HOUSE OF ASSEMBLY

Tuesday, November 9, 1976

The SPEAKER (Hon. E. Connelly) took the Chair at 2 p.m. and read prayers.

SUCCESSION DUTIES ACT AMENDMENT BILL

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

PETITION: WORKMEN'S COMPENSATION

Mr. DEAN BROWN presented a petition signed by 25 electors of South Australia, praying that the House reject new sections 123e and 123f of the Workmen's Compensation Act Amendment Bill (No. 2).

Petition received.

PETITION: NORTHFIELD TRAFFIC LIGHTS

Mr. WELLS presented a petition signed by 202 electors for the Northfield area of South Australia, praying that the House urge the Government to have traffic lights installed at the Folland Avenue and Hampstead Road, Northfield, intersection.

Petition received.

PETITION: SUCCESSION DUTIES

Dr. TONKIN presented a petition signed by 51 residents of South Australia, praying that the House would urge the Government to amend the Succession Duties Act so that the existing discriminatory position of blood relations be removed and that blood relations sharing a family property enjoy at least the same benefits as those available to *de facto* relationships.

Petition received.

QUESTIONS

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

STATE ENERGY REPORT

Mr. MILLHOUSE (on notice):

1. When was the report of the State Energy Committee received by the Minister?

2. Why was the report not tabled in the House until October 21?

The Hon. HUGH HUDSON: State Cabinet gave its approval for the report to be published in its entirety on May 3, 1976. Detailed editing of the report (for punctuation, paragraphs, etc.) began soon after Cabinet approval for publication was granted. The edited report was submitted to the Government Printer on May 25. Galley proofs were supplied to the Chairman of the committee by the Government Printer between June 1 and July 14, and were returned to the Government Printer, after further editing, on July 27. The Government Printer sent page proofs to the Chairman of the State Energy Committee on August 18. Final changes were made to the report and the Chairman of the State Energy Committee resubmitted the report to the Government Printer for printing on October 1. The report was tabled in Parliament on October 21, 1976.

MONARTO REPORT

Mr. MILLHOUSE (on notice):

1. What were the costs of writing, and printing and publishing, respectively, for the 1975-76 report of the Monarto Development Commission?

2. What part of these costs, if any, is it expected to recoup, and how?

3. To whom are copies of the report distributed and why?

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

1. The cost of writing and publishing the report was about $7 000.

2. It is not intended (nor is it normal practice) to attempt to recoup any part of the cost of producing the annual report.

3. Copies of the report will be distributed to all members of State Parliament (as required by section 19 of the Monarto Development Commission Act); all State Government departments and instrumentalities; appropriate Commonwealth Government agencies; the National Library, the State Library, the State and Commonwealth Parliamentary Libraries, all public libraries in the State, all primary and high school libraries in the State, the libraries of all tertiary education institutions in the State (and interstate where specific requests have been received); and business organisations, special interest groups, and private individuals on request. Since its inception the commission has adopted the policy (as was clearly intended by its Act) of keeping the community fully informed of its activities and planning policies. The wide distribution of the commission's annual report plays a principal part in the achievement of this goal.

SEAFORD SPEED LIMIT

Mr. MILLHOUSE (on notice): Has consideration been given to reducing the speed limit on Commercial Road, Seaford, in the vicinity of the junction with Aldam Road and, if so:

(*a*) is it intended to reduce the limit and to what speed;

(*b*) when will it be reduced;

(*c*) if it is not intended to reduce the limit, why not; and

(*d*) if consideration has not been given to reducing the speed limit on this road will such a reduction be considered?

The Hon. G. T. VIRGO: When the former District Council of Noarlunga became a municipality earlier this year, all rural and semi-rural roads were surveyed to determine whether the statutory speed limit of 60 km/h should be varied by speed zoning. The appropriate speed limit for Commercial Road, which is partially developed on one side only, was determined to be 80 km/h. Such zones are subject to review but, in this case, no reason is evident for such a review.

WOMEN'S ADVISER

Mr. MILLHOUSE (on notice): Is it intended to appoint a women's adviser to the Education Department and, if so:

(*a*) why;
(*b*) when;
(*c*) at what salary; and
(*d*) what will be the duties of such an adviser?

The Hon. D. J. HOPGOOD: Yes.

(*a*) The appointee will be responsible for the welfare of women teachers in the Education Department, and will encourage them to seek positions involving higher levels of responsibility. She will also be involved in curriculum activities associated with the education of girls, and initiating moves to change girls' attitudes to the role of women in society.
(*b*) The position will be advertised within a few weeks.
(*c*) Yet to be determined.
(*d*) See (*a*).

STOREMEN AND PACKERS' UNION

Mr. MILLHOUSE (on notice): Is the Minister prepared to meet Mr. Desmond Thompson to discuss the affairs of the Storemen and Packers' Union and, if so, when and where and, if not, why not?

The Hon. J. D. WRIGHT: No, as I have no power to deal with any of the matters that I understand Mr. Thompson wishes to discuss.

AUSTRALIAN ASSISTANCE PLAN

Mr. MILLHOUSE (on notice):

1. Does the Government support the aims and objectives of the Regional Social Planning and Community Development Councils as initiated through the Australian Assistance Plan and, if not, why not?

2. If these aims and objectives are supported, is it intended to set up a South Australian assistance plan to further these aims and objectives and where; and, if not, why not?

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

1. In general, the aims and objectives of the Australian Assistance Plan are supported by the Government.

2. Discussions are being held with Community Councils for Social Development and other appropriate bodies on the future proposals for South Australia. A meeting of State Social Welfare Ministers will be held on November 19, 1976, to further explore the possibility of obtaining special funds from the Commonwealth Government. In the meantime, no firm plans can be made.

JUSTICES OF THE PEACE

Mr. BECKER (on notice):

1. How many trade union officials have been appointed as justices of the peace each year for the past six years?

2. What are the reasons for such appointments?

3. Do such appointments receive priority and, if so, why?

4. Is there a quota system for each union or association?

5. Is the suburban quota taken into consideration in making such appointments?

The Hon. PETER DUNCAN: The replies are as follows:

1. About 3 000 justices of the peace have been appointed over the past six years, and it is impossible to say how many of these persons would have been trade union officials, either full time or part time. It is not necessary in an application to become a justice of the peace to state the fact that one is a trade union official or not and, accordingly, the records in my department are insufficient to be able to provide this information.

2. See 1.

3. See 1.

4. No.

5. See 1.

RAILWAY ACCIDENTS

Dr. EASTICK (on notice):

1. How many accidents involving railway rolling stock have been attributed to acts of vandalism in each financial year from July 1, 1973, and for this financial year?

2. What has been the cost, or estimated cost, of repairs to rolling stock as a result of these accidents?

3. Has any compensation been obtained in respect of any of these accidents, and, if so, how much?

4. Has any court action been taken in respect of any person or persons apprehended as a result of inquiry and, if so, what are the details?

5. Is there any statistical or other evidence to determine the times of the year when accidents caused by acts of vandalism are most prevalent and, based on this evidence, has any action been taken to attempt to reduce the problem?

6. Has the department undertaken an educational campaign directed to schoolchildren either living or attending school near railway services and, if not, why not?

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

1.

	Obstructions on track	Missiles hitting trains
1973-74	2	7
1974-75	6	13
1975-76	8	11
1976 to date (5/11/76)	4	9

2. This information is not readily available. The amount of time required to provide the information would be considerable.

3. Compensation amounting to about $164 has been obtained.

4. Since March, 1975, when two boys aged 11 and 12 years were brought before the Port Adelaide Juvenile Court and placed under the care and control of the Minister of Social Welfare, no further prosecutions have been made. Arising out of the incidents shown in item (1), which all involved juveniles, 26 were investigated by civil police and 34 by railway police. Nine were apprehended and reported to the Juvenile Aid Panel, and four others were prosecuted. These cases were either dismissed or no conviction recorded.

5. Vandalism is fairly constant throughout the year, with some escalation during school holidays and holiday weekends.

6. Railway security staff make contact with headmasters of schools and colleges in trouble areas, and have received support in requests to have warnings given at school assemblies.

SALISBURY RAILWAY ACCIDENT

Dr. EASTICK (on notice):

1. What were the circumstances of the railway accident that occurred in the Salisbury area on Sunday evening, October 31, 1976?

2. What is the estimated cost of damage to the rail unit, and how long is it expected to be out of service?

3. Was any personal damage sustained, or were the circumstances of the accident such that serious personal injury might have occurred?

4. What investigations have been conducted subsequent to the accident, and have any person or persons been apprehended?

5. Is it the policy of the department to prosecute any person or persons suspected of having been implicated in acts of vandalism capable of causing damage to railway rolling stock, and what are recent examples of any such action?

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

1. The single diesel passenger car which departed Adelaide at 9.45 p.m. on Sunday, October 31, 1976, for North Gawler struck six railway sleepers placed on the line near the General-Motors Holden's junction. The accident occurred at about 10.20 p.m.

2. The damage to the rail car, which was returned to traffic on November 4, 1976, is estimated at $1 447.

3. Although there were 12 passengers on the train, no reports of personal injury or damaged property have been received. There is always the possibility of serious injuries resulting from acts such as this.

4. The civil police were advised of the incident, and a uniformed patrol attended as well as C.I.B. staff who have made extensive inquiries. Unfortunately, investigations have failed to establish who was responsible.

5. It is the policy of this division to prosecute wherever possible.

DROUGHT RELIEF

Mr. NANKIVELL (on notice):

1. How many applications has the Government received for drought relief assistance?

2. For what form of assistance have these applications been made?

3. What total sum has been spent on each form of assistance, respectively, up to October 31, 1976?

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

1. 152.

2.

District councils—stock slaughter and disposal	17
Cattle compensation—graziers	11
Concession for carriage fodder	45
Concession carriage livestock to and from agistment	75
Applications carry-on finance	4
	152

3.

Total amount of payments authorised to October 31, 1976	$31 875·83
Made up as follows:	
District councils slaughter and disposal costs	$9 164·60
Concession on carriage—	
Fodder	5 687·90
Livestock	17 023·33
	$31 875·83

Mr. NANKIVELL (on notice):

1. Is carry-on finance now available under drought relief assistance?

2. What are the terms and conditions under which this finance will be granted?

3. Have any applications been received for this finance and, if so, how many?

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

1. The South Australian Government has been discussing the provision of carry-on finance for drought relief with the Commonwealth Government for some time. It is expected an announcement will be made this week.

2. See 1.

3. Yes. Four.

REBATE AND EXCESS WATER

Mr. COUMBE (on notice): What was the price of rebate and excess water, respectively, charged in each of the financial years 1970-71 to 1976-77 inclusive?

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

	Rebate Cents/kilometre	Excess Cents/kilometre
1970-71	7·7 (35c/1 000 gallons)	7·7 (35c/1 000 gallons)
1971-72	8·8 (40c/1 000 gallons)	7·7 (35c/1 000 gallons)
1972-73	8·8 (40c/1 000 gallons)	8·8 (40c/1 000 gallons)
1973-74	10	10
1974-75	11	11
1975-76	14	14
1976-77	16	16

SCHOOL OF BUSINESS STUDIES

r. WOTTON (on notice):

Is the Minister aware of the intended relocation of the l of Business Studies (Flinders Street College of r Education) and the School of Business Studies ge of External Studies) at the Centrepoint Building corner of Rundle and Pulteney Streets, and, if he is, s plan been approved or is it likely to be approved uture?

2. If the plan has been approved or is to be approved, can the Minister give an assurance that the staffs and students of the two schools have participated in a democratic manner in the decision to relocate the schools?

3. Will the Minister seek the opinions of the Rundle Mall Management Committee, the Rundle Street Traders Association, and the Adelaide City Council in relation to the proposed influx of some 500 persons into the general mall area, and will he give an assurance that the plan will be dropped if these various bodies oppose the plan?

4. If the plan has been approved, what is the estimated cost of this relocation, including the cost of relocating the computer, several terminals and extensive printing equipment?

5. Will the Minister cause an investigation to be made to ascertain the likely impact of the plan on the availability of parking space in the area, the continued use of the School of Business Studies by its present students, and the likely impact of proposed mall activities, such as concerts and street theatres, on the future operation of the School of Business Studies, and will the Minister ensure that such an investigation takes place before the relocation and that if such an investigation has unfavourable results the plan will be dropped?

6. Is the Minister aware that several alternative plans are possible that would not involve the prohibitive cost of making the Centrepoint site habitable, and will the Minister give an assurance that he will call for alternative plans and that the staff and students of the Schools of Business Studies will have an opportunity to participate in the formulation of alternative plans?

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

1. (*a*) Yes.
   (*b*) Not applicable.
   (*c*) Not applicable.

2. The plan was developed as a direct result of submissions made by the staff of the School of Business Studies on the need for additional classroom and staff accommodation. Both staff and students were highly critical of the fragmented nature and poor quality of existing accommodation. Staff have been directly involved at all stages of development of the proposal.

3. Discussions will take place with the Rundle Mall Management Committee and the Rundle Street Traders Association. The City of Adelaide Development Committee will also be consulted. The students attending the School of Business Studies generally come from the city-based work force and would probably be using the mall even if they were not attending the School of Business Studies. Even so, it is doubtful if the Rundle Mall Management Committee and the Rundle Street Traders Association would object to additional patronage of the area.

4. The cost of moving the computer is minimal, as it only involves a new landline. No printing equipment is involved in the move beyond a simple portable offset machine. This relocation will enable the Further Education Department to relinquish leases in four locations so that the additional cost will be limited, particularly in view of the favourable terms the lease has been obtained on. Total relocation costs are estimated to be $106 000.

5. The area adjacent to Centrepoint is better served by car parking stations than any other area in the city. A new car parking station is being constructed directly opposite Centrepoint. The Centrepoint location is also more centrally located in relation to Flinders Street for access to public transport. It is not envisaged that activities in the mall will have a detrimental effect on the Schools of Business Studies.

6. The present proposal is the result of five months extensive investigation by officers of the Further Education Department, who have examined numerous alternatives, none of which were as economical or as satisfactory in relation to location or size of accommodation to be useful. No further studies are proposed.

TRAFFIC DELAYS

Dr. EASTICK (on notice):

1. Is the Minister aware that, at peak traffic periods on week days, at weekends and on holidays, considerable traffic delay occurs at each of the following traffic light controlled intersections:
   (*a*) McIntyre Road-Kings Road-Main North Road;
   (*b*) Clayson Road-Frost Road-Main North Road; and
   (*c*) Park Terrace-Smith Road-Main North Road?

2. Has any investigation been conducted relative to any or all of these intersections and, if it has, what has been the result of such investigation?

3. If no investigation has been conducted will the Minister seek, as a matter of some urgency, reports on these three intersections?

4. If reports have been presented, have the remedies recommended been assessed and, if they have, what has been that assessment and when, if at all, will the remedies be implemented?

5. Has any consideration been given to either an additional lane or lanes between the Kester Road-Main North Road junction and the Little Para River crossing, or grade separation at any or all of the three intersections, and what have been the recommendations or priorities applied to each?

6. Has the Highways Department prepared a list of troublesome intersections (traffic-wise) and, if it has, what position do these three intersections occupy on such a list, and what are the 25 most serious intersections?

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

1. Yes.

2. Yes. It is intended to link the three sets of traffic signals, in order to co-ordinate their operation, in the current financial year.

3. Not applicable.

4. See 2.

5. Yes, but the provision of an additional lane or lanes, or grade separation, is not considered necessary at this time.

6. Improvements to intersections can be justified under various criteria, such as accident rates, capacity and traffic flows, pedestrian facilities, etc. No composite list of "troublesome intersections (traffic-wise)" has been compiled.

PAUPER BURIALS

Mr. BECKER (on notice):

1. What is the total number of pauper burials for each year for the past five years, and what has been the cost to the State in each year of these burials?

2. What is the average time taken with inquiries in contacting next of kin before and after a pauper burial?

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

1.

Year ended	No. of Burials	Cost to the State $
June 30, 1972	51	2 420
June 30, 1973	61	3 304
June 30, 1974	77	4 417
June 30, 1975	75	5 652
June 30, 1976	104	11 182

2. In about half the burials where the Coroner involved . . . . . 1 w
   In the remaining cases where the Coroner is involved 1½

CONSUMER COMMERCIALS

Mr. BECKER (on notice):

1. How many television commercials have been made for the Prices and Consumer Affairs Branch, and from what date and until when will the commercials be shown on each television station?

2. What is the total number of television commercials each station will show, and at what times?

3. What is the total cost of making each of the commercials and the total estimated amount to be expended on each television station during the promotion campaign?

4. Why did the Attorney-General appear in the commercials instead of an officer from the branch or a professional actor; was he paid and, if so, how much and, if not, why not?

5. Why was it necessary for such commercials to be made?

6. How many inquiries have been referred to the branch since the television campaign commercials began, and how does this compare with the same period over the past three years?

7. Has such a campaign been conducted or considered on radio stations and, if so, what is the estimated total cost of such a campaign?

8. If a radio campaign has not been considered, why not?

9. Has such a campaign been conducted or considered in the newspapers and, if so, what is the total estimated cost?

10. If a newspaper campaign has not been considered, why not?

The Hon. PETER DUNCAN: The replies are as follows:

1. The number is four. Three are being shown. The television campaign runs from October 18 to November 13.

2. ADS 7 41 x 30 secs. 13 peak evening; 28 between 12 and 4 p.m. NWS 9 41 x 30 secs. 13 peak evening; 28 between 12 and 4 p.m. SAS 10 41 x 30 secs. 13 peak evening; 28 between 12 and 4 p.m. GTS 4 21 x 30 secs. Between 6 p.m. and close of station. SES 8 21 x 30 secs. Between 6 p.m. and 10 p.m.

3. The total cost of producing the four commercials was $7 258 through the South Australian Film Corporation: ADS 7 $5 392; NWS 9 $5 524; SAS 10 $5 075; GTS 4 $1 365; SES 8 $882.

4. It was the recommendation of the advertising agency that the Minister should appear in order to lend full Governmental authority to the statements made. The Minister was not paid a fee as the campaign was regarded as an extension of his duties as Minister of Prices and Consumer Affairs in making official statements to the audience it was designed to reach.

5. Preliminary information from a national inquiry into poverty showed a great need for lower socio-economic groups to be informed of their rights as consumers and that they needed to be encouraged to insist on these rights. Research showed that many of these people mainly watched commercial television stations, listened to commercial radio stations and read sports pages and television programme pages in newspapers. The relative effectiveness of each medium was in that order and expenditure was designed on a pro rata basis.

6. Figures are compiled weekly and consequently are available only for the first two weeks of the campaign. They are as follows:

	1974	1975	1976
First week	1 208	1 072	1 402
Second week	1 193	1 032	1 743
	2 401	2 104	3 145

It will be noted that inquiries are steadily increasing and are not expected to reach a peak until at least the completion of the campaign.

7. Radio is included in the campaign. All commercial radio stations in the State are included. Total radio air time expenditure will be $8 138 plus $1 052 production for five announcements.

8. See 7 above.

9. Five 20 cm x 3-column advertisements will appear in the *Sunday Mail* and five in the *News*. The total cost will be $2 202 for the space plus an estimated $540 production for three different advertisements.

10. See 9 above.

PUBLIC BUILDINGS DEPARTMENT COMPUTER

Mr. BECKER (on notice): Does the Public Buildings Department have a computer, and, if so:

(*a*) what type, make, model, and year of manufacture is it;

(*b*) when was it purchased and what was the purchase price;

(*c*) what was the total cost of installation;

(*d*) is the computer for use by the Public Buildings Department, and is it being used solely by the department and, if not, why not;

(*e*) where is the computer situated;

(*f*) how many trained personnel are employed in using the computer and what are their categories of employment, qualifications and salaries;

(*g*) what is the average total number of hours the computer has been in operation since acquisition; and

(*h*) what benefit has it been to the department, and has it proved economical?

The Hon. J. D. CORCORAN: Yes.

(*a*) Mini-computer configuration: two Nova mini-computer processors, models 2/10 and 830, 1975 vintage, plus peripherals.

(*b*) and (*c*) Installation completed February 27, 1975—model 2/10: January 1, 1976—model 830. Price inclusive of installation to June, 1976—$154 000.

(*d*) Yes.

(*e*) Fifteenth floor, State Administration Centre Building, Victoria Square, Adelaide.

(*f*) There are four trained personnel employed in using the computer. Categories of employment are:

Computer Systems Officer, Grade III—(1) $14 507-$15 375

Computer Systems Officer, Grade II—(1) $13 176-$13 754

Computer Systems Officer, Grade I—(2) $9 883-$12 944

Qualifications—appropriate tertiary qualifications as required in accordance with the Public Service Act.

(*g*) 3 502 hours.

(*h*) It has been applied to the financial management of the department. It has proved economical.

GOVERNMENT HOUSE WALL

Mr. BECKER (on notice):

1. Has an investigation been made into the condition of the northern boundary wall of the grounds of Government House?

2. What is the condition of the wall?

3. Is it in poor condition and in danger of collapse?

4. Is it propped up to prevent collapse and, if so, what action is being taken to render the wall safe?

5. What is the estimated total cost of repairing the wall?

6. When will repairs be undertaken and, if not to be undertaken, why not?

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

1. Yes.
2. Good.
3. No.
4. No.
5. Vide 2.
6. Vide 2.

MONARTO

Mr. BECKER (on notice):

1. What plans have been incorporated in the design of Monarto to house handicapped persons?

2. What is the estimated cost of such housing?

3. If such plans have not been included, why not?

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

1. During 1975 and 1976 the Monarto Development Commission staff has consulted with the South Australian Committee of the Australian Council for Rehabilitation of the Disabled on the following issues related to the needs of handicapped persons:

The planning and layout of community centres; residential, commercial and industrial areas; and parks.

The provision of special housing in groups or dispersed throughout residential areas.

Public transport services.

The design of houses, offices, industrial buildings, parks and recreation facilities.

The South Australian committee has indicated its satisfaction with the commission's intentions regarding provision of facilities for the disabled.

2. No estimates of the costs of housing for the handicapped have been prepared.

3. *Vide* 1.

CROWN LAND

Dr. EASTICK (on notice):

1. Has Crown perpetual lease 4479 enjoyed an annual rental of 3s. (now 30c) since 1899?

2. Has a prospective purchaser been advised that the lease would attract an annual rental of $672 in the event of a change of ownership?

3. What would be the percentage increase of such a rise?

4. Have any larger increases than this been effected by the department in the past 12 months?

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

1. The rental for Crown perpetual lease 4479 fixed in 1899 is 30c a year.

2. The prospective purchaser has been advised that, in the board's opinion a fair current rental based on the purpose proposed for the new lease would be $672 a year.

3. The board agrees that the increase in rental is significant, but the real question is whether or not this rental is unrealistic in relation to the proposed change of purpose of this lease, the existing rental of which was fixed at 30c a year in 1899 on a rough grazing basis. The mathematical increase is 2 240 per cent.

4. In the board's opinion, percentage increases are misleading, but rental increases of this magnitude have been fixed where the purpose of the lease has been changed from that stated or implied in the original lease.

DRUGS

Mr. BECKER (on notice):

1. What were the total number of drug offences detected by the police in the financial year ended June 30, 1976, and what were:

(*a*) the total number and value of drugs involved in recorded categories; and

(*b*) the total number of arrests and convictions on drug charges?

2. How do these figures compare with each year for the past six years?

3. What action is the Government taking to curb these offences and, if no action is being taken, why not?

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

1. The total number of drug offences detected during the financial year ended June 30, 1976, was 1 013.

(*a*) Statistics on the value of drugs involved are not maintained.

(*b*) The total number of arrests during the above period was 658 persons involving 1 013 offences. Specific statistics regarding convictions as against offences charged are not maintained.

2. The arrests reports for the past six years are set out below for comparison:

Year	Offences	Offenders
1970-71	177	100
1971-72	343	199
1972-73	420	215
1973-74	546	269
1974-75	690	422
1975-76	1 013	658
Total	3 189	1 863

3. Police have a highly mobilised specially trained squad to deal with drug offences. This squad is in the charge of a detective inspector. It operates in close co-operation with interstate counterparts, and has a very close liaison with the Australian Narcotics Bureau. Two of the senior members are on the National Standing Committee of the Control of Drugs.

