply for a permit because the Motor Registration Division has not sent the registration papers to them within 14 days. I was told a fortnight ago by someone involved in selling cars that on the one day he had to arrange for three vehicles to have a further permit for a fortnight. This involves the police in additional work and dealers and private motorists in additional running around. Will the Minister consider extending the period from two weeks to three weeks, because I am sure that this would convenience the public and it might also take pressure off the department?

The Hon. G. T. VIRGO: I will certainly have this matter examined. The whole subject of motor vehicle registration and departmental activities is becoming a worry. I am having constant discussions with the Registrar, who is concerned that, because of several factors and the increased volume of work, more particularly the restricted area in which the department must operate, it is becoming increasingly difficult for the department to operate on the efficient basis on which it tries to operate. I hope that the opening soon of branches of the Motor Registration Division in the Elizabeth and Tea Tree Gully areas will provide additional relief. Notwithstanding these factors, I shall be happy to discuss the honourable member's suggestion with the Registrar and let the honourable member know the result.

WOMEN'S HEALTH CENTRE

Mrs. BYRNE: Will the Acting Deputy Premier, representing the Attorney-General, obtain a report from the Minister of Health in another place on whether a women's health centre is to be built in an inner Adelaide suburb, and obtain any other relevant information? I understand that Dr. Everingham (Commonwealth Minister for Health) has approved a grant for this centre, the site of which has not been disclosed.

The Hon. HUGH HUDSON: I will check this matter with the Minister of Health and see to it that a reply is obtained for the honourable member as soon as possible.

HEALTH INSURANCE

Dr. TONKIN: Will the Premier ask the Commonwealth Minister for Social Security to make available immediately full and precise details of the Commonwealth Government's proposed universal health insurance scheme to the State

Minister and his department and to all persons concerned with health care in this State, so that the proposals may be examined and considered as a matter of urgency? In spite of the announcement by the Commonwealth Minister that a national health scheme is to be introduced on July 1, 1975, reports from various sources, both in other States and within South Australia, now indicate that no detailed proposals on the implementation of the scheme are yet available; indeed, they have not yet been drawn up.

The many questions from members of the medical, nursing and other related professions, the health insurance funds and members of the general public cannot be answered by the State Public Health Department, because it does not have the answers. It is becoming more and more obvious (and I quote from Dr. Cowling's account of his discussions with Dr. Deeble, as reported in today's *Advertiser*) that Dr. Deeble cannot answer the questions, either. Indeed, no detailed plans yet exist. Obviously, real faults and difficulties in the proposed scheme are now becoming apparent, and members of the public should be informed of the true state of affairs.

The Hon. D. A. DUNSTAN: If at this stage of the proceedings Dr. Deeble cannot supply complete answers about something that is to happen next July, there would not be the slightest point in my making the request the honourable member has asked me to make. I am sure that, as soon as the details are available from the Commonwealth Health Department, the honourable member will be able to obtain them. I suggest that he address his question to that department which, after all, is the responsible body. This is not the State Government's responsibility.

GRAPEGROWING INDUSTRY

Mr. ARNOLD: I address my question to the Premier. In view of the submission made to the Industries Assistance Commission last week by the State Government, or a committee representing it, has any effort been made to dissuade the Commonwealth Government from proceeding in 1975 to impose an additional increase of 40c a litre on alcohol in brandy, as was foreshadowed by the Commonwealth Treasurer in the 1973 Budget? In view of the Government's concern for the South Australian grapegrowing industry and the submission it has made to the commission for the restructuring of the industry, I believe it is vitally important that this additional impost be considered carefully. I ask the Premier to take the opportunity, before the next Commonwealth Budget is brought down, to try to avert this additional 40c impost on the industry because it will have an adverse effect on the industry, despite the commission's efforts.

The Hon. D. A. DUNSTAN: We have already taken the opportunity.

PETROCHEMICAL PLANT

Mr. MILLHOUSE: Will the Premier or the Government consider extending the present sittings of the House to allow any Redcliff indenture Bill to be considered by it speedily? I understand, and it is reported in today's paper, that the present sittings should end next week or, at the latest, the week after. The delay in the Redcliff indenture Bill, or certainly the delay in starting the project, has been estimated on a number of occasions to cost about \$2 000 000 a week. If we are not to sit until the end of February, that will delay the introduction of any Bill there may be on this topic, and we will have added \$20 000 000-plus to the cost of the project. This would mean that it would be a very expensive vacation for members of Parliament and one which, I am sure, we can do without. I speak for the

member for Goyder and me when I say we would be willing to sit on if there was any hope at all of the Bill being introduced and debated.

Mr. Becker: You weren't even here last evening.

The SPEAKER: Order!

Mr. MILLHOUSE: We are willing to sit on.

The SPEAKER: Order! Repetition is out of order.

Mr. MILLHOUSE: I am not sure that I have the point out of my mouth yet. We are willing to sit on to allow the matter to be discussed. If the Premier gives a favourable reply to my question, it will squash the current rumours and speculation that the Government is casting around to see whom to blame when the Redcliff project folds up altogether. I therefore ask the Premier whether there is any possibility whatever of the indenture being ready within the few days, a possibility that he mentioned last Tuesday, and of keeping the House sitting so that the Bill can be introduced and, at least, referred to a Select Committee. I note that, last Tuesday, the Premier apparently gave the House incorrect information about the delays.

