HOUSE OF ASSEMBLY

Thursday, October 2, 1975

The SPEAKER (Hon. E. Connelly) 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:

Constitution Act Amendment (Ministers),
Constitution Act Amendment (Ministry),
Criminal Law (Sexual Offences) Amendment.

MINISTERIAL STATEMENT: WATER CHLORINATION

The Hon. J. D. CORCORAN (Minister of Works): I seek leave to make a statement.

Leave granted.

The Hon. J. D. CORCORAN: I wish to make a Ministerial statement on the *Advertiser* report in which the Australian Minister for Health is reported to have stated that his Department of Health is looking into alternative water disinfection methods because of concern in the United States of America regarding a possible health hazard associated with chlorination of water supplies. First, let me say that I have already telexed Dr. Everingham expressing concern that his statement can only cause unnecessary alarm among the people of Australia where chlorination is used almost universally to disinfect public water supplies, particularly as there is no evidence whatsoever to support an adverse association between chlorination and public health, either in this country or overseas.

Chlorination has been used almost universally to prevent water-borne disease in public water supplies since 1897. Some authorities, notably in France, have used ozonation as an alternative, probably because of the chlorinous tastes and odours resulting from chlorinating very polluted raw waters. Ozonation has not, however, gained general favour because it is not possible to measure a residual to determine effectiveness, and because it is more expensive. The present statement no doubt stems from a report by the U.S. Environmental Protection Agency this year. This report and other related reports have been studied by the Engineering and Water Supply Department, which has carried out evaluations of chlorinated hydrocarbons in South Australia's water supplies.

The work to date has shown that the levels of these substances are well below those specified by accepted international water quality standards. The department has also purchased recently a mass spectrometer, which will enable the Bolivar laboratories to more readily monitor the presence of these substances. I must point out that we are concerned here with levels of less than one part a thousand million, and for some compounds even less than this. I must also emphasise that the U.S.A, reports have not shown that chlorination has any adverse effects on public health. This is confirmed by the Director-General of Public Health (Dr. Woodruff), who has advised me that "there are no known reports of adverse effects from the drinking of chlorinated water in South Australia".

There is no doubt that the benefits of chlorination far outweigh any potential harmful effects (if any) of compounds that may be created by the process, and that there is no information to justify any change in disinfection practice in South Australia. In fact, to discontinue disinfection of water with chlorine would result in great harm to the public. I trust that this statement will allay any fears that the South Australian public may have as a result of Dr. Everingham's statements. In conclusion, I assure this House that the Public Health Department and the Engineering and Water Supply Department will continue to assess the results of any research carried out on this matter, and will also continue to monitor our water supplies to ensure that they meet international criteria for water safety.

QUESTIONS

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

SCHOOL BUSES

In reply to Mr. VANDEPEER (September 16).

The Hon. D. I. HOPGOOD: The type of fire extinguishers provided on Education Department school buses was decided on following advice from the Fire Brigades Board in 1968. Those used at Kangaroo Inn in the incident mentioned by the honourable member were manufactured in February, 1975, and inspected by the South Australian Fire Brigade on July 23, 1975. Therefore, it must be assumed that they were in a satisfactory condition. The honourable member suggested that the effective life of these extinguishers was five seconds. However, a test was made with a similar type, which was found to be effective for nine seconds. This effective life has been confirmed by the manufacturer and the Fire Brigades Board. I am also informed that the two extinguishers did put the fire out. Additional extinguishers from the second bus were brought out but not used. When the fire began smouldering again a short time later, it was put out by a farmer using a powder-type extinguisher.

FARM BUILD-UP

In reply to Mr. GLINN (August 26).

The Hon. J. D. CORCORAN: The Minister of Lands has informed me that, since the rural reconstruction scheme commenced in 1971, there have been numerous cases where a father has applied to increase his holding and has been permitted to include his son or spouse in the tenancy on the acquired property. The son, however, must be employed on the property at the time the application is lodged. The statement that the father is not permitted to include his son in the tenancy of the acquired property is not correct. There has been no request to include a daughter in a farm build-up to date; however, such a request would have problems, particularly if the daughter married at a later date. Each case is dealt with on its merits, and the present flexibility within the scheme in respect to tenancies operates effectively.

DAIRYING ASSISTANCE

In reply to Mr. WOTTON (August 26).

The Hon. J. D. CORCORAN: The Minister of Lands has informed me that the condition for acceptance of applications for assistance under the dairy adjustment programme stipulated a closing date for the receipt of applications at August 31, 1975. Less than 13 per cent of the applications received for assistance for the purchase and installation of refrigerated bulk-milk facilities and/or the purchase of additional property and livestock were not approved. The criteria require that the property is used primarily for dairying and purposes incidental thereto, and that the property in its own right constitutes an economic unit with the assistance available under the scheme. The average time taken in processing applications received is about four to six weeks. Recently, the

application forms for refrigerated bulk-milk vats were amended to provide a simple statement of requirement, and 12 months operations with supportive evidence of the trading and profit and loss accounts and balance sheet for the preceding financial period. The administering authority is responsible for the allocation of the funds, and must be satisfied that the applicants are able to service any approved loans.

RURAL ASSISTANCE

In reply to Mr. RODDA (August 14).

The Hon. J. D. CORCORAN: The States Grants (Rural Reconstruction) Act, 1971, was introduced by the Australian Government of the day and all funds for this Act have been, and are still, made available by the Australian Government. These funds are not controlled by the State Government, nor has the State Government ordered increases in assistance since the State elections. All applications are considered by the Rural Industry Advisory Committee on an individual basis and merit, after which a recommendation is made to the Minister of Lands. If applicants do not meet the criteria of the Act, their applications are declined. The criteria to be followed were set down by the Australian Government when the Act was introduced, and one of the tests of eligibility is that the applicant be unable to obtain finance to carry on from any other normal source. It is the applicant's responsibility to prove he is unable to obtain the necessary funds, not the Rural Industry Assistance Authority's, hence the necessity for the letter of discredit. Application forms for assistance under the Beef Industry Assistance Act, which is in no way connected with the States Grants (Rural Reconstruction) Act, have an authorisation incorporated giving the administering authority permission to obtain any information necessary from the applicant's pastoral house, banker and other sources, thus eliminating any need for a letter of discredit.

PARLIAMENT HOUSE

In reply to Mr. MATHWIN (September 10).

The Hon. D. A. DUNSTAN: The total cost of cleaning Parliament House in the year 1974-75 was $17 358.38. The substantial increase in the cost of fuel, light, rates, cleaning, etc., is due to increases in all lines, as under:

	Actual costs 1974-75 $	Estimated for 1975-76 based on latest figures available $
Cleaning.....	17 358.38	27 000
Fuel—		
E.T.S.A.....	19 126.05	25 000
Gas.....	2455.46	11 500
E. & W.....	11 595.75	12 000
	$50 535-64	$75 500

The large increase in gas costs is due to recent alterations to Parliament House. Previously gas was only used for cooking purposes, but is now used for all water heating, including operation of the newly-installed air-conditioning system. The base contract price for cleaning of Parliament House in this fiscal year is $23 772 and is subject to rise and fall conditions and a 10 per cent contingency if special cleaning is required outside the scope of the base contract.

JUSTICES OF THE PEACE

In reply to Mr. DEAN BROWN (September 16).

The Hon. J. D. CORCORAN: Justices of the peace do not receive a fee but are paid an allowance of $2.50 for each day, irrespective of the number of hours involved, for out-of-pocket expenses. No details of the number of hours given free of charge are available. However, for the year ended June 30, 1975, it was estimated that justices of the peace sat for a total of about 10 000 morning sessions and about 1 000 full days.

SOUTH AUSTRALIAN FILM CORPORATION

In reply to Mr. EVANS (September 16).

The Hon. D. A. DUNSTAN: Section 11*(a)* of the South Australian Film Corporation Act, 1972, states:

11. The corporation has power to do all things necessary for the administration of this Act and, without limiting the generality of the foregoing:

(a) shall have the sole and exclusive right to produce, or arrange for the production of, film for or on behalf of the Government of the State or for or on behalf of any instrumentality or agency of the State or the Government of the State.

ELECTION VOTING

In reply to Dr. EASTICK (September 16).

The Hon. D. A. DUNSTAN: In accordance with section 118a(4) of the Electoral Act, 1929-73, where the Electoral Commissioner was satisfied that an elector had sufficient explanation for the apparent failure to vote no notice requesting an explanation was prepared and posted. From information available to the Electoral Commissioner, the posting of 586 "please explain" notices to electors in the House of Assembly District of Norwood was considered necessary.

ELECTORAL ROLLS

In reply to Dr. EASTICK.

The Hon. D. A. DUNSTAN: Arrangements between Australian (Commonwealth) and State electoral offices provide for reprinting of rolls updated as at the issue of writ for all Commonwealth or State elections. The electoral rolls used at the elections were not two months out of date, but were reprinted to include all claims for enrolment made up to 12 noon on June 24, 1975. A new system of maintenance of electoral rolls by computer is being written that will reduce to a minimum the possibility of any elector being shown on more than one subdivision, provided that correct details are given by the elector.

CONSERVATION LOAN

In reply to Mr. DEAN BROWN (August 26).

The Hon. G. T. VIRGO: The South Australian Government has purchased about 11.14 acres of dunal land in the Woodville council area. Two parcels of coastal land are involved, as follows:

(1) About 9.68 acres south of Estcourt House and

(2) About 1.46 acres north of Estcourt House.

The purchase was made for conservation reasons, the smaller area to the north being contiguous with an area of prime dunal land already owned by the Government. A low-lying area facing Military Road, to the north of Estcourt House, is to be developed as a car-park, jointly by the Coast Protection Board and the Woodville council, whilst the remainder is to be retained in its natural state as an example of the coastal land form and vegetation which was typical of the Adelaide metropolitan coast at the time of European settlement. Ultimately the conservation area will be fenced and provided with boardwalks so that persons who so desire may gain entry without detriment to the sensitive dunal vegetation and land form. The total cost of this land was $479 303.61, of which $225 000 was provided by the Australian Government under the national estates programme and $254 803.61 was provided by the Coast Protection Board.

CATTLE TAGS

In reply to Mr. RODDA (September 9).

The Hon. J. D. CORCORAN: My colleague, the Minister of Agriculture, states that cattle tail tagging has been in operation in both Western Australia and New South Wales for a number of years and is being adopted by all States as standard procedure for disease trace-back. In Western Australia it is understood that around 90 per cent of infected cattle are traced back to the property of origin through the system, with the remaining 10 per cent of animals not being traced for a variety of reasons only one of which is loss of tag. As far as the adhesion of tags is concerned, it is understood that there has recently been a problem with a tag glue used by one manufacturer in wrap around tags. This has resulted in some loss but the position has now been rectified. In the majority of cases tag loss is due to improper application but it is expected that the retention rate will improve as farmers gain experience in the technique. Ear tags would not be a satisfactory means of identification because of the increased time and extra equipment needed to apply such tags, the difficulty of retagging animals where there is a frequent change of ownership, the confusion resulting from a multiplicity of ear tags, and the higher cost of these over-tail tags. The tail tag system is designed to work with an accuracy of 85 per cent. This is an accepted standard both within this country and the United States and Canada. Based on experience in other States it is expected that this figure will be surpassed locally.

RELIEF DIVERS

In reply to Mr. BLACKER (August 21).

The Hon. J. D. CORCORAN: The Minister of Fisheries informs me that the use of relief divers has been extended for a period of three months, to December 1, 1975. However, the Minister does not support the transferability of endorsements for abalone on fishing licences and the Fisheries Act, 1971, section 38(a), specifically precludes the lending or hiring of any licence or permit. The Fisheries Department is currently examining data on abalone catch and effort supplied monthly by abalone divers to ascertain trends in the industry on which to base criteria for the issue of new abalone permits. When this assessment is complete and divers have submitted CZ18 medical certificates certifying their fitness to dive, together with renewals for the appropriate fishing licence a recommendation will be forwarded to the Minister. Should it be considered that more divers may be admitted to the abalone fishery, a public notice calling applications would be inserted in local newspapers inviting applications from interested divers. An economic survey of the abalone fishery was undertaken by officers of the Fisheries Division, Australian Department of Agriculture between 1970-71. and 1973-74 and the results of this survey, when published, may reveal further guidelines for the issue of abalone permits.

PREMIER'S CUP

In reply to Mr. BECKER (September 16).

The Hon. D. A. DUNSTAN: No. I am at present awaiting a reply from the Cruising Yacht Club of South Australia on details for the Premier's Cup race. The club is considering the most suitable class of yacht for this event.

THEATRE 62

Tn reply to Dr. EASTICK (September 16).

The Hon. D. A. DUNSTAN: The Education Department has advised that it is at present completing negotiation of terms of a lease for the theatre building previously rented by Theatre 62 Regional Theatre Incorporated. It is anticipated that the cost will be about $1 100 per annum for a term of up to 15 years, subject to a form of indexation yet to be finalised between the department and West Torrens council, the building's owners. The department is currently renting the building on a monthly basis from the council, pending completion of the lease. I have also been advised that the department has negotiated purchase of certain property associated with the Theatre building, and considered essential to its use as a children's drama facility. These assets include furniture, air-conditioning plant, costume stock, theatre seats, lighting, stage and sound equipment and foyer fittings. Original value of these items exceeded $25 000, and depreciated valuation was $17 669, for which the department offered $12 000. That offer was accepted. Other assets of the association have been sold privately and by auction. Total receipts from all sources including debtors have been applied to repay creditors and to refund subscribers, including one B. Eastick of North Adelaide, who may be known to the honourable member. The Education Department initiated these actions in response to a recommendation from within the department that a suitable facility be obtained for children's theatre development in the inner western suburbs. A theatre-in-education team, supported by grants from the Federal schools commission, will be based at this facility to teach children who are brought to the centre from primary, secondary and non-governmental schools in the western and south-western suburbs. The building will also be made suitable for approved community activities.

COUNCIL AMALGAMATIONS

Mr. MAX BROWN: Can the Minister of Local Government outline the procedures that should now be adopted by councils, independently or as groups, which desire to carry out extensions of boundaries or amalgamations of councils and which wish to proceed towards the recommendations laid down by the Royal Commission into Local Government Areas in this State? Recently the Minister stated publicly that, because the Commission's findings were apparently unacceptable to some councils (especially to the Local Government Association), he would not proceed with legislation on that basis but instead would be pleased to assist any council wishing to proceed along the lines of the Commission's recommendations. I voice my grave concern about the attitude of councils generally. However, the council in my district largely supports those findings. I believe that procedures for adopting or even partially adopting the Commission's findings should be outlined clearly to enable as many councils as possible to carry out quickly and easily the guidelines laid down by the Commission.