CRIME

Mr. BECKER (on notice):

1. What are the total and percentage increases in crime in South Australia for the year ended June 30, 1976, and what were the total and percentage increases in each of the following categories: common assault, robbery with violence, assault occasioning actual bodily harm, larceny from the person, assault and robbery, offences against property, vandalism, arson, and theft or illegal use of motor vehicles?

2. What was the value of vehicles involved in the theft or illegal use of motor vehicles?

3. What action is the Government taking or planning to take to curb the increase in crime in the specified categories?

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

1. A total of 74 846. On the basis of crimes being reported or becoming known to the police, there was a decrease of 3·77 per cent in crime in South Australia for the year ended June 30, 1976. Detailed statistics as requested are set out as follows:

Offences	1974-75	1975-76	Increase per cent	Decrease per cent
Assault, common	2 205	2 601	17·96	—
Robbery with violence (includes robbery under arms and robbery)	217	219	0·92	—
Assault occasioning actual bodily harm	188	226	20·21	—
Larceny from the person	92	66	—	28·26
Assault and robbery	62	50	—	19·35
Offences against property	60 136	57 443	—	4·48
Vandalism (with damage)	6 863	7 111	3·61	—
Arson	203	217	6·90	—
Number of vehicles reported stolen	4 679	4 846	3·57	—

2. A total of $5 890 757.

3. Police are doing all they can in the fight against crime. Within the Police Department a policy of decentralisation of criminal investigators has been followed in an effort to concentrate at the core of the problem.

CIVIL WEDDINGS

Mr. BECKER (on notice):

1. How many civil wedding ceremonies have been conducted at Edmund Wright House since the Registry Office has been located at that address?

2. How do these figures compare with a comparative period when this office was located at its previous address?

3. Have any surveys been conducted into the reason for the variation of the figures and, if so, what was the reason for the variation and, if a survey has not been made, why not?

The Hon. PETER DUNCAN: The replies are as follows:

1. A total of 7 078 civil marriage ceremonies have been conducted at Edmund Wright House during the period January 2, 1973 to November 6, 1976. An additional 1 082 civil marriage ceremonies have been conducted during the same period by officers from the Registry Office at locations other than the Registry Office.

2. A total of 4 687 civil marriage ceremonies were conducted at the Registry Office in Flinders Street in the four years from 1969 to 1972. An additional 193 civil marriage ceremonies have been conducted during the same period by officers from the Registry Office at locations other than the Registry Office.

3. No surveys have been conducted into the reason for the variation of the figures. There does not seem to have been a need for a survey into the reason for the variation of figures, as the figures have been consistent with an obvious trend in the number of civil marriage ceremonies both in South Australia and in other Australian States. The increased number of civil ceremonies has been caused in large measure by the extension of the hours during which marriage ceremonies are performed at the Registry Office, and the more attractive premises in which the ceremonies are conducted.

RELIGIOUS SECTS

Mr. BECKER (on notice):

1. Has the Government received any complaints regarding the activities, particularly in Rundle Mall, of the Hare Krishna sect and, if so:

(*a*) what complaints;

(*b*) what action has been taken to prevent a repetition of the activities that caused the complaints; and

(*c*) are the offences, if any, becoming more frequent?

2. Are any other religious or pseudo-religious groups active in Rundle Mall and, if so:

(*a*) who are they;

(*b*) when were their offences detected; and

(c) what action is being taken to prevent a repetition of these offences?

The Hon. PETER DUNCAN: The replies are as follows:

1. Yes.

(*a*) The Police Department received two complaints related to the soliciting of contributions.

(*b*) Two uniform police patrols are deployed in the Rundle Mall between 0700 hours and 2230 hours daily. In addition, plain clothes police visit the area during busy periods. All police have been instructed to observe the activities of the Hare Krishna and other pseudo-religious groups and take appropriate action when necessary.

(*c*) No.

2. Yes.

(*a*) The Children of God and Mormons.

(*b*) No offences have been detected.

(*c*) See 1 (*b*) above.

Mr. BECKER (on notice):

1. Has the Government investigated the activities of the Children of God religious sect during the past year and, if so, what were the findings and are any of their activities illegal?

2. If an investigation has been made, do its findings show whether:

(*a*) all members of the sect are of Australian origin and, if not, from which countries do they come; and

(*b*) are they visiting Australia on tourist, visitor visas or work permits?

3. Is the Children of God organisation a registered body, and has the public been warned of their activities and, if not, why not?

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

1. Yes, by the Police Department. It has been determined that the group consists of evangelists who are reliant on gifts of money, food, and the like. Their time is spent in handing pamphlets in the streets of Adelaide to, and collecting donations from, passers-by. Members are expected to give all of their material possessions to the sect. These activities are not illegal.

2. (*a*) Not known.

(*b*) Not known.

3. The Children of God organisation is not registered in South Australia. There has been no police action to warn the public of their activities, as it is not considered that there is sufficient reason at this stage.

MORALITY OFFENCES

Mr. BECKER (on notice):

1. How many offences against morality, and in what categories, were reported during the year ended June 30, 1976?

2. What action is the Government taking or intending to take to curb these offences and, in particular, the activities of massage parlours?

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

1. 1 124.

Offences Against Morality—30/6/76	
Assault, indecent (on female)	128
Brothel, offences relating to	21
Carnally knowing	134
Exhibit indecent matter	12
Gross indecency	15
Incest	6
Indecent interference (on female)	83
Lewdness and indecent behaviour	528
Live on earnings of prostitution	18
Loiter or solicit for purpose of prostitution	6
Rape and attempted	131
Unnatural offences	42

2. All serious offences are investigated by experienced criminal investigators. Massage parlours are constantly under surveillance by members of the Vice Squad.

PRAWNS

Mr. BLACKER (on notice):

1: How many Ministerial permits have been issued for prawn research?

2. When were those permits issued, and in what areas do they operate?

3. What have been the results of this research work?

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

1. Eight permits have been issued.

2. August, 1974—one; September, 1975—four; November, 1975—one; December, 1975—one; February, 1976—one. Five of these were issued for Investigator Strait (part of zone E), two for zones A and B, and one for zone C.

3. Preliminary results indicate that there are no major nursery areas in or adjacent to Investigator Strait and that area seems to be "fed" by prawns migrating south from St. Vincent Gulf in April/May each year. Major catches taken in June, 1976, may not be repeated in future years; large annual fluctuations in stock are characteristic of prawn fisheries.

ALLENDALE EAST SCHOOL

Mr. VANDEPEER (on notice):

1. Were Public Building Department plans prepared in 1974 for the upgrading and development of the school bus bay, the northern side of the grounds, and the tennis court area at Allendale East Area School?

2. Was the plan number 4704/WB/74?

3. Was $14 958 allocated to this project under the 1975 R.E.D. scheme and, if so, why was the project not commenced?

4. Will this project now be given priority for commencement in 1976-77?

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

1. Yes.

2. I believe this to be correct.

3. No.

4. No. It is the opinion of the Regional Director of Education that there is a need to improve the bus bay area and the tennis court area, but at present the need is desirable rather than urgent. With the present limitations on available finance that can be used for minor works, the inclusion of this project in the minor works programme could only be done to the prejudice of schools that have very real and more urgent needs for upgrading.

Mr. VANDEPEER (on notice):

1. When did Allendale East Area School Council first approach the Minister for a change room complex at the school?

2. Was this project approved for funding under the 1975 R.E.D. scheme and, if so, why was the project not commenced?

3. Were plans prepared for the Public Buildings Department in early 1976 by Taylor and Navakos Proprietary Limited and, if so, what was the cost of these plans?

4. Is funding to be made available in 1976-77 for construction of this complex and, if so, what is the source?

5. What is the expected date of commencement of erection of the change rooms?

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

1. Mid-1974.

2. No.

3. Yes, the cost of the plans was $3 600 and the cost of the project about $67 000.

4. This work has been included in the 1976-77 minor works programme. Funds have been allocated by the Regional Director of Education, South-Eastern region for this purpose.

5. Documentation is completed. Tenders will be called before the end of 1976, and construction will begin as soon as possible.

PUBLIC HOLIDAYS

Mr. BECKER (on notice):

1. Has the Government received applications from associations for additional public holidays this Christmas and, if so:

(*a*) from whom;

(*b*) when;

(*c*) what additional days are sought or change suggested; and

(*d*) what was, or is to be, the Government's reply to these applications?

2. What are the public holidays this Christmas and New Year?

3. Will retail stores be permitted to trade after 5.30 p.m. on Christmas Eve and, if so, to what time and, if not, why not?

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

1. Applications from the Retail Traders' Association dated August 20, 1976, the Corporation of the City of Mount Gambier dated April 27, 1976, and the Australian Bank Officials' Association dated October 27, 1976, have

been received seeking the transfer of the public holiday from Proclamation Day, December 28, to Boxing Day, December 26. The organisations have been advised that it is not the Government's policy to alter the present arrangements.

2. The public holidays in the Christmas and New Year period are Christmas Day, Monday December 27; Proclamation Day, Tuesday December 28; and New Year's Day, Monday January 3, 1977.

3. Yes, in all country shopping districts except Blyth, Morgan, Murray Bridge and Tailem Bend retail stores will be permitted to trade until 9 p.m. on Christmas Eve. Retail stores in the metropolitan shopping district, the Blyth, Morgan, Murray Bridge, and Tailem Bend shopping districts will be permitted to trade until 9 p.m. on Thursday December 23: this was the date on which organisations representing shopkeepers in those districts requested permission to open.

PORT MacDONNELL LAND

Mr. VANDEPEER (on notice):

1. How many blocks of residential land does the Education Department own at Port MacDonnell, and are these blocks in a prime residential area?

2. Will the Minister consider providing at Port MacDonnell two houses for teachers with families and a block of four units suitable for single teacher accommodation?

3. Can the Minister provide information about how many staff members of the Allendale East Area School now reside in Mount Gambier and how many reside in Port MacDonnell?

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

1. No land is owned at Port MacDonnell by the Education Department or the Teacher Housing Authority.

2. The possibility of providing two houses and four blocks of flats at Port MacDonnell has not been considered. The Teacher Housing Authority now provides three houses for teacher rental at Port MacDonnell. The Allendale East Area School, with six departmental houses, is well off for teacher housing when compared with other schools in the State. Another point that must be considered is that teachers at Allendale often prefer for social reasons to live in Mount Gambier.

3. Seven of the staff members of Allendale East Area School now live in Mount Gambier, and six live in Port MacDonnell.

SCHOOL LIBRARIES

Mr. BECKER (on notice):

1. Are accurate records kept of the book stocks of all primary and secondary schools and, if so, are these records collated by the Schools Libraries Branch?

2. What is the average book stock per head of student population in primary and secondary schools, respectively?

3. How many books were lost, stolen or withdrawn during each of the last five calendar years, and what was the estimated replacement value of those books?

4. What action is being taken in schools to minimise losses and damage to library books?

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

1. Accurate records are kept of book stocks in all primary and secondary schools. Statistics are forwarded to and collated by the School Libraries Branch annually.

2. The average book stock a head of student population is 10 (primary schools) and 13 (secondary schools).

3. It is not known how many books have been withdrawn, lost, or stolen in each of the past five calendar years since the statistics show net increases only, and are not broken into decreases and additions.

4. Teacher librarians are aware of the need to supervise students to minimise loss or damage to book stock. Generally, libraries are open only when a staff member is present, and most libraries are planned to allow staff members an uninterrupted view as far as possible. The co-operation of classroom teachers is sought to ensure the return of books, and loan systems are implemented and carefully controlled. It has not been the policy to introduce such strict circulation controls and checks as occur in some other types of libraries, since this would seem to conflict with the objective of attracting students to the library and encouraging them to borrow the books. It should be noted that the cost of implementing such circulation controls may well out-weigh the replacement cost of book stock which is lost.

RACING INDUSTRY

Dr EASTICK (on notice):

1. Who are the officers of departments under the control of the Minister of Tourism, Recreation and Sport who have responsibility for matters relating to the racing industry, what are their titles, and what is the approximate percentage of their time spent on racing industry matters?

2. What is a reasonable estimate of the expenditure of these departments directly related to the racing industry for the year 1975-76, and what is the estimated expenditure for 1976-77?

The Hon. D. W. SIMMONS: The replies are as follows:

1. The following officers of my department have responsibility for matters relating to the racing industry:

Name	Title	Time spent on racing industry matters per cent
W. F. Isbell	Director	10
K. H. Matthes	Totalizator Clerk	100
T. Arbon	Assistant Totalizator Clerk	100
P. McNamara	Totalizator Supervisor	100
R. Bailey	Totalizator Supervisor	100
P. McKenzie	Totalizator Supervisor	100
M. Nelligan	Totalizator Supervisor	100

2. Estimates of departmental expenditure directly related to the racing industry:

	$
1975-76	57 000
1976-77	68 000

PROPERTY VALUATIONS

Dr. EASTICK (on notice): Of the 121 owners whose properties are valued on an unimproved value basis at more than $500 001 but not exceeding $1 000 000, as set out in the answer to Question on Notice No. 2 of November 2, 1976, what number are:

(*a*) industrial organisations with their main place of business within the Adelaide Metropolitan area;

(*b*) trading business organisations with their main place of business in the Adelaide city area;

and

(*c*) property developers?

The Hon. D. A. DUNSTAN: Owners whose properties are valued on an unimproved value basis in excess of $500 000 but not exceeding $1 000 000:

(*a*) Thirty-one industrial organisations have their main place of business within the Adelaide metropolitan area.

(*b*) Twenty-seven trading business organisations have their main place of business in the Adelaide city area.

(*c*) There are nine property developers in this category.

Dr. EASTICK (on notice): Of the 91 owners whose properties are valued on an unimproved value basis at more than $1 000 000, as set out in the answer to Question on Notice No. 2 of November 2, 1976, what number are:

(*a*) industrial organisations with their main place of business in the Adelaide metropolitan area;

(*b*) trading business organisations with their main place of business in the Adelaide city area; and

(*c*) property developers?

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

(*a*) Twenty-seven industrial organisations have their main place of business within the Adelaide metropolitan area.

(*b*) Thirty-two trading business organisations have their main place of business in the Adelaide city area.

(*c*) There are 21 property developers in this category.

URANIUM

Mr. MILLHOUSE (on notice): Does the Government propose that Parliament have the opportunity to debate during the present session the issues concerning uranium canvassed in the Ranger Uranium Environment Inquiry first report and, if so, when, and, if not, why not?

The Hon. D. A. DUNSTAN: I expect time to be given for debate during the continuance of the session next year.

NUMBER PLATES

Mr. MILLHOUSE (on notice): Is it proposed to introduce, by law, reflectorised number plates for motor vehicles and, if so, when, and, if not, why not?

The Hon. G. T. VIRGO: No. The compulsory use of reflectorised number plates was subject to an in-depth investigation, which recommended against the proposition.

MINISTERIAL STAFF

Mr. MILLHOUSE (on notice):

1. How many Ministerial employees are there, and who are they?

2. In what departments are they employed, and what is the salary of each?

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

1. There are 36 Ministerial employees.

2. Minister	Name	Department	Salary $	
Premier	R. Dempsey	Premier's	24 156	
	S. Wright	Premier's	16 511	+ 25 per cent
	J. Templeton	Premier's	16 511	+ 10 per cent
	A. Koh	Premier's	16 511	+ 10 per cent
	C. Keys (Steno-Sec.)	Premier's	7 997	
	B. Sumner (Steno-Sec.)	Premier's	7 610	
	K. Stegmar (Steno-Sec.)	Premier's	9 737	
	K. Crease	Premier's	16 511	+ 25 per cent
	D. Baker (Steno-Sec.)	Premier's	7 803	
	J. Colussi	Premier's	14 392	(as at commencement of employment)
	F. Hansford	Premier's	10 899	
	E. Koussidis	Premier's	11 430	+ 10 per cent
	D. Bail	Premier's	10 272	(as at commencement of employment)
Works	J. L. Clarke	Works	11 601	
	T. E. M. Loftus	Works	16 756	+ 10 per cent
Mines and Energy	J. H. Mant	Mines and Energy	21 338	
	J. Stubbs	Mines and Energy	16 511	
	N. Gilding	Mines and Energy	11 430	
Health	J. R. Black	Hospitals	12 753	
	C. J. Bell	Hospitals	16 511	+ 10 per cent
Transport	R. Stiggants	Transport	16 150	+ 10 per cent
	A. W. Taylor	Transport	12 753	
	J. M. Campbell	Transport	12 091	
Lands	P. Gurry	Lands	16 511	+ 10 per cent
Education	M. Zaknich	Education	16 511	+ 10 per cent
	A. Roman	Education	11 759	
Agriculture	L. Arnold	Agriculture	14 038	+ 10 per cent
	J. Lamb	Agriculture	16 511	+ 25 per cent
Labour and Industry	R. A. Sullivan	Labour and Industry	16 511	+ 10 per cent
	A. Cunningham	Labour and Industry	16 511	+ 10 per cent
Community Welfare	R. Clarke	Community Welfare	16 511	+ 10 per cent
	R. Banks	Community Welfare	12 753	
Attorney-General	P. O'Brien	Legal Services	14 247	
	C. Treloar	Legal Services	16 756	
	J. Richards	Legal Services	11 534	
Environment	B. W. Muirden	Environment	16 511	+ 10 per cent

Some Ministerial appointments are of public servants on secondment.

MASSAGE PARLOURS

Mr. MILLHOUSE (on notice):

1. Will the Government suggest to the newspapers the *Advertiser* and the *News*, that advertisements for massage parlours be not published and, if so, when will this suggestion be made?

2. If it is not to be made, is any suggestion to be made to these newspapers concerning massage parlour advertisements, when will it be made, and what will it be?

The Hon. D. A. DUNSTAN: I wrote to the managements of the *News* and the *Advertiser* on the day that this House debated the matter of an inquiry into massage parlours. My suggestion that daily papers should be warned of the possibility of prosecutions being instituted for aiding or abetting the commission of an offence if a massage parlour operator were convicted of brothel-keeping was incorporated in the letter. I suggested they might wish to review their policies in the circumstances. The letters were delivered early on Friday November 4, 1976.

Mr. MILLHOUSE (on notice):

1. Did the Government have drafted a Bill known as the Massage Establishments Bill, and, if so:—

(*a*) when; and

(*b*) what are the provisions of such Bill?

2. Has it been decided not to introduce this Bill into Parliament and, if so, why, and when was this decision made?

3. Was such decision made against the advice of the Commissioner of Police and what advice, if any, did the Commissioner give on this matter?

The Hon. D. A. DUNSTAN: The Government in 1972 prepared a draft Bill to control the conduct and operation of massage establishments. It did not pass Cabinet, because of its unsatisfactory definition provisions and its ineffectiveness. I have since discussed the matter of massage parlours on a number of occasions with the Commissioner of Police and the Chief Administrative Officer of my department, and licensing proposals have been canvassed. At no stage have discussions proceeded beyond the enforcement, advantages and disadvantages of possible legislation to eliminate prostitution from massage parlours or their successors. Government members would not be prepared to take up the suggestion, made in this House, that licensed brothels should be established. Prostitution and brothel-keeping have existed in society for thousands of years but that is not a reason to give official approval by issuing licences for the profession. Perhaps the next thing the member for Mitcham would want would be television ads and a five-star rating system similar to hotels.

PISTOL LICENCES

Mr. MILLHOUSE (on notice):

1. What matters does the Commissioner of Police take into account in deciding whether or not to issue a licence pursuant to section 5 of the Pistol Licence Act?

2. Is one of the matters the amount of cash which the proprietor of a business has, as a rule, to carry to or from his bank, and, if so, what is that amount and how has such amount been fixed?

The Hon. D. W. SIMMONS: The replies are as follows:

1. The Commissioner of Police must take into account the criteria detailed in section 5 (2) of the Pistol Licence Act, namely "that the applicant is a person who has a good reason for requiring the licence applied for and can be permitted to have in his possession, use, and carry a pistol without any danger to the public safety or the peace".

2. The amount of cash which the proprietor of a business carries to and from his bank is only one of the factors considered in any application for a pistol licence. A fixed amount of cash is not a requirement.

PARA HILLS TRAFFIC LIGHTS

Mr. MILLHOUSE (on notice): Has a decision now been made to install lights at the junction of Bridge Road and Kesters Road, Para Hills, and, if so:

(*a*) when;

(*b*) for what reasons; and

(*c*) when will the lights be installed?

The Hon. G. T. VIRGO: The matter is still under consideration.

KALI

Mr. MILLHOUSE (on notice):

1. How many boys are now living at Kali, at Westbourne Park?

2. How many staff are employed there?

3. Is it proposed that Kali be closed, and, if so:—

(*a*) why;

(*b*) when; and

(*c*) where will the boys now living there go?

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

1. The number is five.

2. There are four full time, two part time and one casual.

3. This is under consideration:

(*a*) Because of the small number of boys accommodated and the home's unsuitable location for most Aboriginal boys.

(*b*) Not known.

(*c*) To vacancies in other departmental homes, in country and metropolitan locations, if Kali is closed.

ABALONE PERMITS

Mr. MILLHOUSE (on notice):

1. How many applications have been received for the eight additional abalone permits, and how is it proposed to decide the successful applicants?

2. When will the decision be made and announced, respectively?

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

1. There were 37 applicants for permits in zones A, B, and C (western waters). Following the decision to reduce the number of permits in those zones from eight to four, assessment of all applicants was based on a points score for the following criteria: diving experience, experience as an abalone sheller, other commercial fishing experience, residence in the zone and in South Australia, and age.

Preference was also given to applicants who were existing divers willing to transfer from other zones and one such applicant will be granted a permit on that basis. Of the remaining permits available, two will be awarded on the basis of the applicants' points score while the fourth will be determined by ballot between four applicants whose points fall within a pre-determined range.

2. During the week commencing November 8.

COUNTRY-KILLED MEAT

Mr. MILLHOUSE (on notice): Is it proposed to alter the arrangements for the selling of country-killed meat in the metropolitan area, and, if so:—

(*a*) what alterations are proposed;

(*b*) when; and

(*c*) why?

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

(*a*) No change in the present system of permits for the importation of country-killed meat into the metropolitan abattoirs area is contemplated for the immediate future.

(*b*) and (*c*) vide (*a*) above.

FLOOD CONTROL DAMS

Mr. WOTTON (on notice): Are negotiations in progress between the Campbelltown council and the Government in regard to the establishment of flood control dams to be placed at the head of Fourth Creek in the Morialta Reserve, and, if so:—

(*a*) at what stage are these negotiations; and

(*b*) when is it expected that a decision will be made?

The Hon. J. D. CORCORAN: No.

WARRANTS

Mr. BECKER (on notice):

1. What is the total number of warrants issued out of the local courts and courts of summary jurisdiction which are outstanding and, of these warrants, what is:

(*a*) the total amount involved; and

(*b*) the longest outstanding warrant and amount, respectively?

2. What action is being taken to clear up the backlog of these warrants?

3. How many of these warrants remain unserved?

The Hon. PETER DUNCAN: The replies are as follows:

1. 2. and 3. It is expected that it would require the services of three public servants for about two weeks and two police officers for about six or seven weeks to obtain the required information, and in these circumstances it is not intended to reply to this question.

ONKAPARINGA RIVER

Mr. WOTTON (on notice): Are investigations being made to devise a means of discharging water from the Murray Bridge-Onkaparinga pipeline into the River Onkaparinga near Hahndorf, which will not produce disturbing effects to inconvenience nearby residents, and, if so:

(*a*) who is carrying out this investigation; and

(*b*) when is it expected that results will be known and acted upon?

The Hon. J. D. CORCORAN: Yes.

(*a*) The Design Branch of the Engineering and Water Supply Department.

(*b*) Design and cost estimates are expected to be completed within the next few weeks. Subject to funds being available, construction would depend on closing down the Murray Bridge-Onkaparinga pipeline for a number of months. The present pumping programme is expected to preclude this until after June, 1977.

MEDIBANK

In reply to Mr. MATHWIN (October 13).