The Hon. Hugh Hudson: Question!

The SPEAKER: "Question" has been called.

The Hon. D. A. DUNSTAN: I presume that when the honourable member says, "We would be willing to sit on to deal with this matter", he means the other members of Parliament, and that he will be out on other duties as is his wont. However, I assure the honourable member that, if the time table should be such that it would be necessary for Parliament to sit a little longer in order to introduce the indenture Bill, and that could be accomplished, it would be the Government's desire to do that. I point out to the honourable member, when he refers to delays, that delays will be costly only if there is a delay in the starting date of actual construction on site.

Mr. Millhouse: Doesn't the indenture cover that?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: There are other matters, about which I have told the House, that need to be resolved before construction on site can begin, apart from the indenture. As I have already said, with the agreement of the consortium a time table can be arranged to fit in with later consideration.

Mr. Millhouse: You are sure that that part of your statement is correct?

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

The Hon. D. A. DUNSTAN: As to a report in this morning's newspaper about any alleged incorrectness of what I have said, I can tell members only what my officers and the Minister of Development and Mines have been told as to the need for the delay in reaching agreement with the consortium. It has been said to me that the consortium makes its decisions here, but we were also told that the principals needed to be consulted. However, I think that is of little moment. The fact is that the environmental clause, amongst others, needs to be agreed on, and it will not be possible to sign the indenture until it has been agreed on. We will proceed with all haste to have the indenture introduced in the House and considered, so that we may conclude our agreement with the consortium as early as possible.

COMPANIES ACT

Mr. McANANEY: Will the Minister of Education, representing the Attorney-General, obtain a report on the possibility of consolidating the Companies Act? I do not think there has been a consolidation or a reprint of this Act since 1962, although many amendments have been enacted. This Act is used by many students who find it most difficult to study and appreciate the Act with all its amendments. A private company printed 2 000 copies in 1972, but they have been sold, indicating a big demand for a consolidated Act. I ask that every effort be made for the Government Printer to print an Act that contains all amendments.

The Hon. HUGH HUDSON: I am not sure what is the position, but I understand that a new Companies Act was passed by this House. Be that as it may, I will obtain a report for the honourable member.

SCHOOLS COMMISSION FUNDS

Mr. KENEALLY: Can the Minister of Education say how the South Australian expenditure of Schools Commission funds compares on a pro rata basis with equivalent expenditure in other States?

The Hon. HUGH HUDSON: An article in the *Advertiser* this morning, referring only to the expenditure by South Australia of Schools Commission funds, pointed out that a short time ago only about 32 per cent of the Schools Commission funds, or building funds, which had been made available to South Australia for the calendar years 1974 and 1975, had actually been spent. As I told the *Advertiser*, that expenditure covered only a little more than one-third of a two-year period, and during that time we had spent almost one-third of the funds available. Members will be interested to know that Cabinet has approved of an approach being made to the Australian Government so that 90 per cent of building funds available for the calendar years 1974 and 1975 may be spent before the end of June, 1975.

Because of additional information I have, we should put the record straight, and ensure that people are aware of the comparative position between South Australia and other States. The two Labor-governed States (South Australia and Tasmania) are spending their Commonwealth funds at a more satisfactory rate than are the Liberal-governed States. Queensland is the worst performer, having spent only 18 per cent of the \$27 300 000 available to it, whereas South Australia, having spent 32 per cent of its allocation, is the best performer. Spending by the States of Commonwealth funds on disadvantaged schools has been much slower, and in total the States have spent only 16 per cent of the \$27 300 000 available in capital funds for disadvantaged schools. Victoria has spent only 4 per cent over the period; Queensland only 8 per cent; New South Wales, 16 per cent; Western Australia, 17 per cent; South Australia, 37 per cent; and Tasmania, 56 per cent.

The States have also spent only 14 per cent of the \$21 000 000 allocation on buildings for handicapped children. I assure members that, in respect of the building programme of the South Australian Government, by the end of this financial year we will be asking for more Schools Commission funds, and that sufficient contracts have now been let (or are about to be let) to ensure that South Australia will have spent a higher percentage of Schools Commission capital funds than has been spent in any other State, and that position will apply at the end of June, 1975.

NATIONAL HIGHWAYS

Mr. ALLEN: Can the Minister of Transport give details of the present conflict between the six State Ministers of Transport and the Commonwealth Minister for Transport (Mr. Jones)? Recently, the Prime Minister, while on a visit to Alice Springs, announced that the Commonwealth Government would be taking over all national highways in Australia. An article published a few days later in the *Advertiser*, under the heading "South Australia gets three national highways", states that the Commonwealth Government has taken over full responsibility for three highways in South Australia. In yesterday's *News* a small article, headed "Roads war declared", states:

Transport Ministers in all States will fight the Commonwealth Government's attempt to take over the control of road administration in Australia. The six Ministers will meet in Adelaide in three weeks to decide on their campaign strategy, after receiving detailed briefings from senior departmental advisers.

The Victorian Transport Minister, Mr. Meagher, said the States had decided to declare "war at all costs" after a disastrous meeting in Brisbane last Friday with the Commonwealth Transport Minister, Mr. Jones.