The Hon. G. T. VIRGO: The Royal Commission still exists: it has not yet been wound up, although it has expressed the view to me, which is probably correct, that it has virtually completed its task and considers it should cease operating. The Commission will continue for a time, assisting councils that are willing to give effect to any alterations consistent with the Commission's report. This means that changes can take place because of the altered arrangements under the Local Government Act that have the blessing of the Royal Commission. Indeed, some of the cumbersome provisions that would otherwise apply are thus avoided. It is necessary for us to look even further afield, because the Royal Commission cannot justifiably be kept in operation, even though it may be dormant. I hope that soon we can find a proposition that can become a permanent feature of the local government scheme.

BUSES

Dr. TONKIN: Can the Premier say what will be the effect on the future employment opportunities in South Australia of the decision by Freighter Industries Limited to withdraw from a $2 000 000 contract with the Municipal Tramways Trust to build bus bodies and to withdraw its tender from another $8 000 000 contract with the M.T.T., and can the Government take any action to overcome this situation? Freighter Industries Limited announced this morning that it had withdrawn from a $2 000 000 contract with the MTT to build bus bodies as the result of delays in the arrival of the Leyland chassis from the United Kingdom, and it has withdrawn its tender for an $8 000 000 contract to build bus bodies for 310 Volvo buses. It is now almost certain that these contracts will go to companies in other States, probably to firms in New South Wales. Freighter Industries Limited has a new factory in Adelaide, and it can be assumed that future employment opportunities in South Australia must be adversely affected at a time when the unemployment situation here is at such a high level that we can ill afford to lose any opportunity to help maintain and increase employment. Government action appears to be urgently needed.

The Hon. D. A. DUNSTAN: I cannot answer specifically the Leader's question, because I do not have the information that would allow me to answer it. Investigations are being undertaken by the Industrial Development Division into reasons for Freighter's having taken the action it has taken. The Government has gone to great lengths to assist Freighter Industries. Whilst this company was severely harmed by a decision of a previous Liberal Government—

Mr. Venning: Answer the question!

The Hon. D. A. DUNSTAN: I am. answering it all right. I refer to a decision to award the bus contracts for the MTT to other than Freighter's.

Mr. Dean Brown: How long ago was that?

The Hon. D. A. DUNSTAN: In 1968. The condition of the awarding of that contract was that Denning's should establish here but, in fact, Denning's having completed that contract, they closed down and moved out. The Government has tried to assist Freighter Industries with constant Government work, and that company had this valuable contract currently from the M.T.T. At the time we called tenders for a further job (that of constructing buses on the Volvo chassis) it was clear that Freighter Industries' tender was so much above competitive Lenders from elsewhere in Australia that it would be difficult for the Government to let a tender to Freighter Industries, and certainly we would not get support from the Commonwealth Government for having to pay for buses some millions more to Freighters than to its competitors.

Mr. Venning: That's understandable.

The Hon. D. A. DUNSTAN: Yes. We therefore looked at every way we could to get a revised basis of work which would include work by Freighters, and that was a lengthy effort on our part. We were unable to get a proposal from Freighters that would enable it to take part in the work at a competitive price.

Mr. Evans: Why is the cost of production higher in South Australia?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I will tell you. It is not because there is any greater cost involved objectively to a company; it happens to depend on the company's structure. Freighter's then suggested that its undertaking in South Australia should be taken over by the Government. I had that matter investigated by the Industries Assistance Corporation, whose unanimous recommendation was that the Government should not take it over. The corporation pointed out that Freighters had an extraordinarily high level of overheads and an extraordinarily high proportion of executive salaries compared to the actual work force. The costs involved in Freighters arose largely from the kind of company structure it provided. The corporation considered there was no economic basis on which the company could make an offer. The Government then recalled tenders to give Freighters the opportunity to put its house in order so that it could tender competitively, but it decided to withdraw from tendering altogether.

The Hon. G. T. Virgo: It has not yet been evaluated.

The Hon. D. A. DUNSTAN: It submitted a tender, but it has notified us that it has withdrawn the tender before evaluation. The Government has done everything it can to assist this local industry and to provide it with orders from South Australia. I do not know what more we could have done in all the circumstances. I am willing to let the Leader have the evaluation made by the Industries Assistance Corporation of this industry because I believe it will be useful to him.

Mr. RUSSACK: Can the Minister of Transport say what will be the effect on metropolitan bus services of the 12-month delay in delivery of the 67 AEC Swift chassis and the six months delay on the 310 Volvo chassis? In addition, what action will he take to maintain adequate standards of public transport in the metropolitan area? In a newspaper report this morning, Mr. Harris, the General Manager of the Municipal Tramways Trust, said that buses had been ordered to replace off-standard buses acquired by the trust from private bus operators and for the expansion of services. He did not expect the withdrawal of buses to affect expansion plans, because the trust would look for another Australian company to build the bodies. It would seem that many of the buses that were taken over by the Municipal Tramways Trust from private operators were not in good order or of good standard: they were off-standard buses. Therefore, there seems to be an urgent need to replace buses and the metropolitan public transport service could suffer greatly if some immediate action is not taken. Negotiations at this point with another Australian company to build bodies could mean a delay of many months.

The Hon. G. T. VIRGO: There are two aspects of this matter. First, there is the problem of the contracts for the bus bodies. The Premier has clearly outlined to the Leader full details of the present position; there is probably little I can add in that regard. The honourable member also asked about the effect of the delay in the delivery of the chassis. We have seen one of the effects already, but generally the effect is that the numerous alterations and improvements that we are planning for our metropolitan bus services will be delayed. For instance, the provision of the circular bus service that we have talked about for some months has been delayed until we have the vehicles available to operate it. Likewise, implementation of an east-west city distributor service (which people call a Bee-line service, although I do not know that that will be its name) will also be delayed. Tn addition, several other proposals designed to provide a better public transport system must, of necessity, be delayed, pending delivery of the buses. I would love to be able to do something about the matter, but I do not think one can do more than call tenders for bus chassis,

evaluate the tenders, make a decision on the tenders received, place an order with the successful tenderer, and ask him to comply with the specifications, including delivery. Of course, we cannot tie a company hand and foot in this respect. My information is that some Leyland buses are on the water. We have no guarantee how many there are, or where they are, or on what ship they are. I am sure the honourable member is looking at Mr. Harris's comment that they are in the ship *Botany Bay,* and we hope they are.

Mr. Russack: There's only six of them.

The Hon. G. T. VIRGO: There may be six or 16; we are not sure. This is the vacuum in which we are operating at present. I assure the honourable member that we are doing everything possible to obtain new buses, because we are not satisfied with many of the buses now being used. Indeed, the M.T.T. had retired 40 buses but had to bring them into service in order to provide the necessary transport, because one operator out of 14 did not accept the decision and gave us a week's notice, saying that he would take his bat and ball home unless he could bat all the time. That was not on, so we had to bring these buses out of service, although they had been retired. Being conscious of the need that exists, we are doing everything possible.

Mr. WHITTEN: Is the Minister of Transport aware of any difficulties that may exist in obtaining supplies of gas used in the refrigerated air-conditioning of motor coaches? It has been reported to me that students from the Torrens College of Advanced Education toured the South-East last week, on an educational tour, in a Government-operated motor coach. They were told before leaving Adelaide that the air-conditioning in the bus was inoperable because the Municipal Tramways Trust was unable to obtain supplies of the gas used in the bus's air-conditioning plant, and that this had. been the case for the past two months or more. The lack of air-conditioning would not have affected the comfort of the people travelling in the bus last week but, in the warmer months, it would. What concerns me is that these people have been told that, since the Government has taken over these private buses, it has been unable to operate them as efficiently as it should, because it is unable to obtain the gas for the air-conditioning plants. Will the Minister investigate this matter?

The Hon. G. T. VIRGO: I shall be pleased to do so.

Mr. DEAN BROWN: Can the Minister of Transport give the reasons for calling again for entirely new tenders for the supply of bodies for the 310 Volvo bus chassis? Mr. Nordlinger, the Managing Director of Freighter Industries, made an announcement this morning, part of which I will read verbatim, as follows:

> Similarly awarding by the Municipal Tramways Trust of the contract for bus bodies and Volvo chassis have been delayed to the extent that Freighter no longer considers this tender commercially attractive in the light of prevailing low margins and commercial risk in work on such contracts. Recent experience with similar contracts for civic authorities has been a major contributing factor to Freighter Industries recent historic losses, he explained.

If one analyses that statement, one will see that it is obvious that it was the delay in the calling of the tender for the Volvo buses that forced Freighter Industries to withdraw from that second and most important of the contracts, namely, the $8 000 000 one. I understand that the MTT agreed initially to call for tenders in June, and that it again called for tenders at the end of August. The Minister, in interjecting when the Premier was answering the first question, referred to the second calling of tenders (the tender that Freighter Industries withdrew), but he did not refer to the earlier calling of tenders. It would appear from Mr. Nordlinger's comments that it was the delay caused by the recalling of contracts that was probably the real reason for the loss of the $8 000 000 contract to this State. In his announcement, Mr. Nordlinger also referred to the fact that the company has now finished—

The SPEAKER: I must call the honourable member to order. Instead of explaining the question, he is debating an issue.

Mr. DEAN BROWN: I am simply referring now to the statement by the Managing Director of this company. He indicated further that his bus company had a new factory at Royal Park, which was the most modern in Australia, and it is in this area that we are so concerned about the employment of people. That was the reason for the Leader's question, and I think that it is time that the Government of this State—

The SPEAKER: Order! The honourable member is continuing to comment. The honourable Minister of Transport.

The Hon G. T. VIRGO: Obviously, when the Leader asked the Premier the question at the beginning of Question Time, the member for Davenport was doing something of which other members have been publicly accused: he was certainly turned off completely. What the Premier said was that, after the tenders were first called and examined, we were disturbed, as a Government, that Freighter Industries, which means so much to South Australia, was clearly out of court in relation to its tender. Negotiations then commenced, and discussions were held; we did not rely on press reports. In fact, Mr. Nordlinger Came to Adelaide and had a discussion with the Premier and me, and we thrashed the whole problem out fully. However, the negotiations that proceeded, the subsequent suggestion by Mr. Nordlinger that the Government should acquire the factory, and the investigations that took place all took time. When all the discussions and considerations were complete, it was clear that a considerable time had elapsed since the time of the closing of the tenders, and because of this it was considered that the prices that were then quoted might not have the same application as they had had at the time of closing of tenders, so we decided that the fairest way for all the tenderers, particularly for Freighter Industries, so that we could have the tender stay in South Australia, was to call fresh tenders.

The Hon. D. A. Dunstan: It was wholly for the benefit of Freighters.

The Hon. G. T. VIRGO: That is right. How the honourable member can put on this matter the construction that he has put on it is beyond me.

WEST LAKES TRANSPORT

Mr. HARRISON: Will the Minister of Transport obtain information about the public support given to the new bus routes servicing West Lakes and adjacent areas, and will he also obtain information about the support given to public transport to Football Park? Much interest has been created regarding the means of transport to West Lakes, which is a newly-developed area, and to adjacent areas. I know full well that there will be teething problems, mainly in regard to support by the general public, in connection with continuing these services.

The Hon. G. T. VIRGO: I understand that the services have been quite successful, but I will get specific details for the honourable member.

SHEEP TREATMENT

Mr. BLACKER: Will the Minister of Works ask the Minister of Agriculture to make inquiries and obtain a report on the way in which the Government Produce Department at Port Lincoln has been receiving sheep under the 75c scheme, and on the manner in which they have been held before slaughter? Last Monday a stock agent at Port Lincoln approached me, expressing concern about the extreme number of losses occurring and about the discrepancies between the number of sheep delivered to Port Lincoln and the number slaughtered. Subsequently, I have received a listing from that stock agent regarding the numbers of sheep, and this matter has been followed up by a letter to the Editor in today's *Advertiser* signed by Mrs. Fiegert, of Tumby Bay. The sheep numbers are shown on this list. In the 10 listings 1 370 sheep were delivered and only 1 059 were slaughtered, a discrepancy of 311; somehow that figure has not been accounted for. The agent tried to find out the date on which these sheep were slaughtered and how long they were held at the works, but this information has been unobtainable by the producers and the agents. Therefore, I ask the Minister to have an inquiry made.

The Hon. J. D. CORCORAN: I take it that the honourable member is referring to a letter in this morning's newspaper from Mrs. Fiegert. Is that so?

Mr. Blacker: Yes.

The Hon. J. D. CORCORAN: I have a report on the matter, which states:

The potter sheep scheme was announced on Thursday, July 31, and the Port Lincoln management was inundated with requests for bookings. It is necessary for producers to be given sufficient notice to arrange transport, etc., and it is also the policy that regular slaughterings of stock take preference over potter sheep. Management therefore has the problem of anticipating regular slaughtering requirements for a week or so ahead, and ordering in potter sheep to fill up unused killing space on the chain. Unknown factors are the actual regular slaughterings to be catered for and also the chain capacity for any particular day, this being dependent upon the degree of absenteeism, etc. Having made this assessment, 200 potter sheep were accepted from Mrs. E. F. Fiegert of Tumby Bay, and delivery date was arranged for Thursday, August 7, anticipating slaughter on Friday, August 8. The 200 sheep arrived on the Thursday, and, although none were dead on arrival, they were observed by my staff and officers of the Agriculture Department to be in a very emaciated condition. The change in the slaughtering programme since ordering in did not allow these sheep to be treated on the Friday, nor the following Monday, and the first opportunity was on Tuesday, August 12. In view of this situation, these, and other sheep being held, were fed with hay, and, of course, watered. These particular sheep were held in yards close to the lairages, they being considered too weak to move to the "top" paddocks for grazing, particularly as weather conditions at the time were cold and bleak. By the Tuesday morning, 104 of these sheep had died in the yard, but certainly not due to lack of feeding and watering at the works. Of the 96 live sheep remaining, 71 were condemned, leaving 25 only passed for human consumption. All sheep submitted during the early period of the scheme were in very poor condition, and the following figures show the results for the week ending Tuesday, August 12:

Total potter sheep delivered . .	2 398
Died in yards.....	284 (12 per cent)
Slaughtered.....	2 114
Condemned at slaughter.....	1 180 (56 per cent)

Bad enough as these results are, the 200 sheep from Mrs. Feigert gave much worse results, indicating their extremely poor condition; in fact, this line of sheep must have been the worst of any received under the scheme. It became obvious that the very worst sheep were received during the early days of the scheme, and a steady improvement in stock condition has been the pattern as the scheme progressed. For the week ending September 16, of 2 240 sheep received, only 2 per cent died in the yards, and only 19 per cent of those slaughtered were condemned. The total number of sheep received so far is around 16 000. It is very regretable, of course, that Mrs. Fiegert's sheep should have turned out so badly, but this officer is satisfied that everything was done that could have been done in the circumstances, and in spite of her statement that these sheep were not ready to die, the officer finds it difficult to believe that they would not soon have died at Tumby Bay.