The Hon. D. A. DUNSTAN: Payments made to former public servants from the State Superannuation Fund are prepared by computer. When the present system was designed, the Superannuation Fund Board was of the opinion that the cost of incorporating provision for various deductions from pension cheques was not justified. The only deduction being made from pensions under the present system is income tax which, of course, incorporates the basic Medibank levy. Although the board is unable to make deductions from pension cheques in respect of private health insurance, it will give full consideration to this matter when a new pension system is designed. It is expected that this will be necessary within the next two years.

INDUCTION MOTOR

In reply to Mr. GOLDSWORTHY (September 9).

The Hon. G. T. VIRGO: In this year's budget for transport research and development, the major areas where funds have been allocated area: North East Area Public Transport Review, bus operations study, Adelaide regional transit study, postgraduate scholarships and fellowships, electronic destination signs for buses, and transport innovations.

In the classification of transport innovations, studies have been made and a watch maintained in several interesting areas including: personal rapid transit (PRT) systems, light rapid transit (LRT), electric and steam vehicles, para transit, including dial-a-bus, magnetic levitation (Maglev), and linear induction motors (LIM).

As the honourable member has pointed out, three years ago I said that funds had been allocated for LIM research. In fact, no money has been spent on actual research, but a continuous overview has been maintained of overseas developments in this field, and the application of LIM's in the transport system of South Australia has been examined by my department.

BUILDERS LICENSING

In reply to Mr. VANDEPEER (October 14).

The Hon. PETER DUNCAN: Licence holders who do not renew their licences by the due date (at present every April 30) and who wish to continue in the trade, must submit a completely new application (including references on the prescribed forms). If the applicant has previously been interviewed for that type of licence, he would be automatically granted a new licence, unless there was a history of poor workmanship and/or complaints. In such cases, a second interview would be held to reassess the applicant's suitability for the licence. Renewal forms are forwarded to licence holders in early January, with instructions that they should be returned by February 15, and no later than April 3. If a licence holder simply returned the form duly completed, as soon as he received it, the need to reapply and possibly attend an interview would not arise. Annual renewal of licences provides the board with the opportunity to assess the licence holder's performance over the previous 12 months.

In reply to Mr. EVANS (October 5).

The Hon. PETER DUNCAN: Applicants for licences are not given a formal test, either written or oral; in fact,

no examination is held. An applicant who is required to attend an interview with one of the board's inspectors discusses his experience and qualifications with the inspector who assesses his (the applicant's) technical ability and qualifications to hold the licence. In the course of the interview the applicant is asked technical questions relating to his trade. Any language difficulties may be overcome by drawing parts of construction relevant to the discussion and the applicant is asked if he understands the purpose of the drawn construction. The emphasis is on the functional aspect rather than the verbal aspect. Should it be known beforehand that the applicant has difficulty communicating in English, arrangements are made for an interpreter from the Government Interpreter Service to attend the interview. Applicants can, alternatively, arrange for their own interpreter to attend. On many occasions, work claimed to have been carried out by an applicant is inspected by the interviewing inspector, to assist in obtaining a true picture for the board of the applicant's suitability to hold a licence. It is pointed out that appropriate qualifications gained either interstate or overseas are taken into consideration by the board.

In reply to Mr. EVANS (October 5).

The Hon. PETER DUNCAN: The Builders Licensing Board's statistics do not differentiate between complaints in the differing classes of building. However, the large majority of complaints received relate to domestic buildings. With regard to section 15 of the Builders Licensing Act, 1967-1974, I refer the honourable member to an extract from a recent judgment of the Builders Appellate and Disciplinary Tribunal which clearly sets out its view:

We do not think that it is necessary for an appellant to show that he has any extensive knowledge of matters which might come within the particular field of a specialist builder. What we do think that an appellant must show is that he is sufficiently knowledgeable by virtue of his practical experience, to be able to organise, supervise and control the ordinary or run-of-the-mill work undertaken by general builders.

MINISTERIAL STATEMENT: URANIUM PLANT

The Hon. HUGH HUDSON (Minister of Mines and Energy): I seek leave to make a statement.

Leave granted.

The Hon. HUGH HUDSON: I refer to the matters that have occupied the media of this State and of Australia over the past 24 hours concerning the problem at Port Pirie, and I will explain, first, how the problem has arisen. The uranium treatment plant at Port Pirie was originally established, I think from memory, in 1953 and operated until 1961, and tailings dams for the containment of waste products from that treatment plant were established at that time. Subsequently, in 1968 a firm called Rare Earth Corporation established itself in the old uranium treatment plant, at Port Pirie, to provide for the production of certain rare earths, so called. The potential radiation hazard that has arisen comes from the residues from the corporation's operation which have contaminated the tailings dams, which were originally prepared for the Radium Hill project. The contamination arises from the corporation's treatment of monozite concentrates, which end up producing a residue of thorium, which is a radio-active substance and which, together with other waste products from the operation, found its way into the tailings dams.

I think I should explain to the House how this information came to the Government. The Spencer Gulf Water Pollution Co-ordinating Committee, established under the Minister of Works, earlier this year was concerned about the possible contamination of the gulf from the original tailings dams and stated that it would like some kind of investigation into what was happening to ascertain whether there was any leakage from these dams into the gulf. It was as a result of that that certain work was carried out by Amdel (Australian Mineral Development Laboratories) to investigate that situation. Incidental to that investigation, Amdel discovered that there were higher than safe radio-active readings at, I think, three points in the total area. The bulk of the readings is quite safe, but at three points in the total area there were readings of some eight to 10 millirems an hour (we have discarded rontgens for some reason). The World Health Organisation's standard is that one should not absorb more than 10 millirems in any one hour in any one week, or more than 500 millirems in any one year.

I should add immediately, in confirming the statement made today by the Minister of Health, that the likelihood of anyone in Port Pirie being affected by this is extremely low. The areas in which some children played apparently have been areas of very low concentration of radio-activity, and children playing there would need to have exceeded more than 1 000 hours in a year to exceed the prescribed limit. The Minister of Health (Mr. Banfield) said that there was one small spot that showed the highest activity and it was a most unlikely place for children to play in. They would have to play on the actual piles of rubbish, showing the maximum level, for a considerable time before the recommended exposure limit was exceeded. These standards are set by the National Health and Medical Research Council, and probably involve a factor of safety of about 10, so that the likelihood of anyone in Port Pirie having been affected adversely by this situation is extremely low, indeed.

Mr. Millhouse: Do you know that that is the safety factor?

The SPEAKER: Order! The honourable member will have the chance to ask questions later.

The Hon. HUGH HUDSON: The normal position with respect to safety standards that are set either by the World Health Organisation or by the National Health and Medical Research Council is to apply a safety factor of that amount. I confirm what the Minister of Health has said today, and deplore statements that could cause panic in the Port Pirie area, and I should think that the member for Mitcham would want to do likewise. It would be very wrong indeed if, as a result of statements made, people in Port Pirie had firmly fixed in their minds the notion that at some time in the next five or 20 years they would be likely to get leukemia or cancer as a consequence of playing in that area.

Mr. Millhouse: Have you checked that safety factor?

The Hon. HUGH HUDSON: No, I have not, although I am willing to do so; but will the member for Mitcham—

Mr. Jennings: Shut up!

The Hon. HUGH HUDSON:—care to check his position and clear himself conscientiously of being party to a situation in which people are unnecessarily concerned at the prospect of some specific hazard that they might or might not have experienced?

Mr. Millhouse: I haven't said anything about this at all.

The Hon. HUGH HUDSON: I understand the honourable member's position as leader of a rump Party that is desperately striving to maintain its existence, and I, like other members, am concerned that the member for Mitcham may seek to act irresponsibly in this matter.

Mr. Millhouse: Let's wait and see what I do.

The Hon. HUGH HUDSON: We shall, but let us be clear: we will be watching the honourable member's degree of responsibility in this connection.

Mr. Millhouse: I'm flattered.

The Hon. HUGH HUDSON: The contamination of the Radium Hill tailings and the general dump areas require, in the opinion of the Public Health Department and the Mines Department, corrective action being taken in three specific locations, only small amounts of material being involved in each case. The Government, through the Mines Department, owns the Radium Hill tailings, and accordingly an order will be issued on the Mines Department by the Pubilc Health Department requiring the Mines Department to collect and reposition the problem material into a suitable disposable position where other rarer residues already exist and to cover the residues to reduce the radiation hazard to acceptable levels. Hopefully the coverage material will be slag from the operations of Broken Hill Associated Smelters Proprietary Limited.

This work by the Mines Department (and I have ordered that it should be carried out immediately) will be carried out under the supervision of the Public Health Department and will be commenced as soon as possible, certainly no later than Thursday, and it is expected to take several days. The Atomic Energy Commission has already agreed to assist in a consultative capacity to advise on the steps being taken and on the long-term treatment and protection of the area. If the sale of the property goes ahead, notice will be given of the order already issued by the Public Health Department, and that further orders are likely to be issued to ensure effective long-term remedial measures. I add in this connection that at no stage have any of the tailings from the area been permitted to be moved or used for any other purpose.

That is the immediate action that the Government intends to take. In addition, the area where the hot spots are relocated and covered will be fenced. We do not preclude further action, and I have asked officers of the Public Health Department, the Mines Department and the Crown Law Office to consider action by the Government to acquire compulsorily the area of the tailings dams. I have also instructed officers of the Mines Department and the Public Health Department to proceed with the proposed action without further consideration of the legalities of the matter.

Mr. Millhouse: What do you mean by that?

The Hon. HUGH HUDSON: What I mean by that is that there may be some worries whether legally (according to the two-handed advice of the member for Mitcham's friends) we are entitled to proceed in the way we are proposing to proceed. I am saying that we are going to proceed anyway, do the job and undertake the corrective action whether it turns out later that the orders of the Public Health Department, in the circumstances, may or may not have been fully legal, but the action is going to be undertaken.

Mr. Millhouse: I have never heard a Government say that sort of thing before.

The Hon. HUGH HUDSON: Would the honourable member suggest that we go to the Privy Council on appeal in order to determine whether or not we can take action on the matter? I suggest that whatever else happens to the honourable member he should stop acting *la bocca grande.*

Mr. CHAPMAN: Mr. Speaker, I rise on a point of order. Standing Orders provide for the Minister to answer a question asked in this House. I suggest, with respect, that the Minister has completed his answer and that he is answering a series of questions.

The SPEAKER: Order! The Minister is not answering a question. Unfortunately, there are unnecessary interjectons. All honourable members will have an opportunity to ask questions later.

The Hon. HUGH HUDSON: What I was saying was that the Government will take action on this matter immediately. It believes that what it intends to do is legal and can be done, but it does not intend to investigate that question further. It intends to do the job and to render the area safe as soon as possible. Further action relating to possible acquisition of the area will be considered. I repeat that the request made to the agents yesterday about this property was that the proposed sale on November 16 should be deferred until the matter has been fully dealt with.

Mr. Coumbe: You're talking about the Lindner property?

The Hon. HUGH HUDSON: Yes. I should like members to direct their attention to the statement issued this morning by the Minister of Health about this hazard. I add that I have asked the Acting Director-General of Public Health about the report that appeared in today's *Australian* that a Port Pirie boy had had his foot burnt as a consequence of playing in this area. The report I have received indicates that that burning could not have been the consequence of contact with radio-activity. Apparently there is acid in one or two places in the tailings dams.

The SPEAKER: Order! The honourable Minister's time has expired and he must ask leave to continue.

The Hon. HUGH HUDSON: I seek leave to continue my statement.

Leave granted.

The Hon. HUGH HUDSON: I confess that I am not an expert on health matters and that I can only rely on the information that is given to me which is, in this instance, that the difficulty that has arisen could have arisen only as a result of contact with acid and not with a radio-active substance. That is why that accident occurred and is also why other people have reported burnt tyres or the deterioration of shoe soles as a result of playing in this area. I emphasise that what Dr. Caldicott said on the radio programme *A.M.* this morning, that the problem areas are associated with rare earth tailings, is quite wrong. Dr. Caldicott said this morning that it had to be the tailings from uranium treatment, but that is not so. A waste product that arises from the operations of the Rare Earth Corporation (an operation that was set up when the member for Mitcham was Attorney-General) is thorium, which as a by-product is a radio-active substance. I want to assure the people of Port Pirie in particular and more so the people of South Australia that immediate action will be taken to render the area completely safe. I emphasise what the Minister of Health has said that the actual danger that anyone might have suffered contamination in this area is very low indeed.

QUESTIONS RESUMED

URANIUM

Dr. TONKIN: Can the Minister of Mines and Energy say whether the Mines Department has been monitoring the level of radiation at the Rare Earth Corporation's former uranium tailings processing site? If it has not,

why not? If it has, why has the Government not acted on the reports which must have been received? Are there other sites that should be monitored regularly? During the past 24 hours reports of radio-activity have caused grave concern throughout South Australia and extreme alarm in Port Pirie. In view of general concern about uranium processing, most people would have taken the regular monitoring of wastes, such as those at Port Pirie, as a matter of course. Whatever the outcome in the present situation, action must be taken to ensure that such a situation can never arise again.

The Hon. HUGH HUDSON: Tailings from the old uranium treatment operation have been monitored, but I understand those from the rare earth operation have not been monitored. Certainly, in view of the present situation, which arose accidentally, in a sense, when the readings were taken at the request of the Spencer Gulf committee that was investigating another matter, we will keep the matter under review. I will request the department to review other areas in the State where this hazard might be experienced. In this connection, I repeat the danger there is in our type of society that the problem, because of its newsworthiness, gets exaggerated. I was speaking to the town clerk of Port Pirie this morning and he said that everyone was in Port Pirie, national television reporters, radio reporters, *This Day Tonight* interviewers, the works. Anyone prepared to make a dramatic statement will get footage. The general operation of the media today will not tend to be, I suspect, in the direction of moderation in relation to this matter. The media will wish to emphasise the dramatic, the potentially dangerous and hazardous, and may directly be associated with encouraging a panic or near panic situation in Port Pirie. I appeal to the media to make sure they have the facts, and in that connection I commend the local reporters for the attitude they have shown so far to the situation. I cannot speak in the same way of some of the reporters that have been busy from interstate.

Mr. GOLDSWORTHY: In the light of the recently released Fox report on uranium and the present radiation scare in Port Pirie, does the Attorney-General support the establishment of a uranium enrichment plant in South Australia, or does he still hold the same hard-line opposition to all mining and handling of uranium, as expressed in his telegram to the Australian Railways Union earlier this year? The Attorney's personal opposition to the development of uranium is well known. In fact, earlier this year when railway workers went on strike over the uranium issue, the Attorney-General sent telegrams to Federal and State officers of the A.R.U., in the following terms:

Congratulations on your absolute stand against the mining and handling of uranium. I have contacted the A.C.T.U. to urge them to adopt a similar unbending position.

The general public is divided on this issue, and that split is mirrored within the State Labor Cabinet, the leading protagonists being the Attorney-General, on the one side, and the Premier, on the other. The possible establishment of an enrichment plant, with or without safeguards, threatens to split open the entire Labor movement in South Australia.

The Hon. PETER DUNCAN: I am sorry that I cannot give any support to the preposterous suggestion by the Deputy Leader of the Opposition that this Cabinet is in any way going to split wide open on this issue. My views on the matter are well known to the community at large. The Premier has already announced that, in due course, after sufficient time for consideration of the matters contained in the Fox report, public debate on the matter will be encouraged. The honourable member has heard that statement by the Premier. Whilst my personal views on the matter might be known publicly (and I do not resile from them), the decision made by the Government will be the decision I will be standing by at that time. Until that decision is made (and it is not likely to be made in the immediate future), the Labor Party's policy is quite clear: the Labor Party is not in favour of the development of uranium resources until an independent report has recommended such development. Until sufficient study has been given to the Fox report to determine whether it has given the go-ahead in these terms, the Labor Party will be holding its fire on the matter.

Mr. RUSSACK: Can the Minister of Mines and Energy say what additional facilities, if any, are considered necessary at the Port Pirie Hospital to help local medical practitioners deal with people who may have reason to seek medical advice, as suggested by the Minister? A report in today's *News* suggests that people who believe that they may possibly have been at risk by association with rare earth tailings at Port Pirie should seek medical advice, and, undoubtedly, many people will act on the Minister's suggestion. There is, understandably, considerable concern in the community, and delays in obtaining skilled advice may cause unnecessary alarm.

The Hon. HUGH HUDSON: The honourable member's question immediately raises to mind the statement by the Director of the Port Pirie Hospital that was broadcast over the Australian Broadcasting Commission's mid-day news saying that he really did not think there was any problem. Let me correct the honourable member: I said that people should seek advice only if there had been contact with the tailings dams site for an extended time. I point out that I made clear that I referred to an extended period of time, according to the advice I had received that there was a potential danger.

Mr. Dean Brown: What does "extended" mean?

The Hon. HUGH HUDSON: Extended over some hours and over some weeks, but someone who had just passed through the area on the way to the beach, or something of that nature, would in normal circumstances not have experienced any difficulty or likelihood of difficulty. As I am not a medical expert, I am unable to say how much assistance the medical advice would be to a concerned individual. However, I know that, if someone is worried about a possible health hazard and sees a doctor and asks him about it, the doctor is usually able to put the matter in proportion for the individual in an accepted way. If some parents were to go to see the member for Gouger about their children and say, "They have been in contact with someone who has had polio," and the honourable member said, "Don't worry, I think the risk that anything will happen is low"—

Mr. Russack: I'd send them to a skilled person.

The Hon. HUGH HUDSON: Of course. That is exactly the position. I am unable to give any advice on a medical matter. The Public Health Department says that the risk is low, but, if someone is worried and concerned, he should seek advice. No doubt, if the hospital there requires additional help it will ask for it, and it would be dealt with in the normal manner. If the position taken by the Public Health Department is correct (and I believe it to be correct) and the hazard is low indeed, there is no cause for panic. The process of going to see a doctor is really a way of ensuring that advice goes to individual people

in a manner that is more likely to be accepted than if the honourable member or I gave advice to the person concerned.

Mr. Russack: In other words, you are satisfied?

The Hon. HUGH HUDSON: I am satisfied that, if people who are worried about the matter seek a medical opinion and the opinion they seek results in further requests coming to the Government, those requests will be properly considered and that the matter will be dealt with in an appropriate and competent manner.

Mr. GUNN: Will the Minister say whether the Government will immediately establish advisory services in Port Pirie with officers of the Public Health Department and other experts in nuclear medicine in order to clarify the present situation in that city in reply to the many inquiries from the public that have resulted from media reports concerning the Rare Earth Corporation's work at Port Pirie?

The Hon. HUGH HUDSON: I do not know what is an expert in nuclear medicine or where we would find one. However, through my colleague I will ask the Public Health Department to keep in contact with the medical authorities in Port Pirie to ensure that the situation there with the local medical profession is kept under proper review and that if, in the opinion of the local medical profession, including those employed at the hospital, there is a need for additional assistance, urgent attention will be given to any request. Again, I point out that I am not an expert—

Mr. Coumbe: That surprises me!

The Hon. HUGH HUDSON: It would surprise the honourable member even less if I said that the member for Eyre was not an expert, either.

The Hon. G. T. Virgo: That's the first smile we have seen on the face of the member for Rocky River since the Speaker made his announcement.

The Hon. HUGH HUDSON: I do not think that the member for Rocky River will be calling "Order!" very much more in order to assist you, Mr. Speaker, to control the House. I assure the member for Eyre that the matter will be kept under review. The situation will be attended to in the sense that any competent advice required will be made available and, if doctors in Port Pirie indicate that further assistance may be necessary, their views will be given great weight.

YOUTH PROJECT CENTRE

Mr. OLSON: Has the Minister of Community Welfare a recent report on the work of the Youth Project Centre at Magill? Last Thursday, when the Premier brought the Leader of the Opposition up to date on policies for the treatment of juveniles he pointed out that weekend detention for certain offenders has been provided since 1972, but he did not elaborate on the position. Can the Minister say how the centre functions and what success has been achieved?

The Hon. R. G. PAYNE: After the matter was raised recently I thought it advisable to get accurate and detailed information for the House; I thank the honourable member for the opportunity to make it known. As stated by the Premier we have had weekend detention programmes for juvenile offenders at the Youth Project Centre, Magill, for some time. These programmes have operated in such a way that they are showing useful results. Youths attend the centre three nights a week and also on Saturdays. Youths who normally might be placed in a residential care situation or in a residential training centre are being treated, and their programmes are being taken care of by training at night and also on Saturdays for a full-day programme. Their involvement is both educational and recreational. It is followed at many sessions by group therapy. The idea is that youths attending the centre on three nights a week and on Saturdays are able to undergo training programmes with the minimum of interruption to their employment or schooling, and also to their family life.

The aim of the programme is to change the attitude or behaviour of the youth so that he will be less likely to reoffend and more likely to achieve a satisfactory life as an individual. The centre also performs a useful function in providing practical training for students of social work and psychology. A comprehensive research programme has been carried out on all the youths who have passed through the centre, and the results are being collated. A brief survey indicates that about 80 per cent of the youths were not sent subsequently to residential training centres. That figure is remarkable. I point out that 70 youths were referred to the centre during 1975-76. It would seem that the Premier was correct in his surmise that its policies were hastily conjured up by the Opposition. Many of them were already part and parcel of the present policy of the Government. The Premier's surmise is also partly confirmed by the fact that only two weeks before the announcement of these policies a telephone call was received in the Community Welfare Department on behalf of the Leader of the Opposition, requesting information whether or not the department operated weekend detention programmes.

EDUCATION EXPENDITURE

Mr. KENEALLY: Will the Minister of Education say what will be the effect on the Government's education programme of the Federal Cabinet's acceptance last week of the report of the Education Commission? Senator Carrick, the Federal Minister for Education, has announced a 3.5 per cent increase in education funding. Does this represent any real benefit to education?

The Hon. D. J. HOPGOOD: The Federal Cabinet last week had to make a decision on the acceptance or otherwise of the commission's reports, which have been before it for some time. Cabinet made that decision, and it was headlined, as the honourable member has correctly reported, as a 3·5 per cent increase in finance in real terms for education. From the way it was written up I was rather bemused and puzzled by the whole business. I could not work out from the statements in the papers whether or not this meant money in addition to the money about which we already knew. I have had an opportunity to examine the position. I have before me the statement Senator Carrick gave to Parliament last week, and it appears that what we have had served up to us through the press is a statement being made for the third time. Last week, the Commonwealth did not appropriate any additional money over and above what we had been told about; in fact, the good Senator said as much in his statement to Parliament. He states:

Earlier in this session I tabled in the Senate the 1977-79 reports of the Universities Commission, the Commission on Advanced Education, the Technical and Further Education Commission and the Schools Commission. The reports were prepared by the commissions in response to the Government's guidelines which I announced in the Senate on May 20.

It is completely unremarkable that the Cabinet has accepted reports of commissions when those reports were prepared within the guidelines that that same Cabinet had laid down. The Senator has had three bites of the cherry. The first announcement referred to the amount of money which would be available to the commissions and within which limits they would have to prepare their reports. The second announcement was with the tabling of those reports, when it was predictable that the quantitative aspects of the reports would be accepted by the Cabinet. Naturally, there would be some cosmetic nibbling at the edges and some minor qualitative changes, but it appeared unthinkable that there would be major departures from the contents of the reports when the Commonwealth Government had laid down the rules. Thirdly, we have had this further statement. The most important thing which arises out of this is the problem of cost supplementation, something we, as a Government, will be looking at most closely. I shall briefly quote Senator Carrick again, as follows:

Before going on to deal with each sector, I wish to emphasise that the Government has no intention of retreating from its undertaking to support real growth in the education programmes on which the commissions make recommendations. Consistent with that resolve, the Government will continue to supplement programmes to meet unavoidable cost increases on the basis of appropriate indexes already approved for that purpose. The changes in procedures for 1977 will not detract from the present capacity of authorities and institutions to get full value from the Commonwealth's financial support.

He then goes on to say:

It is, nevertheless, the responsibility and aim of the Government to reduce inflation and restore confidence in the economy.