Can the Minister say whether the "war at all costs" relates to national highways or to a separate issue?

The Hon. G. T. VIRGO: I do not know the source of the press report from which the honourable member has quoted, but I should clarify one or two points. The meaning attached to the phrase "national highway" is of great significance because, if the honourable member considers the legislation that has been passed by the Australian Government providing funds for national highways (and that is the first time it has happened in the history of the Commonwealth of Australia), he must realise that the legislation provides that the Australian Minister may declare roads to be national highways, and as such they become eligible for assistance. Last week the Australian Minister for Transport declared three South Australian highways to be national highways: Highway No. 8 (which we call Dukes Highway), from the Victorian border to Tailem Bend, where it joins Highway No. 1; Highway No. 1 from Tailem Bend to Adelaide and, from Adelaide, through Port Augusta to the Western Australian border; and the highway from Port Augusta to Alice Springs (Stuart Highway).

The Australian Government now accepts full financial responsibility for the construction and maintenance of those highways. The South Australian Government hopes that it can extend that declaration. I believe that Princes Highway from Tailem Bend to Mount Gambier is as much a national highway as is Dukes Highway. Likewise, I believe that Sturt Highway from Renmark to Mildura is a national highway to Sydney. One could take it further and include the road from Morgan to Peterborough, about which the honourable member has often spoken to me. We hope, therefore, that there will be a vast extension of this policy. Regarding the honourable member's comment about the meeting held in Brisbane last week, I would quarrel with his statement that it was a disastrous meeting; in fact, I think Mr. Meagher would agree with me when I say that it was probably the most constructive meeting that has been held for some time. I wish that previous meetings had been equally as constructive, because we would not have as much misunderstanding as we regrettably have. Ministers came away from the Brisbane meeting with a complete understanding of the Australian Government's problems, the Australian Government appreciating the States' problems also.

Dr. Tonkin: That could never happen.

The Hon. G. T. VIRGO: I know it is a disappointment to the member for Bragg, because he loves to stir up strife, but that is the way we came away from the meeting. A meeting of Transport Ministers' officers will be held next week, and the South Australian Commissioner of Highways will represent South Australia. Delegates at that meeting will examine carefully the transcript of the meeting held last Friday in Brisbane, with a view to producing a comprehensive document that State Ministers will discuss at a meeting to be held in Adelaide on December 17 preparatory to our having further discussions with the Australian Minister for Transport. The Australian Minister has welcomed the opportunity of discussing the various matters, and there are really two principal areas of concern: first, providing Canberra with details of State road programmes where money other than Commonwealth money is being spent; and, secondly, whether the Australian Government will extend its area in relation to national highways with a view to providing finance for construction and maintenance and also the feasibility of taking over the physical work of construction and maintenance. All State Ministers unanimously oppose anything of that nature, and I am sure that the Australian Minister appreciated the points we put to him.

FRINGE FESTIVAL

Mr. BECKER: I had intended to direct my question to the Premier but, as unfortunately he is not in the House, I direct the question to the Minister of Education as Acting Deputy Premier. Will the Government consider encouraging or promoting a fringe Festival of Arts for Adelaide during those alternate years in which the major festival is not held? If it will not, can the Minister say why such a festival cannot be held? A fringe festival would offer continuity of use of the many excellent facilities we have in Adelaide, including the playhouse and amphitheatre. A recent article in the *News* by theatre writer Ian Macintosh states:

The fringe festival would offer tremendous variety to theatregoers at prices all could afford. It would truly be a festival of the people, for the people. Tourism is the lifeblood of this State and any festival appealing enough to attract people to our city should rate support.

Because of the interest in Adelaide's festival and because we promote Adelaide as the festival city, I understand that a fringe Festival of Arts could be of great benefit to professional and amateur theatre interests.

The Hon. HUGH HUDSON: The honourable member's suggestion is interesting and should be considered; however, I point out that the facilities we now have in Adelaide have been used to good effect, and their very existence has stimulated attendances at opera, ballet, drama and other theatre performances. Despite the advantages of stimulating attendances, there may not be a substantial gain from the honourable member's suggestion of holding a fringe festival. The honourable member's proposition would involve the expenditure of funds. Indeed, I am surprised that he should put up such a proposition in view of the attitude of some of his colleagues towards the expenditure of any funds on artistic activities.

Mr. Becker: We have to create employment, though, don't we?

The Hon. HUGH HUDSON: Perhaps the honourable member should consult with his Leader to get a proper policy on the expenditure of funds for this purpose.

PETROL

Mr. DUNCAN: Is the Minister of Environment and Conservation aware that, at a meeting of Environment Ministers at an Australian council meeting in December 1973, resolution No. 81 was passed adopting a policy to reduce the maximum and average lead content in petrol, to apply from January 1, 1975? I ask the Minister what progress has been made in this policy and whether or not the South Australian Government intends to proceed at present to outlaw the high lead content in petrol.

The Hon. G. R. BROOMHILL: Much concern has been expressed in South Australia about this matter, with much work being done by officers of the State Environment and Conservation Department in preparing submissions to make to the meeting of Ministers of Environment. I point out that several papers and items dealing with the matter are set down to be considered at the meeting of Ministers of Environment scheduled for tomorrow in Adelaide. Assuming that the air transport problems can be solved, several decisions will be made at that meeting that will be of interest to the honourable member and the House. I shall be pleased to give the honourable member further information on the matter next week, following that meeting.