TEACHERS' FLEXI-TIME

Mr. NANKIVELL: I am pleased to see the Minister of Education back in the Chamber, and I am sorry that he was unwell on Tuesday, when I intended to ask this question. I say that because the question relates to a report in the *Advertiser* of Tuesday, September 30, headed "Flexi-time ideas for South Australian schools". Will the Minister say whether he has now had time to read that report and to consider what would be his reaction if, as a result of the opinion of the majority of teachers canvassed by the Institute of Teachers, a favourable report was received showing that this concept of flexi-time was acceptable to a majority of South Australian teachers? Further, I ask the Minister whether he will comment on the other aspects involved, such as the advantages of extending the school day from the point of view of the so-called latchkey children, the question of extending the school day in relation to reducing the period of the school year and creating longer annual holidays, and also that interesting concept of two semesters a year rather than three school terms. I think they are sufficient points.

The SPEAKER: I think the honourable member may be cribbing a little.

Mr. NANKIVELL: The Minister has been warned, Mr. Speaker.

The Hon. D. J. HOPGOOD: I have had an opportunity to read the article and I think where I have to be a little careful is in not saying loo much, which might suggest that I am trying to influence the internal decision that the institute has to make. In coming to its decision, if indeed a decision is made, it will then be for the institute to place the matter before me and for me either to resist whatever arguments it has or to accede and then to take up the matter with the Government. So, on the specific point, although I have views that I could canvass privately with the honourable member, I think perhaps it would be improper for me to say anything that might be construed as trying to influence the decision the institute is going to make. The honourable member referred to the specific problems of latchkey children, and I think this is something we must look at seriously, if not through this proposal, by the extended use of school facilities outside school hours. I take the opportunity to mention my support for the concept of using facilities out of school hours as a result of having received correspondence from one centre in South Australia, which will be unnamed, at which people were attacking the whole concept, and particularly the use of schools during school holidays for play groups for children. It was suggested that this might be an extension of the concept of compulsory education actually into the holiday period. I know the honourable member does not subscribe to that, and I am sure that no other member does, but it was interesting that it came to me and that the words "insidious socialist plot", or similar words, appeared in the letter. If there is even just a suggestion like that around among a small minority of people, I want to say that this Government regards the concept of teachers and other people

in their community giving their time out of school hours and in school holiday periods for play groups as being something we support very strongly, as I am sure that all members would do. As to the more specific aspect that the honourable member has referred to me, in the event of the institute's coming to me with such a policy, I will let the House know what my decision will be.

WORKER PARTICIPATION

Mr. MILLHOUSE: Although I direct my question, which relates to worker participation, to the Premier, I imagine that the Special Minister of State for Monarto and Redcliff would probably like to answer it. Does the Government intend to apply the principles of worker participation to the public servants, especially to those in departments the Government says it expects to put at Monarto, to allow them to decide whether or not they are to be drafted to that place? This question was put to two Ministers in another place—first to the Chief Secretary, who passed the buck to the Minister of Agriculture, and then the Minister of Agriculture, who said it was a matter for the Premier. Accordingly, the matter having been brought to my attention by my colleague in that place who asked those two questions, I now obligingly bring the matter in this place to the Premier. I need hardly remind you, Sir, and other members of this place of the Government's commitments to some sort of brand of worker participation, which it is starting off in the Housing Trust.

Mr. Mathwin: Industrial democracy.

Mr. MILLHOUSE: Industrial democracy—I am not quite sure of the term, but the Housing Trust is being used as the model, we are told, and it is to be extended. Now that Monarto is subject to delay (and I. do not debate that or say any more than put it in those terms), there will obviously be plenty of time for this concept of worker participation to get into the Public Service before anything happens. It is for that reason that I ask this question, to see whether, in accordance with the apparent principles of the Government, those public servants concerned are to be given a say in this matter.

The Hon. D. A. DUNSTAN: The worker participation programme is proceeding in Government departments. Indeed, already joint consultative councils are operating in several of them, including my own. In the decisions to be made in Government departments, including decisions relating to the officers who will be posted to Monarto, there will be consultation under the worker participation programme. A committee specifically charged with the question of relocation to Monarto has been operating in the Public Service for some time. I point out to the honourable member, however, that worker participation under the Labor Party's programme is not to be equated to worker control.

Mr. Millhouse: It sounds like a sham to me, then.

The Hon. D. A. DUNSTAN: The honourable member, of course, being opposed to the general concept—

Mr. Millhouse: Oh, no! I'm not.

The Hon. D. A. DUNSTAN: In everything he has said so far he is opposed to any concept other than a simple cosmetic activity of suggestion boxes.

The Hon. J. D. Corcoran: I do not know whether he would go that far.

The Hon. D. A. DUNSTAN: He will obviously endeavour to suggest that the Government's programme is something other than it is, but I do not think he will be very successful in persuading other people to his view.

FERTILISER SALES

Mr. WOTTON: Will the Minister of Works ask the Minister of Agriculture to instigate an investigation and bring down a report in this House concerning allegations made recently by the Agriculture Department's Chief Soils Officer that the department is concerned with the intensive selling of unregistered fertilisers, especially in the Adelaide Hills and the Upper South-East? Will the Minister state the names of the companies involved and say whether any legal action has been taken recently under the Agricultural Chemicals Act? I refer to a recent press release in which the Agriculture Department's Chief Soils Officer said that the mixtures sold by certain companies contained the most unlikely ingredients, most of which would be worthless in the situations recommended. Because of the recent rapid increase in the price of orthodox fertilisers, farmers were no doubt strongly tempted to try these alternatives. The selling procedure was to "analyse" the farmers' soil and then quote for a prescription mixture. Some of these reports have been shown to officers of the department. They show analyses by some unknown method, and the report is couched in pseudo-scientific jargon. Most samples of the prescription mixes that the department has analysed have been found to contain no ingredients that would make the mix worth the cost of spreading, even if supplied free

The Hon. J. D. CORCORAN: I shall certainly be pleased to take up the matter with my colleague. I take it the honourable member is referring to that well-known character Peter Bennett and his product. I do not know whether that is the case or not. I take it that dolomite would be the base material used in the mixture. I welt remember seeing Dr. Melville and Mr. Bennett on television one night discussing its merits. I shall be happy to get a report for the honourable member.

SCHOOL BUS

Mrs. BYRNE: Will the Minister of Transport review the decision regarding the provision of a school bus from the Modbury Heights area to serve Para Hills East Primary School, and at the same Lime include the provision of a school bus from this area to Modbury High School as well, as I understand a holding class will be established at this school next year as a prelude to Modbury Heights High School being built and opened? The Minister will be aware of correspondence that has passed between us on the subject, the first letter having been written by me on April 16 this year, and of a petition from the Para Hills East Primary School Council that was presented to him yesterday.

The SPEAKER: Order! I must appeal to all members; there is far too much audible conversation. It is almost impossible to hear the member for Tea Tree Gully.

Mrs. BYRNE: As well as the distance involved, there is no shelter, and in wet weather the children's clothing is damp on their arriving at school.

The Hon. G. T. VIRGO: This matter has been considered previously but, in view of what the honourable member has said today, I shall be happy to have it examined again to see whether we can help her.

LEGAL AID

Mr. GOLDSWORTHY: Can the Attorney-General say what action he will take to help maintain the essential services provided by the legal assistance scheme operated by the Law Society of South Australia? The legal assistance scheme, which has been operated for 42 years, is expected to be at least $170 000 short this financial year, and the State Government has refused to increase its

contribution of $500 000. The Government has a responsibility to see that everyone has equal access to legal assistance, and the Law Society's scheme has been singularly successful in providing legal services to people who would otherwise not be able to afford them (as anyone who has had dealings with the legal profession will know). It has been said that the lack of support from the South Australian Government is a political attempt to hamper the Law Society's legal assistance scheme in favour of the Commonwealth Government's Australian Legal Aid Office, ft is to be hoped that those people who urgently need the services of the South Australian scheme do not miss out because of the apparent attitude of the Government.

The Hon. D. A. DUNSTAN: The bald statement that the Government has refused to increase its contribution of $500 000 to the Law Society is a complete misrepresentation of the position. The payment to the Law Society last year was $250 000: it has been increased 100 per cent this year to $500 000. In addition to that payment from the Government, the amounts now certified by the Supreme Court in criminal cases run to a large sum indeed. The contribution, increased by the South Australian Government, gave to the Law Society's legal assistance scheme one of the largest increases in expenditure of any area of expenditure of the Government. With the development of the Australian Legal Aid office, for which considerable sums are being paid by the Commonwealth Government, the Commonwealth Government would not meet the whole of the extra cost of the service that the Law Society had sought to expand, and in some cases the Law Society's proposals for services duplicated those of the Australian Legal Aid Office. It was proposed that the State Government then meet the difference between the vastly increased sum it had provided and the short-fall which the Law Society saw in the amount it had sought from the Commonwealth Government. We are not able to do that, and the advice of our officer on the legal aid scheme was that we should not do it. Unfortunately, on the reports made to me, the Law Society has been steadily departing from what was the original principle of the legal aid scheme.

When I was in practice, the legal aid scheme required a significant contribution from the legal profession itself. What is now sought is that a wide range of services be met, as to 80 per cent of certified costs, by the State, and the certification of costs is on an extremely generous basis. I have told the Law Society that we cannot continue to subsidise this system on an open-ended basis, and that the Law Society must be asked, as in the case of all other services funded by the Government, to keep within a reasonable budgetary figure. How it does it within the budgetary figure is up to the society, but to suggest that the Government at present has been anything other than extremely generous in providing assistance to the Law Society in relation to the legal aid scheme is completely untrue. In fact, the Law Society and its President specifically acknowledged the generosity of the Government's contribution to the scheme: I have that in writing. If the honourable member suggests that somehow or other we should go into a business of funding a scheme on a completely open-ended basis and increase the amount paid in one year by the State towards the legal assistance scheme, apart from what we are doing under the Poor Person's Legal Relief Scheme certified by the court, by vastly in excess of 100 per cent, perhaps he will state that as his general attitude to the Budget.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I assure the honourable member that, if there is an alternative proposal to be put to the Government, it must be on the basis of some reasonable assessment of payments by the State towards a scheme in which the community should rightly require that the Law Society provide its contribution towards assistance to poor person's legal relief, as it has always stated that is the basis of its scheme.

GAS RESERVES

Mr. COUMBE: Can the Minister of Mines and Energy say what is the position regarding the future supply of natural gas in this State? It has been reported that the Minister recently opened a symposium in Adelaide on energy conservation arranged by gas users in this State. There is an increasing load to Adelaide and other parts of South Australia from the Cooper Basin, including the intended branch line to Port Pirie, and a large trunk main to supply Sydney from the main field is being constructed, ft has been stated that estimated reserves in that field have not yet been proved, and private exploration seems to have been actively discouraged by the Commonwealth Minister (Mr. Connor) in this regard. I therefore ask what steps are being taken by the Government not only to prove and tap known reserves but also to discover whether there are other sources of natural gas within South Australia.

The Hon. HUGH HUDSON: Appropriate action was taken by my predecessor with respect to the financing of exploration in the Cooper Basin. The Government approved, I think early in 1974, an increase from 16¢ to 24¢ for each 1 000 cubic feet in the price of gas from the Cooper Basin in order to provide the producers with funds to undertake further exploration. So, any further exploration that will be undertaken in the Cooper Basin in the immediate future will have been financed directly by the purchasers of gas and not by the use of risk capital. In those circumstances, I think it should be clear that the Government has taken the necessary steps to ensure that the prospective reserves of gas in the Cooper Basin are proved. Any developments in the search for petroleum or gas have been encouraged, and South Australia has been able to keep going, for example, with the drilling of offshore wells. I believe it is the *Ocean Endeavour* that is proceeding to the Great Australian Bight in order to commence the first of two wells for Outback Oil Company NL Exploration, largely of a seismic nature at this stage, is being encouraged in the Pedirka Basin in the North-West of the State. When we are in a position to arrange for further exploration that will intensify the efforts, especially in areas where discoveries are most likely to be made, the honourable member can rest assured that the appropriate action will be taken. The basic scheme of exploration in the Cooper Basin is being financed by the price of gas negotiated between the State Government and producers more than a year ago.

ADULT RETRAINING

Mr. BECKER: Can the Minister of Labour and Industry say whether he or the State Government has considered retraining skilled and unskilled adults who could be replaced or become redundant as a consequence of some industries being forced to reorganise and mechanise in an effort to become viable in the face of currently escalating costs and declining markets? I am concerned about the unemployment situation in this Slate and am aware that some industries are trying to reorganise and diversify to

meet current demands and provide employment opportunities for their workers. I am aware that the Australian Government's National Employment and Training scheme goes some way towards training unskilled people. It provides for unemployed people to be retrained in some other related job. Tn other words, a clerk at General Motors-Holden who did not know much about bookkeeping or accountancy could be retrained in those fields. I understand that NEAT does not extend to apprenticeships. I believe the ratio of apprentices to skilled tradesmen is generally one to four, but it varies with each industry award. I suggest that a person who is over 23 years of age, which is the maximum age to be eligible to become an apprentice, and who is unskilled could be apprenticed in related work and perhaps credit could be given to that person for having worked in the same sort of field requiring a certain amount of experience. I understand that no scheme presently exists where an employed middle-aged unskilled worker can learn a trade. I therefore ask what action is being considered in this area.