I shall not comment further on that, but then he proceeds as follows:

For this reason, we will be urging the States, relevant education authorities, and institutions to use every endeavour to identify savings and to practise good housekeeping without detriment to the effective implementation of the programmes. In this way the Government considers that it should be possible to ensure that cost increases are contained and reduced by offsetting savings. I will be asking the commissions to convey to authorities and institutions further details of the procedures agreed to by the Government. Briefly these are that adjustments for agreed cost increases will be made each quarter following certification from each commission of the supplementation required to maintain real levels of the expenditure approved for the 1977 programme. Account will be taken of offsetting savings, including any from favourable building tenders. The movements in costs will be measured against indexes for wages and salaries determinations and other recurrent costs and for building costs. Through this process, Ministerial approval will be given to supplementary grants to meet unavoidable cost increases.

I can predict that there will be some interesting questions from the Ministers of Education in the Liberal and Country Party governed States, in Hobart in February, when this whole matter is debated, because I know of the opposition those Governments take to this type of intrusion by Commonwealth authorities into the way in which the States handle their money. I conclude on one further point. Again, we have received from Senator Carrick the litany we have heard before and which goes as follows:

Mr. Venning: Rubbish!

The Hon. D. J. HOPGOOD: I wonder what the honourable member is driving at, because I have yet to make my point. He seems to be able to anticipate that it will be rubbish, regardless of what I might say. I quote from his Federal colleague, as follows:

The guidelines provided by the Government enabled the commission to recommend programmes for 1977—

and he details the costs—

an increase of $47 000 000 in real terms over 1976.

There we have it again—what was intended to be a standstill year and merely a temporary lull in the ongoing programmes of these commissions which were, after all, brought down by a Government which had a loaded gun at its head that was eventually detonated, and they are now regarded as the norm, the base, from which all the programmes will be measured. I believe that the Commonwealth Government need go back to the previous year to get something more realistic about what the education community is really expecting.

MONARTO

Mr. WHITTEN: Can the Minister for Planning say what effect the anouncement by the Federal Minister for Environment, Housing and Community Development (Mr. Newman) will have on the future of Monarto? Last Saturday's *Advertiser* carries a report saying that no more funds would be made available for Monarto but that $6 000 000 would be made available for Albury-Wodonga, $3 000 000 for Orange-Bathurst and $3 000 000 for Macarthur. Another report that caused me concern was of a statement attributed to the Leader of the Opposition, who said that he was not a bit surprised by the announcement. It seems that he may have had some advance knowledge, so I should be grateful for any information the Minister can provide.

The Hon. HUGH HUDSON: In answer to the honourable member, I will read the letter that was telexed to the Premier from the Prime Minister, and I ask honourable members to pay careful attention to this matter. The letter states:

My dear Premier,

As you are aware, the Commonwealth Government has been undertaking a comprehensive review of the means by which it can best support decentralisation throughout Australia. My purpose in writing is to advise you of the present state of that review. Decisions have been taken in the areas relating to existing programmes and consideration continues to be given to other aspects of decentralisation policy. With respect to selective decentralisation the Commonwealth has decided that primary emphasis should be placed on the development of Albury-Wodonga as a "Pilot Project", with demonstration significance at the national level. At this stage the Commonwealth is also prepared to give lesser support to the growth centres at which significant development programmes are under way. We have decided, however, that no funds should be provided under the growth centres programme for Monarto in 1976-77. The question of the Commonwealth's future attitude to Monarto will be the subject of further review. As I noted earlier, my Government is continuing to review other aspects of its possible role in decentralisation and its relationship in such matters to the role of other spheres of Government.

I find that letter a little confusing, to say the least. Certainly, we expected that there would be no money for Monarto: we knew there would be none for this financial year. We knew that the recommendation that had gone to Federal Cabinet was that there be no money for Monarto for five years. Then we receive this letter from the Prime Minister that may be interpreted that we can hope that there may be some Federal funding after this financial year. I am not sure what the Federal Government is up to. I have tried to arrange to see the Federal Minister next Friday but, unfortunately, I cannot get to Canberra in time on Friday morning to see him, and he will not be available to see me after 10 a.m. I hope I may be able to speak to him on the telephone and discuss this matter in order to try to get further clarification, because my guess on the matter is that the Federal Government is really saying,

"There is no money for Monarto," period. The Prime Minister's telex to the Premier suggests that the matter is still under review but that there is no money for this year. As a State, we cannot commence the Monarto project without some indication of the support we may or may not get from the Federal Government for at least the first five-year period. We have a right to know the answer to that question before we commit ourselves to any decision. If there were no money available for the following five years, and if the Commonwealth stated that, I would have no alternative but to recommend to Cabinet that certain action be taken. Unfortunately, even though the Federal Government has had our recent submission in relation to Monarto for 12 months, we have not yet received a proper answer.

Mr. Millhouse: What action do you intend to recommend?

The Hon. HUGH HUDSON: That will be revealed to the honourable member in due course. No doubt, occupying the position he does, he may be the last to find out. I am not able to make a final recommendation to Cabinet on this matter until we receive more clarification in relation to the telex we have received from the Federal Government.

Mr. Dean Brown: You have promised numerous times to do so.

The Hon. HUGH HUDSON: To do what?

Mr. Dean Brown: To make an announcement.

The Hon. HUGH HUDSON: Mr. Speaker, I apologise for the member for Davenport, because he obviously did not listen to my reading the telex.

Mr. Dean Brown: I heard every word.

The Hon. HUGH HUDSON: No doubt if the honourable member had written that telex it would have stated:

My dear Premier, there will be no money for Monarto whilst I have anything to do with the Federal Government. Yours sincerely.

We would then know where we stood.

The Hon. D. J. Hopgood: Would he use "sincerely"?

The Hon. HUGH HUDSON: No, he would have signed it "Yours hypocritically". However, that is not what Mr. Fraser said: he said the Commonwealth was treating Albury-Wodonga as a pilot project and that money would be provided for projects now under way, but that there would be no money for Monarto for 1976-1977, and that the question of the Commonwealth's future attitude to Monarto will be the subject of further review. I suggest that what the Commonwealth Government is doing in this matter (if my information about the recommendation it received from its officers is correct) is leading us up the garden path, and I intend to seek information from the Federal Minister (Mr. Newman) on what the score is on this matter. Is the Commonwealth Government giving us an implied "No"; is it encouraging us and saying, "Stay in there with it, because you may have a chance next year."? What are we getting from the Commonwealth? Is it the big A or is it not the big A? That is what we would like to know, and I will ask Mr. Newman to clarify the situation.

CEREAL CROPS

Mr. LANGLEY: I am sure that my question will be helpful to Opposition members. Will the Minister of Works obtain from the Minister of Agriculture an up-to-date report on present indications of cereal crop yields in this State for this season and details of the outlook for stock in this State for the future? During the past few weeks there have been very advantageous rains in country districts and, in asking this question, one is reminded of the increased prices for these products that may soon prevail if stock is retained unnecessarily after these helpful rains. I wonder whether the season may turn out to be quite a good one.

The Hon. J. D. CORCORAN: I shall be pleased to direct this question to my colleague, because I appreciate the honourable member's interest in this matter, especially concerning the last aspect of his question. Apart from that, the member for Eyre would know that the member for Unley takes an avid interest in the problems of primary producers, even those on the West Coast, and often visits that area. Also, I understand he has visited the South-East, which, although not a large cereal-growing area, is a wealthy primary-producing area, and he is constantly in touch with the primary-producing community of this State. I know that they appeciate the interest that the member for Unley takes in them. I shall be pleased, indeed, to ascertain whether any reliable estimates are available and, if they are, to let the honourable member have them soon.

LOCUSTS

The SPEAKER: The honourable member for Rocky River.

Mr. VENNING: Yes, Mr. Speaker, and for many years to come.

Members interjecting:

The SPEAKER: Order!

Mr. VENNING: Can the Minister of Works, representing the Minister of Agriculture, say what action the Government is taking to eradicate the grasshopper problem now causing great concern in the Wilmington area and adjacent areas? The landholders in the area have had meetings, and they believe that they are fighting a losing battle against the hoppers. They realise that, if the problem is not eradicated in that area, the hoppers will spread over the southern part of our State. They are also concerned about the high cost involved for the spray that is being distributed in the Wilmington council area, to the degree that the council wants to know whether the Government intends to pay for the spray, whether it will consider the grasshopper problem a national disaster, and whether it will come to the council's aid in financing the cost of spray? Will the Government, as a result of reports from its officers, consider supplying aircraft to the area, particularly to the foothills, where locusts are breeding and then coming out on to the areas that have been sprayed? What is the Government's attitude towards this problem?

The Hon. J. D. CORCORAN: The Government is most concerned about this matter and, whilst it is the responsibility of the Minister of Agriculture, he provided me with an up-to-date report just prior to the House meeting.

Mr. Millhouse: It's a Dorothy Dixer.

The Hon. J. D. CORCORAN: The honourable member could think it was a Dorothy Dixer, but it is not. The point the honourable member has raised in relation to the cost of spray and the other points he has raised are covered in this report, which I will read to the honourable member so that there is no misunderstanding about the Government's intention in this matter and about the part it is playing in trying to control this pest. The report states:

The situation in the Wilmington area is that there are three ultra-low volume units (D.A. & F.) and 12 farmer units operating.

The latter are spray units. The report continues:

There is good co-operation from farmers, councils, etc. Up until this a.m.—

that is, today—

4 000 acres had been sprayed and the total of 8 000 acres of infested area should be completed by Thursday. The department's officers say that there is at present no need for an aircraft to be called into this area. If aircraft were used, this would mean "blanket spraying" and up to 80 per cent of the insecticide would be wasted, as the spray has little residual value. The Wilmington hatchings are expected to reach the flying stage in a week or so, and department officers expect swarms to fly south within the next two weeks. Departmental officers are going to Carrieton, Orroroo, Quorn and Hawker to investigate reports of serious damage on some properties in these areas. They will report back tonight. There are also reports from Wudinna that require attention. The department will seek approval for aircraft if flying swarms develop.

Cabinet told the Minister of Agriculture yesterday that, if he required aircraft, he need not come back to Cabinet for approval, but he was to approve it immediately the requirement was there. The report continues:

Approval has been given by the Minister (Cabinet approval Monday, November 8, 1976) for insecticide to be supplied free to district councils for distribution to landholders who are affected by plague locusts. This approval will be made retrospective for insecticide already supplied. This will mean that the Agriculture and Fisheries Department will forgo repayments from councils of about $10 000.

I think the honourable member can see from that that the Government is treating the outbreak seriously and that everything possible is being done and will continue to be done in future.

TROUBRIDGE

Mr. CHAPMAN: Can the Minister of Transport say whether the present *Troubridge* time table will be adjusted to enable Sunday night sailings from Kangaroo Island during the forthcoming stock turn-off period, and can he also say where the proposed *Troubridge* replacement will berth on the mainland? If not, when will the decision be made, and what factors are being considered that may influence the ultimate decision? The Minister will be aware of previous representations made to his department regarding Sunday sailings to cope with the heavy livestock turnoff from the island and the desire of stockowners to enjoy the benefit of having their stock arrive at the Gepps Cross abattoir immediately prior to Monday market. The Minister will recall his visit to Penneshaw on October 15. I was present at that meeting with a number of other local people and we, collectively, gathered from the Minister a fairly clear message regarding the terminal ports involved in the future transport link. His officers (Mr. Wildy from the Highways Department and Mr. Keal from the Transport Department) fairly clearly, I believe, also reflected the Minister's statements while attending a full Transport Committee meeting at Kingscote on October 26, 1976.

The Minister having made that statement three weeks ago and that statement having been endorsed by his officers a week or so later, it concerns me that there is some feeling on this matter, and verification of whether or not a decision has been made is extremely important. Some residents of Kangaroo Island have expressed a keen desire to have a short link service between Kangaroo Island and the mainland in the replacement venture. They are firmly of the opinion that the short link will provide the flexibility necessary for an adequate service. As I believe that the time is right to have this position clarified so that we may all know where we stand on this matter, I would appreciate early clarification from the Minister.

The Hon. G. T. VIRGO: I hope I can deal with all the points the honourable member raised. First, I remember very clearly (with a great deal of delight) the meeting I had at Kangaroo Island in mid-October. It was a delightful occasion and I met some very nice people and, hopefully, imparted to them some information about the then position regarding the replacement of the *Troubridge*. Since then, as the honourable member has said, there has been a further meeting with officers of my department and the Kangaroo Island Transport Committee (I think that is its name). The investigations are continuing. No final determination has yet been made regarding the mainland port. I suppose it is fair to say that no final determination has been made regarding the island port, either, except to say that the investigations to date make clear that Kingscote is the only practical port of operation from the island's point of view. We are currently looking at the advantages and disadvantages of a berth at Myponga Beach to see whether that is practicable, but in taking that into consideration there are other factors such as the travel time, cost of road works necessary and difficulties that may be encountered as a result of moving the point of embarkation on the mainland from Port Adelaide to Second Valley, taking into account the servicing requirements, crew requirements and, last but far from least, the managing agent's indications that the present principal carriers would find it impracticable to operate from other than the Port Adelaide region. When I refer to the Port Adelaide region I am referring not only to Port Adelaide because, if a decision is made in favour of the Port Adelaide region, it would be reasonable to assume that the decision would relate to Outer Harbor for a number of reasons, not the least of which is that that would cut an hour off the trip both ways. However, a decision has not yet been made. Other factors have intruded into the question, and I am pleased that they have because they will have a distinct bearing on the final decisions to be made. One of those factors relates to an inquiry instigated by the Premier regarding the abattoir. If the abattoir eventuates there will be a vast difference in the capacity needed to carry carcasses, as against live animals. I do not expect that a decision will be made before December 31. If a decision can be made by that date everyone will be pleased; however, it is more realistic to assume that a decision will be made early in 1977. Regarding the sailings of the *Troubridge*, representations have been made for some time by Kangaroo Island farmers who claim that the present *Troubridge* sailings do not provide them the maximum advantage—

Mr. Chapman: Through their local member in many instances.

The Hon. G. T. VIRGO: Of course. I hope I am not taking anything away from the honourable member, because he has almost pestered me about this issue. Representations have been made continually on this matter, and what we have done really is to take up the challenge of those people who have claimed persistently that they are disadvantaged. Therefore, as from November 28, an additional sailing will be included in the schedule that will leave Adelaide at 11.30 a.m. on Sunday and will arrive back in Adelaide at 5.30 a.m. on Monday in time to take up the present schedule, with the *Troubridge* leaving the port at 11.30 a.m. on Monday for its thrice-weekly trip. The additional sailing has been included in response to a request and on a trial basis. We will view the six-month trial with much interest to determine at the end of the trial whether it has been successful.

Mr. Chapman: It's also a tremendous opportunity for tourists on the downward run.

The Hon. G. T. VIRGO: Yes, but the honourable member would know from his investigations that the *Troubridge* is not a viable operation. In any case it is certainly not viable from the tourist angle: it is only freight that justifies its existence.

HOPE VALLEY WATER TREATMENT

Mrs. BYRNE: Can the Minister of Works obtain a progress report for me about whether work at the Hope Valley water treatment plant, as programmed for commissioning in 1977, is continuing according to the expected time table?

The Hon. J. D. CORCORAN: I shall be pleased to do that for the honourable member. I believe that work on the plant is on schedule and that it will open as planned. However, I will get an updated report from the department for the honourable member and let her have it as soon as possible.

At 3.14 *p.m., the bells having been rung*:

The SPEAKER: Call on the business of the day.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to amend the Local Government Act, 1934-1976. Read a first time.

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

That this Bill be now read a second time.

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

Leave granted.

EXPLANATION OF BILL

The purpose of this Bill is to expand provisions of the Local Government Act in order to enable councils to enter into joint schemes for the construction of community facilities within their areas. Recently some councils have sought to join with the Government in the construction of projects that would be of mutual benefit to the Government and to the people of a particular council area. For example, Enfield council has sought to participate in the construction of a swimming pool within the grounds of the Angle Park High School; however, this project does not fall within the strict provisions of the Act, because the Act contemplates only projects that the council will itself carry out. The present Bill therefore proposes an amendment to section 435 enabling a council to submit a scheme to the Minister proposing contribution by the council towards the cost of a specified work or undertaking that will benefit the area of the council. Clause 1 is formal. Clause 2 amends section 435 of the principal Act. As I said above, the amendment provides that a scheme submitted under section 435 may provide for contribution by the council towards the cost of a specified work or undertaking, whether or not the work or undertaking is to be executed upon land under the care, control and management of the council.

Mr. RUSSACK secured the adjournment of the debate.

PRICES ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, lines 13 to 15 (clause 2)—Leave out all words in these lines.

No. 2. Page 2 (clause 5)—After line 35 insert new subsection (5) as follows:

"(5) In determining the terms and conditions referred to in paragraph (*b*) of subsection (4) of this section the Minister shall not differentiate as between purchasers."

The Hon. PETER DUNCAN (Minister of Prices and Consumer Affairs): I move:

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

I do not have any strong disagreement with amendment No. 2. Regarding amendment No. 1, I agree to it only with the greatest reluctance, because members in another place knew full well that the Government was over a barrel on this matter and could do nothing but accept the amendment. The Prices Act is extended each year by this Parliament to take force and effect in the ensuing year. The Government, which is committed to consumer protection, cannot afford to see the Bill defeated, because most of the powers of the Commissioner for Consumer Affairs would be lost if it were defeated. It is therefore with the greatest reluctance that I am forced to agree to amendment No. 1 of the Legislative Council.

I wish to consider for a moment what the original intention of the Bill was before it was amended by the Legislative Council. The Bill was to extend the definition in the Prices Act to ensure that the Commissioner could investigate and, where appropriate and necessary, pursuant to the provisions of section 18a (2), represent tenant consumers in court proceedings, to defend them in appropriate cases against actions by landlords or, alternatively, to take action on behalf of a tenant consumer against a landlord. The situation now is that there is grave doubt about the Commissioner's powers whether he can represent tenants in these proceedings or even investigate their complaints. What has effectively been done by this amendment, which we are being forced to accept—

Mr. Millhouse: Why are we being forced to accept it?

The Hon. PETER DUNCAN: Because we cannot lose the Prices Act, and the honourable member knows that. The Government is being forced to accept the amendment: it has no alternative. We are being forced to accept the amendment because the honourable gentlemen in another place have no concern whatever for consumers, and saw an opportunity in this Bill to ensure that consumers would be denied the protection to which they are rightly entitled. The other aspect was an intention to extend the definition of "services" in the Act to cover situations where people who have had dealings with insurance companies under insurance contracts are seeking the assistance of the Commissioner for Consumer Affairs. At present, there are grave doubts about his powers to investigate this type of complaint. Therefore, the Government, acting responsibly in this matter, sought to obtain from this Parliament power to enable the Commissioner for Consumer Affairs to investigate consumer complaints about insurance companies and insurance contracts. Again, the Legislative Council has seen fit to deny the consumers of this State that protection.

All I can say is that the people of this State will judge the actions of the Legislative Council in this matter in due season, because there is no doubt that the people of this State are entitled to be protected from the type of business

activities that often come to the notice of the Commissioner for Consumer Affairs, and they should morally and legally be given the right to the protection he can provide. These amendments were not introduced as a result of any specific arm of Government policy. This was not a matter, as honourable members opposite would like to think, cooked up in the Trades Hall or in Labor Party branches and brought to this Parliament. Nothing could be further from the truth. This matter came to this Parliament as a result of a minute sent to me by the Commissioner for Consumer Affairs (Mr. Baker) on September 16, 1976, in which he said:

The definition of "services" in section 3 of the Act should be amended to include within its scope rights accruing to a tenant or licensee of residential premises. The result of this amendment would be that tenants and licensees of residential premises would fall within the definition of "consumer" so that I would be enabled to take legal action on their behalf in appropriate cases pursuant to section 18 (*a*) (2) of the Act.

More and more it is coming to the notice of the Commissioner that tenants in this State are suffering to a greater and greater extent at the hands of unscrupulous landlords. Members on both sides well know that they have had occasion in this place in the interests of tenants to raise the question of the landlord and tenant relationship, because it is almost invariably the landlord who is in the position of strength and has the consumer over a barrel. Members opposite have raised these matters, and questions have been asked of me as Minister about them. I know that members have had many complaints, and that is where this matter arose. In the same minute the Commissioner wrote to me about insurance contracts and complaints about insurance companies in the following words:

The definition of "service" should be amended to include a provision for insurance for all classes . . . In practice I find that my officers are being approached with an increasing number of complaints relating to all aspects of insurance, including pre-contractual negotiations, the terms of the contracts themselves and the disposition of claims under insurance contracts. The proliferation of credit provision appears to have entailed a corresponding increase in goods insurance, life and sickness and unemployment insurance.

That is the history of this amending Bill. The Commissioner sought a most reasonable and responsible amendment to provide proper protection for the consumers of this State. In a typically irresponsible fashion the Upper House has thrown out this amendment. Should I say, to put it more accurately, the Liberal Opposition majority in the Upper House has thrown it out? The Government has its hands tied. We have no alternative, unfortunately, but to accept this amendment, for to do anything else would lead to a situation where the Prices Act would be put at risk. We would be placing at risk the whole of our prices and consumer affairs protection administration in this State. To do that would be folly, and as the responsible Minister concerned I cannot let that situation develop any further. Regretfully, we must agree to these amendments, but we do so only with the greatest reluctance.

Dr. TONKIN (Leader of the Opposition): I have never in my days in this House heard such a collection of arrogance, immaturity and sheer piffle.

The CHAIRMAN: Order! I do not see in this Bill anything about what the Leader has just said. I hope he will keep to the motion before the Chair.

Dr. TONKIN: Indeed, I will. The Minister has stood in this House and said, "With great reluctance, the Government is forced to accept these amendments brought down from another place." We are not forced to accept them if we do not wish to. We can go to a conference if the Attorney-General wants to. That is entirely his prerogative.

Mr. Goldsworthy: He can back down then.

The CHAIRMAN: Order!

Mr. Goldsworthy: You don't have to lose—

The CHAIRMAN: Order! I warn the Deputy Leader of the Opposition.

Dr. TONKIN: That is the first mistake the Minister has made. He implied that this was a matter of some surprise to him. I refer him back to the evening when this matter was debated in this House. I told him then that the definition of "service", including rights and privileges of any kind, was far too wide and sweeping an amendment to put into this legislation. It is absurd. I will recall for honourable members the procedure adopted at that time. The usual Bill was brought into this House and amendments were placed on file at the last minute. We were in the invidious position of not being able to debate the amendments, simply because they were brought in late. When we looked at the amendments carefully, there was no doubt that the definition of "service" went far wider than the matters touched upon by the Minister. He tried to defend the case at the time, but not successfully. I am not surplised that action has been taken in another place, and I cannot believe that the Minister can be surprised. Of course, that is the proper action and the proper function of that Chamber. He accuses members in the other place of having no concern for the people of this State. He says that we will deny protection to the people of this State on matters of rents, leases and insurance matters.

The Hon. Peter Duncan: That is what you are doing.

Dr. TONKIN: That is a lot of rubbish. The Minister is taking a sledgehammer to crack a walnut. If, for instance, someone is thought to be likely to travel on a bus without paying, the Attorney-General would ban bus travel for everyone. I can think of so many ridiculous examples that can be extrapolated from what the Attorney-General has said that it is not true.

Far more insidious in my view is that the Minister desperately wants to proceed, although he has agreed not to, with an amendment that defines "services" as rights and privileges of any kind. He wants to open up every aspect of an individual's private life, no matter whether it be in a club or a church or, I suspect, even at home, to the interference that can come from Government departments. By pressing this amendment, he is opening this entire legislation to Government bureaucracy. This is the closest thing I have seen yet to the situation in *1984*. It is a most significant amendment, and I believe members in another place have done exactly the right thing in bringing in the amendment as it is. I strongly support it. I resent bitterly the imputation made by the Minister, and I resent bitterly that he has tried to intrude his Government into matters relating to the private lives of individuals. We will not stand for it.

Mr. MILLHOUSE: I was out of the Chamber on an important matter when the Minister moved the motion to accept the amendments, and I did not hear the first part of what he said. I came in whilst he was talking, and I must say that on this occasion I agree with some of the things the Leader of the Opposition has said. It seemed to me, from what the Minister was saying, as though we should not accept these amendments. He says that we have to accept them to save the Bill. Of course, that argument could be used with every amendment which comes down here from the Legislative Council: we run the risk of losing the Bill. That is the only argument

which, it seems to me, he has used to try to persuade the Committee to accept these amendments. He then set out to criticise the amendments themselves, and I think I am right in saying that he criticised the motives of members of the Liberal Party in another place.