OVERTIME

Mr. EVANS: Can the Acting Minister of Works say whether overtime has been stopped or reduced in all or any of the Government departments under his control and, if it has, what is the expected financial saving of such action? I believe that overtime payments to some sections of the Public Service, particularly in the Engineering and Water Supply Department and the Public Buildings Department, have been heavy. There is an opportunity in this case to employ other tradesmen at the normal rate, if overtime is cut down. In those circumstances, less money would be spent in achieving more work and it would be putting more value into the dollar. I have noticed a sign in this building stating that overtime is to be discontinued.

The Hon. HUGH HUDSON: There has been a general elimination of overtime. The most prominent area in which this is taking place is in the Sewerage Branch of the E. & W.S. Department, with the consequent saving there expected to be about \$1 000 000. As I am not familiar with the saving likely to be made with regard to the Public Buildings Department, I will check that matter and get that information for the honourable member. Largely, the cutting out of overtime in the E. & W.S. Department has been the result of the decline in subdivisional activity. The cutting out of overtime has been necessary in order to sustain the existing employment, certainly in the E. & W.S. Department, and also mainly in the Public Buildings Department. It is not possible at present to take on additional employees. The question at issue in the E. & W.S. Department is that, because of a reduction in subdivisional activity which subdividers were paying for and for which they were using departmental employees, it is now necessary to switch some of these employees to ordinary Loan works; without other action there will be some over-spending. The kind of action contemplated by the honourable member, with the Government taking on additional employees at this time, is not possible. Regarding the overall saving to the Government's Budget as a result of cutting out overtime, I will get information for the honourable member in detail and supply it to him as soon as possible.

MARGARINE ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Education) moved:

That Standing Orders be so far suspended as to enable the conference on the Margarine Act Amendment Bill to be held during the adjournment of the House and that the managers report the result thereof forthwith at the next sitting of the House.

Motion carried.

**NATIONAL PARKS AND WILDLIFE ACT
AMENDMENT BILL**

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation) obtained leave and introduced a Bill for an Act to amend the National Parks and Wildlife Act, 1972. Read a first time.

The Hon. G. R. BROOMHILL: I move:

That this Bill be now read a second time.

Over the past 2½ years, since the National Parks and Wildlife Act, 1972, was passed by Parliament, many lessons have been learned in the fields of conservation and environmental protection. The Act, which represented the first move to rationalise fauna and flora protection in this State, brought together for the first time in a single piece of legislation the many provisions which formerly existed in a number of separate Statutes. Many of the conservation measures which have been in operation in South Australia for a number of years are only now being adopted by other States, and I think it is true to say that South Australia leads the field in the matter of conservation legislation.

Experience over the past 21 years has shown that certain provisions of the Act need extending or modifying to ensure that the original intention of the legislation is being achieved. In other areas, experience has shown that there can be an easing of certain requirements of the Act, particularly in relation to the keeping and sale of a number of species of birds of avicultural interest without any loss in the effectiveness of the legislation. The Bill also includes a new Part dealing with the control of hunting which members will recall previously failed to pass the last session of Parliament. The hunting provisions of this Bill should not be confused with proposed amendments to firearms legislation which are still under consideration. These provisions relate purely to the hunting of animals for its effective control through a permit system, with the provisions that revenue derived from this source will be channelled back into wild life conservation.

Members, particularly those who represent country districts, will be aware of the problems which are being caused to landowners by unauthorised hunters. Stories of damage to troughs, tanks, windmills and other property, of gates left open and of stock being harassed or even killed are all too common. This Bill expands the private land provisions of the Act to give the landowner further protection from the depredations of the careless shooter or frustrated hunter prepared to shoot anything in sight. At this time it had been hoped to introduce amendments to Part IV of the principal Act dealing with the conservation of native plants and wildflowers. However, many difficulties have been encountered in drafting suitable measures to afford the necessary protection to native vegetation, and further work will be necessary before these matters can be introduced. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Clauses 1 to 4 are self-explanatory. Clause 4 amends a number of definitions in the principal Act, and the definition of protected animal is extended to include migratory animals which occasionally come to Australia. New definitions of "threatened species" and "hunting" are also included. Clause 5 provides additional measures in relation to the protection of the natural values of land which is compulsorily acquired under the principal Act. Where a notice of intention to acquire land has been issued, the Minister may instruct wardens to protect the land from damage in the interim period before acquisition is completed. This provision has been included because of threats which have been made that natural vegetation will be destroyed if any move is made by the department to acquire certain lands for national park purposes.

Clause 6 provides for moneys derived from any sale of animals and birds that the Minister is authorised to make in pursuance of powers conferred by the principal Act to be paid into the Wildlife Conservation Fund. A similar provision is included for revenue derived from hunting permits to be paid into the fund for the conservation of wild life and of land for wild life habitat, or for research into problems relating to the conservation of wild life. Clause 7 provides for the appointment of a Secretary to the National Parks and Wildlife Advisory Council. Clause 8 amends the powers of a warden to include entry into places where prohibited animals are kept. This clause empowers a warden to take assistance with him when exercising the powers conferred by the principal Act.