The Hon. J. D. WRIGHT: I appreciate the question and the honourable member's concern, because this is a matter about which I am most concerned. No doubt his question emanates from some of the difficulties I am experiencing as a member of Parliament from people who approach me for various reasons to try to find employment for them. Some of them have been retrenched and others have decided to change course in midstream. Personally, I see nothing wrong with that.]f anyone decides on a certain method of earning a living at, say, 25 years of age or older, and is dissatisfied with his employment, he should be given the opportunity to change course and be retrained in another category. Regarding non-tradesmen, there is no barrier whatever. The South Australian Industrial Training Council, which was set up in 1972, is chaired by Mr. D. L. Pank, and the other members are Mr. M. H. Bone, Mr. L. B. Bowes (who is from my department), Mr. T. B. Prescott, Mr. P. L. Cotton, Mr. J. L. Scott, and Mr. R. M. Tremethick. The last named two gentlemen are union officials. That council has looked fairly closely into this area. A serious problem is that the council can in no way interfere in areas covered by the Apprenticeship Commission, so to retrain workers as tradesmen is just not on. Within the past six or eight weeks (I cannot remember the time exactly) I chaired a conference of about 40 people who are sincerely interested in retraining of adults who for some reason or another want to change occupations. I will not say that we reached unanimity at that conference; we could not do so, because of the craft situation. However, there was no problem about non-craft areas. Tn fact, the council has already helped replace people and retrain them to go back into the work force as forestry workers, food waiters, fruit industry workers or other vocations. The council operates in an advisory capacity. The council does not have any training methods yet but hopes to enter that field later. I believe that people should be given a new opportunity in life. They should not be deprived of that opportunity. I believe the Government has a responsibility, too, and I also believe sincerely that private industry has a stake, because, if it is going to require a certain type of employee, it should be willing to supply money for retraining purposes. I intend, later (perhaps not this session, but certainly soon) to make the council a statutory body so that it can raise finance. From that point on we should see large developments in the training field.

KANGAROOS

Mr. ALLEN: Can the Minister for the Environment say why landowners holding a pastoral lease are restricted regarding the number of stock they are allowed to carry, in order to protect the environment, when many kangaroos are allowed to run free on their properties? Landowners in the North have asked me to raise this matter with the Minister. The Minister will know that stocking rates are controlled: landowners have no complaint about that. Following three good seasons, kangaroo numbers have increased considerably. The Minister would also know that landowners can obtain a permit to destroy 100 kangaroos without an inspection being necessary, but are restricted to one permit each three months. If a permit to kill a larger number of kangaroos is required the properly must be inspected. The inspector usually drives over the property in a Land Rover in the middle of the day when kangaroos are at rest. The noisy motor vehicle can be heard by them for some distance, with the result that an accurate assessment cannot be made. Inspectors also carry out investigations at night with a spotlight. I. do not think that system of inspection would be accurate. It has been suggested that inspectors could come to a property during the early hours of the morning and ride around the countryside on a saddle horse. This would enable inspectors to make an accurate assessment. One landowner is restricted to running 5 500 sheep and claims that at present he is carrying the same number of kangaroos. Most landowners like to see a few kangaroos on their property, but not in the large numbers now present.

The Hon. G. R. BROOMHILL: I cannot reply to the honourable member's question, because what he has said is incorrect. He has asked me to explain why landowners are subjected to controls over the number of sheep they can run when there is no control over the number of kangaroos on their property. He then explained broadly the Government's policy on this matter, saying that landowners can apply for a permit to destroy kangaroos that are to plague proportions. However, the next part of his explanation made it seem that the system now being applied by the National Parks and Wildlife Service for determining the number of kangaroos on a property was improper. I challenge the honourable member on this, because I know what the systems are. If he would like to give me details of the names of people who have suggested that the count has been undertaken in that way, and of where it was taken, and any other information, I am willing to have the matter examined and give him a report, but the system that he has described is certainly not the one that we apply.

At 3.15 p.m., the hells having been rung:

The SPEAKER: Call on the business of the day.

BOATING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 11. Page 712.)

Mr. CHAPMAN (Alexandra): I oppose this Bill for several reasons, the first of which is that it is so designed that it conflicts with the stated intention of the original Act, which was introduced by the Minister last year. In addition, this Bill is not desired by a significant and already registered section of the boating fraternity, serves no useful purpose other that to raise further revenue for the State, and, if proceeded with, I predict that it will break down constitutionally if challenged in the courts.

The Hon. J. D. Corcoran: That's what you've been told.

Mr. CHAPMAN: Yes, and I will substantiate my opinion. In order to line up the Bill with the principal Act, I briefly summarise the Boating Act of 1974. It is in three parts, apart from the preliminaries, and Part II requires registration of all power boats operating in South Australian waters, with three exceptions. . One of those does not fall within the definition of "boat" (that is, commercial vessels) outlined in section 5 of the Act. Secondly, there are those required by another Act or law to be registered and thereby carry identification marks as referred to in section 11(1)(*a)* of the Act. Thirdly, there are those exempted by proclamation and/or regulation, as in section 11(1)(*b)* of the Act. I point out that there have been no proclamation exemptions other than those necessary and directly following the original passage of the Bill through Parliament. Part III refers to the licensing of power boat operators and Part IV refers to miscellaneous matters.

The SPEAKER: Order! I must remind the honourable member that this Bill refers to an amendment. The fact that it is before the House does not enable honourable members to open the whole debate on the complete Act.

Mr. CHAPMAN: I appreciate your point, Mr. Speaker, and in no circumstances do I seek to open a debate on the Act. I am ventilating that part of the Act that the Bill seeks to amend. Importantly, in this debate it is necessary for me to refer to the three principal parts of the Act. Part IV refers to miscellaneous matters, and provides for safe driving of all boats, whether registered under the Act or not. Before linking the Bill to those sections that it intends to amend, I refer to a statement made by the Minister when introducing the original Bill. As recorded in *Hansard,* March 6, at page 2312, the Minister, when briefly describing his intention at that time, said:

The Bill basically involves the registration of motor boats, the licensing of drivers, and the requirements of boats to carry life-saving equipment.

The Minister reinforced that remark by evidence that had been brought to his attention by officers of his department and from committees seeking information. Although the member for Kavel was in charge of the Bill, the second speaker in the debate was the member for Chaffey who, not only on his own behalf but also on behalf of the Opposition, agreed with that principle. He said:

This Bill is another example of the Government's over-legislating in order to solve a specific special problem. I believe in the principle on which the legislation has been based; that is, to register motor boats, to license drivers, and provide regulations for boating safety.

Before going any further I would like to convey my acceptance of the principle that all motor boats in and about the waters under the control of the Minister should be registered, and so should be identified with the required registration mark. They should observe the safety requirements as are laid down, and the boating operators themselves should be licensed. Having accepted that principle without reservation, I should like to come now to the Bill before us, and reinforce my remark that the Bill conflicts with the intention already stated. When the Minister gave his second reading explanation on September 11 this year, he said:

It makes an amendment to section 11 of the Boating Act, 1974.

I suggest that it butchers the Boating Act, 1974, section 11 of which has a substantial effect on the balance of the Act. The Minister said that the amendment is necessary to clarify the application of the provisions of the principal Act. Clarify! I suggest that by the loose use of that term he grossly misled the House on that occasion. This Bill is designed not to clarify but to change substantially the concept within the registration section of the principal Act. If this amendment were passed, it would not only require boats registrable under the British Merchant Shipping Act, 1894, to be registered under the South Australian Act but would also require registration under the South Australian Act of, I believe, a number of fishing craft; all private yachts visiting South Australian waters while on international cruises (other than those interstate Australian vessels specifically exempted by registration under section 7 (1) and (2) of the Boating Act) and naval vessels whether Australian or foreign owned; scientific survey vessels whether privately or Government owned; and even the Royal Yacht if it should seek to visit here. All of the vessels to which I have referred would be required to be registrable under the South Australian Act unless they were exempted specifically and totally by proclamation or regulation. I hope that the Minister does not hope to net them in by virtue of this Bill and then set out, in a cumbersome and unnecessary way, to proclaim them to be exempt either by direct proclamation or regulation thereby cluttering up the Statute Books by doing so.

Generally, I claim that the original intent of the principal Act rests heavily on the retention of section 11. In clause 3 of the Bill, section 11 of the Act is amended by striking out subsection (1) and inserting a new subsection. For the information of the House, I will mention exactly what has been prepared to go in in its place. At this stage, boats that are registrable by any other Act, whether by our State Fisheries Act, by any navigation Act, by Imperial Act or otherwise, are exempt from State registration, and so they should be. However, the amendment contained in clause 3 removes that exemption and introduces a further provision that will require boats to be registered under the State Act whether or not they are registered in the other categories. To substantiate my claim that the amendment to the Act will lead to a contravention of the Colonial Laws Validity Act, 1865, I will refer to section 2 of that Act, which provides:

Any colonial law which is or shall be in any respect repugnant to the provisions of any Act of Parliament extending to the colony to which such law may relate, or repugnant to any order or regulation made under authority of such Act of Parliament, or having in the colony the force and effect of such Act, shall be read subject to such Act, order, or regulation and shall, to the extent of such repugnancy, but not otherwise be and remain absolutely void and inoperative.

That protection is laid down for any colony. It is a protection accordingly for the Crown where a law has been introduced and another is sought to be introduced to superimpose it. Although the general meaning of repugnancy under that Colonial Laws Validity Act has been well settled over a long period (anyway, since *Phillips* v. *Eyre* in 1870 Law Report No. 6, recorded in Queen's Bench No. 1), the question whether particular Statutes are repugnant to the law of England and to what extent may still cause some difficulties, and I admit that there are some difficulties in determining where they apply and do not apply. However, in order to establish whether they apply here, I will refer to volume 36 of the Commonwealth Law Reports, in particular to pages 130 to 148. At page 148 is a reference to a hearing in the High Court of Australia wherein Mr. Justice Isaacs, acting in the case between the *Steamship Company of NZ* v. *the Commonwealth,* set out to establish, first, what repugnancy actually meant. He said, among other things:

I refer to what is there set out at length and merely reaffirm the conclusion that repugnancy is the equivalent to inconsistency or contrariety.

So, having defined that, repugnancy in this instance (and ironically enough in relation to a navigation and boating matter) clearly meant "inconsistency". I will take it further and cite another case where this interpretation was upheld and where Mr. Justice Stewart in the Vice Admiralty Court in 1925 said:

> By giving effect to a Dominion Act and allowing a pilot $2 a day only so far as it was not in conflict with the Merchant Shipping Act, 1854, allowing 10 shillings and sixpence a day, the difference being disallowed.

That ruling was in reference to a case of inconsistency or repugnancy between the Commonwealth and an Imperial Act. There was a case of direct inconsistency where, in the case of a payment of ship's staff, a ruling was given that a payment under one Act superimposed by an Act of paramount force was inconsistent, and directly inconsistent, even though in that instance it could have been literally upheld that the employer who was required to pay the 10s. 6d. a day to his employee could in fact have complied with the other Act and paid $2, thereby encompassing both requirements. But because one sought to superimpose the other, which was already covering the field in total, such action was deemed to be inconsistent and thereby repugnant between those two parlies.

I suggest that, in this instance, we have privately owned motor boats operating in South Australian waters and registered under another Act or law and, in particular, such vessels are registrable, are registered, and their identification marks of that registration under the British Merchant Shipping Act are not registrable under the South Australian Act. Although I have brought to the attention of the House an example of where repugnancy has been established and upheld in the High Court, the Minister may claim that the repugnancy section of the Colonial Laws Validity Act does not apply, since the Statute of Westminster was adopted by this Australian Dominion in 1942. While that adoption of the Statute of Westminster precluding the protection to which I have already referred was adopted in 1942, it was adopted by the Dominion of Australia (or the Commonwealth of Australia), and the individual Australian States are still subordinate to the Imperial Act. In other words, the adoption by the Commonwealth did not and does not mean the adoption by the States individually and independently within the Commonwealth.

A learned gentleman in South Australia has set out clearly to establish the point I make in that respect. Professor Castles clearly recognises, in his 1971 edition of *An Introduction to Australian Legal History,* that the validity Act still applies to the individual Australian States. When recognising the Australian Commonwealth adoption of the Statute of Westminster, he said at page 160 of his volume:

> In the Australian States today, the position with respect to British Statutes which apply by paramount force remains as it was in the 19th century. For the first 41 years of its existence, too, the Commonwealth Parliament was bound by the provisions of the Colonial Laws Validity Act. Until the adoption of the Statute of Westminster by the Commonwealth Parliament in 1942, with retrospective operation to September 3, 1939, Commonwealth laws were sometimes struck down as being "repugnant" to the laws of England within the meaning of sections 2 and 3 of the Colonial Laws Validity Act. Even today, Commonwealth Statutes, passed before September 3, 1939, may be voided on the ground of "repugnancy".

His references so far were to the colony. Unlike the Canadian provinces, however, no provision was made in the Statute of Westminster to include the Australian States within its territory. As a result, the States are still legally subordinate to the British Parliament. They are bound by the British Statutes.

I have cited an example where some of our local boats are already registrable or are already registered, and I have referred to the required identification marks on boats plying within our ports and about South Australia. I have established that, under the Colonial Laws Validity Act, those boats enjoy a very real protection from the paramount force of the Imperial Act. I have established that, that protection has been cited and upheld, and precedents have been set in various courts in the world.

All those matters and the references to Professor Castles' comments in his volume show that we clearly enjoy that same protection in South Australia as a State that is not bound by the Statute of Westminster. I shall seek further to protect the duplication of registration of those boats already registered, which the Minister's Bill seeks to encompass. Lest any member is not aware of the two types of repugnancy, inconsistency, or contrariety, I should like briefly to explain, in a simple form, the direct and indirect categories. Indirectly, repugnancy may also be established where two separate Acts can be literally complied with but, where one Act requires coverage of the whole field, it is repugnant for another to superimpose or double up on it. This being an indirect repugnancy, I believe that it is applicable to the matter before us. Earlier in the explanation, in regard to the case I cited from the *Commonwealth Law Reports,* the matter of a direct inconsistency has already been cited.

For example, I can bring to the notice of the House a case of inconsistency that applies as between the two Acts to which I have referred. The Imperial Act (the British Merchant Shipping Act), under which many of our vessels are already registrable and registered, requires identification marks to be borne on the vessel and about the vessel, and it requires that those marks, letters or figures be at least 4in. high, whereas section 14 of the principal Act in South Australia, purporting to cover the whole field and encompass those boats that are already registrable under an Imperial Act, requires the registered vessel to bear identification marks, letters or figures, at least 6in. high. There is a direct conflict between the two requirements.