I would be about the last one to defend their motives, but I must confess that, on what he has said, it seems to me that we should not accept these amendments. They may be good ones in themselves, but I have learned over a long time in this place that one champions one's own House and, as the Leader of the Opposition has said, we can go to a conference, if necessary, and if it is necessary to compromise or give in we can do it then. Everything the Minister said in speaking to this motion led me to believe that at this stage we should not accept these amendments, certainly not without some sort of a tussle. That decides me in the way I propose to vote on this matter.

The CHAIRMAN: The question is that the amendments be agreed to. Those in favour say "Aye", against say "No". I think the Ayes have it.

Mr. Millhouse: Divide!

The Committee divided on the motion:

The CHAIRMAN: There being only one member on the side of the Noes, the question is resolved in the affirmative.

Motion thus carried.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL (No. 2)

Adjourned debate on second reading.

(Continued from November 3. Page 1902.)

Mr. McRAE (Playford): I had originally intended to speak at large on the issue of workmen's compensation but, following the procedure adopted by the member for Davenport, I have decided to make some remarks of general consequence and, on the whole, to treat this as a Committee Bill because, on reflection, I think he was right in so doing. I shall make some general observations and then turn to some of the remarks on the clauses made by that member, and proceed in that fashion.

The Bill is a highly technical one, and the technicalities in it tend to obscure some of the major issues underlying the whole public debate. In a sense, that is most unfortunate. For a long time now we have heard comments made in public which could be summarised, perhaps, as follows: first, it is said that the cost of workmen's compensation in South Australia is disproportionately high; then it is said that this factor has placed South Australia in a disadvantageous competitive position as against the other States of the Commonwealth; it is also said that many workers (if one can believe it, as many as 75 per cent) are malingering whilst on workmen's compensation; finally, and as a result of these observations, it is said that the benefits granted by this Parliament should be reduced.

It is necessary to put these statements under the cold light of reason and, in order to do so, the history of the legislation must be recalled. This legislation was both social and remedial, in that it sought to overcome the evils of the old system. For those who do not remember the old system, let me recall that people on workmen's compensation were put in the invidious position, through no fault of their own, of having to struggle along on an income as low as one-third of what their actual award rate would have been if they had been at work. The 1971 Act, which was the major redrafting legislation before the Parliament in the past 10 years, provided a whole new structure of workmen's compensation. Unfortunately, as the Minister of Labour and Industry observed in his second reading explanation, many of the provisions of that Act have not been availed of by employers.

The 1971 Act, I suppose, set a standard by providing that the weekly payments would be 85 per cent of what the average weekly earnings would have been if the workman had been at work. This was a substantial increase on previous payments but, for the reasons I have given, it was a most necessary one. The sorrow and suffering placed on the shoulders of innocent people demanded that that improvement take place. In addition to this remedy, other remedies were proposed to prevent the abuses of insurance companies, particularly those relating to deliberate delays and trials by exhaustion and bankruptcy. Anyone who knew the old system would know only too well what a dreadful affair it was to try to get a person a court declaration of entitlement against the bargaining power, the money power, of the insurance companies. Anyone who knew that old system would also know of the evils it created. When I say "trial by exhaustion and bankruptcy", I mean just that: how long could a man survive before being forced, out of sheer necessity, to succumb to the pressure and settle for a sum nowhere near the sum he should have received?

Following the 1971 Act, which is the major structural piece of legislation we are considering, this Parliament, in 1973, after a conference between both Houses, provided that weekly payments would be increased from 85 per cent of average weekly earnings to average weekly earnings. It was recognised generally at that time that this further step was necessary to bring payments into line with social justice and social reality. That being the case, it can surely be seen that, if the cost is high, it has been made high with the knowledge and consent of Parliament (and that means both Houses, not just the House of Assembly).

It has been said that the cost is disproportionately high. That statement is meaningless, unless we ask the question: disproportionate to what? To the loss suffered by the worker? Is that the question? Disproportionate to the costs in other States? Is that the question? Is it argued that it is disproportionate to the loss suffered by the worker? If that is the case, the proposition is ridiculous. There is no basis for saying that a man who has suffered injury at work should lose because of that injury, and there is no basis for saying that his family should suffer as well. I could agree that a man on compensation should not be paid higher than any sum he had earned if at work, but the argument I have heard tends to suggest that we should cut out important items of pay such as overtime. That is really unjust and retrograde. It is clear to me that the real way in which to check compensation is the take-home pay, because that is the sum on which the working man budgets.

I will talk in terms of reality. To understand what we are talking about, we need to understand the position of the production line worker at General Motors-Holden's or Chrysler Australia Limited or many other places in the State. His take-home pay, added to that of his wife, who, in 60 per cent to 80 per cent of cases will be working as well, is the absolute bare minimum for him and his family on which to survive. Most South Australians (between 70 per cent and 80 per cent) do not have the luxury, to which the member for Davenport referred the other evening, of being able to budget for something less than they might expect to receive. Far

from it: between 70 per cent and 80 per cent of Australians are forced by sheer economic necessity to budget for every cent they may be able to collect.

Mr. Evans: Your Government created those circumstances.

Mr. McRAE: I defy anyone to reject my proposition. I do not think that any fair man would even attempt to do so.

Mr. Evans: You created it.

Mr. McRAE: I reject that comment totally, because I did not create anything.

Mr. Evans: Your Government created the circumstances.

Mr. McRAE: The honourable member well knows the evils of the old system. I believe that, in his heart of hearts, he would not like his constituents to hear his remarks. Does he want to return to the old system, under which he knows his constituents were budgeting out of necessity, not out of luxury, for every cent of their pay? If, through no fault of their own, they were injured, they were cut to one-third of their actual pay. Does he want that?

Mr. Evans: You created the cost structure that caused the situation in which they are now. In the 1960's, they could save.

Mr. McRAE: I reject the second point the honourable member has made as well. It was an adept move to sidestep the first comment.

Mr. Evans: No, it was not.

Mr. McRAE: I do not think he could support his first comment and, as to his second point about the cost structure, this Government created no cost structure for the worker, and the honourable member well knows that. If anyone is to be blamed for the cost structure, the blame should be placed at the feet of Federal Governments, be they Labor or Liberal: they are the ones who must answer. I defy the honourable member to reject that proposition.

Mr. Evans: I do.

Mr. McRAE: I do not know on what basis he rejects it, because members know that Australia's cost structure is determined, in the main, by the Federal Government. Having digressed a little, I say that an even more sinister note is creeping into the whole of this public debate, namely, that the true loss to the individual should not be compensated so that in some fashion the sick, the ill and the injured will pay to provide a more competitive position for South Australia. That is a disgraceful and disgusting proposition, and I reject it as being wrong on all counts. I now take up the suggestion that the costs are disproportionate in that they have placed South Australia in a disadvantageous competitive position. I look at that in a separate light, and say that that proposition is equally wrong.

The suggestion has been made that the costs of premiums in South Australia are higher than they are in other States. That may be so but, if make-up pay under awards is taken into account, the total cost would be about the same, if not exactly the same. Every insurance company, every unionist, and any member who has done his homework on the topic will know that that is the case. If one looks at the Queensland and Western Australian Acts, one will see that South Australia seems to be generous compared to those two States but, if we look at the award provision for the difference between the monetary sums provided for in those States and the actual award rate, the competitive position is not affected at all.

I come now to the next proposition in the public debate, namely, the one concerning malingerers. I shall be careful in this instance, because a medical practitioner (Dr. Schaeffer), who is a specialist in this field, is alleged to have made a certain statement. I cannot believe that he made such a statement, because, to me, the proposition is so absurd that it is unbelievable. I do not think that any member, except the Leader of the Opposition, in his professional capacity, would be in a position to judge the truth of this proposition. Anyway, it is reported that Dr. Schaeffer said that 75 per cent of all workmen on compensation are malingerers. That is a preposterous position to take. First, I give him the benefit of the doubt and hope that he has been misreported and that someone has put the "seven" wrongly and that it was 5 per cent or perhaps 15 per cent. I would not pardon him too quickly for 15 per cent, but that is better than 75 per cent. That is an allegation that three-quarters of all people receiving compensation are deliberately lying and perjuring themselves and bludging off the community. That would be unreal to a layman let alone to a medical specialist.

I had the pleasant opportunity of discussing the question of malingering with an orthopaedic specialist from Melbourne. I will not mention his name, but he spoke at a seminar and was acknowledged by legal and medical practitioners present from his State and this State. He considered this question when asked to put a figure on it. He said that in his opinion it would be wrong to say that any more than 5 per cent of all the cases that he knew of could be described as malingering. By "malingerer", I mean a person who consciously lies, cheats, and defrauds the State system. There will be neurosis, and the longer the delays the more neurosis one will find occurring. I think that the Leader of the Opposition is probably more likely to agree with that colleague than to agree with the other one, if indeed Dr. Schaeffer was correctly reported. I am not willing to accept that he was correctly reported about that extraordinary figure: perhaps he may have tried to correct it, but I do not know.

Whilst referring to general principles, one thing that I agree with is that rehabilitation is an aspect that should have been placed more to the fore. Why was this not done? I will consider that issue in more detail later, but one reason for rehabilitation not being placed more to the fore was the obstructionism that this Government and Party faced from people in the Legislative Council. It was only with the greatest difficulty that we managed to get the important and essential workmen's compensation and industrial safety, health and welfare legislation passed in its existing form, let alone providing for a proper system of rehabilitation. At no stage did we have the offer that is made, for instance, by Mr. Sutherland, as quoted by the member for Davenport, to sit down and talk about the question of rehabilitation.

By the same token, I repeat that if the remedies were quicker the cost would be far less. The Minister had this spot-on in his quote in his second reading explanation from the manager of the Heath underwriting agency. In the 1971 Act we provided for conciliation and arbitration in lieu of long-winded judicial proceedings, but that has not been taken advantage of except by a small proportion of employers. Those who have taken advantage of it have benefited greatly, but unfortunately the percentage is small. I hope that my remarks will in part at least help to dispel what is clearly a campaign gradually to destroy and dismantle a vital piece of good legislation.

As promised, having given those general comments on what is essentially a technical and Committee Bill, I turn now to the propositions made by the member for Davenport. First, he referred to observations made by Mr.

Justice Wells concerning the Workmen's Compensation Act, and quoted from a decision of Mr. Justice Wells of June 3, 1975, in which he stated:

I hope I shall never despair of finally persuading those concerned with the drafting of this legislation that it should be entirely rewritten.

I hope that I shall never finally despair, either. In answer to that judicial criticism I refer that judicial personage, the member for Davenport, all members, and members of the public to Mr. Justice King, because he as Attorney-General was a witness to the incredible performance that occurred in 1971 concerning the drafting of this legislation. At 6 o'clock in the morning early in March, 1971, Mr. King (now Mr. Justice King), Mr. Daugherty, the Parliamentary Counsel, and I were the only persons awake in the joint House conference. The other nine persons present (and I do not blame them) were sound asleep because of sheer exhaustion and because they had not been able to understand what was being spoken about, as the matter was so technical. The three of us (King, Daugherty, and McRae) at 6 o'clock in the morning attempted to write an important piece of legislation.

Why were we forced into that position? The answer is simple: because of the obstructionist tactics of the Upper House which was not willing to give way on any point without the most grievous opposition, no matter how valid the point may be, and which was determined to stick it out until the last, hoping that the Government would cave in or compromise out of sheer exhaustion or lack of tenacity. There was no lack of tenacity, but Mr. Justice Wells (though I agree with him) might well bear in mind when he looks at the drafting that it is damn hard to draft at 6 o'clock in the morning when you have been working since 9 a.m. the previous day and when nine other people are snoring in the room, and every other member of both Houses is asleep.

Mr. Evans: Was that drafting an improvement on the original Bill?

Mr. McRAE: It was, but that does not say much for the original Bill. Now I refer to the 1973 situation, and again I must refer, for the edification of Mr. Justice Wells, to what happened. At that stage we had become more sophisticated. Members of the Houses did not have to remain in their seats, lie on the floor or on couches, depending on the altitude they had reached in the hierarchy of this lamentable place. Members, except those involved in the conference, were by then allowed to go home. We conferred on the legislation all day Friday, all day Monday, and Tuesday morning until literally two minutes before the bells started to ring on Tuesday afternoon. Finally, we got something that we could report to the House of Assembly. If one could draft good legislation in these conditions, one would be more than a genius and would be rated with Beethoven, and I do not think Mr. Justice King would claim that.

Dr. Tonkin: You're referring to 1971?

Mr. McRAE: No, 1973: the Leader could not have listened. In 1971 we had not become more sophisticated and had to do it in the early hours of the morning. In 1973 we spread out the period, but it made it more confusing.

Mr. Evans: You did better late at night and in the early morning than when you were able to spread it out?

Mr. McRAE: Although we had the time to spread it out, the Legislative Council was no more helpful than before. What it did was to confuse the issue in every way. More importantly, just before the conference broke up an important discussion took place. Labor members, as well as Liberal members (because we well knew from the example of Sir Thomas Playford that it is not the Party that determines your allegiance but the House that you are in—another one of our strange myths) held out on the final point. The Legislative Council said, "Please, please, don't burden us with overtime." Labor and Liberal members of the House of Assembly would not agree. The member for Fisher may have been there; I am not sure. Certainly, the member for Torrens was there and would vividly recall how, with 10 minutes to go, the members of another place finally met somewhere and decided that they would not press the point, so we reached unanimous agreement that overtime would be included and that all that would be excluded would be certain disability allowances and other things. If anybody ever suggests that this measure was railroaded through Parliament, let me clearly dispel that. Any member from either side of this House who was on that never-to-be-forgotten three-day conference will surely back me up, at least on that one small point.

Reference is made to rehabilitation and particularly to the letter from Mr. Sutherland, who is a man I admire and to whom I personally owe a lot. I believe that what he said in that letter to the member for Davenport is perfectly correct. I hope the day will come when added to our structure of workmen's compensation and industrial safety, health and welfare, will be a proper rehabilitation scheme. That is absolutely vital and I hope that members on both sides would agree with that, as I think they do. The member for Davenport obviously agrees. The question is the method by which we do it. Rehabilitation must come about in a logical and sensible way and has to be in line with the latest juristic and medical trends in the western world. No better example could be given, I think, than West Germany and the attitude it has adopted.

In the short term I believe that it is absolutely essential that all action in relation to accidents at work, whether with regard to common law negligence or workmen's compensation, be transferred to the one court, and that should and must be the Industrial Court. I believe that we must get away from this never-ending legalism (and I say that as a lawyer) and get into conciliation and arbitration, beat the parties' heads together and try to cut down the time loss. Surely that will cut the cost to the employer and help the worker. The Leader of the Opposition will agree that it is time that brings about neuroses, time to dwell on real or imagined injuries.

To cut the weekly payment rate below what it is today is unreal, unjust and bad in every way. I agree with the proposition that a man should not earn more while he is off work than while he is working, but again I point out that that joint House conference in 1973 was composed of people who knew the economic cycle. The latest move has only come about because we are in a down-turn cycle; it could have been quite the reverse had we been in the down-turn then and the up-turn now. It is Labor Party policy (and I agree with it) that a man should not earn more while he is off work than while he is working. The position is not the fault of the Labor Party, or the House of Assembly; it was the design, the calculated decision of the whole of this Parliament.

Referring to the question of apportionment, I think this is a question of method rather than basic disagreement between the two parties, and I will wait until the proposed amendments are dealt with before commenting. The matter of brokers and employment is important, and again I have to await the amendments. I will have time in Committee to deal with some other matters. I have always believed (and I have said it publicly and privately) that the best way of dealing with social questions is for everybody, Government, employers, employees, medical

profession, legal profession and all members of the community, to join together and take a positive step. There is no better opportunity to do this than in the case of rehabilitation, and that can apply to workmen's compensation and other things as a whole. If the amendments suggested by the member for Davenport and foreshadowed by him are to be moved, particularly in relation to pay for the injured worker, I say that that is an attempt to turn back the hands of time and that it is just not on. That is unreal, unjust and unfair. The Bill is technical and difficult, but I urge members to support it.

Dr. TONKIN (Leader of the Opposition): This must be one of the most tragically shortsighted and most disappointing Bills ever to be introduced into this House. The present workers' compensation provisions, together with high State taxation and the threat of worker participation, or what is basically worker control, are some of the major reasons why South Australia is not attracting at present the industrial development it so desperately needs. From visiting other States and speaking to the Premiers of both political Parties, all I can say is that South Australia is running a bad last in industrial development. That is not something of which I am proud, because I am proud to be a South Australian and it hurts to find South Australia falling behind under this Government.

The Government had, in its determination to introduce a Bill to change the law as it stands, a wonderful opportunity to correct this situation and, by clearing it, clear the way for further industrial development in this State and a return to industrial prosperity and thereby general prosperity for every resident of the State. This Bill has shown that the Government is totally and tragically unaware and insensitive to the real position. It has allowed itself to be blinkered by the Trades Hall, and it cannot see the over-riding consideration involved in the Bill what it is doing for the people of South Australia? There is no value at all in having the most generous workers' compensation provisions in Australia, or in the world, if because of them we lose the jobs on which that workmen's compensation is based, and that is the long and the short of this argument.

The Hon. J. D. Wright: You are the only one naive enough to believe that.

Dr. TONKIN: The Government's reaction to this debate, and particularly to the speech made by the member for Davenport a few days ago, indicates a certain degree of discomfit and even concern about the matter. I believe there are members on the other side who are concerned about what has happened. The continued and vicious attacks made in concert by the Deputy Premier and the Minister of Labour and Industry while the member for Davenport was speaking indicate a tremendous degree of sensitivity on the subject. This legislation will have far-reaching effects both directly and indirectly on the people of South Australia generally. Perhaps (and I can only express this as a fervent hope) there is time for the Government to adopt a reasonable attitude and break away from trade union control and go its own way for the welfare of the people of this State, instead of adopting the lines dictated to it by trade union officials, people who want this legislation passed for their own ends.

The member for Playford outlined the history, as have other members, of the Act. He referred to the sittings of the House in 1971 and again in 1973. No-one is questioning the fact that the legislation was needed when it was introduced. Indeed, the member for Playford had much to do with the drafting of the original legislation; we all know that. The member for Playford reminisced; I can recall his movements up and down between the back bench and the front bench whilst the then Minister was trying to explain the legislation to the House. No-one would deny that the legislation was needed at that time. He referred to members being asleep at the conference. I was at that conference, which was a tiring business, and it was not made any easier (if we are going to throw around bouquets) by the ability of the Minister who was in charge of the Bill—

Dr. Eastick: Did you say ability?

Dr. TONKIN: Disability is probably more appropriate. I am sure that there were not nine people snoring at that conference, because it gave us much concern.

Mr. McRae: At the end, I said—6 o'clock. Be reasonable.

Dr. TONKIN: I can clearly remember 6 o'clock, and I was not sleeping. The legislation was a matter of considerable debate when it came into the House. It was a matter of coming to a compromise, and that was reached. That compromise might have been reached in a hurry, as the honourable member has said.

The Hon. J. D. Wright: You are just as responsible if it is wrong as anyone else.

Dr. TONKIN: The Minister has not had an opportunity to chair many conferences, so he probably does not quite understand what they involve.

Mr. Dean Brown: If he does as good a job as at the last deadlocked conference—

Dr. TONKIN: I would rather not refer to his performance at the last deadlocked conference. The effect of this legislation has been (and the point is that I do not care how it came to be)—

The Hon. J. D. Wright: I got a pat on the back—

The DEPUTY SPEAKER: Order! The honourable Minister will have a chance to reply.

Dr. TONKIN: —a source of considerable difficulty to South Australian industry ever since. The measure has had a significant effect on the cost of living and the prosperity of all South Australians. Increases in premiums payable for workmen's compensation have been astronomical; they have been detailed many times in this House. The member for Davenport did a sterling job a few days ago when detailing some of the comparable rates that now apply. Increases have been reflected in higher labour costs and, in turn, in increased costs of building and accommodation and increased costs for the provision of goods and services. This has also significantly affected our ability to compete on oversea markets.

It has had to be said far too often by Industrial Commission officials, responsible members of the trade union movement, and by other members that we have, because of our increased labour costs, exported jobs overseas. That is a tragedy about which we are all only too well aware. We have priced our own workers out of jobs. I can never understand why trade union officials work to introduce these provisions knowing full well that, in the long term, the provisions will cost some of their workers their jobs. I question if not the integrity the sagacity of those trade union officials. Surely they can see what the long-term effect must be. The problem lies in the extent of the benefits payable: it centres on the definition of average weekly earnings. The member for Davenport and the member for Torrens advanced arguments in favour of modifying average weekly earnings. Some workers have received more by way of compensation for staying at home than the salaries their workmates have received from staying at work. We know that that has happened: it is not proper.

Mr. McRae: We could not foresee it.

Dr. TONKIN: The fact that the member for Playford said that we could not foresee it implies that it must be changed because it is not correct. Many examples have been quoted of this occurrence, too. Industry cannot afford this level of payment, and the community as a whole cannot afford it, either. Obviously these benefits have been obtained at the expense of industrial viability. Ultimately it comes down to the benefits having been obtained at the cost of other people's jobs. Companies have had to retrench staff to keep down costs. Some companies have been successful, but others have not been and have had to close down. Production and turnover is affected and a downward spiral is created, with jobs being lost yet again. Ultimately, small concerns are forced out of business and, as a result, the prosperity of the whole State suffers, because its prosperity depends largely on private enterprise, and especially on small businesses.

This legislation, which is inspired and insisted on by the trade union hierarchy, has affected adversely or directly or indirectly every trade unionist and resident in this State. An earlier attempt was made to amend the legislation in the last session of Parliament, but our expectations were not realised. The Government turned away from its responsiblity to correct the anomaly, an anomaly that the Premier acknowledged. The reason for turning away from its responsibility was not given, but the reason was a lack of agreement in Caucus. It was a straight confrontation between the trade union hierarchy and those responsible members opposite who could see the difficulties that this legislation is causing in this State.

Subsequently, the Hon. D. H. Laidlaw introduced a Bill in another place to amend the principal Act. His Bill vastly improved the legislation and provided reasonable benefits. The amendments corrected anomalies, but the Government was unwilling to debate the Bill although it was passed in another place with very little comment other than tacit agreement. The Bill came to this Chamber, and all that the Minister could say about it was that it was a farce. After many alarms and excursions, hurried conferences, and changes of mind the Government's Bill has finally been presented.

Mr. Dean Brown: It took the Minister more than three weeks to do it.

Dr. TONKIN: Indeed it did. Far from correcting the anomalies and far from considering the ultimate effects this legislation has had on people the Government is supposed to help, the Government has perpetuated its original errors and, in my view, has compounded them. I must admit that when I considered the provision relating to weekly earnings my hopes were raised. I thought, "Here is a reasonable approach to the problem," until I saw that there were three subclauses. It was not a question of one subclause or another, but a question of all of them. I saw three parts, and a three-way provision. If anything, the effect of this legislation will be even more disastrous on South Australian industry, and thus on industrial development, than is the present Act. This measure is nothing short of a tragedy.

It is basically a Committee Bill, at which time there will be much discussion on the clauses. The Government will have a chance, at the eleventh hour, if it adopts a more responsible attitude towards the welfare of the people of this State, to have the Bill improved. It will be up to the Government to take advantage of that chance. I hope that the Government will see reason and will put the welfare of the people of this State first.

Another aspect of the current legislation will be aggravated by the provisions in this Bill. I refer to the matter touched on by the member for Playford. I respect many of his views on this matter but not all of them. I refer to the increasing incidence of compensation neurosis. I repeat (I do not know how many times I have said this) the fact that it is a real illness. It has been confirmed and first detected by comparison with sporting injuries with injuries at work. It has been proved many times now that on average the time spent off work with normal sporting injuries is far less than that spent off work with a similar injury incurred at work. That is a fact that cannot be argued away. It is generally accepted that there must be an incentive for people to recover and, if recovery is to be complete, there must be an incentive to rehabilitate.