Clause 9 extends the powers of a warden to confiscate objects that have been used in the execution of offences under the principal Act. Where a living animal is seized, a warden is empowered to release it from captivity. This provision is necessary to ensure that in the event of freshly trapped birds and animals being detected they can speedily and safely be returned to the wild without the risk which is inherent in the subsequent release of aviary-dependent birds. Clauses 10 and 11 make minor amendments to the provisions relating to sanctuaries to provide better protection to the landowner whose property constitutes the sanctuary. Clause 12 provides for an increase in penalty for taking a protected animal of a rare or threatened species to \$1 000 or imprisonment for six months.

Clause 13 amends the provision relating to an open season to provide that the open season does not apply within a sanctuary. Clause 14 limits the power to take a poisonous reptile to a power to kill it if it has attacked, is attacking, or is likely to attack any person. In all other respects, poisonous reptiles will now be treated as protected animals. This measure has proved necessary because of the extensive trading in these animals for profit to the detriment of the status of these animals in the wild. Clause 15 inserts new provisions into the section of the principal Act dealing with the keeping and sale of protected animals. The effect of these provisions is to require a person who asserts that he is protected by section 92 of the Constitution to assume the burden of proving that the act with which he is charged was done in the course of interstate trade or commerce.

Clause 16 amends the provisions of section 59 of the principal Act in an attempt to overcome objections that might be raised to them under section 92 of the Constitution. Clause 17 expands the provisions of the principal Act relating to the illegal possession of protected animals to cover the case where an animal is taken in contravention of the law of some other State or Territory of the Commonwealth. Clause 18 expands the provisions relating

to the use of poison to ensure that due precautions are exercised to avoid endangering protected animals. Clause 19 makes minor amendments to the provisions relating to illegal devices. Clause 20 expands the provisions relating to the molestation of animals.

Clause 21 inserts a new Part dealing with hunting. This new Part comprises the provisions formerly included in a Bill that failed to pass in the previous session of Parliament. In addition, provisions relating to hunting on private land are included in the new Part. Clause 22 grants a power to the Minister to revoke a permit on the ground that it is in the interests of conservation to do so. A similar provision formerly existed in the repealed Fauna Conservation Act. An example of the need for such a provision would be a situation where a permit to take protected animals (for example, kangaroos) had been granted, and where because of altered or unusual climatic conditions it was no longer desirable that these animals be taken. Clause 23 expands the provisions of the principal Act relating to contravention or failure to comply with a condition of a permit so that the holder of the permit is vicariously liable for the action of a servant or agent.

Clause 24 removes any doubt that may arise in relation to the intent of section 74 of the principal Act in relation to additional penalties. Clause 25 inserts new evidentiary provisions reversing the onus of proof in respect of allegations that a person is a warden, that an animal is a protected species, or that an animal is of a specified species. Clause 26 inserts a new provision enabling the Governor to prescribe differential fees for permits. Clause 27 includes new schedules of rare species, threatened species and unprotected species.

Mr. ARNOLD secured the adjournment of the debate.

EDUCATION ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Education Act, 1972-1974. Read a first time.

The Hon. HUGH HUDSON: I move:

That this Bill be now read a second time.

Its object is to implement an agreement that has been made by my department and the South Australian Institute of Teachers regarding the reclassification of teachers occupying promotion positions. With the exception of the position of Principal, Class A, appointments to the new positions will be made from a promotion list or in accordance with section 53 of the principal Act. This Bill deals with appointments to the position of Principal, Class A, and provides, in accordance with the agreement, for the establishment of a nominating committee whose function will be to make provisional recommendations to the Minister in relation to such appointments. The Institute of Teachers will nominate at least one member of the committee. The Bill further provides, in accordance with the said agreement, that a right of appeal shall arise only where the Minister declines to make an appointment in accordance with a provisional recommendation of the committee.

As the reclassification proposals are to be implemented as from January 1, 1975, it is essential that this Bill be passed as a matter of urgency. The agreement with the Institute of Teachers was finalised only a short time ago. I seek leave to have the remaining explanation of the Bill inserted in *Hansard* without my reading it.

Dr. Eastick: No.

The SPEAKER: Leave is refused.

The Hon. HUGH HUDSON: I realise the Leader is tired. I shall now deal with the clauses of the Bill in detail. Clause 1 is formal. Clause 2 amends section 53 of the Act. Applications for positions governed by this section must be made, in accordance with the regulations, either to the Director-General or to the proposed new committee. Regulations have been drafted to provide that appointments to the position of Principal, Class A, shall be the subject of this new procedure. Those regulations were presented to the House on Tuesday. The committee is given power to make a provisional recommendation that a particular applicant be appointed to such a position. New subsection (6) provides that an applicant shall have a right of appeal in respect of a provisional recommendation by the committee only in the situation where the Minister, acting on the recommendation of the Director-General, declines to make the recommended appointment. New subsection (7) sets out the duties of the Appeal Board in respect of, first, an appeal against a provisional recommendation of the Director-General and, secondly, an appeal against a recommendation made by the Director-General to refuse an appointment provisionally recommended by the committee.

Dr. EASTICK secured the adjournment of the debate.

NURSES' MEMORIAL CENTRE OF SOUTH AUSTRALIA, INCORPORATED (GUARANTEE) ACT AMENDMENT BILL

The Hon. HUGH HUDSON (Minister of Education) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received.