I further claim that the British Merchant Shipping Act registration requirements cover the whole field and, accordingly, any attempt to have those vessels registered by a State Act creates repugnancy, directly and indirectly. I will refer to one other opinion that has been made available to me by a learned member of the bar. In his memorandum about the constitutional differences as affecting yachtsmen in proposed legislation for the control of boating in South Australia, on August 25, 1971, he gave his opinion that any Bill or Act that sought to register boats already registrable under another Act, particularly in this case an Imperial Act, in South Australia may well be entirely beyond the power of the Parliament of this State. In summarising the reasons for his opinion, he states:

> Inconsistency with Merchant Shipping Act, 1894: This Imperial Act provides a complete code as to the regulation of operation of all vessels although as regards certain vessels registration is voluntary. By virtue of the Colonial Laws Validity Act, any law of the South Australian Parliament which is repugnant to the Merchant Shipping Act is ineffective. Section 736 of the Merchant Shipping Act does confer upon the Parliament of South Australia the right to make laws as regards the coasting trade, but this does not extend to pleasure yachts. The proposed legislation in South Australia in so far as it purports to establish a registration system to be superimposed upon that already existing is ineffective.

Following that statement, the very vessels to which I refer were exempted.

The Hon. Hugh Hudson: What was the date of the Colonial Laws Validity Act?

Mr. CHAPMAN: I shall make a copy of the Act available to the Minister if he requires it.

The Hon. Hugh Hudson: It was an Act of the British Parliament of 1869.

Mr. CHAPMAN: I think I have cited the date when it became effective, and there have been amendments in respect of the Australian Dominion since then, as there have been in respect of the Dominion of Canada, but, irrespective of those compliances by all other dominions, the matters apply to the dominion as a whole. In these circumstances, they apply to the Commonwealth of Australia as a whole, but the protection outlined in the Colonial Laws Validity Act is still preserved and available to the States of Australia generally, and in this case to South Australia in particular.

Having cited yet another opinion and having stated what I believe to be good reason to support that opinion, I have no doubt that those vessels to which I have been referring at some length are totally protected and are not, or ought not to be, subject to any superimposed legislation by South Australia. The whole matter has been reinforced in many places. I should now like to refer briefly to *Maclachlan on Merchant Shipping,* and I will point out to the House, that, by such registration, the vessels and the owners registered under the British Merchant Shipping Act have some real benefit. They enjoy benefits as a result of that registration that they cannot enjoy under the State registration. Therefore I believe that their case deserves some reasonable protection. For example, the legal tenure of ownership is clearly established on the certificate that is issued on registration of such vessels. Maclachlan's paper, in chapter 2, headed "Title of Ship's Property," states:

> The existing register is the appointed record of the title of property for British ships and, except for this and for ascertaining vessels that are entitled to use the British flag, serves no other purpose.

I will now establish the advantages of clear ownership as a result of such registration. Every ship coming within this definition must, with two exceptions, be placed on the register, and unless a certificate of registration is produced a ship may be detained at any British port. Without registration, such a vessel cannot be recognised as a British ship, and she is not entitled to any benefits, privileges, advantages, or protection usually enjoyed by such British ships (in this case South Australian ships) which seek to travel in the outer seas and are required, or desired, to become registered or are registered under such an Act. I ask the Minister how any ship which is registrable under the Merchant Shipping Act and which registers and complies with all requirements in the Act can fairly be expected to re-involve itself in the local half-baked legislation as it applies here.

I will go a little further with respect to the advantages of registration outside, again reminding the House that I accept the principle of registration of all vessels; I accept the principle of requiring identification marks under whatever registration applies, and I accept the principle of those other factors which are part of the Act and require safety precautions and licensing of operators. I do so for several reasons—those that I have mentioned and also to be regular and consistent with the ordinary registration of private vehicles that travel in public places.

We have, for example, the registration of all motor vehicles on the roadways. It is thereby not unreasonable that all privately owned sea-going vessels as prescribed should be registered on the waterways. Identification of such motorised vessels is essential. I do not, however, agree at this stage with what the Minister proposes. I believe that he is varying from the principles of registration within the powers of the State or Commonwealth, and he is conflicting and thereby cementing the repugnancy case I have described. There are several other areas to which I can refer: take, for example, the Real Property Act as it applies in this country. We have properties that are identified within the State; we have properties identified as Commonwealth or Crown owned properties. In the case of Crown lands in South Australia, we do not see the situation where South Australia proposes to introduce another Act or a law requiring a different identification or a separate registration of that land either at State or at local government level. We do not have a different type of identification at local government level for properties in this State from that which applies in the Lands Titles Office.

The Commonwealth Government cars that are based and operate in South Australia for the whole term of their usable life are not registrable under the State Motor Vehicles Act. We do not have a situation where real property, liquid property, private assets, or Government property is registrable in one part of the Commonwealth and duplicated by registration in another part. I have difficulty in finding such a situation. In this instance the Minister of Marine is setting out to seek South Australian registration of sea-going vessels that ply within and without our ports, to be registrable under the State Act, knowing full well that they are registrable and are registered and bear identification marks under another Act. This duplication clearly can only achieve one thing: that is, a few more jobs for a few more inspectors, a few more registry officers, and accordingly a little more revenue for the State.

Mrs. Byrne: And a little more employment.

Mr. CHAPMAN: I agree with the member for Tea Tree Gully, and I have acknowledged that such extension of the registration system proposed within the Bill will provide a little more employment, but that is all. There is little that I can link up with public safety or the real things that were intended in the whole exercise from the outset.

One other matter to which I should like to refer relates to the financial requirements that are built into the Act and as they will necessarily apply if the Bill is passed. I understand that there has never been a problem with regard to the paying of a State fee by those registered under the Imperial Act cited, but, despite whether they can or whether they shall pay, there is a definite financial anomaly existing in this instance. Under the Imperial Act, which covers this wide range of identification, and covers and establishes the ownership of the vessel, identifies the vessel in any port anywhere in the world, provides total statistical details of the ship from length to breadth, from bow to stern, all the other building details put into the vessel, its date of manufacture, the name of the builder, and many other things not incorporated in South Australian registration, the fee required for such registration amounts to $3.79. It is an initial fee and is not repeated. It serves a real purpose, because it identifies the mobile vessel anywhere in the world, and serves the purpose that we set out to establish in this State with our Boating Act, but it does all those things for the meagre fee of $3.79. The regulations under section 37 provide for an annual fee of $5, but that is not all. Another factor is hidden. Section 14 provides:

(1) Upon registration of a motor boat under this section the Director shall assign or cause to be assigned to that motor boat an identifying mark or number, and shall issue or cause to be issued to the owner a certificate of registration, and a registration label, bearing the identifying mark or number.

(2) The Director shall determine the size and form of the registration labels to be issued under this section.

Reference is made to the registration fee and how it is to be determined. It is to be determined by the costs involved in administering the Act. If the work force of the department is increased and the Minister chooses to create a few more jobs for the boys and accordingly there are greater costs within that section of the department, the fees will be adjusted from time to time by the Director. The fee structure will reflect the actual running costs of the department. I suggest that a financial anomaly exists between the two pieces of legislation. Boat owners are not particularly upset about paying a fee but are upset about the principle involved, quite apart from the legal aspects with regard to the protection they already have under the Imperial Act. I support the attitude expressed with regard to the break-down proposed by the Minister, whereby he intends to require these people to be registered in South Australia, even though they are completely protected by other legislation.

It seems strange to me that this State, which first recognised and adopted the lands registration system and which used as its basis the Merchant Shipping Act, now chooses to undermine that principle by seeking to superimpose another system upon that proven and sound system. It would be exactly the same situation if the State Lands Titles Office, having its own land and lot system, had a numerical assessment system superimposed on it by local governing authorities. The member for Chaffey has said that this Bill is just another method of gaining revenue. I hope that someone can give a reason other than that for the Bill because, whilst recognising the advantages of registration generally and the principles cited widely, I cannot for the life of me appreciate any advantage in trying to net in these people who have done the right thing, who have demonstrated their efficiency and their acceptance of the safety requirements laid down in the Act, and who have acted responsibly for many years. The Minister is so pigheaded that he wants to net them in, irrespective of the facts.

There must be other reasons for this Bill, or else why would the Minister persist with it? Why did he put on such a turn when these matters were raised in 1974 before the introduction of the Act? Why has he introduced this amending Bill 12 months later? Is it because of a direction from his department that he comes back and has another go to grab these people who are clearly doing the right thing? It would appear from my observations that, while section 36(c) of the principal Act establishes ownership, it does so only for one purpose: not for the purpose of establishing ownership by title or tenure over the property concerned, but simply for the purpose of prosecution. Section 36(c) provides for the person named in the registration certificate to be the person licensed under the Act to operate the boat and accordingly the person registered and identified with that. boat. That is the only place in the whole of the Act that refers to the actual owner of a vessel. I claim that ownership, competence of the owner, and details of the survey requirements under the Merchant Shipping Act go far beyond that point and establish clearly that a registered person is the owner of an identified vessel, and provide advantages such as enabling an owner to mortgage his asset in the vessel for the purpose of borrowing funds, if necessary. Being registered universally is a distinct advantage and enables the boat owner to call at any port anywhere in the world and still be recognised.

Where power boat owners are registered under this measure and are also registrable under the British Merchant Shipping Act a situation will be created that will lead to a legal breakdown that makes it unwise to proceed with this measure. I have circulated an amendment to the Bill but appreciate that it is improper for me to go into it until we are in Committee. At that time I will explain further the good reasons why South Australia should keep its own boat in order, should uphold the principle of registration of all boats and acknowledge that owners registered under the principal Act or any other Act (such as the Fisheries Act) should be exempt from additional registration. The balance of the material I have relates to section II, so I shall refer to it when clause 3 is dealt with in Committee.

I welcome members of this side to make a contribution in this debate. I hope that the member for Chaffey will speak in the debate, because he has raised previously the matter of legal protection and the matter of the original intent of the measure and our agreement to uphold the original intent of the Minister in respect of registration. He also raised several other commonsense approaches to the matter in order to achieve what is desirable. I hope he will speak about some of the more nautical aspects of the measure, because he has demonstrated both in and out of Parliament his appreciation of this subject through his direct association with the boating fraternity. I therefore believe he has a significant contribution to make to the debate.

In conclusion, I am disappointed in the Minister's trying to play down this measure by introducing the Bill in a low-key manner and by seeking to mislead the House by pretending he was setting out only to clarify the situation, when really he was setting out to butcher the effect of the principal Act and to change substantially a vital section of it. I hope that after the Minister hears speeches from this side of the House, he will be more reasonable, will forget his personal attitudes towards certain sections of the community and will deal with this matter in the way that a responsible Minister should deal with it, noting suggestions that have been and will be brought to his attention. I place on record my appreciation of the people who have assisted me by providing the material that I have raised in the House this afternoon. I hope that those who are being jammed into a corner will be relieved from the requirements of this legislation and can fall into line with the rest of the community, being registered in the way they wish.

Mr. ARNOLD (Chaffey): I oppose the Bill. The Minister has not indicated in his second reading explanation any real reason for introducing the measure. The situation was summed up well by the member for Tea Tree Gully when she interjected and said that this measure would create extra jobs. To try to superimpose State legislation on the existing Imperial Merchant Shipping Act is unnecessary and serves absolutely no purpose other than to give the Government of South Australia and the Minister of Marine a little extra power and control over the people of this State, when there is absolutely no need for it. The intention of the principal Act was to create a climate of boating safety in South Australia and to protect the community, where possible, from boating accidents. When the original Bill was introduced, we readily accepted the principle of registration. In the 1950's the South Australian

Water Ski Association introduced a voluntary form of registration designed specifically for the purpose of boating safety. Members of that organisation registered their boats so they could be identified and so the majority of people involved in the sport would not be branded as being part of the irresponsible minority. Nowhere in the Minister's second reading explanation has he indicated that there are problems with offshore yachts that need further legislation. Perhaps the Minister could identify the problem areas in relation to boating safety.

The area the Minister is trying to cover by this Bill is an area in which extremely experienced yachtsmen are concerned. Their vessels are extremely valuable. They do not go to sea in that type of vessel without having had much experience. They have a record second to none in boating safety. I believe the Minister readily accepts that, because there have been virtually no incidents where boats of this nature have been involved in accidents or where they have been taken to sea in an unsafe condition. I believe that this is purely a move once again to make this section of the community contribute to the revenue of the State, and to build up another Government department. In other words, we see the example of empire building under way once again, whereas the whole intent of the original legislation was under the guise of boating safety. As I have said, about 20 years ago we introduced a voluntary form of registration. We made the point then that there was to be an initial registration fee to cover the cost of registering; when a boat was transferred from one owner to another, another fee would be appropriate. However, because there is to be an annual registration fee this legislation is in the category of a revenue raiser for the Government. For that reason in itself it is quite unjustified. It cannot be justified in this instance, because there is no problem to be solved.

The Minister would seem to dislike intensely this section of the community, possibly because he considers they are in the group of tall poppies that should be cut down to size. I remind the Minister that the most popular boats in the class at which he is aiming this legislation would probably be the half-tonne class, and I refer particularly to the Spencer and Van De Stadt Pion, two boats being constructed of fibreglass in South Australia. I would say that eight out of 10 owners would receive such a boat from the builder in the raw shell stage, because the cost of purchasing a complete boat is so great that most boat owners involved would not be able to afford the craft. They can considerably reduce the cost of the craft by purchasing the boat in this condition and finishing it off themselves. Most people concerned would be on incomes of only half that of the Minister of Marine, and to attack this part of the community on the basis that they are the affluent section that needs chopping down to size is typical of the Minister and his Government. For that reason alone the Bill is undesirable.

I have said earlier that the only real reason for this legislation to be introduced at this time is for the purpose of revenue. The member for Alexandra has foreshadowed an amendment and, if this Bill passes the second reading, I will certainly support that amendment. I believe in the principle of registration, but I certainly do not believe in the principle of double registration. The honourable member for Alexandra pointed out clearly that under the Imperial Merchant Shipping Act the craft is registered once and a fee is charged—thereafter there is no further charge. The boat is registered until such time as an alteration is made to that existing situation. This is the point that we tried to introduce into this legislation. Had we achieved that, and had the Government accepted that principle, it would have shown that primarily the Government was interested in boating safety and not revenue. Unfortunately, the Act we have in South Australia, plus this Bill, are designed purely to increase the Government's revenue: there is no other object to it. In addition, the Government hates the thought of not having complete and utter control over everyone's actions and movements.

Mr. Chapman: Whether they be visitors or otherwise.

Mr. ARNOLD: That is correct. The fact that the Government intends to exempt by proclamation numerous categories of visiting vessel and others is quite incredible. The Government will be issuing proclamations every day of the week to exempt these craft. Until the Minister can clearly indicate that the vessels at which he is aiming this legislation have created a problem, and that there have been instances of boats going to sea that are not safe in a situation where people have been put at risk, there is absolutely no ground on which this Bill can be supported. Although I agree with the principle of registration and the fact that every craft should be identifiable, I certainly do not agree that a boat should be registered twice. By providing for this, the Minister and the Government are putting the Government's legislation in an unconstitutional condition. Why does the Government want to do that?