I support everything that members on both sides of the House have said, or will say, in support of rehabilitation. It is absolutely an essential part of any workmen's compensation legislation that does the best for the worker and the people of the State. I hope that what the Minister of Labour and Industry said some time ago that there is hope of rehabilitation facilities in this State before long will be brought about, and I hope it will happen soon because we desperately need such facilities. If rehabilitation facilities are to work in this State we have to clear the way to make people want to be rehabilitated. I agree with the member for Playford on the subject of malingering. Quite obviously the reported statement was inaccurate: 75 per cent is a ridiculous figure. Malingerers do exist—I have seen them. In fact, sometimes in my medical practice I became very cross that some people, but not many, thought they could fool me.

Malingering occurs, but the important thing is that the majority of people who are slow to rehabilitate, and who are suffering from compensation neurosis, are doing so because they have no real incentive to recover and their desire, although unconscious, to remain ill is a real one. It is an accepted medical condition. This condition significantly impedes total rehabilitation, and this impediment can be total and permanent. As a community we cannot afford to build up any group of hypochondriacs. Inevitably there will be some, but this legislation will do nothing whatever to minimise the number of people involved, and that should concern everyone.

Other problems affect the insurance industry and brokers particularly. These matters will be debated further during the Committee stage. I repeat that I can only hope that at the last moment the Government will come to the wider view of the effect this legislation will continue to have on the people of South Australia. The prospect of industrial development is significantly reduced not only because of the existing legislation but also because of this Bill, and for this reason we should take this opportunity of cleaning up the anomalies and deficiencies in the existing legislation. I repeat that it is actively keeping new industry from coming to this State.

The other matter that concerns me is that this legislation represents a clear and final statement of the Government's real attitude towards the future of this State. It is one of the most tragically short-sighted measures to be introduced by the Government, as much for what it does not do, as for what it does. Whatever the Government may say, it is not prepared to work for the wellbeing of the people of the State as a whole but only for a minority, and the tragedy is that the minority will in fact eventually be disadvantaged along with everyone else.

I support the second reading in the vain hope that even at this late stage the Government may agree to support the critical amendments to be introduced. If the Government does not take that action the people of South Australia can take clear notice that the wishes, misguided and inaccurately based as they are, of the trade union hierarchy count far more with the Government of this State than does the welfare of the people as a whole.

Mr. EVANS (Fisher): I wish to answer some of the points made by the member for Playford, and to clarify the point I made when the member for Playford said that he believed nowadays 70 per cent to 80 per cent of the households within this State had to budget by having the husband and wife both working or they were relying entirely on what they received each week to balance their budget. By interjection I made the point that it was as a result of his Government over the past few years that the cost structure was pushed so high that more husbands and wives had to work so that they could balance their budget, and that burden was placed upon them by the State Labor Government. I do not resile from that statement.

I made the further point that in the 1960's when fewer husbands and wives were both working people were able to pay off their houses. Their houses in money terms of real purchasing power were cheaper than they are now. I am not talking about inflationary trends; I am talking about the income of the person and his purchasing power on the average wage as against the income and purchasing power today. I was making the point that the Labor Government has brought the State to the position where people have difficulty in budgeting not only on one income but on two incomes. I do not withdraw that statement. What I am saying is a fact. I believe the member for Playford is a moderate in his Party. Although he knows what I am saying is true, unfortunately he cannot afford to stand up and say it, because his own colleagues would attack him.

Mr. Keneally: The position in Victoria—

Mr. EVANS: The member for Stuart can talk about Victoria but that is not my concern. I am a member of the State Parliament. Under the Playford Government this State had a 13 per cent cost advantage over other States and we have thrown that away. The member for Stuart knows that the average young person is placed in an impossible situation in attempting to own his own house.

The member for Playford said that overtime should be considered in relation to workmen's compensation and that a person should not have to rely on a smaller sum when on workmen's compensation than he was receiving when he was at work earning the ordinary wage plus overtime. Under the present situation it is possible for a person to be receiving overtime benefits included in his workmen's compensation payments and his colleague, who worked alongside him before he went on workmen's compensation, has been forced out of the overtime category and is getting less pay to go to work and perform the same job than the man who is receiving workmen's compensation. The guy going to work is receiving less than the person who is not going to work. The person not going to work does not have to pay travelling and other expenses involved in going to work. Where is the justice in that? The member for Playford, who claims to have a legal mind and a fair mind, argues that that is the case. There is no fairness in his argument and there is no basis for saying it is correct.

Any person in our society who budgets his way of life on overtime is a fool. The economy cannot always guarantee overtime, nor could we be sure in the past, as was proved under a Federal A.L.P. Government, of having employment. The member for Playford knows that the present situation was created by his Federal colleagues when they were supposed to be running the country. All they did was run it down. If any member of this House believes that people on salaries or wages should rely on overtime in budgeting the management of their financial affairs, he is a fool for advocating it.

Mr. Keneally: Then they should—

Mr. EVANS: The member for Stuart knows, as I do, that many of us try to live beyond the standard we can afford. It is a matter not of what we need but of what we want, and many of us tend to want more than we can afford. The member for Playford talks of rehabilitation. I believe in rehabilitation, but the biggest problem is simply the problem of human nature. We are all aware that there is malingering within our society, and we will not stamp that out unless we become a little tougher. There must be a financial incentive for going back to work. If a person is better off by not going to work, there is no incentive for him to return.

We have that situation in this State at the moment. I do not support it. I support the Bill to its second reading so that, in Committee, it can be amended and made more reasonable. The member for Playford made the point that, when the original Bill was before the House, even though the sitting continued until 6 a.m. to amend the Bill, the amended form of the Bill was an improvement on the original Bill. If he is admitting that when members were half asleep (I do not know whether he meant half of them were asleep or that they were all half asleep) we ended up with a better Bill, little credit can be given to his colleagues who helped draft the original Bill.

Mr. McRae: I was talking about the 1971 Act.

Mr. EVANS: The member's Party was still in power at that time. If it took such negotiation to arrive at a reasonable Bill, what was originally planned by his Party? We all know that it was an atrocious piece of legislation, and we know what the Government planned when it was introduced. I support the second reading in the hope that the Bill will be in a more reasonable form when it emerges from Committee, so that industry in South Australia can compete with industry in other States and other countries.

Mr. CHAPMAN (Alexandra): Whilst I recognise that the Opposition does not intend to canvass the Bill at length in the second reading debate, because the opportunity will be there to debate it in Committee, I should like to reflect on one or two important features of the workmen's compensation legislation. Whenever this legislation is brought to the attention of this House, a matter we should consider seriously when seeking to amend the Act in any way is the basic principle embodied in the Workmen's Compensation Act. As I understand that principle, it has been and should be to provide compensation for injured parties so that in no circumstances will those employees, while injured and out of work, suffer financially or be out of pocket as a result of being so injured. That is the basic principle that I understand to be important in the framing and preparation of the Workmen's Compensation Act.

The Hon. J. D. Wright: Do you agree with that philosophy?

Mr. CHAPMAN: I agree with that principle.

The Hon. J. D. Wright: Then you have to vote for this Bill.

Mr. CHAPMAN: I agree with the principle, and I spoke accordingly during the debate on the amendment to the Act in 1973.

The Hon. J. D. Wright: Then you have to cross the floor.

Mr. Allison: You have a very dogmatic Minister there.

Mr. CHAPMAN: He is no more dogmatic than was his predecessor, the Hon. D. H. McKee, who was Minister of Labour and Industry when this matter was debated in 1973. I do not know of any Opposition member who objects to the principle of protecting the interests of the employee and setting out to ensure that that employee will not be out of pocket through being injured in the course of his employment. It is also important to ensure that that injured employee cannot, in any circumstances, enjoy a net income while out of work greater than his colleagues are enjoying while at work.

The Hon. J. D. Wright: I agree. I have never said I do not.

Mr. CHAPMAN: The opportunity, in the amendments before the House, for an employee to recover more net return is being promoted and fostered—whether intentionally or otherwise I am not sure. It is important for the Minister to reconsider this Bill and its effects before he proceeds and before he disregards the responsible amendments foreshadowed by members on this side.

The Hon. J. D. Wright: Some of your colleagues have said I've been—

Mr. CHAPMAN: Despite the interjection, I know of no member on this side who opposes the principle of ensuring that an injured employee receives the same net income whilst away from work as his colleagues doing the same work are enjoying on the job. The fear being expressed, and the fear I express, is that, as a result of being injured, under the formula proposed by the Minister the injured employee will have an opportunity to enjoy a net income greater than that received by his colleagues who are at work.

The Hon. J. D. Wright: He cannot do that.

Mr. CHAPMAN: Let me canvass a few of the reasons why I believe this to be the case. The employee who is at home recovering from an injury or the employee who is in hospital as a result of an injury is covered for total medical and hospital expenses. Under the existing legislation, he may enjoy reimbursement for any travelling expenses involved in receiving medical treatment. I agree that that should be the case. My interpretation of the Bill and its application to the principal Act is that the injured employee is subject to no expenses at all, that he will enjoy the total award rate that would have been applicable to his employment, that he will enjoy the average income derived from over-award payments, and that he will enjoy the average income he would have received in the form of overtime payments and other supplementary payments that he would have received while at work.

Irrespective of at what point we cut off the supplementary payments, whether in the form of travelling allowances, over-award payments, overtime payments, or anything else, it is only common sense to presume that the employee who has no expenses in travelling to or from his employment, no expenses in relation to clothing or special equipment or tools needed in the course of his trade, will in turn, as a result of enjoying full average weekly income, finish up with a net return greater than that of his colleagues on the job. I am not sure that the earlier 85 per cent total wage proposal is the right one, or whether it should be 85 per cent, 90 per cent or 95 per cent. I think that whatever figure is brought down in that direction by legislation will have some anomalies. At least that principle is worthy of regard, however, because it recognises that some out-of-pocket expenses are incurred by an employee who goes to work, expenses which are not incurred by an employee who is injured and absent from work. That is the only area of the legislation that concerns me.

The Hon. J. D. Wright: I can answer all those questions.

Mr. CHAPMAN: I shall be pleased to have the Minister answer. I think he knows my feelings in this matter. I canvassed them in 1973, but my arguments were destroyed by the numbers game. I hope that the principle I have outlined as being one that is supported by the Opposition will be continually adhered to throughout the preparation of a workmen's compensation law for South Australia. I, too, will have the opportunity, in Committee, to discuss the details of the legislation. I will do my homework on the individual proposed amendments before doing so, and will take advantage of the opportunity to speak to them. It concerns me genuinely when the Minister (indeed, whether the previous Minister or any Minister in the future) brings forward legislation that is likely in any circumstances to destroy the important principle that a man shall not be out of pocket, when on compensation, but in no circumstances will he enjoy any greater net income than his colleagues at work enjoy.

Mr. ALLISON (Mount Gambier): I have heard very little from previous Opposition speakers with which I would disagree, and I will speak briefly not from the point of view of the State but from the point of view of how the legislation has affected the Mount Gambier District. It has been patently obvious from the Premier's and other Ministers' visits to the South-East recently that the South-East is undergoing a period of apparent prosperity. We have had the Premier making announcements on behalf of Panel Board last weekend, the Woods and Forests Department, Softwood Industries, Apcel, Cellulose and others that they were expanding and that this would be multi-million dollar expansion, but at no stage did I hear the Premier claim that there would be a considerable increase in the number of jobs available, and that is significant. We are spending millions of dollars in an area, yet the number of jobs available, in a Government department such as the Woods and Forests, which is expanding during the coming year and probably during the next two or three years, or in private enterprise, is diminishing. They are consolidating the present staff, but the end result is that increased automation and mechanisation will standardise the work available. It will increase productivity, but no substantial number of extra workmen will be employed. I have referred to this matter in debate recently, and no Government member has denied it. The Premier, during his visit to the South-East, had ample opportunity to take advantage of any error on my part, because he was pleased to go to Panel Board and announce a $1 300 000 expansion, despite the fact that the Government has not been participating in this expansion. Private enterprise money is being used.

The Hon. J. D. Wright: Are you arguing for a reduction in working hours?

Mr. ALLISON: All I ask is that the Minister consider the many factors. This expansion is going ahead. I do not know what I am arguing for: that is the Minister's job. I am being approached by employers who are concerned that many forms of over-taxation are affecting their net profitability, which means the money that can be ploughed back into the industry. Workmen's compensation is one aspect, and pay-roll tax is another aspect. We can even

link those together in one way because, if a man is absent through sickness for a considerable time, we encourage industry to keep him on the pay-roll, give him time to recover and to be rehabilitated, and to return to the industry. That is a humanitarian approach, and I firmly favour it. At least two industries in the South-East, such as Softwoods and the Woods and Forests Department, I know of, from speaking to management, do this. If the worker is kept on the pay-roll, although he is not productive the company still pays pay-roll tax on his pay, despite the fact that he is not bringing money in to the company. That is an example of how a combination of things can help to overwhelm an industry.

The Hon. J. D. Wright: What do they do? Sack him?

Mr. ALLISON: That may be the Minister's suggestion, but it is not mine. I say that he should be kept on, and that it is up to the Government to compromise and to understand the associated problem. I suggest that, in the case of the two industries to which I have referred, that is not what they do, because of their humanitarian beliefs, but how will we overcome the problem throughout the Western world of automation gradually diminishing the number of jobs available? If the number of hours worked is reduced, productivity is reduced, and Australia will become far less competitive than it is now. Employees who are commonsense people and who are my friends (I am a working-class person) have talked to me and said that they were prepared to accept the handouts decreed by Governments but felt self-concious about them, particularly in the light of today's arguments. We cannot deny that many of the arguments are common sense: the man in the street can see the wisdom of them. What people want is a fair approach: they are not looking for anything extra and abnormal. What they want is fairness, because they understand that the industry for which they are working and which supports them is their life's blood. That is really what the whole of a working man's life is about. I have looked forward all my life to working, and about 99 per cent of people have the same frame of mind: they are not there to milk the employer or the industry. That is the reasonable approach I have come to in achieving some compromise, and that is the reasonable approach the Minister might be considering.

I have contacted certain industries over the past couple of weeks to see how the legislation would affect them, and have discussed it with management. I have also discussed it with unemployed workers, and they contend that this legislation is partly responsible. The number of trucks in the transport industry at Mount Gambier has about halved in the 18 months since July, 1975. What has happened is that the transporters have found that workmen's compensation and pay-roll tax, together with road tax and fuel tax, militate against them. They have found it easier to relinquish ownership of their trucks and to put the onus on the former workmen to take massive risks by taking on hire-purchase agreements and carrying the responsibility by subcontracting. That is one example in a major industry that directly supported hundreds of drivers in Mount Gambier.

On the other hand, what is the position in the forestry industry, in which we have many private enterprise log hauliers, together with those in the Government sector? They have found that, by using large automotive equipment, such as the heavy Volvo forwarders and articulated trailers so that there are two trailers on the one truck, thus displacing one driver, the number of hauliers in the industry has been reduced. Everywhere one looks in the South-East, there is an example of the high cost of paying the man, plus his compensation and pay-roll tax, thus encouraging employers to sack manpower and install automation. I point out that my argument arises largely because employers have come to me from Government enterprise (Woods and Forests Department) and private enterprise, because they are not happy to see men being stood down simply because of the modern economic trend towards continuing automation and diminishing work participation. Even the unskilled workers, with whom I have tremendous sympathy as they are the ones with whom I had most to deal, are the ones being trodden on. Unskilled jobs are going out completely, while semi-skilled jobs are coming in as increased quantities of machinery are introduced. This applies even to the logging industry. The chaps for whom we should have most sympathy are the unskilled workers who are going to the bottom of the pile and are becoming increasingly frustrated.

I shall not argue emotionally: I have spoken to people who are out of work and to industrialists in management, and the consensus of opinion of commonsense people in the South-East is that something must be done. There must be some compromise somewhere. We cannot go on stretching out the costs to industry, because the answer is there in black and white: it is a diminishing employment situation. Humanitarians in the South-East are no different from those elsewhere, and I should like to think that there are plenty on both sides here who understand the problem. It would be something that administrators in industry and at union level and workers would be behind, because the problem must be considered in all reasonableness rather than in the way in which we were considering a matter last week, when we were firing emotional comments across the House with the idea that the two should never meet. I had to walk out of the debate last week in disgust, because of the nature of the comments that were being flung across the House. It was too emotional and irrational, and no solution was being reached that could solve any of the problems in my district. I should like to think that this House could approach the matter reasonably.

The Hon. J. D. Wright: You want to talk to your people and tell them not to say irrational things.

Mr. ALLISON: They were not: it was the heat of the moment. I did not single out any person: I said comments were being flung across the House. That situation is unreasonable, and we cannot solve one of the most massive problems of mankind with the sort of approach that was taken last week. I am pleased that there seems to be a more reasonable approach to this matter.

The Hon. J. D. Wright: You are a reasonable speaker, and that is why they listen to you.

Mr. ALLISON: I thank the Minister for that comment. I hope the foreshadowed amendments can be considered in a reasonable, logical, and sane light.

The Hon. J. D. Wright: I think you speak from your heart.

Mr. GUNN (Eyre): In making a brief contribution to this debate, I will ignore the Minister of Labour and Industry, who is being rude as usual. This is an important Bill, because since amendments were introduced, I think, in 1973, this legislation has had a substantial effect on those who employ labour. Wherever I have visited in my district, many people have complained about the high cost of workmen's compensation premiums, which have doubled or trebled. When the Hon. Mr. Broomhill was Minister and this matter was being discussed previously, I suggested

that premiums would increase by at least 120 per cent, and he laughed. I had discussed the matter with those involved in the insurance industry and, obviously, their predictions were completely correct. I believe that workers are entitled to be protected if they are injured while at work. The Liberal Party has always believed in that concept.

Mr. Keneally: But never put it into effect.

Mr. GUNN: We also believe that it is not proper for a person to receive more in compensation than his workmates receive while they are still at work. The Minister is familiar with the shearing industry. A constituent of mine brought to my attention a case in which a shearer he was employing was injured, and was on compensation. However, much wet weather occurred during the next few weeks and the shearers who were not injured were not paid, but the man who was injured still received his salary. In normal circumstances he would not have been at work, because of the weather. My constituent had to pay that worker for a considerable time, and was to be reimbursed by the insurance company, which turned out to be a long and protracted exercise. He had to find the money to pay the injured worker, whether he borrowed it or however he got it. He was responsible, and eventually had to try to get the money back from the insurance company. I realise it may be difficult to overcome that sort of anomaly, but it is a problem. I sincerely hope that the Minister will see reason in these matters, because, like every other member, I am aware that when people employ someone they consider that if they employ that person they will be liable to pay more in workmen's compensation.

The member for Victoria will quote a case that highlights the sort of problem to which I have referred. I hope that the Government will accept the reasonable amendments from the member for Davenport, because they will not destroy the concept of the Bill but will make it more fair and rational. I agree with the member for Davenport's comments, which the Minister should heed. Normally, the Minister does not take any notice of what is said by the member for Davenport, because he and his colleagues seem to be blinded with personal prejudice against the honourable member. No matter how much they intend to blacken his name, he will succeed in the political arena.

Mr. Keneally: We will "brown" his name.

Mr. GUNN: I am pleased to hear the honourable member's comment, because that is what we believe that he and his colleagues are trying to do. They will not be successful: they will have to endure the member for Davenport for a long time, not on this side but on the other side of the House. I have appreciated the comments made by the member for Playford, although I do not agree with all that he said.

Mr. MILLHOUSE (Mitcham): I regret that filial duty meant that I was out of the Chamber when the member for Playford spoke in this debate. Usually, I do not agree with his political viewpoint, but I respect his knowledge and experience on this topic, and I had hoped that I would be here to hear what he had to say. I could not do that when I was out of the Chamber, but I will read what he had to say.

Mr. Keneally: It's a long way better than what you have heard since you've been here.

Mr. MILLHOUSE: I do not intend to add to or detract from that comment, although I suspect that some of the steam seems to have gone out of the debate for the time being. I notice there is no-one at all in the press gallery.

Mr. Max Brown: Is it because you are speaking?

Mr. MILLHOUSE: No, I watched to see what was the situation before I started. On whichever side of the House we may be we are all in a mess over workmen's compensation in South Australia, and I blame both Parties for this. Some years ago the Labor Government put up a Bill which it did not think for a moment would get through in the form in which it was introduced into this place. That Bill provided for the most generous benefits of any legislation in Australia for workers on compensation. I have no doubt it was put up in the expectation it would be the starting point for bargaining with the Liberal Party in another place, but the Liberal Party unfortunately (and this is where I think it did the State a very grave disservice indeed) gave in and did not fight the Bill, which went through, to the embarrassment of the Government, substantially if not entirely in the manner it was introduced.

The Government, having got such generous benefits for those who by and large support it, is in an impossible situation as a consequence of that. I do not blame the Government for saying that it will not give in one jot or tittle; how can it do otherwise? I hope that, although it has said that, in the long run something can be done about this because the workmen's compensation benefits are causing, I fear, a very heavy cost to industry that it cannot continue to bear indefinitely. I hope my point of view will be respected and that I will not be told that I am trying to prey on injured workmen, or that I do not have sympathy for people.

Surely we are in the same position regarding workmen's compensation as is an over-generous parent with his family. Of course, all of us with the natural instincts implanted in us want to do the best we can by our family and give it far more, usually, than can be afforded, but we have to trim our sails to our financial situation with our family, or, similarly, with the community with workmen's compensation, or anything else. That is what we have not done, for reasons I have given (they are political reasons), with workmen's compensation and now we are in the severest financial difficulty and neither side feels able to back down. I have only one example of the way in which premiums have increased for workmen's compensation and it is Philips Industries at Hendon. That firm has at least halved its work force in the past few years. I have here, not that it is entirely relevant—

The Hon. J. D. Wright: Is that something to do with orders, or compensation?

Mr. MILLHOUSE: It is to do with costs, as much as anything else. I have a letter dated October 22 which Mr. Huyer wrote to representatives of the staff committee and which sets out the difficulties at Philips, saying that it has halved the work force in the past few years. Incidentally, he blamed the previous Federal Government for most of the trouble. This letter is 12 months old. Philips premium for workmen's compensation increased from $80 000 per annum to over $500 000 per annum because of the provisions we now have for workmen's compensation. It may be said that a big multi-national company like that can afford it, but that was an increase of over five times in the premium for one of our biggest industries, an industry which we want to keep but which is in decline in this State. We know that that is the sort of thing that is happening generally, and I use that example merely to back up the assertions I have made that we are living, with regard to workmen's compensation payments, beyond our means, and it is damn bad luck that we are; we cannot afford to go on doing this. That is the situation I fear with regard to payments.

I intend to introduce an amendment on this matter. My own view and that of many people in the community (and I expressed it publicly in the policy speech of the Liberal Movement at the July, 1975, election) is that we have got to get back to 85 per cent of average weekly earnings as the ceiling for weekly payments. There is no other way, in my view, than that by which we can get back to some sense with it. I have quoted before, and quote again, the Woodhouse report.

The Hon. J. D. Wright: A different situation.

Mr. MILLHOUSE: It was and it was not different. I will read out what it states about the level of benefits; at page 78, it states:

The weekly benefits in New South Wales and Victoria fall short of enabling living standards to be maintained. Quite normal incomes in New South Wales and Victoria are cut in half. Thus hardship can arise even in the short term; and should the man be off work for any prolonged period, there could be problems of acute distress.

I do not deny that at all and I do not assent to that situation.

Mr. Keneally: Do you agree that—

Mr. MILLHOUSE: Let us leave that Party political element out of it for a moment. I do not support that situation. The report continues:

South Australia, Western Australia and Tasmania have recently enacted laws which give the injured worker 100 per cent of his lost wages while off work. Queensland and the Australian Government employees system pay 100 per cent for the first six months of incapacity; and there are signs that the principle of 100 per cent compensation for work injuries is spreading in Australia. We do not think people should be better off on compensation than at work, yet this really is the result of payments equal to full earnings; and it certainly is no encouragement to rehabilitation.

All of us know the common sense of that. For Party political reasons, we may not be able to admit it but we know that that is the case. The report continues:

We firmly believe that the principle of 100 per cent compensation must be rejected for the new scheme for the general reasons developed in paragraph 374.