The Hon. HUGH HUDSON moved:

That the report be noted.

Dr. EASTICK (Leader of the Opposition): I am led to believe that the discussions which took place before this committee were satisfactory, and we have pleasure in supporting the recommendations.

Motion carried.

Bill read a third time and passed.

SOUTH AUSTRALIAN MUSEUM BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 4 (clause 13)—After line 17 insert new paragraph (ba) as follows:

(ba) to manage all funds vested in, or under the control of, the board and to apply those funds in accordance with the terms and conditions of any instrument of trust or other instrument affecting the disposition of those moneys.

No. 2. Page 4, line 20 (clause 13)—Leave out "in this State".

No. 3. Page 4, lines 25 and 26 (clause 13)—Leave out "in relation to this State".

No. 4. Page 4, line 29 (clause 13)—Leave out "the Minister" and insert "regulation".

No. 5. Page 6, line 1 (clause 20)—After "may" insert "upon the recommendation of the board".

Amendments Nos. 1 to 3:

The Hon. G. R. BROOMHILL (Minister of Environment and Conservation): I move:

That the Legislative Council's amendments Nos. 1 to 3 be agreed to.

By amendment No. 1, the Legislative Council has included a new function as set out in new paragraph (ba). This is a responsibility that the board automatically would have had, and I have no objection to it. Amendments Nos. 2 and 3 also are minor. It was always considered that the words "in this State" had reference to the sort of research

that concerned the State's holdings in this field. The Legislative Council has struck out those words, and this meets with my approval.

Motion carried.

Amendment No. 4:

The Hon. G. R. BROOMHILL: I move:

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

This amendment, which also concerns the functions of the board, means that the only way in which the board could be called on to carry out those functions would be through the machinery of regulation, and the Minister could not assign the functions. A similar amendment was rejected in this place because of the complete stupidity of requiring that any work that the Minister might wish to assign to the board should be assigned by regulation.

Mr. Millhouse: Are you saying—

The Hon. G. R. BROOMHILL: I am saying that the other place has applied an amazing lack of logic. It may well be that, as the museum is now a part of the Environment and Conservation Department, it is in the interests of the State and the department to assign to the museum the function of doing research work on a project such as the Redcliff petrochemical plant, where there would be a need for the sort of expertise that would be available only to the museum. To suggest that this must be done by regulation would not only take up time but also place Parliament in a stupid situation.

Mr. ARNOLD: I think the Minister is placing too much emphasis on this matter. He has provided for the Director of Environment and Conservation to be a member of the Museum Board. Doubtless, the Director would put before the board any views that the Minister had, and I should be surprised if the board did not take notice of them. The Minister is virtually saying that he wants absolute control so that he can enforce his wishes on the board, and I doubt that that is necessary. The persons concerned are extremely responsible and highly qualified, and they would take notice of the Minister's views. If they did not, the Minister could then bring the matter before the board by regulation. I support the amendment.

Motion carried.

Amendment No. 5:

The Hon. G. R. BROOMHILL: I move:

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

I see no problem in this matter, as it applies in other legislation.

Motion carried.

The following reason for disagreement to the Legislative Council's amendment No. 4 was adopted:

Because the amendment does not enable the facilities of the museum to be used to the best advantage.

PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT BILL

In Committee.

(Continued from November 19. Page 2067.)

Clause 3—"Amendment of principal Act, section 25a."

Mr. COUMBE: I seek from the Acting Minister of Works an assurance regarding certain major projects, such as the Monarto project which involved a separate Bill, that are not referred to the Public Works Committee. Will he assure members that, if such projects involve the provision of school buildings or other works that would normally be referred to the committee, those works will, in fact, be referred to it?

The Hon. HUGH HUDSON (Acting Minister of Works): I am pleased to give the honourable member the assurance he seeks. No proposed departure from normal practice is involved in the Bill, which is merely to clear up a legal matter. The Public Works Committee is a committee of the Parliament and there may be occasions on which a major public work should be considered by Parliament as a whole, instead of merely by the committee. At present, we have the peculiar situation that section 25 of the Public Works Standing Committee Act prohibits the introduction of such a Bill. Yet, in the past, Bills have been introduced and, once having been introduced and accepted by Parliament, they have become law, and reference to the committee has not taken place. The normal practice of the committee will continue, and the only circumstances in which the matter would not be referred to the committee would be where a Bill had been introduced which provided for a major public work and where it was considered appropriate for several possible reasons that the matter be dealt with by Parliament as a whole, instead of by one of Parliament's committees. If my explanation satisfies the honourable member, I am happy to give him the assurance he seeks. Parliament is still entirely the master of its own destiny, even under this provision, because the only way in which the committee could be by-passed would be by Parliament itself. Both Houses of Parliament would have to agree to the proposition contained in any Bill which provided that the matter was not to be referred to the committee.

Mr. Coumbe: That is what happened with the Monarto Bill, but another place refused to exempt it.