The Hon. I. D. Corcoran: You believe that, do you?

Mr. ARNOLD: Yes, I certainly do believe it.

The Hon. I. D. Corcoran: Why do you believe that?

Mr. ARNOLD: Because of professional opinions that have been given. I believe that the learned persons concerned are in a far better position than the Minister or I to determine whether it would be constitutionally correct.

The Hon. I. D. Corcoran: I do have access to professional opinions.

Mr. ARNOLD: That is so, but the Minister is willing to take the gamble, and he knows only too well that, for the sake of the registration fee, not too many people would bear the cost of challenging this legislation in the High Court. This is the basis on which the Minister is working. There is no real need for this Bill, the State will not be a better place for it, and safety will not be improved by it. The only gain will be in extra revenue for the Treasury of South Australia. To me that is a principle that does not match up with the intention of the original Boating Bill that was introduced and passed. For that reason I oppose the Bill as being quite unnecessary in maintaining boating safety in South Australia.

Mr. MILLHOUSE (Mitcham): I have to admit that I have never been particularly concerned with the politics of the mariners who have argued and fought over the boating legislation for almost as long as I can remember in this place. It seems to me that there are some doubts about this Bill that justify the opposition that has been expressed to it. I do not understand the politics of it, but the only reason that has been suggested to me for this legislation is to get a bit more revenue for the Government eventually, and that in itself is not a sufficient reason, if it is to cause so much trouble. Despite the Minister and the legal advice he has received (or maybe because of it, although that is not meant to reflect on members of the profession who advise the Government), this Bill may well cost us more than it is worth.

From the expressions of opposition to this Bill that I have heard outside, it is likely to be fought very hard indeed from when it is passed by Parliament to when it gets the Royal assent (of course, it has to be reserved for the Royal assent), and then afterwards, if necessary. I think that the Minister is deliberately buying a fight in court if he goes on with the Bill.

The Hon. J. D. Corcoran: Do you think I should stop just because of that?

Mr. MILLHOUSE: Yes I do; I think that there is sufficient doubt about the Bill.

The Hon. J. D. Corcoran: That is not my opinion or that of those who advise.

Mr. MILLHOUSE: That is all very well. I do not blame the Minister for this, as he is a layman. It is all very well for a layman to say, "I am going to do this," but, if he has ignored the facts because he cannot understand the position, that is not a good thing. That is really what the Minister in his dogged determination is saying. He is saying, "I don't give a damn about legal quibbles; my officers and I want this Bill and we are going to have it."

The Hon. J. D. Corcoran: Do you think that I would go ahead like that without seeking a legal opinion, when there was a problem?

Mr. MILLHOUSE: Yes. I know the Minister fairly well, and I think there is a good chance he has done just that. He was not pleased with me the other day when, on another matter, I described him as arrogant. That was a description of him I did not use just off the top of my head. I am afraid that, in this case, the same may well be true of him. I am not putting forward a definite and reasoned professional argument on this matter, because I have not done the work on it that would be required. However, on a superficial examination of the Bill it seems to me that there is a good deal of doubt about it, for the reasons substantially given by the member for Alexandra.

Mr. Duncan: Where is the repugnancy?

Mr. MILLHOUSE: Let me tell the member for Elizabeth (the coming Attorney-General) where I think the repugnancy is. He will be familiar with the provisions of the Boating Act and the provisions pursuant to it for the marking of vessels. The Boating Act is a code for the marking of vessels, amongst other things. If the honourable member looks at section 7 of the Merchant Shipping Act, he will see that a code is laid down for the marking of vessels there, too. Section 7 of that Act provides:

(i) Every British ship shall before registry be marked permanently and conspicuously to the satisfaction of the Board of Trade as follows:

(a) Her name shall be marked on each of her bows, and her name and the name of her port of registry must be marked on her stern, on a dark ground in white or yellow letters, or on a light ground in black letters, such letters to be of a length not less than four inches, and of proportionate breadth:

(b) Her official number and the number denoting her registered tonnage shall be cut in on her main beam:

(c) A scale of feet denoting her draught of water shall be marked on each side of her stern and of her stern post in Roman capital letters or in figures, not less than six inches in length, the lower line of such letters or figures to coincide with the draught line denoted thereby, and those letters or figures must be marked by being cut in and painted white or yellow on a dark ground, or in such other way as the Board of Trade approve.

I will not read the other four subsections of that section, but there is a good argument (and I am sure that the member for Elizabeth would agree with me) that that is a code for the marking of vessels that does not fit in with the code under the Boating Act. Therefore, there is a repugnancy between the two.

Mr. Duncan: Neither of them need exclude the other.

Mr. MILLHOUSE: I am advised that it would mean that we would have superimposed on the same place on the vessel the markings required by one Act over the markings required by the other. That would be utterly absurd and it would be a physical repugnance as well as a legal one. I may be wrong but that is what I am told would be the effect of trying to comply with both sets of provisions.

Mr. Venning: I think that in this case you are correct.

Mr. MILLHOUSE: I am fortified by that interjection. I have pointed out, at the request of the member for Elizabeth, what I see as the conflict between the two. There is no doubt, as the member for Alexandra said, that the Merchant Shipping Act does provide a code. The Merchant Shipping Act is one of the few remaining Imperial Acts by which we are bound (I expect things which have become part of our day-to-day living in the common law, under Statutes, and so on). It is an Act of the Imperial Parliament which was applied to all colonial possessions, and it still applies. Section 2 of the Colonial Laws Validity Act, as the member for Alexandra has said, also still applies to South Australia; there is no doubt about that. It does not apply to the Commonwealth, but it applies to the States. Therefore, we are not given the power to legislate in a way which is repugnant to an Imperial Statute, and that is what we are doing.

The Hon. J. D. Corcoran: It is repugnant to you.

Mr. MILLHOUSE: No, I am using the word in a somewhat technical sense. I have given the argument, anyway, and I think that the argument is right. Certainly, there is enough in it at the very least to attract much litigation if the Minister persists with this Bill. He may not give a damn about that, but it is money down the drain. It will be an interesting argument. It reminds me of what one of my colleagues in the law said to me the other day about a matter entirely unconnected with this matter, but a good question of law that has not been resolved yet. We were both looking forward to the argument. He said, "Probably some fool will settle the matter before we go to court." I hope that does not happen in that case, as I will be interested to hear the argument and see the judgment of whatever may be the relevant court on this matter. However, I do not think we are here, whether members of the profession or otherwise, simply to go into a conflict of this nature. That is to be avoided, if possible, yet the Minister is going into it head-on.

Of course, we could, under section 51(38) of the Constitution, go to the Federal Parliament and ask it to do something about it, because that power is given under the Constitution. However, it is doubtful, in view of the shipping agreement, whether the Commonwealth would be willing, anyway, to endorse this provision. I think that the Government would be well advised to leave this matter alone and not to meet head-on very strong opposition that will be likely to lead, in effect, to costly litigation in attempts to avoid Royal assent to the Bill. I understand they are willing to go as far as that. All this is not worth while in view of the admitted objects of the Bill. I am therefore against the Bill. I do not

think that it is justified for the reasons I have given and on the grounds the member for Alexandra and the member for Chaffey have given.

The Hon. J. D. CORCORAN (Minister of Marine): I will be very brief, because I do not profess to be able to reply to the learned argument advanced by the member for Alexandra. It left me in the air because it was so complex and legalistic. I think that the member for Mitcham put in clearer terms what the member for Alexandra had said. I think I understood what the member for Mitcham had to say. In effect, he said, "If you meet with strong opposition, you should not do anything, because you will be inevitably down."

Mr. Millhouse: That's your gloss on it, but that's not what I said.

The Hon. J. D. CORCORAN: The result of what the honourable member is asking me to do will be to stop everything, because I will meet with strong and powerful opposition. It would be a strong exercise in the law, and the honourable member would look forward to it and the outcome of it.

Mr. Chapman: Just to boost your ego, it will cost people money.

The Hon. J. D. CORCORAN: This matter concerns the Royal Yacht Squadron. It was clearly the intention of the Government and the department when the principal Act was introduced to involve everyone in this State, not only a few people.

Mr. Arnold: The Bill was about boating safety, wasn't it?

The Hon. J. D. CORCORAN: It was perfectly clear to everyone that those vessels that had auxiliary motor in them of a certain horsepower would be included in this legislation. It was made perfectly clear that a yacht with an auxiliary motor was considered to be a powered craft for the purposes of this Act. The Yacht Squadron drew my attention to the matter: I did not chase after the squadron. In fact, it indicated its desire to take the matter to the court, and I think it notified me of this. It discussed the matter with Mr. Sainsbury, and even asked for exemption from the provisions of the Act until the thing was settled. I agreed to that.

One could say that this has almost been occupational therapy for some members of the Yacht Squadron. They seem to have much pleasure in finding ways to get around this legislation, and I do not know why. I think the member for Mitcham and the member for Alexandra claimed that the boats were required to be registered under the Merchant Shipping Act, but they do not have to be registered, because there is no penalty if they are not. The protections that the honourable member has mentioned really apply in foreign ports, and I do not know of any of the Yacht Squadron boats that go to foreign ports. I do not think many of the yachts involved in the issue are registered under the Merchant Shipping Act. Certainly, not all of them are registered. There is no penalty for a misdemeanour under that Act.

Mr. Arnold: Have you any grounds for making that statement?

The Hon. J. D. CORCORAN: Is the honourable member suggesting that a person in control of a yacht would never commit a misdemeanour and should never be subject to the Act that we brought into operation some time ago?

Mr. Arnold: Have you got examples?

The Hon. J. D. CORCORAN: I do not have to give examples. The honourable member has come up with a fallacious statement that it will be an empire-building exercise. There are 500 people involved in this, and almost 20 000 people have registered their craft already. The argument put by the member for Mitcham was based on law, and he made his statement for a different reason, but the member for Chaffey and the member for Alexandra are saying that we should treat 25 000 one way and 500 another way.

Mr. Arnold: Even if they are registered under—

The Hon. J. D. CORCORAN: I have pointed out that that registration does not require them to do the things that we require them to do. That registration does not provide that certain safety equipment must be carried or that certain laws and rules must be applied and abided by. It provides protection in a foreign port: it may provide other things also, but it does not require the sorts of thing that we require of everyone else who has a powered craft and who goes to sea. We are merely saying that the people in the Yacht Squadron, when their boats are under power should abide by the same laws as apply to every other person who goes to sea in a powered pleasure craft. Is that unreal or unreasonable?

Mr. Arnold: You're talking about registration—

The Hon. J. D. CORCORAN: We are talking about registration and about a certain Act under which they will be registered and to which they will be subject, not about the fee of $5, because the Yacht Squadron has written offering the money. It stated, "If it is the $5 fee you are worrying about, you can have it." That is not the point at issue. I will not consciously see to it that 500 people will be treated in a different way from 25 000 people who are engaged in a slight variation of the same activity.

Mr. Arnold: They're still subject to the safety regulations.

The Hon. J. D. CORCORAN: They are the safety regulations of their squadron, over which the law has no power. The honourable member cannot reasonably argue that they are so different that they must be treated in a different way. If he really believes that, he is supporting what would seem to be a privileged class. He is saying that, because of certain things, they are privileged. I am not gunning for the Yacht Squadron. It was always the intention of the Government that these boats would be included. Since the legislation has been passed it has become apparent that that is there, because the Act specified "any other Act" and did not specify that the Merchant Shipping Act was one of those. We did that because reciprocity with other States was involved. I may say, for the benefit of the member for Mitcham, that other people do not hold the view that this provision is repugnant to the Merchant Shipping Act.

Mr. Millhouse: You will have noted that I was quite modest in the way I put it. I put it as an argument.

The Hon. J. D. CORCORAN: I appreciate that, and probably the honourable member more than anyone else appreciates that we get variations of opinion from the legal profession. We have never seen a one-handed lawyer: it is always a matter of "On the one hand and on the other hand". I want to impress on the House that there is a need, for consistency's sake (and members opposite have spoken about consistency) in this State, to see to it that the people in the Yacht Squadron are subject to the same laws as are the other 25 000 people who seek pleasure on the seas or in rivers in powered craft. So far as I

am concerned, it is not just a measure to get at the Yacht Squadron. That is furthest from my mind, because action was intended in the first place. The difficulty arose because of the way the legislation was drawn up or because I missed it. I did not see that it would allow the Yacht Squadron to get out of registration because of the Merchant Shipping Act and, having been reminded of it, T now intend to have the Act amended to make sure that it will apply to the Yacht Squadron, just as it applies to the other 25 000.

The House divided on the second reading:

Ayes (21)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (21)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman (teller), Coumbe, Eastick, Goldsworthy, Gunn, Mathwin, Millhouse, Rodda, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Pairs—Ayes—Messrs. Dunstan and Payne. Noes—Messrs. Evans and Nankivell.

The SPEAKER: There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes.

Second reading thus carried.

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

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Application of this Part."

Mr. CHAPMAN: I move:

To strike out all words after "out" and insert "paragraph (a) of subsection (1) and inserting in lieu thereof the following paragraph:

(a) any motor boat registered, and bearing an identification mark, in pursuance of some other Act or law;".

This Bill seeks to butcher section 11 of the principal Act. It will take away the point that the Minister says he overlooked in connection with the introduction of the principal Act. He told us only minutes ago that, in preparing the legislation, he had overlooked that persons registered under the Merchant Shipping Act would escape registration. I do not know how the Minister can have the gall to tell us a deliberate lie.

The CHAIRMAN: Order! I ask the honourable member to withdraw that remark.

Mr. CHAPMAN: In accordance with the requirements of the Committee and your ruling, Mr. Chairman, I shall be happy to withdraw the words "deliberate lie".

The CHAIRMAN: I referred to the word "lie".

Mr. CHAPMAN: I have withdrawn it. This afternoon the Minister told members that at the time of preparing the legislation he, as Minister in charge of the legislation, was not aware that this section of the boating fraternity would escape registration under the legislation. After all the correspondence that the Minister received from sections of the boating fraternity, particularly the Royal Yacht Squadron and its legal representatives and from the Select Committee, the Minister was clearly aware that this section of the boating fraternity would be exempt. He was the Minister in charge of preparing the Bill that led to the acceptance of this legislation. Originally, section 11(1)*(a)* provided:

Any motor boat that is for the time being required to be registered and to bear the identification mark under the provisions of any other Act or law . . .