The Minister is right; what they are putting up is not the same scheme as our workmen's compensation, but that does not invalidate the reasoning on this matter. At page 168, the report states:

Recently in the field of workers' compensation there have been efforts to secure for injured workmen payments of compensation equal to wages. In four states that effort has succeeded. A similar effect has been achieved in a number of industrial awards. In the result it may seem difficult to turn back the clock but we are firmly of the opinion that it must be done. There is room for reasonable difference of opinion about the proportion of losses which should be left to people who suffer incapacities. We are aware of the various arguments advanced in favour of 100 per cent compensation. We understand and appreciate the principle that underlies these arguments. But there are just and essential reasons why a comprehensive scheme such as we recommend should not attempt to provide 100 per cent compensation.

I will read only the first reason because it is the only relevant reason, but it is absolutely conclusive. It states:

(*c*) First, if compensation for total incapacity equalled normal earnings (including overtime) people would be economically better off incapacitated than when working. They would be saved the expense of travelling to and from their place of work, together with the incidental amounts that are usually paid out during a working week away from home; and for all hospitalised cases there would be some further gain to the household in living expenses saved. The difference between normal earnings and compensation at say 85 per cent, after income tax had been applied to each figure, is often no more than the savings we have mentioned: and rarely would the difference be so important as to present any great problem for the individual concerned.

That sums it up. Some members on this side have been saying much the same thing in this debate this afternoon. I had on file such an amendment to the Bill that was not proceeded with in the last session of Parliament. When the Minister wrote a circular letter about this matter I replied saying that I had said that 85 per cent was absolutely unacceptable for the Government. I said then that I intended, and I stick to what I said, to introduce the same amendment to every Workmen's Compensation Bill until my amendment is accepted or until another scheme (which I cannot for the moment foresee) that has the same effect is adopted. As I say, I do not know of any other scheme. Unless there is such a scheme I intend to introduce this amendment until it is accepted.

Subsequently I wrote a letter to the *Advertiser* setting out my view, which I now give in this House. I may have said it before, or others may have said it before, but the fact is that we are being bitterly unfair to those people who are genuine and who have been on workmen's compensation. It is well known (and I am sure that every member opposite and probably most of the members on this side of the House know—and I say everyone on the other side because they are, frankly, much more in touch with this situation than members on this side) that there is a black list circulating amongst employment officers, firms and other undertakings in this State on which are listed people who have been on compensation. Those who have been on compensation do not get a job without the greatest difficulty, even if they are genuine in the injury they have suffered, because of the fear that they will go on compensation again. It cannot be borne—

The Hon. J. D. Wright: By how much do you believe that the list would escalate if liability were apportioned?

Mr. MILLHOUSE: I do not know; I do not believe that I can answer that question. Anyway, the Minister will obviously answer it when he speaks. All I am saying is that this is happening under the present Act and that it is unfair to people who have a genuine incapacity and have recovered from it. That they have been on compensation is a black mark against them for the rest of their working life. That is what I said in my letter and, within a day or so, I received a letter backing me up from Mr. Crowe, who is a medical practitioner in Whyalla.

I have corresponded with him and he has given me two specific cases of people who, when they said that they had been on compensation or that they had some medical disability, were simply wiped and did not get a job, because people were afraid to employ them. That situation could be multiplied many times. What I am saying is common knowledge. The only way in which we will get back to a proper scheme of compensation in this State will be to reduce the level of payments below the level of normal earnings. We must do that for the reasons that I have given. I am greatly perplexed and worried by that matter.

The Workmen's Compensation Act is full of holes and anomalies. One has only to practice, which I do not do often, in the workmen's compensation jurisdiction in the Industrial Court or to read some of the judgments of the Full Court that try to interpret the Workmen's Compensation Act to realise those anomalies exist. I heard of an anomaly only today from one of my brothers in the law that a workman had a motor vehicle accident either on the way to or from work, an accident in which he was predominantly in the right. It was a right-of-way case and he will probably have to accept, as is normal, a quarter of the blame for the collision. He has injured and broke his leg or something similar. Ever since (and it is a long time) he has been on workmen's compensation.

The employer, knowing that he had a common law claim and assuming, as the legislation assumes, that common law damages would be higher than workmen's compensation payments, continued paying weekly payments after the accident believing that eventually he would recoup what he had paid out in compensation through the common law proceedings. I was told that he had paid out about $11 000 and that the weekly payments were continuing. It is now likely that the claim will be settled for a substantially smaller sum, taking into account the quarter contribution that the workman will have to make for his share of the responsibility, than the $11 000 that he has already paid. That means that the workmen's compensation insurer who has done nothing until now to terminate payments, because he believed that he was secure and that he would eventually recoup what he had paid out, will be out of pocket because the common law damages will be less than $11 000. It will therefore be some weeks after the matter is settled before the insurer can apply to the court to deal with the matter and terminate payments.

The Act contains no provision to deal with this situation. I do not believe that this Bill corrects that anomaly, which is only one of the many anomalies contained in the present Act. I refer to that matter as an example because I am afraid that this Bill, which was introduced with such a clash of cymbals and a sound of trumpets in the early 1970's (not by the present Minister but by his predecessor), is not a satisfactory instrument in the way in which it seeks to carry into effect the policies of the present Government.

The only other matter I wish to raise relates to insurance brokers. When I was in Tasmania at the Constitution Convention it seems that all hell broke loose (so I am told) at my office because it was discovered by insurance brokers that they were virtually to be put out of business by proposed new sections 123e and 123f, which peg at very low levels the brokerage that can be charged in future by insurance brokers. I intend to read part of a letter I have received about this matter. I do not know whether other members have received a similar letter, but I accept it as an individual letter. It is from a person who works in the insurance brokerage field and is only one of many approaches that I and other members have had.

The letter comes from a man who does not live in my district and who is not an employer. He lives at Morphett Vale, which is not in any district represented by members of the Opposition. I do not believe that he is a wealthy person trying to protect a vested interest. I believe that he is a man who works in this field and is trying to save his own job. In part, this is what he says in his letter:

The pertinent sections of the Bill which affect me as an employee of an insurance broking house are the section 123e and 123f which are to be found on pages 11 and 12 of the Bill. These sections place severe limitations on the amounts of brokerage or fees which may be collected from clients or insurance companies for the placing of workmen's compensation insurance and associated professional advice.

From a recent survey in the office in which I am employed, it was found that income from brokerage obtained from workmen's compensation insurance would comprise one-half of the total brokerage income from all classes of insurance. Should this Bill be passed by both Houses it would not be presumptuous to say that an average of close to 50 per cent of staff employed by insurance brokers in South Australia would have to be retrenched. As the insurance broking industry is a labour-intensive business, the drop in revenue would have to be combated by reductions in overheads and retrenchment of staff.

You may not be aware that the insurance broker is legally liable for the collection of premiums of the policies he places with insurance underwriters, which in effect means that should an insured default in his payments the broker must make up the shortfall to the insurance underwriter. Under the proposed legislation a premium of $100 000 would attract a brokerage collection from the client of only $650. There is also the responsibility of collecting the stamp duty charges from the client which amount to $5 000 on this premium. Therefore, for a fee of $650, the broker would have the following responsibilities:

(*a*) Researching the client's needs.
(*b*) Marketing the risk and obtaining reasonable conditions in premium costs for the client.
(*c*) Placing the cover.
(*d*) Standing the credit risk of $105 000 in default of payment by the client.
(*e*) Assisting the client with preparation of claims.
(*f*) Assisting the client in risk prevention areas which must be beneficial to the client, the employee, the insurance companies and the community as a whole.
(*g*) Suffer the penalties for professional negligence.

My personal experience in the insurance broking industry has shown that few people understand the function of an insurance broker.

He has given me a pamphlet and a copy of the submission to the Minister. He goes on:

There appear to be several anomalies in the Bill, and one in particular is that under section 123f no mention is made of an ordinary insurance agent. It would appear that an agent (who is not, of course, a professional adviser) would still be paid a commission from the insurance company for whom he acts as an agent.

I trust that the foregoing shows how the employment of my colleagues and myself would be seriously affected should the Bill be passed by both Houses, and I beg of you to make representations on behalf of colleagues and myself when the Bill is again debated.

Mr. Becker: Some of these blokes have been ripping off the public for years.

Mr. MILLHOUSE: I can see that the member for Hanson has no sympathy whatever with these people, from the comments he has made. I think the less of him for that, but that is a matter for him.

The Hon. J. D. Wright: Did you think very much of him before?

Mr. MILLHOUSE: No, I did not—

Mr. Becker: The feeling is mutual.

Mr. MILLHOUSE: —so one can draw one's own conclusions. These people have been employed in this occupation, and if they had not been performing some useful function I am sure that those who are involved and who are business people would have dispensed with them, done away with them, long ago. I do not believe that we should, in the fashion in which this Bill will do, jettison them and put them out of work. I intend, at the appropriate time, to take some action on that matter, too. I have had representations (as I suppose other members have had) from the two groups in this field, the so-called big boys and the smaller independent individual brokers. I am satisfied that both groups have a case and, even if the member for Hanson and his colleagues in the Liberal Party are not prepared to try to do anything to help them, I am, because I think there is some justice in what they have said to me.

Mr. Dean Brown: Do you support the sorts of condition being imposed upon them that I suggested during the second reading debate?

Mr. MILLHOUSE: I am afraid I did not hear that speech, either. I shall look at it, but I cannot answer the question of whether I do or not. I have my own amendments, which I imagine I shall find more acceptable than those of the member for Davenport but, if I find they are

not, I will support what he has in mind. Those are the only matters I want to raise. I support the second reading, because we have to do something about this legislation, and I must have an opportunity to move the amendments I have placed on file.

The Hon. J. D. WRIGHT (Minister of Labour and Industry): I do not intend to deal with detailed matters that are the subject of specific amendments to be moved in Committee. I think most rational speakers have implied that this is a Committee Bill, and I do not argue too much on that. I think most of the matters involved will have to be attended to in Committee. I understand many pages of amendments are involved, so I shall not waste the time of the House now when they can be dealt with later. However, I think some comments should be made, and I hope to conclude my remarks by the dinner adjournment so that the Bill has a clear passage into Committee.

The first major point is that not one speaker, including the leading speaker on the other side, the member for Davenport, made any attempt to cover the situation of safety in the work place. No-one looked at the problem where it starts; and there is no doubt that that is where it starts. Since I have been Minister, I have tried to encourage Government departments and private enterprise organisations to set about establishing a policy, a formula on safety regulations to which those in the work place should adhere. It is tremendously important to prevent accident or injury. To me, that is as important as is rehabilitation, but not one member opposite, to the best of my knowledge, even wished to talk about it—

Mr. Dean Brown: We are precluded under Standing Orders, because of another Bill on the Notice Paper.

The Hon. J. D. WRIGHT: —particularly the member for Davenport, the leading speaker. He now claims to be a great rehabilitation expert, but he had not mentioned the word until about three months ago. He did not speak of safety in the work place. I think he should be charged with neglect for that.

Mr. DEAN BROWN: On a point of order, Mr. Speaker, I point out that, under the appropriate Standing Order, any member in this House would be precluded from talking about another Bill on the Notice Paper. There is on the Notice Paper the Industrial Safety, Health and Welfare Act Amendment Bill. Therefore, members, including myself and the Minister, would be prohibited from speaking of it.

The SPEAKER: Order! There is no point of order. The honourable Minister.

The Hon. J. D. WRIGHT: It must have hurt the member for Davenport to realise that he made another of his numerous mistakes in debating my legislation. The next matter relates to rehabilitation. What did we hear from the member for Davenport on rehabilitation? He said three things: first, we should apportion liability; secondly, we should exchange medical certificates; and thirdly (he might not have said this explicitly, but he was implying it), we should eliminate some double pay and reduction of benefits. Using the words that he used when he made a bitter attack on me some weeks ago, I charge the member for Davenport with being the biggest band-waggon rider I have ever seen in this Parliament. Not until I started to talk about rehabilitation in the work force did the member for Davenport even mention it. I can give an illustration. Only two or three weeks ago, the *Advertiser*, on September 29, stated, "Employers say 'No' to health bid."

Dr. Eastick: How many weeks ago?

The Hon. J. D. WRIGHT: It was on September 29, about five or six weeks ago.

Dr. Eastick: It's more than two or three, though.

The Hon. J. D. WRIGHT: Say that it is five or six weeks ago. The report in the *Advertiser* stated that the Chamber of Commerce and Industry was opposed to a plan to set up a rehabilitation and occupational service at Port Adelaide. That project was the brain child of a Labor ex-member of the Federal Parliament who consulted with me and my department in order to try to assist workers who were not being cared for in the Port Adelaide area. Nothing existed there for that purpose. I cite the project at Mile End, which is reliable and which is obtaining good results. One would have thought that the Port Adelaide project would help reduce premiums and get men back to work as soon as possible, as the centre would have had specially trained people, and that the employers in the Port Adelaide area would have been willing to support it. They thought that a cost touch was involved, but there was never any intention of that. It was never intended to have a cost imposed on employers unless they used it. Where was the member for Davenport then? What did he say about that rehabilitation scheme? As usual, he was silent. He is always silent when the employers oppose something that the Government puts up.

Mr. Dean Brown: I expressed my views during the debate on the lines in the Budget debate.

The Hon. J. D. WRIGHT: I did not read anything in the press about the member for Davenport supporting the establishment of that rehabilitation centre. I certainly have not heard him say much about that project.

Mr. Dean Brown: I suggest that you read *Hansard*.

The Hon. J. D. WRIGHT: I have been speaking on behalf of the Government about rehabilitation, which is a most important aspect of workmen's compensation, for about a year. What has the member for Davenport done about it? The only action he has taken has been the policy he put in his recent speech. I have been able to talk to employer groups and all kinds of gathering. I have sent an officer overseas to investigate the Canadian system, which, I believe, is the most appropriate rehabilitation system operating anywhere in the world. There is insufficient time to implement in this legislation those policies, but I have certainly got the matter in train, and I shall be introducing it soon. I warn the employers and the Liberal Opposition that this is not the end. I think that the Leader said that this was short-sighted legislation. However, it is catch-up legislation, because of the pressures put on the Government. Those pressures have now been removed, because the real attack on the Government in this area has been over overtime pay, about which the employers have been complaining for some time. However, because the cycle has turned backwards, that provision is not as important as it once was, and I do not think that employers are as concerned about it as they were previously. I believe that the rehabilitation spoken about by the member for Davenport is the old policy of starving the workers back to work. That is the Liberal Party's policy.

Mr. Chapman: No it's not, and you know it.

The Hon. J. D. WRIGHT: Let us see what the member for Davenport said.

Mr. Becker: It's not the policy of the Liberal Party.

The Hon. J. D. WRIGHT: The member for Davenport speaks for the Liberal Party (if not, he should be removed from the front bench). What were his proposals? The best he suggested was apportionment of liability, but what would that do? It would make the worker declare that he

had been a receiver of compensation, and it would escalate the point to which the member for Mitcham referred: it would prevent the worker from obtaining employment, and that would be an attempt to starve him back to work. Regarding the exchange of medical reports, on whose side would that be? That is not on the side of the workman but on the side of the employer and the insurance companies, and the member for Davenport knows that. The member for Davenport also referred to the elimination of double pay and a reduction of benefits, and said that he intended to move amendments in this regard. Double pay and reduction of benefits were introduced by the Liberal Party, and that legislation stayed on the Statute Book for many years until the Liberal Party left office in, I think, 1970. Let us not blame the Labor Party for that provision. We will argue in Committee about whether that is right or wrong.

Mr. Dean Brown: It looks as though—

The Hon. J. D. WRIGHT: I said that we would talk about that point in Committee; whether it is right or wrong, I am not saying now. In fact, I support—well, it will be dealt with in Committee.

Mr. Dean Brown: You accused me earlier of starving the workers.

The Hon. J. D. WRIGHT: All the matters the honourable member recommended in his second reading speech were attacks on the worker. They were not true and genuine attempts at rehabilitation. That is the point I am making. I suppose that there is some compensation from the member for Davenport, because he has now dropped the line of the bludgers about whom he used to talk. He has belatedly accepted that there is a responsibility for Government to consider the rehabilitation of this State's workers.

Mr. Wardle: You agreed with the last point he made.

The Hon. J. D. WRIGHT: I did not agree with the honourable member.

Mr. Wardle: You said you supported it.

The Hon. J. D. WRIGHT: I did not say that. I said that, although I did not agree with it, the matter would be discussed in Committee.

Mr. Coumbe: You said you supported it.

The Hon. J. D. WRIGHT: I did not say that. I said that I supported the fact that the double payment provision was there; I do not support any amendment to it. I support it because I believe it is proper that the employee should not lose that sum of money. It is strictly in accordance with Labor Party policy that a worker should not be advantaged or disadvantaged. The member for Davenport next spoke about full take-home pay, saying that a person would end up in trouble if he budgeted up to his full take-home pay. The member for Alexandra dealt with this matter more efficiently than did any other Opposition speaker. I thought it was the most moderate speech he has made since being in Parliament. It has proved to me that listening to Government members has had some effect on him, because he would not have made that kind of speech when he first entered Parliament. I do not think I will deal with that matter now, because I think that the member for Playford dealt with it effectively earlier today when he explained to the House that, irrespective of the overtime being worked in a certain industry, the employee, particularly if he has a young family and his wife is unable to work, budgets on that amount. There is no question about that.

It is useless to argue that, because an employee is injured, his costs are less. That argument was put forward by the member for Alexandra. He said that certain costs were incurred if the worker was at work. No speaker has mentioned the pain and suffering, which should not be underestimated, if a worker has had a bad back injury or a leg or finger amputated.

Mr. Chapman: We are not seeking to compensate for pain. We are seeking to compensate for loss of wages.

The Hon. J. D. WRIGHT: We are: it must be taken into consideration. The Opposition argued that there should be a reduction in the normal weekly wages.

Mr. Chapman: No.

The Hon. J. D. WRIGHT: That is the argument it put forward, but I believe that such a worker should be getting exactly the same, and that is the Labor Party's policy. What happens to the man? He is injured. He has pain and suffering to endure. He could be put in hospital, thus being removed from his family. He is deprived of sport, social activity, and congregation with his friends. If there is some argument for a small reduction in the sum received (as propounded by the member for Davenport and the member for Alexandra), as against the Labor Party's policy, surely that would not reduce the premiums in this State by any significant sum. That is the argument, but I say unhesitatingly that it would not reduce them at all. It is an insignificant argument that cannot be supported, and I believe I have answered it. The member for Davenport completely ignores the fact that the number of claims has fallen significantly in the past three years from a peak of 87 000 to less than 78 000, and that claims relating to the size of the work force are similar to the position that applied 10 years ago. In 1975-76, it was 176 a thousand workmen, and in 1965-66 it was 171 a thousand workmen. I believe that that trend is continuing, and that it is not a proper argument to suggest that the present legislation entices people to claim workmen's compensation.

Mr. Chapman: If they are not doing it, why are premiums rising?

The Hon. J. D. WRIGHT: That is another question. At present the trend is to stabilise and reduce the number of claims. That fact destroys the argument that this is a bludgers' paradise, as we have been led to believe by statements of doctors and others. I believe that the position is stabilising and that people are now responsibly claiming for workmen's compensation. Otherwise, the figures would show a reverse trend: at present there is a de-escalation, which supports the legislation.

In my second reading explanation I referred to a leading insurer who said that it was not the level of benefits but the way compensation victims were treated that was the problem. I did not notice the member for Davenport trying to answer that point. Obviously, he did not communicate with that insurer, who I think is one of the best authorities in South Australia on this problem. He believes, as I do, that there is nothing basically wrong with the legislation: obviously, some things need amending and that is what we are doing. He said that it was not the payment but people who were not concerned with those who had to be rehabilitated that was the greatest problem. That is a convincing argument, and I support it. If the member for Davenport were sincere in his attempt to try to rehabilitate these people, surely he would have communicated with that person, as I named him with his permission, to ascertain whether what I had said was true. However, there was no attempt to do so.

We have heard something about the 85 per cent proposal of the Woodhouse committee, but that is just not on. The member for Mitcham, whose arguments I respect because he advances a sane argument, used this point

today, but it is not a comparable argument because the Woodhouse report referred to a 24-hour no-fault coverage for all persons for accidents or injury, and did not specifically apply to workmen's compensation. I state publicly that I think that that is the best type of legislation, and is the best way people should be covered. The Canadian system offers that sort of protection to workers, and I had hoped that similar legislation would have been passed by Federal Parliament. However, we know of the activities that have taken place to prevent the legislation from proceeding and we know the role played by insurance companies in that situation. I hope that the member for Mitcham will in time, if given the opportunity to support similar State legislation, deal with those who oppose it, as he can deal with them so effectively.

Generally, I am referring to the submissions of the member for Davenport. He said that he agreed with most insurance proposals, but he could not resist an attack on the State Government Insurance Commission and gave a list of anonymous cases without revealing the full facts. Those figures, referred from brokers, were meaningless, and I believe were not produced ethically. Although the honourable member did not reveal his source of information, it is apparent that he was able to obtain the figures from brokers, and I think that was unethical. A report from the S.G.I.C. states:

A rebuttal of this lies in the fact that many employers have their compensation insurance with S.G.I.C. at presumably the best rates, and brokers do business with them. For every case quoted (if accurate), many could be found of lower quotes.

The report from the S.G.I.C., which is important and which should be included in the *Hansard* report, states:

Premium rates are influenced by:

(i) the nature of the industry and occupation of the employees;
(ii) past claims experience;
(iii) wages declared;
(iv) special safety/rehabilitative features in a risk;

and occasionally other, more profitable business, being offered with the workmen's compensation business. A variation in the presentation of the information in any of these could well result in a disparity, and in actual practice this does occur. Insurers have been known to assume risks without elucidating the precise nature of the risk, and have finished up making a loss. The commission's policy is to assess a risk in light of the information obtained and its underwriting experience, and to quote a premium commensurate with it.

As a matter of policy, on those accounts which warrant this, it provides a claims experience discount, on renewal, based on the past track record of the account. The commission's practice is no different from that of other insurers. The member for Davenport, by innuendo, has suggested that S.G.I.C.'s premiums are too high. He overlooks the fact that S.G.I.C. has had wide broker, industry, and community support since inception, and that it has been successful in obtaining and underwriting workmen's compensation business, apart from the other classes, from brokers, presumably (if one is to follow the honourable member's argument) in circumstances where the private insurers have quoted higher premiums.

The point I make in regard to the honourable member's submission is that it was anonymous and there was no proof by establishing facts, which one would have to do in a court case. The honourable member did himself no credit in not establishing that they were proper quotes. Much has been made of possible unemployment in the broking industry. Brokers are not being put out of business. They must charge the employer for their service. The service cannot be very valuable if it will not be paid for. A strong argument put forward by most Opposition members is that premiums are too high, and that we are putting people out of business because of this legislation. Here is a genuine attempt to cut out the middle-man, and it would have the ultimate effect of reducing premiums.

Mr. Millhouse: You admit you are cutting out the middle-man?

The Hon. J. D. WRIGHT: No. We are examining what the employment reduction might be. We are not pleased about the fact that there could be unemployment, and I am having this point examined. The Opposition's arguments have been that, in most cases, premiums are too high, would cause unemployment, and would stop industry from coming to this State. I do not agree. If one is willing to examine that situation, and the aim is to cut out the middle-man, obviously premiums must be reduced. Brokers either have a service to sell or they do not have a service to sell. If the employer is unwilling to pay for the service, all I can say is that the service cannot be too darn good. The broker puts himself in a position where he can go to an employer and do a deal offering certain rates. That is already happening in Adelaide, and all sorts of reduced rates are being offered to all sorts of people. If the broker can do that and charge the employer for it, that is his business. We are saying that: we are not saying that he can get a double charge.

I have dealt with the member for Alexandra, who, as I said, made a reasonable speech: it was certainly the most reasonable speech I have heard from him in this House. I hope he will support his speech by moving to this side of the House when the amendments are moved. One would expect him to do so, because he has in philosophy and principle supported the exact policy in which the Government believes—not to advantage or disadvantage workmen in the work force. I have dealt also with the member for Mitcham regarding the Woodhouse report, which I thought was the most vital part of his contribution. I have not yet dealt with the speech presented today by the Leader of the Opposition.