The Hon. HUGH HUDSON: It is always open to either Chamber to do that. There could well be an occasion where it was considered that, because the Bill had been referred to a Select Committee (private interests might be involved, which required that procedure, anyway), that action resulted in an appropriate consideration of the public work and, therefore, it was appropriate that Parliament should decide that it should not also be referred to the Public Works Committee. The only purpose of this amendment is to clarify the existing peculiar situation in that, although section 25 of the Public Works Standing Committee Act prohibits the introduction of a Bill to provide for a major public work without the matter having been referred to the Public Works Committee, nevertheless such Bills have been introduced. Once introduced there is nothing to stop further consideration of them, because Parliament is master of its own destiny.

Mr. EVANS: According to the present Act, a Bill cannot be introduced, so that we cannot reach the stage where this amendment can be considered. It seems to be a matter of deciding exactly when a Bill has been introduced. A Bill could be introduced by devious means and, once it had been introduced, I do not know what action could be taken if a member suggested that it had been introduced unlawfully. I believe that the legislation dealing with Monarto was introduced unlawfully.

The Hon. HUGH HUDSON: I realise that the legal position is peculiar, but at least one such Bill has been introduced and passed. Once it has been passed, it is law and no challenge would succeed. The courts would hold that Parliament is sovereign in these matters. The Speaker may have to make a nasty decision but, if he ruled that the Bill should not have been introduced, I suspect that his ruling might be subject to a legal challenge. In New South Wales the High Court held that a provision of the Constitution Act, requiring that before the Legislative Council could be abolished there should be a referendum,

was a valid provision. The position may be somewhat confused, but our opinion is that it is better to clarify any technicality, and give the assurance that the normal practice with respect to the Public Works Committee will be followed, and that it will be in an unusual circumstance only when it is decided that a public work should be considered by Parliament rather than by the Public Works Committee, in which case a special Bill would be introduced for that purpose.

Perhaps the festival theatre is a good example. I do not think this matter was referred to the Public Works Committee: it involved the State Government and the Adelaide City Council; it required legislation to be introduced; the Bill had to go to a Select Committee because it was a hybrid Bill; and the Select Committee reported on the matter to Parliament. In those circumstances it would be useless to require the matter to be considered by the Public Works Committee. The Flinders Medical Centre project was referred to the Public Works Committee as a matter of courtesy, even though it did not have to be.

Mr. EVANS: The point I am trying to make is that I believe the Bill should be amended or that the Minister should check to see whether it needs to be amended. New subsection (2) of section 25a provides:

(2) Subsection (1) of section 25 of this Act shall not apply and shall be deemed never to have applied to any Bill introduced by a Minister if that Bill contains a provision that, or to the effect that, this Act shall not apply to the public work proposed to be authorised to be constructed.

However, I believe it should provide that this shall be deemed never to have applied to any Bill in the process of being introduced or introduced. If we were to amend section 25a in that way there could be no objection. The Act now provides:

It shall not be lawful for any person . . .

The reference is to "person" not "Minister", so I wonder why we are changing it to "Minister" when "person" could serve equally as well. After all, everyone knows that a private member cannot introduce an expenditure measure that imposes a burden on the Government. My point is that it is unlawful for a member to introduce a Bill even if he could get it past the Speaker, because the Act provides that such action is unlawful. If this clause is passed that provision of the Public Works Standing Committee Act will be excluded.

The Hon. HUGH HUDSON: If new subsection (2) is passed, that practice will cease to be unlawful: it is a rather peculiar provision. It is unlawful for a member to introduce a Bill cutting out the Public Works Standing Committee, but it is not unlawful, nor has it ever been considered unlawful, for a Minister to do it. I do not believe the distinction the honourable member wishes to make between "introduced" on the one hand or "in the process of being introduced" on the other is of much relevance in this connection, because once the amendment is made it ceases to be unlawful for a Minister to introduce a Bill, and subsection (1) will not apply.

Mr. Evans: What about a person?

The Hon. HUGH HUDSON: It obviously applies to a member. Standing Orders make clear that a private member cannot introduce a Bill that involves the expenditure of public money. This Bill applies to both Houses of Parliament. Members may be aware that Standing Orders in another place are somewhat peculiar and can be subjected to somewhat peculiar interpretations.

Dr. Eastick: There is a provision in Standing Orders.

The Hon. HUGH HUDSON: Standing Orders in another place are not the same as Standing Orders in this House; they are peculiar, and that is not meant as a reflection on another place. The only possible reason for leaving "Minister" in subsection (1) would be to prevent another place or this House from altering Standing Orders in order to allow a private member to introduce a Bill involving Government expenditure. If the Act applied and even if Standing Orders were altered, a Minister could introduce a Bill involving expenditure on a public work. The amendment is all right as it stands because it achieves the purpose the Government wishes it to achieve: it removes a peculiar situation that has existed in the past. The Government is happy to give the assurance sought and I point out that with or without that assurance both Houses of Parliament would still be the masters of their own destiny in the matter.

Clause passed.

Title passed.

Bill read a third time and passed.

ABORIGINAL LANDS TRUST

The Legislative Council intimated that it had agreed to the resolution of the House of Assembly.

ROAD TRAFFIC ACT AMENDMENT BILL (RULES)

Consideration in Committee of the Legislative Council's amendments:

Page 1, clause 3—

line 14—delete "Subject to this Act, the" and insert "The".

line 26—after "right" insert "(other than a vehicle whose driver is himself required by this Act to give way)".

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

That the Legislative Council's amendments be agreed to. They seek to make it a little easier to understand the rather complicated "give way" provision in the Bill. Really, they are simply drafting amendments.