The Minister has again demonstrated a misleading attitude toward this whole matter. For the first time today the Royal Yacht Squadron was referred to by the Minister himself. He knew the group to which we were referring, because he has been gunning for it throughout the whole exercise. He has set out to net the group into this State registration, whether or not the group is registered elsewhere. He has set out to take away the independence in connection with the Imperial Act, and he has isolated this group as a group that seeks to be outside the scope of the State legislation. How wrong can the Minister be in connection with the Royal Yacht Squadron? The exemption sought certainly applies to some squadron members, but it also applies to every yacht owner seeking to go on the high seas, whether or not he is a member of the Royal Yacht Squadron or any yacht squadron in any part of the world. We are seeking to exempt from the State legislation those people who privately own and register a vessel under any other Act, particularly those who register under the Merchant Shipping Act, which identifies the owner and requires him to uphold principles of competency. Further, we seek to give proper and direct protection to other parties registered under any other Act or law, including the South Australian fishing community.

Some ships based at Port Adelaide do not ply in or around the port and they do not ply between Port Adelaide and any other South Australian port. Under the definition of a boat, we find that craft that are not plying between ports or in a port are required to be registered not only under the fishing Act but also under this legislation. This is another example of a section of the community affected by section 5 which will require to be exempted. Some other vessels in this State or visiting this State will be required to be exempted. There is a whole host of vessels that are required to be registered under another Act or law. To save running the risk of wasting State funds in the courts on this controversial and constitutional matter, it seems reasonable that the amendment be carried, because the amendment excludes any boat that is registered and bears an identification mark in pursuance of some other Act or law. I will not pursue the matter further, because I have ventilated the somewhat limited detail available on this subject, to support not a special group or segment of the community but those people who choose to be registered or otherwise for their own convenience or benefit. As long as they are registered under other Acts or law, and I uphold the principle of what we set out to do in the first instance, I support their escaping the duplication of registration as it applies in South Australia. We on this side support the basic principles of registration and identification and that operators should be licensed to operate craft. We also support the safety precautions laid down in the Act.

Mr. ARNOLD: I support the amendment, because it will ensure that each powered craft in South Australia is registered under one Act or another. At present, craft registered under the Merchant Shipping Act do not have to be registered under the State Act. The amendment provides that any power craft not registered under another Act must be registered under the Boating Act so that the

vessel can be identified. Identification of craft is the object of the Act.

The Hon. J. D. Corcoran: It's not the only object.

Mr. ARNOLD: All right, I accept that. The object of the Bill is to force every craft to do what the Government wants, even though some vessels may be legally registered under different Acts (the Fisheries Act or the Merchant Shipping Act). Such registration ensures that the boat can be identified. Whether it is registered under the Boating Act or not, it is still subject to safety regulations.

The Hon. J. D. Corcoran: What about a dinghy?

Mr. ARNOLD: Such a vessel does not have to be registered but it does have to comply with the safety regulations under the Act. The purpose of this amendment is to ensure that every powered craft in South Australia can be identified.

Mr. MILLHOUSE: I make only one point, because I believe the Minister may have misunderstood the drift of my argument. I suspect that the only reason for this measure is for the Government to raise more money and later to have greater control, but I am not concerned about that. My argument is entirely a legal argument. Whether it is good or bad to do what the Minister is doing or whether it is desirable or undesirable makes no difference when Parliament does not have the power to do it. As an analogy, I refer to the 1920s, when South Australia tried to impose an excise tax on petrol. We did not have the power to do it because it was unconstitutional under the Commonwealth Constitution. Perhaps that is a more obvious example but, whether we like it or not (and many of us do not like it), we are bound by the Imperial Merchant Shipping Act, and we cannot change that situation. It is no good the Minister saying that the South Australian Yacht Squadron wants to be in a privileged position. If it has rights under the law and it enforces those rights, whether or not there is any merit on its side, it will succeed.

The Hon. J. D. Corcoran: That's what you think.

Mr. MILLHOUSE: Indeed, I do. That is the argument I am putting. It was noteworthy that the member for Elizabeth did not come into the argument.

The Hon. I. D. Corcoran: He could have, but I did not want to waste any more time.

Mr. MILLHOUSE: He asked where the repugnancy was, and I quoted to him the relevant section of the Act that provides a code for the making of vessels. He did not say any more after that. By interjection, I said that I was modest enough not to put that forward as a conclusive argument, but I believe it is right. A strong argument can be made out that is obvious from the enactments to which I have referred. It is useless proceeding with a matter on which we can be beaten.

The Hon. J. D. CORCORAN: I oppose the amendment. It is a direct negative to the amendment proposed in the Bill. It should have been ruled out of order, but I wanted to give the member for Alexandra the opportunity to speak to it. If it were accepted we would return to the same position that applied before the original Bill was introduced. That is not my intention. I have made perfectly clear that the amendment seeks to make the vessels to which I have referred subject to the Act.

Mr. Arnold: They are.

The Hon. J. D. CORCORAN: They can clearly evade the provisions of that Act by being registered under the Merchant Shipping Act.

Mr. Arnold: You're wrong! All you're missing out on is the $5.

The Hon. J. D. CORCORAN: The honourable member is wrong in that assumption. If the Merchant Shipping Act is applied as a registration vehicle, yachts under power are not subject to the provisions of the Boating Act, as they are not registered under it. I want those vessels to be subject to that Act in the same way as every other pleasure craft in this State is required to be.

Mr. Arnold: How are you going to enforce safety regulations?

The Hon. J. D. CORCORAN: There are certain provisions within the Boating Act by which exemption can be provided under certain conditions. I will not be dragged into an argument on the scope of the Bill. I oppose the amendment because it is a direct negation of the amendment I introduced.

Mr. Chapman: And so it should be.

The Hon. J. D. CORCORAN: The honourable member admits it. Why, then, did he not oppose the Bill instead of trying to be smart and trying to deceive someone by putting up such an amendment?

Mr. CHAPMAN: I should like to take the Minister to task for some of his comments. I hope Government members will see the common sense of this amendment and appreciate its importance. The Minister made great play of his generosity, saying that he could have prevented me from bringing this matter before the Committee.

The Hon. J. D. Corcoran: I could have attempted to.

Mr. CHAPMAN: The manner in which that was stated was a reflection on the Chair.

The CHAIRMAN: I assure the honourable member that the Chair will make that decision at all times.

Mr. CHAPMAN: While the amendment substantially takes away matter presented in the Bill, it does not fully negate it. While the Bill proposes certain things in the form of slaughtering section 11 of the principal Act, it was my intention, in accordance with the amendment, to leave part of the Bill where it is. I refer to the two last lines, as follows:

but does not apply to a motor boat exempted from the provisions of this Part by proclamation.

That is vital and should be retained. The Minister is going a little far in suggesting that he knew the amendment was wrong. It is right, not only in relation to Standing Orders but also in its intent to give a fair go and proper protection to those who deserve it. I am disappointed in the Minister's remarks, and I support the member for Mitcham in his distinct efforts to warn the Minister and remind the Committee of what this matter could lead to and the money it could cost the State if the Minister continues to be so persistent. There is one other outlet (in another place), and one can only hope that common sense and support will prevail in that place.

The Committee divided on the amendment:

Ayes (21)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman (teller), Coumbe, Eastick, Evans, Gunn, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin, Venning, Wardle, and Wotton.

Noes (21)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Connelly, Corcoran (teller), Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, McRae, Olson, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pairs—Ayes—Messrs. Goldsworthy and Vandepeer. Noes—Messrs. Dunstan and Payne.

The CHAIRMAN: There being an equality of votes, I give my casting vote in favour of the Noes.

Amendment thus negatived; clause passed.

Title passed.

The Hon. J. D. CORCORAN (Minister of Marine) moved:

That this Bill be now read a third time.

Mr. CHAPMAN (Alexandra): I rise briefly to express appreciation for the co-operation I received from the Chair this afternoon when presenting details to the House which, to me, were rather difficult. I express my disappointment at the Minister's attitude as demonstrated throughout the debate.

The SPEAKER: Order! I must remind the honourable member that he cannot reflect on a vote that has been taken in this House.

Mr. CHAPMAN: I was not so reflecting, Mr. Speaker.

The SPEAKER: It appeared that you may have been going in that direction.

Mr. CHAPMAN: I recognise your anticipation, Mr. Speaker, but I must say that on this occasion there was no way that I had that in mind. I simply express my appreciation for the co-operation I have received from both you, Mr. Speaker, and your Deputy throughout this whole exercise. I express my disappointment at the Minister's attitude. I say that, whether the matter involves 500 yachtsmen or only five yachtsmen, I support the principle embodied in the amendment presented to the Committee. T hope that in another place that principle is upheld clearly and distinctly on its own merits.

The House divided on the third reading:

Ayes (21)—Messrs. Abbott, Broomhill, and Max Brown, Mrs. Byrne, Messrs. Corcoran (teller), Duncan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, Langley, McRae, Olson, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Noes (21)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman (teller), Coumbe, Eastick, Goldsworthy, Mathwin, Millhouse, Nankivell, Rodda, Russack, Tonkin, Vandepeer, Venning, Wardle, and Wotton.

Pairs—Ayes—Messrs. Dunstan and Payne. Noes—Messrs. Evans and Gunn.

The SPEAKER: There are 21 Ayes and 21 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes. The question therefore passes in the affirmative.

Bill read a third time and passed.

APPROPRIATION BILL (No. 2)

Returned from the Legislative Council without amendment.

MONARTO DEVELOPMENT COMMISSION (ADDITIONAL POWERS) BILL

Adjourned debate on second reading.

(Continued from September 16. Page 766.)

Mr. DEAN BROWN (Davenport): The Liberal Party opposes this measure. Mr. Speaker, it would be appreciated if there was order in the Chamber.

The SPEAKER: Order! I must call the House to order. The private chatter is becoming so audible that it is becoming difficult to hear even the member for Davenport.

Mr. DEAN BROWN: That is interesting. I do not think I can take a point of order if the Speaker reflects on a member.

The SPEAKER: I am not reflecting on the honourable member, I assure him. I am conveying the fact that he has a loud voice.

Mr. DEAN BROWN: This short Bill simply gives the Monarto Development Commission the power to carry out social or physical planning in relation to the development or redevelopment of any area, whether within or outside the State. In effect, therefore, the Bill provides that the commission can become the major planning authority for this State and carry out the necessary planning programme, whether social or physical. The commission was established specifically to enable the development, planning, integration and co-ordination of the new city of Monarto. The commission was developed on the basis of the scheme in England, where detailed legislation outlines the setting up of development commissions regarding the establishment of new towns. I was privileged to spend one day with the Glenrothes Development Commission and one day with the Runcorn Development Commission, and on both occasions I was impressed with the role that these people were fulfilling.

We should therefore ask whether the Monarto Development Commission should be allowed to expand its activities so that it no longer has the specific role of dealing with the development of Monarto only. I will advance the case this afternoon that the commission should not be extended because, if it is, it will start to threaten the original duty with which it was charged. I would also argue strongly that at this stage we need to examine the future of Monarto itself.

I do not wish to go into the pros and cons relating to Monarto, as they have already been well documented in this House. However, I should like to examine whether or not Monarto is likely to proceed on a major scale in 18 months, 10 years or 20 years time. All members know that the State Government was seeking $9 200 000 in the recent Commonwealth Budget but that it received only $500 000 for Monarto. They know, too, that, basically, Commonwealth money is needed to enable Monarto to proceed, even though the Minister tried yesterday to suggest that this was not so. The Government has given no indication where it will get the amount of about $1 000 000 000 to enable Monarto to proceed. The Minister can frown, but he has not refuted that. Nor did he refute the figure of $600 000 000 which I quoted from a report yesterday.

The Hon. Hugh Hudson: That's absolute garbage.

The SPEAKER: Order!

Mr. DEAN BROWN: Yesterday, in the House, I referred to a report on Monarto which was prepared by the Government and which stated that by the year 1984-85 the sum of $600 000 000 would be required for Monarto. The Government has not said from which source those funds will come, although it has hoped (and I emphasise "hoped") that a large proportion of it would come from the Australian Government. Yesterday, it was asked whether 80 per cent of that sum would be received. I retract my implication of yesterday that the Minister said this. I understand that it was the former Minister who said that the Government hoped that about 80 per cent of the funds would come from the Australian Government.

The State Government has claimed many times that it is about to sign long-term contracts with the Australian Government for financing Monarto. I have previously read out in the House a letter from the Premier which indicated that the Government was hoping to sign a five-year contract for $125 000 000. It is interesting to note that, despite the continual promises that such a long-term contract would be signed, it has not been signed. We therefore have no undertaking from the Australian Government that it will at any stage in future supply considerable funds for Monarto. Indeed, it may continue giving us only $500 000 and that, of course, will be meaningless.

Therefore, until we know whether Monarto is likely to proceed and whether these funds will come from the Australian Government, the Monarto Development Commission should be scaled down to allow the project to be put (if one wishes to use the term) in moth balls, merely allowing the development that has already occurred, and no more, to be maintained. To do more work than that would be a waste of this State's funds. One can see the present cost of keeping the commission going: the salaries and wages bill alone is $920 000 a year, and there are other expenses over and above that. I do not know what those expenses are. I hoped that the Minister would give the House details of them. Indeed, I expected them to be listed in the Minister's second reading explanation. But, of course, the Minister is continuing on the same course as the previous Minister continued—that we have been given as few facts as possible about Monarto. It is unfortunate, because that is where the public has been kept completely in the dark, except of course for the great dreams of Monarto with television, telephones, and the super-railway from Adelaide to Monarto, and other ludicrous schemes like that, which may eventually come, but they will come to other places as well. In other words, the Government has shown the public the icing for Monarto but has not revealed what is beneath the icing.

That is the main reason why we oppose the expanding of the scope of the Monarto Development Commission, the fact that it will destroy the original concept of the commission and, furthermore, that the commission will be carried on in this enlarged form indefinitely, because we have no firm commitment from the Australian Government, let alone from the State Government, as to when the major construction will commence. The Minister has indicated in his second reading explanation that it is hoped that construction will start in about 18 months time, but that is like so many of the Government's rather pious hopes. Looking at the history of Monarto, we should treat that promise by the Minister in its true perspective.

I will deal briefly with the people within the development commission. To start with, 66 people are employed within the commission, at total annual salaries of $920 000. I have in my hands a table of the office positions, the qualifications held by the people holding those positions, and their salaries. I seek leave to have this table inserted in *Hansard* without my reading it.

Leave granted.

STAFF LIST

Position	Qualifications	Salary
		$
General Manager	B.A. Honours (Economics) Institute Valuers (Fellow)	28 490
Secretary to the General Manager		8 491
Urban Economist	B.A. Honours (Economics)	16 058
Personal Assistant to the General Manager—Assistant to Urban Economist	B.A. Honours (Economics) Master of Science	12 976
Industrial and Commercial Development Division		
Director	Diploma, Business Administration Bachelor, Technology	18 648
Site Office:		
Estate Manager	Diploma, Agriculture	12 092
Site Administration Officer	Town Clerk's Certificate Certificate, Programming	10 888
Property Officer	Diploma, Accountancy	9 790
General Inspector		6917
Clerk		7 189
Ranger		7 112
Ranger		7 306
Office Assistant		2 809
Environmental Planning Division		
Director	B.A. (Economics)	18 648
Office Assistant/Stenographer		5 917
Senior Environmental Officer	B.A. (Economics)	14 120
Senior Environmental Officer	Master, Engineering	14 120
Environmental Officer	B.A. Honours	11 161
Environmental Officer	Master of Science	10 402
Social Planning Division		
Director	Master of Arts	18 648
Office Assistant/Stenographer		6 253
Research Officer (Education, Sport, Leisure Research)	B.A.	11 189
Research Officer (Community Development)	B.A. Honours	11 189
Research Officer (Urban Social Research)	B.A. Honours Master of Technology	11 189
Research Officer (Health and Welfare)	B.A. Honours	10 888

STAFF LIST—*continued*

Position	Qualifications	Salary
		$
Administration and Finance Division		
Director	Accountant	18 648
Office Assistant/Stenographer		5 747
Accountant	Diploma, Accountancy	13 623
Expenditure Clerk	Certificate, Business Administration Certificate, Public Service Studies	8 936
Research Officer	B.A.	8 936
Correspondence Clerk		7 189
Clerk		6 131
Accounts Clerk		6 245
Telephonist		5 616
Office Assistant		3 888
Town Planning Division		
Director	Diploma, Town Planning	20 202
Office Assistant/Stenographer		5 747
Principal Planning Officer	Diploma, Town Planning Diploma, Landscape Architecture	15 704
Landscape Architect	Diploma, Horticulture Diploma, Landscape Architecture	13 106
Technical Officer	Land Use Technology Certificate	10 124
Technical Officer	Land Use Technology Certificate	10 124
Model Maker		8 848
Town Planner	Diploma, Urban Design	8 390
Town Planner	Diploma, Town Planning	8 390
Drafting Officer	Certificate in Drafting	8 052
Engineering Division		
Director	Bachelor, Science (Engineering) Honours Diploma, Business Administration	20 202
Office Assistant/Stenographer		6 253
Engineer	Bachelor, Engineering Honours	14 816
Engineer	Bachelor, Engineering	14 245
Programme Co-ordinator	Bachelor, Technology (Engineering)	14 816
Transportation Engineer	Bachelor, Engineering	14 245
Senior Technical Officer	Certificate, Civil Construction	11 334
Technical Officer	Draughtsman's Certificate	10 124
Architectural Division		
Director	Diploma, Architecture	20 202
Office Assistant/Stenographer		6 253
Architect	Bachelor, Architecture Honours Master, Town Planning	13 787
Architect	Bachelor, Architecture	13 106
Architect	Bachelor, Architecture	12 258
Architectural Draughtsman	Certificate, Architectural Drafting	10 488
Programme Co-ordinator	Bachelor, Arts	11 396
Public Relations Division		
Director		13 364
Publicity Writer	Journalist	10 646
Librarian	Certificate, Librarianship	7 657
Information Officer		7 507
Receptionist		6460

Mr. DEAN BROWN: It is worth looking at this list. There is a General Manager on a salary of $28 490 a year, and there are eight divisions within the commission. Four of them are administered by a Director on a salary of $18 648 a year; another three Directors are on a salary of $20 202 a year, and the last Director is on a salary of $13 364. So that, by itself, shows that the Monarto Development Commission has grown into one mammoth bureaucracy.

We should look more closely at this list, and particularly at the qualifications. I take as an example the Environmental Planning Division. I do not know the people involved, and I am not personally reflecting upon them, but it surprises me and perhaps the Minister will be able to answer some of the questions I shall be asking as to why it has been arranged in such a manner. In the Environmental Planning Division, the Director is a Bachelor of Arts (Economics) and, of all the people employed in that division, only one is a scientist, and he is a Master of Science. One Senior Environmental Officer is also a Bachelor of Arts (Economics) and the other Senior Environmental Officer is a Master of Engineering. One Environmental Officer is a Bachelor of Arts (Honours) and the other one, as I have already said, is a Master of Science. It may be that these people have done their Bachelor of Arts courses specifically in the environmental field, but I would be surprised, because most Bachelor of Arts people concentrate very much on languages and other subjects like that, rather than on the science field, even though it is possible to do some sciences in Bachelor of Arts courses. Two of these people majored in economics, in the Environmental Planning Division.

I turn now to the Social Planning Division, where I see there is a Director, who is a Master of Arts and very well qualified. It also has four research officers. Why those officers are required needs explaining. Each research officer receives a salary of about $11 000 a year.

I understand that the Administration and Finance Division deals purely with the actual accounts, handling the finance, keeping the books, and preparing the commission's financial statements. That division has a research officer who has a Bachelor of Arts degree; his salary is just under $9 000. I should like the Minister to explain what that research officer does in the commission.

I am surprised that the Director of the Town Planning Division, who receives a salary of more than $20 000, has only a Diploma in Town Planning. Of course, he may have a great deal of practical experience; perhaps the Minister will explain this matter. An architect with an honours degree of Bachelor of Architecture and the degree of Master of Town Planning is on a salary of only $13 700. The Minister should explain the difference in qualifications and salaries in this respect. I am also surprised that, of all the people in the Town Planning Division, not one has a higher qualification than a diploma. This can be partly explained by the fact that there is not yet a bachelor's degree in town planning in this State, but there is a master's degree. There is a diploma in horticulture, although I would have thought that the degree of Bachelor of Agricultural Science in horticulture would be more than equivalent to that qualification.

The divisions in the commission are as follows: the Industrial and Commercial Development Division, the Environmental Planning Division, the Social Planning Division, the Administration and Finance Division, the Town Planning Division, the Engineering Division, the Architectural Division, and the Public Relations Division. In the Architectural Division there are five well-qualified architects, with a draftsman and a programme co-ordinator, who has the degree of Bachelor of Arts. I would appreciate it if the Minister could explain the function of that person in the Architectural Division, particularly as he has the degree of Bachelor of Arts, which does not seem to fit in with the expected qualifications for such a person. It was drawn to my attention that the Director of the Public Relations Division is not a journalist, although there is a journalist on his staff—a publicity writer. Perhaps the Minister can explain this point.

The commission has 66 people, a large percentage of whom are highly qualified. However, in some cases their qualifications do not seem to justify the positions they hold, but that may be due to their previous practical experience. The Minister should justify the way in which these people are employed and why we are spending almost $1 000 000 a year on keeping this hierarchy going, when we are not certain that Monarto will be proceeded with. Will the Monarto Development Commission take over some of the functions of private consultants in South Australia? Tn his second reading explanation, the Minister said:

In all consultancy work undertaken, the commission will operate on a fee-for-service basis.

That would suggest that the commission will not be tendering for work in competition with private enterprise. It will be getting Government work, and it will receive a fee for it. In other words, private enterprise will not have the opportunity of competing against the commission for this outside work. If we are interested in efficiency and maintaining standards we should at least allow private enterprise to compete with this new, large block of professional officers that the Government is trying to create. To some extent the Minister is probably bound to say, about my next point, "Oh, well, this development commission sub-contracts its work to private, professional people in South Australia." I have a list of Monarto consultants, which sets out the major consultants involved in the project so far. Rather than read out the names of 34 different consultants, I seek leave to have the list inserted in *Hansard* without my reading it.

The SPEAKER: I doubt that it is a statistical record. Standing Orders provide that it must be purely statistical facts.

Mr. DEAN BROWN: Because I believe it is important to know who is doing the consulting work, I will refer to the document to give a summary of what is involved. Of the 34 outside consultants, 12 were local, private consultants; seven were from Government or semi-government authorities; 15 (by far the largest category) were from other States or from overseas. It is therefore obvious that the commission has been referring its work out of South Australia rather than to local consultants. Some of the oversea consultants were probably necessary because local expertise was not available, but I am sure that it was unnecessary to employ 15 consultants on a sub-contract basis outside South Australia.

If the scope of the Monarto Development Commission is expanded it will compete directly against private architects in this State. We should assess the position of that industry, because it is important to do so. A survey conducted among architects in Adelaide that sought information about technical employment at January 1, 1975, September 1, 1975, and expected employment at January 1, 1976, reveals that, on January 1, 1975, 269 technical people were employed; on September 1, the figure had fallen by 5.2 per cent to 255 people; and, by January 1, next year, it is expected that it will drop to 211 people (a drop of 17.25 per cent). That suggests there should be grave concern in South Australia about the level of employment in the building industry generally, more especially in architectural offices in Adelaide. It appears likely that, in the four months from September 1 to the end of this year, there will be a drop of 17.3 per cent in the employment of technical people in major architectural offices in South Australia. That is a rather sudden and alarming downturn in architectural work in Adelaide. It will eventually reflect throughout the whole of the building industry.

The situation is further aggravated, because I understand that the Housing and Construction Department in Darwin has withdrawn several commissions from private firms. I understand that one Adelaide firm has lost five such commissions with the department. One would hope that the State Government, at a time when these architects are in dire trouble, would not suddenly let loose the resources of the Monarto Development Commission, which is also looking for work, not to compete against the architects (because it is not competition) but simply to take over some of the work those architects would have hoped to receive.

If it was being done on a competitive basis, those architects would have a chance of obtaining some, if not all, of the work, because I am sure they are at least as efficient as the Monarto Development Commission. However, it seems that they will not even have that opportunity, and that is most unfortunate. I understand the Commonwealth Minister for Urban and Regional Development (Mr. Uren) has indicated that the Cities Commission in

Canberra is likewise about to expand its role and take over as a consulting body. That is also likely to affect private firms within the State. I understand that may have been part of the thinking behind the cancellation of contracts in Darwin.

The Hon. Hugh Hudson: The Cities Commission is being absorbed by the Department of Urban and Regional Development, and is going out of existence.

Mr. DEAN BROWN: I am told by a Commonwealth member that the Minister has said the people involved in that, even if they are absorbed into the department, are likely to carry on this style of consulting work in the immediate future. The Minister may say that some of this work from Darwin is likely to come to the Monarto Development Commission, but that does not help the private firms in the dire situation they are facing. If it does occur, it seems to be taking it away from the private consultants and giving it to the Monarto Development Commission. For those reasons, the Opposition opposes this legislation. It is not in the interests of the professional engineers and architects in this State, nor of the development of Monarto. It is simply an attempt to find sufficient work to keep the Monarto Development Commission going until that unknown day when eventually the Commonwealth Government may come forward with some funds. On that ground we, as a responsible Opposition, are not willing to allow the Government to act in this way. I oppose the Bill.

Dr. EASTICK (Light): I will not canvass the areas covered by my colleague, but I oppose the Bill because I think the best interests of the State would be served by the responsible officers of this organisation being seconded into areas of Government activity that could well use their expertise: that applies particularly to those who are capable of helping in the still chaotic State Planning Authority area. In making that statement, I do not want to create any ill-feeling or any suggestion of disenchantment with the officers of the department, but the difficulty is sheeted home to the present Government, which has legislated for many activities in that area without making certain beforehand that the right types of officer in the right numbers will be available to put into effect the requirements of the legislation. We have many people who have the expertise required within the State Planning Authority, and indeed in other areas of Government activity. We have people who, by secondment, would be able to provide much more efficient assistance to the other departments than if they happened to be coming in on a consultant basis from another Government instrumentality (in this case the Monarto commission). If they come in on a total consultant basis, they have no direct responsibility to the appropriate senior officer in the department, and we would have a break-down in communication, a duplication of effort, and the end result would not be as beneficial to the State. So secondment, to my thinking, is a far better usage of those personnel for the State's benefit.

What the Minister has asked us in the Bill is to give the Government an open cheque with regard to the deployment of these people. It was first indicated to the House that this was being undertaken on the basis of the need for assistance at Darwin. The Bill says nothing about Darwin, although there was reference in the Minister's second reading explanation to a discussion between the Australian and South Australian Governments to allow these people to enter into consultant activity in the Darwin area. The interpretation clause refers to an agreement providing for the carrying out of social or physical planning in relation to the development or redevelopment of any area, whether within or without the State.

I have stated the manner in which I believe these officers could be used within the State to best effect. I am concerned at their going outside the State when, in many instances, their expertise and knowledge could be used within the State. The Bill also refers to "any agreement of a class or kind prescribed for the purposes of this Act". That is the part that concerns me: suddenly we are to allow the Government to use these people in a variety of areas, quite apart from the original intention as stated by the Minister when introducing the Bill.

I will come back briefly to the statement that these people are to be used in Darwin. I say clearly and bluntly that they are not wanted in Darwin. The authority for my statement is the Mayor of Darwin (Dr. Ella Stack), the Leader of the majority Party in the Northern Territory Assembly (Dr. Goff Letts), the Independent in the Legislative Assembly of the Northern Territory (Mr. Withnall), who was in the Administration before the recent change to a Legislative Assembly, and Mr. Everingham, another member of the Legislative Assembly. The people in Darwin who are concerned about the best interests and future of Darwin and its people are fed up to the back teeth with all the consultants who have been loaded on them and who have produced nothing in the way of physical housing for the people.

They have loaded on them one consultant at a fee of $1 500 a week, plus other incidental expenses, and he has produced nothing. A continual group of people has been moved into the Darwin area from the Australian Government, and from private areas at the insistence of the Australian Government, and there is no tangible evidence yet of any housing for the people of Darwin. There is a constant erosion of the funds that have been made available for the redevelopment of Darwin, but there has been no physical housing for the people. So I say that the Mayor and the elected Assembly of Darwin wish the members of the Monarto commission anywhere but in Darwin. I believe that the Bill, which has been advanced under the guise of its being an important benefit for the people of Darwin, is merely a ruse to allow the open-ended cheque arrangement, to which I have previously referred, for this Government to hide behind the fact that it will not come face to face with the reality of the disaster that is Monarto. I seek leave to continue my remarks.

Leave granted; debate adjourned.

ADJOURNMENT

At 5.56 p.m. the House adjourned until Tuesday, October 7, at 2 p.m.