Mr. COUMBE: Some of the matters we touched on in the debate in this Chamber were not put in quite the same way as is indicated by the amendments. However, I believe they are acceptable.

Motion carried.

MINING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 14. Page 1996.)

Mr. RODDA (Victoria): As the Minister is referred to as the Minister of Development and Mines, this legislation puts beyond doubt that all legislative references to the Minister of Mines shall be construed as references to the Minister of Development and Mines. As Opposition members agree to this administrative alteration, we have much pleasure in supporting the Bill.

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

PRICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 19. Page 2040.)

Mr. GOLDSWORTHY (Kavel): This Bill is simply designed to separate the price-fixing function and the consumer-protection function of the Commissioner for Prices and Consumer Affairs. I understand from the second reading explanation that legislation was introduced last

session to make permanent all the functions of the Commissioner but that the Legislative Council was not happy about making permanent the price-fixing function. In conference, it was agreed that the two functions of the Commissioner should be separated. I understand that the Bill proclaims a date at which prices now fixed will no longer be fixed, so that a review by Parliament will be necessary in order that this part of the Commissioner's duties can be continued. As this legislation is not controversial, the Opposition supports it.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

LOTTERY AND GAMING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 2110.)

Mr. BECKER (Hanson): I support the Bill. Some years ago, various representations were made to me by people involved in the racing industry who believed that all was not well in the industry. In referring to the racing industry, I am talking about the three areas of racing: horse-racing, trotting, and greyhound-racing. It was considered desirable that there should be some form of inquiry into racing in South Australia and, after representations had been made to the Government for an inquiry, a committee was appointed to look into the industry. The report of that committee is known as the Hancock report.

In his second reading explanation, the Minister of Education said that the various provisions of the Bill followed recommendations in the Hancock report. The Government has decided to adopt certain recommendations at this time to help South Australian racing and to try to give it an immediate injection of funds. On Tuesday, October 1, the *News* ran the headline "South Australian Racing Gets a Million Dollar Boost". The article states:

The South Australian racing industry is to get a \$960 000 boost. This is one of the major decisions among plans to restructure the racing industry approved by State Cabinet.

When people involved in the industry and members of the public saw the headline they were pleased and surprised that South Australian racing at long last had been recognised. The headline was misleading because, although this Bill provides finance for racing, and although it is fair to say it will be almost \$1 000 000, most of the funds will not be available for the participating clubs until September, 1975. Thereby hangs a tale.

Racing clubs will not receive all the funds immediately. A percentage of the on-course totalisator funds will be available to the clubs immediately, but most of the income from totalisator betting in this State is handled through the Totalisator Agency Board, which makes its disbursements only once a year. Under the Act the board may, if it so desires, make regular payments to the clubs. The racing clubs are guaranteed an income of about \$960 000 but, if they want to spend any of that money, they will be forced to go to their bankers to borrow the money because in this State we have a strange situation whereby T.A.B. cannot, because of liquidity problems of its own, pay the money to the clubs as soon as it receives it.

T.A.B. is really the legal operation to handle on-course betting; it receives the money on the day of the race meetings and it pays out the following day. It is entitled to deduct commission but it cannot pay participating clubs the percentage of the commission to which they

are entitled. It is all very well to blame the managers of T.A.B. for this but in actual fact the board comprises members of the participating clubs.

A grave error of judgment was made when T.A.B. was first established. Indeed, the Hancock report states that one of the gravest errors in judgment was the Databet system. This Bill provides for writing off the Databet debt of about \$175 000. Unfortunately, that means the debt will be written off over a period of time, but the loss to the industry will be about \$2 000 000. No doubt repercussions have been felt within that organisation.

The Auditor-General will audit the T.A.B. accounts in future. Taxpayers can rest assured that no longer the Government of the day will be placed in the situation in which the present Government found itself a few months ago. I appreciate the urgency of this legislation and the fact that the sooner it is enacted the sooner the racing clubs can make arrangements to improve their stake money and the facilities for patrons on the courses. I seek leave to continue my remarks.

Leave granted; debate adjourned.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (REGISTRATION)

Adjourned debate on second reading.

(Continued from November 20. Page 2112.)

Mr. CUMBE (Torrens): This is one of the shortest Bills to come before the House, but it is of significant

importance in regard to industrial arbitration and working conditions throughout Australia. The Bill deals with the infamous case of *Moore v. Doyle*, a case that has merited discussion by delegates at the Constitution Convention. It was desired to seek to work out a method to solve a certain industrial problem.

Section 133 of the original Act, which provides a two-year period of protection for associations against actions arising from the decision in the case to which I have referred, was enacted to deal with this specific problem and to order a moratorium to provide for the type of circumstance involved in the *Moore v. Doyle* case so that the problem could be solved. This problem is not easy of solution as delegates to the Constitution Convention have found. The Act provides that the protection for two years against court action shall expire on January 4, 1975, so this Bill extends the moratorium for another year, and no-one could cavil at that. Legislation is being enacted by the Commonwealth Parliament to amend the Commonwealth Act relating to this matter, and the Bill before us is really a holding provision to enable the matter to be considered further.

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

ADJOURNMENT

At 4.34 p.m. the House adjourned until Tuesday, November 26, at 2 p.m.