Mr. Chapman: You've dealt with most things, and you've agreed that the principle should be observed, but you haven't established—

The Hon. J. D. WRIGHT: I have enunciated Labor Party policy that the worker should not be advantaged or disadvantaged. That is what the Government is putting up. I would advise the Leader to change his speech writer, because his speech on this topic was one the worst speeches that I have heard him make in this House. I even heard people whispering in the galleries that it was the worst speech the Leader had made. If the Leader makes a good speech I will give him credit for it, but he made an irrational speech today saying that industry would float out of the State and that no industry was coming to South Australia. He did not give us figures about what is happening in Victoria and New South Wales. The Leader was getting away from workmen's compensation. I say that South Australia has the lowest unemployment rate in Australia, so the State is not doing too badly. I do not say that we are doing well, because I am not pleased with the figures. However, we are holding our industry and remaining buoyant against the extreme odds of the Federal Liberal Government. The Leader's speech offered one criticism, which I have noted as "Leader accuses Trades Hall domination".

Dr. Tonkin: Yes.

The Hon. J. D. WRIGHT: He has now confirmed what I thought he said. It is sometimes difficult to pick up what the Leader is saying, because he stutters and stammers even though he reads everything these days, and is careful about

what he says. It is the greatest impudence I have ever heard from anyone in this House. Why? Even if I do consult with the Trades and Labor Council—

Mr. Goldsworthy: And you do.

The Hon. J. D. WRIGHT: Of course I do.

Members interjecting:

The SPEAKER: Order! There are far too many interjections. The matter can be further discussed in Committee. There is a limit to interjections. Not all honourable members can interject at once.

Members interjecting:

The SPEAKER: Order! If honourable members dare to interject while I am talking I will act immediately. I have allowed a reasonable number of interjections. The Parliamentary system under which we operate encourages a few interjections, but in this case there are too many.

The Hon. J. D. WRIGHT: Thank you for your protection, Sir. Members opposite always interject when I speak, and I am getting used to it. Even if I do consult with the Trades and Labor Council, I have similar—

Mr. Mathwin: And you have to talk to the boss sometimes.

The SPEAKER: Order! I call the honourable member for Glenelg to order. I shall not speak to him again.

The Hon. J. D. WRIGHT:—consultations with employing bodies and give them the opportunity to discuss with me relevant issues and to make written submissions. I am not being hypocritical, which is more than I can say for the Leader or the member for Davenport. It may be a surprise to members opposite that yesterday afternoon the bonnie of them all occurred when the member for Davenport sought and was given authority to talk to the Head of my department about amendments and the programme for this Bill. We were only too pleased to help the honourable member. Do members know what the member for Davenport did? He turned up with the Manager of the Chamber of Commerce and Industry, Colin Branson. I put it to you, Mr. Speaker, who gives the Liberal Party its orders? Members opposite accuse the Government of taking orders from the Trades and Labor Council but they are absolute hypocrites themselves.

That is not the end of the story because yesterday afternoon I visited General Motors-Holden's and saw there hand in hand again the member for Davenport and Mr. Branson. They came to meet the Head of my department in the same car and they went away in the same car. They were invited to have a drink but said that they had to run, which they did hand in hand again. It is about time that we stopped this sort of hypocrisy. Members opposite should take their side and we will take ours. I have no doubt whom the member for Davenport and his ilk represent; they represent the employing class and not the working class.

Mr. DEAN BROWN (Davenport): I seek leave to make a personal explanation.

Leave granted.

Mr. DEAN BROWN: I sought leave to make an explanation because Mr. Branson, from the Chamber of Commerce and Industry, turned up at the Minister's department for an interview with Mr. Bowes at the specific invitation of the Director of the Minister's department. Mr. Branson did not attend at my invitation. When Mr. Bowes telephoned me (and I am sorry to have to bring this up, because the Minister should have ascertained what his Director did) he did so to discuss two matters, one of which related to the Industrial Safety, Health and Welfare Bill, because of the technical amendment that I have proposed, and the other matter related to a clause in this Bill in relation to hearings. The latter was a secondary matter. Mr. Branson was present at the specific invitation of Mr. Bowes, not at my invitation. It was the Minister's own department that arranged the time and place and invited Mr. Branson.

Members interjecting:

The SPEAKER: Order!

Mr. DEAN BROWN: It was the Minister's department that asked Mr. Branson to be present, not I. I therefore ask the Minister to retract his outrageous accusation that he made here this evening.

Bill read a second time.

Mr. DEAN BROWN (Davenport) moved:

That Standing Orders be so far suspended as to enable an instruction to be moved without notice.

Motion carried.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr. DEAN BROWN (Davenport) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider amendments relating to the exchange of copies of medical certificates, apportionment of liability and regulation of insurance premiums.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

ELECTORAL ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.

(Continued from October 19. Page 1616.)

Mr. COUMBE (Torrens): This Bill, although it appears to be lengthy, is actually fairly short in its intent. I have spoken on a number of Electoral Act Amendment Bills in the past and I take this opportunity to speak on this one. I indicate my support for the principle of the Bill, which deals with certain diverse matters, and clears up some aspects of the Electoral Act. It is interesting to note that this is Electoral Act Amendment Bill (No. 4) of this session, so the Electoral Act has certainly received some attention during this session from both sides of the House. There have been private Bills and Government Bills on this subject.

In this Bill we find we are considering first the appointment of a Deputy Electoral Commissioner. We all know to whom this applies. It seems to be a sensible procedure to provide for a Deputy Electoral Commissioner. A year or two ago we changed the Act (in 1973 from memory) and set up the office of Electoral Commissioner and made him a statutory officer of Parliament so that he now comes under the Statutory officers vote each year, is divorced from Government, and is an officer of Parliament. That is how it should be in matters relating to the Electoral Act.

The present Commissioner and the proposed Deputy Electoral Commissioner are a credit to this State for the work they have done and are currently carrying out. We are fortunate, indeed, in having two such outstanding officers. The deputy has acted in a number of other very important capacities, apart from being Deputy Electoral Commissioner. The Bill sets out to define the office of the

Deputy Electoral Commissioner and there are provisions in the Bill to alter the present Act to provide for his appointment and through a series of clauses we find the necessary consequential amendments necessary to effect this change. That is covered on pages 1 to 4. Having commended the appointment of this officer, I believe the administration of the Electoral Department in this State should run smoothly. There is a heavy load placed upon the Electoral Commissioner and the officers under him.

We come then to another clause of the Bill which raises a new facet. This is in relation to persons who previously have been excluded from the right to cast a vote at a State election. This comes from a recommendation of the Mitchell committee on legal reform. That report states that in the committee's opinion we should hereafter give the right of voting to those who are in prison for certain types of offences. It seemed to me to be rather strange that certain people should be excluded from voting, and this is the provision that will be in force in the future. Let us not run away with the idea that we are going to do something drastic, because the numbers are restricted. I believe it is historical in intent, as far as I understand my history in this regard, and it meant that a person who has been indicted on a serious offence, including treason, has lost not only his freedom but his right to cast a vote as a citizen. That has been one of the penalties in the past.

The Hon. Peter Duncan: And they used to lose their property.

Mr. COUMBE: I do not want to go into what else they lost, but I am saying that we are going along with the Mitchell report and I am pleased to see that on this occasion the Attorney-General is sticking to the recommendations of that report and not going further as he has done on another occassion.

The Hon. Peter Duncan: It would be difficult to go further on this occasion.

Mr. COUMBE: Quite. It is nice to see that the Attorney is being circumspect on this occasion. Section 41 of the principal Act is being repealed to give effect to this and, consequentially, section 42 is amended by striking out certain words.

We then come to an important clause dealing with the type of voting. The first clause, dealing with postal votes, is a little pedantic, because at the present time a person can seek a postal vote because of approaching maternity, and certain women do take advantage of this right. I assure honourable members that it is only women who take advantage of it, but the provision can be misconstrued. I am not sure why the Attorney is insisting that aproaching maternity be deleted and inserted in its place are the words:

. . . reason of advanced pregnancy . . .

Perhaps it is an exercise in semantics, or perhaps he is tightening up the wording for some other reason.

Mr. Mathwin: Did you ask him to explain the Bill?

Mr. COUMBE: He did not go into detail, but he is seeking here to insert certain words. Let us not get uptight about this in any way, because we know what the Minister means and I do not think anybody will be terribly worried about the change of wording. However, we then come to the important section (I have already indicated my support for the measure) regarding postal votes for people who will be or who are at the time of an election inmates of an institution and who are for any reason precluded from leaving the institution and voting at any polling both. This raises the question of the postal vote application and the practices carried out in this State for many years. It gets over a problem.

Allegations have been made on occasions of abuse of the system; certainly, the system leaves itself open to abuse. Serious allegations have been made in the past. The district I have the honour to represent includes some large hospitals and institutions. I have to mention only the Helping Hand Centre, at North Adelaide, which has quite a large population. If the provisions of this clause are followed, we will have electoral visitors. In future, instead of people having to go to these places to give the services required by the inmates, it will now be possible for the inmates to receive advice and service of documents, of the voting application form and the subsequent vote, by electoral visitors. At the same time, the Minister is seeking to add to the word "illiteracy" the words "physical disability".

Melrose House, where a large number of blind people live, is in my district. One must go to extraordinary lengths to be sure that these people receive the vote in a proper way. Unfortunately, on occasions the service rendered has not been improved by an unhelpful returning officer. On most occasions, I am full of praise for the returning officers, and usually we have no difficulties. However, we have occasionally run into trouble. I am not sure how far "physical disability" goes, and whether it will include blind people. Obviously, it could refer to limbs, but I should like the Minister's assurance that it includes blind people.

I turn now to the general postal voter, the person who can, by filling in a form, enrol as a special voter in a far-flung area. On one occasion, this idea was promoted by the Hon. Mr. Whyte in another place, and I think the idea of a register of people who may enrol in this way has much merit. We all know the difficulties arising in some distant parts of the State, not only in the ability to cast a vote, which is the right of every citizen, but in the sheer physical difficulty of the posts and mails. It was quite by accident that I happened to be looking at the member for Semaphore when I said that. Because of the time involved, much difficulty is experienced in making the application, waiting for the mail to come back, and then seeing that the vote is returned in time to be received by the deadline date. The new provision will be most helpful, and the Hon. Mr. Whyte was right in his plea.

The electoral visitors will be charged with the responsibility of going into hospitals and institutions and assisting inmates in casting votes. Their duties are detailed in the Bill, as are the duties of the second electoral visitor. I am pleased that the Bill provides for two persons; one person, irrespective of his intentions, could leave himself open to criticism or charges. Whatever may be the personal views of other members, I believe this is overall a move in the right direction. Although penalties can be invoked against anyone who unduly influences or attempts to influence a voter, there is nothing to prevent anyone from posting material to an elector. Any candidate can post or send or hand to an elector before the vote is cast election material or how-to-vote cards. We are not restricting the opportunities of the candidate or his Party to put forward a view to an elector. It is only in the casting of the vote that these strictures will apply.

The duties of the electoral visitor and the method of voting are set out in some detail. The title "electoral visitor" is an oldfashioned phrase, as used in universities and other institutions. I shall query one or two items in Committee, but at this stage I indicate that the principles and tenets put forward in the Bill have the general support of my Party: that we set up a Deputy Electoral Commissioner, that we adopt the principle of a general postal voter, that we provide for electoral visitors, and that we give prisoners

the opportunity to vote, as recommended by the Mitchell committee. Prisoners have had their freedom taken from them, and they comprise only a small section of the community. This is a move in the right direction. I noticed that amendments have been placed on file, but at this stage I indicate the support of my Party for the measure.

Mr. MILLHOUSE (Mitcham): I support the Bill. There is not much that is controversial in the Bill as it stands, and the member for Torrens has been over the various provisions in some detail. As it relates to those convicted of offences, I do not suppose it matters much. It is a recommendation of the Mitchell committee, and we can accept it without too much fuss. I should imagine, from what I have heard, that that will probably marginally assist the Labor Party rather than other Parties, but it is so marginal that I do not think it matters. The question of permanent postal voting reminds me of the contest we had in 1960.

Mr. Coumbe: In Frome.

Mr. MILLHOUSE: Yes, in the Frome by-election. The Leader of the Opposition (Mr. O'Halloran) died, and we had people tearing up and down the Birdsville track and the Strzelecki track madly trying to get in the applications for postal votes by the right time and to get the votes out. The now Hon. Mr. Casey won the seat by 11 votes. If this amendment had been in force then, the history of State politics conceivably could have been quite different.

Mr. Coumbe: He left the Liberal Party, and went to Labor.

Mr. MILLHOUSE: We will not go into ancient history. He has been reproached for that many times. That is what I remember in connection with applications for postal voting. I think the provision in this Bill is a good idea. The appointment of electoral visitors and getting the votes of those who are aged or infirm in hospitals is long overdue. In what I say about this, I suppose I must, in my earlier days, take some share of the responsibility. That is because I and those who supported me took advantage of it. In my district, I have several hospitals and homes for elderly people and, doubtless, in that district the Liberal Party has people who are past masters or past mistresses at getting in the votes by sending ladies to the hospitals getting the applications, and in some cases excluding any other Party from getting into the hospitals.

Members interjecting:

Mr. MILLHOUSE: I fear, from the way the Liberal Party members are reacting, that they know only too well what has been going on in the past and that they know that their Party has been guilty of quite improper practices in many cases.

Mr. Becker: Name them, come on.

The SPEAKER: Order! There are far too many interjections.

Mr. MILLHOUSE: The member for Hanson, who is now on the back bench, takes too much on himself. Apparently, he identifies himself with his Party and asks me to name the improper practices. I have already stated that it was not until I was out of that organisation and had to fend for myself that I realised just what had been going on, and I realised that I had been the victim of some practices whereby my supporters were excluded from some of the hospitals in my district.

Members interjecting:

Mr. MILLHOUSE: The member for Rocky River, who has several hurdles to jump before he comes back here after the next election (and no-one knows that better than you do, Mr. Speaker), had better remember that, at the most recent State election, despite the high hopes of his Party, that Party came third in the contest in the District of Mitcham, despite these practices. I hope that these practices will not go on next time if this provision works, and I hope that aged and infirm people (and, therefore, people more susceptible to undue influence than people who are fit and well and are living in their own houses) will not be influenced by Party workers as I believe they have been in the past.

Mr. Allison: Obviously, you are frustrated.

Mr. MILLHOUSE: The Liberal Movement did very well at the most recent State election, and we will do even better at the next election. I know on whom I would put my money. I want to raise one other matter, and that is a matter of fundamental principle. It is an objection that I have to part of the Electoral Act, and all members here will have to face it soon. That is that in this State we have compulsory voting. I do not believe that voting at elections should be compulsory, and that is the policy of my Party.

The Hon. J. D. Corcoran: When did you formulate this policy?

Mr. MILLHOUSE: It is amazing how often the two Parties come together to oppose what I say. They take comfort in opposing me when they have not any argument.

The Hon. J. D. Corcoran: No. I want to know how that policy was formulated.

Mr. MILLHOUSE: The policy was formulated and has been thrashed out in the past few years at several conferences attended by several hundred people.

Mr. MATHWIN: On a point of order, Mr. Speaker, I do not think that there is anything about the honourable member's Party policy in this Bill.

The SPEAKER: That is quite correct. I must uphold the point of order and ask the honourable member for Mitcham to stick to the Bill.

Mr. MILLHOUSE: Surely, on a matter relevant to the Bill, I have the right to expound on the policy of my Party.

The SPEAKER: Not the involvement of your Party, or how it arrived at this policy.

Mr. MILLHOUSE: I was asked to give an explanation.

The SPEAKER: I grant that the honourable member was provoked.

Mr. MILLHOUSE: I am sorry, but, through you, I must apologise to the Minister for not being able to tell him how it happened, but it is the policy of our Party and I believe in it strongly. I believe that it is quite undemocratic to force people to go to the polls. People may use other arguments if they like, but that is a fundamental one. We do not get many opportunities now to increase the freedom of individuals and to emphasise their liberties, either to abstain from doing something or to do something.

This is an opportunity to undo what I believe was a mistake made in South Australia in 1942, when this was the last State to follow the line of the Commonwealth. I think it was in 1927 when voting became compulsory in the Commonwealth sphere. Now we have the opportunity, as we have had before, with an amendment that I shall move to put that right. I give warning, particularly to members on this side, that we will test them and find out whether they are true democrats, whether they believe in compulsion or in freedom. If section 118a was taken out of the Act, I should be most content.

Mrs. BYRNE (Tea Tree Gully): In common with other members, I support the Bill, which provides more convenient procedures for voting, particularly in respect of electors casting postal votes. I commend the Attorney-General for introducing the measure, which I should have liked to see introduced earlier. Under the proposal, electors who are unfortunately hospitalised or are in a nursing home, and who are unable to attend a polling booth to vote, may cast a vote at the place concerned in the presence of an electoral officer, who will be known as an electoral visitor.

The elector will be personally given the ballot-paper by the electoral visitor. This certainly will improve the present system whereby, as we all know, the voter must first obtain a form of application for a postal vote, have it completed, and return it to the returning officer. The returning officer then posts it back to the voter so that the voter can complete the ballot-paper, have the envelope witnessed and post it back to the returning officer. This causes delay and, sometimes, by the time the person gets the ballot-paper, it is too late to get it back to the returning officer.

Some electors who are ill or aged find the present procedure worrying to them. This proposal will help to eliminate this worry. As the proposed procedure is fair to all political Parties, it should be acceptable to everyone. The only suggestion I make (and this is an administration matter) is that the electoral visitor should make visits to large hospitals, etc., several times, perhaps the last time being on the day of the election. I say that because all people who are unfortunate enough to be hospitalised are not necessarily seriously ill.

Patients admitted for observation only that morning would be precluded from voting. Also, patients keep changing. Some are discharged before the actual election day, but are not sufficiently well to attend at a polling booth, whereas others may be admitted to hospital the day before the election day or on election day. No doubt all members must, at past election times, have been contacted by electors who were placed in circumstances such as this, but who still wanted to cast a vote. I find that, at every election, electors contact me wanting postal votes but, because of the time factor, one is unable to help them, although one would like to do so. Most of these electors are disappointed at being unable to vote and, in some cases, they are annoyed. I do not blame them for feeling that way, because, if similarly placed, I would be annoyed if I could not cast my vote. This means that these people are disadvantaged and disfranchised at election time, through no fault of their own, simply because of the present electoral procedures. Other worthwhile provisions are contained in the Bill, but I wanted to comment only on the postal vote provision, because I have been closely associated with that aspect in the past.

The Hon. PETER DUNCAN (Attorney-General): I will deal briefly with the minor amendment provided for in clause 13 by striking out, in section 73 of the principal Act, from paragraph (*d*) of subsection (1) the passage "approaching maternity". The view of lawyers is that approaching maternity could last for some years. A woman intending to have a baby in three years time could well be classed as being in a state of approaching maternity. It was believed that, to be more correct and proper, the passage should be amended to "reason of advanced pregnancy". I am sure that the Opposition appreciates the Government's concern to ensure that the State's electoral laws are as proper and correct as possible.

Bill read a second time.

In Committee.

Clauses 1 to 11 passed.

Clause 12—"Duty of Electoral Commissioner on receipt of information."

Mr. RODDA: This clause relates to prisoners, who could well be enrolled in Victoria, Mitcham, or Flinders. They may have to transfer their place of abode to that where the prison is located. Does the Government intend that they will be enrolled? Will they have to change their place of enrolment to that where they will spend time in prison, which time may well exceed the time allowed for enrolment?

The Hon. PETER DUNCAN (Attorney-General): The Government's general intention is not to have all prisoners enrolled at the prison. A few prisoners might be enrolled there but, generally, the likelihood is that prisoners will choose to continue to be enrolled at the home address. It would be most likely that short-term prisoners would remain enrolled at their residence before taking up their new residence. I imagine that long-term prisoners would become enrolled at the prison itself. Fortunately for the argument before the Committee, the State's major prison is located in the Florey District, which is a safe seat, although it would not matter whether or not it was a safe seat. For the principle behind the system, however, that is fortunate, because it means that no politics is contained in the matter. This proposal is long overdue (I think that the Mitchell committee recommended it in 1973) and the Government is now carrying out that intention. The two provisions to which the honourable member has referred are consequential on the Constitution Act amendments that we will be discussing shortly.

Mr. RODDA: After listening to the Attorney-General's explanation, it seems that the legislation does not go far enough. A statutory time is provided so that, if I left the Victoria District, I would be required to enrol in the district in which my new place of residence was located. I imagine that this provision must apply also to prisoners. They are not beyond the law; they are constrained by the law. It seems that we have provided an anomaly in the legislation.

The Hon. PETER DUNCAN: No. As enrolment in South Australia is voluntary, they do not have to enrol.

Mr. COUMBE: I was astounded at the reply just given by the Attorney-General. In effect, he is saying that a short-term prisoner may have the option of remaining enrolled at his normal place of residence, but a long-term prisoner, serving perhaps a life sentence (which is not all that long in this State nowadays), would enrol in Florey. The Minister's only excuse was that the District of Florey contains a large prison, it is a safe seat and will not change, and it will not make much difference. However, we are dealing with electoral laws which make each citizen equal and gives each citizen equal voting rights. The Minister's argument was puerile and was one of the most pathetic that I have ever heard in this Chamber. The Committee is falling down in its duty if it accepts that argument. The Minister should be ashamed of his reply.

Mr. MILLHOUSE: We are running into a few bugs over this.

The CHAIRMAN: Order! I hope the honourable member will stick to the clause.

Mr. MILLHOUSE: Of course I will stick to it. I was just saying that we are running into a few bugs. First, I was going to reprove the Attorney, mildly this time, about Florey being a safe seat. We should not worry in such a matter about Party politics, although I think I said that probably that seat would favour marginally the Labor Party because, I think, a survey showed that about 80 per cent of prisoners voted Labor. I remind the Attorney that electoral boundaries change from time to time. Indeed, we are doing our best now, and the Attorney himself is conducting some litigation—

The CHAIRMAN: Order! I hope the honourable member will resume his seat. I only hope that the honourable member at this stage is not going to concern the House with electoral boundaries.

Mr. Millhouse: For heaven's sake, of course I am not.

The CHAIRMAN: Order! The honourable member is moving that way, and I hope he will not continue in that vein.

Mr. MILLHOUSE: The point I was just about to make when you stopped me was to remind the Attorney that electoral boundaries change. The prison may be in a marginal seat after the next redistribution but one. His argument was spurious, and one that should not have been used in this place. I now turn to a more serious aspect. The Attorney has been asked, quite properly, in which electoral district prisoners are to be enrolled: either in their own, where they lived before they began their term of imprisonment, or the electoral district in which the prison is located. The Attorney could not give a straight answer. He said that enrolment was voluntary, and so it is, in the sense that one can exempt oneself from State enrolment when enrolling compulsorily for Federal voting, but we have in South Australia a common roll with the Commonwealth. Can the Attorney say whether prisoners are permitted to enrol under the Commonwealth Electoral Act? My impression is that they cannot. Am I right?

The Hon. Peter Duncan: Yes.

Mr. MILLHOUSE: Then how can they get on a common roll which we have with the Commonwealth? If that is so, this provision is nugatory, unless we are to keep a separate roll for prisoners. We now have a complex arrangement with the Commonwealth for a common roll for four Houses: the Senate, the House of Representatives, the Legislative Council, and the House of Assembly, and I believe the Commonwealth prepares it.

If one does not want to be an elector for the State, one has to exempt oneself. In that case a star or a similar sign shows that the elector is exempted from State enrolment. There is only one in a thousand or less. If the Commonwealth does not allow prisoners to be enrolled, how will the names of prisoners for the purposes of a State election get on a common roll. I imagine that there would be some sort of a special roll. If there is to be a special roll, will it contravene the arrangement we have with the Commonwealth for the keeping of a common roll?

The Hon. PETER DUNCAN: Of course, the roll is common up to a point but it is not, as the honourable member points out, a totally common roll, because people who choose not to be enrolled for South Australian elections are indicated by an asterisk or some other means. The same procedure will apply to prisoners. They will be identified by some other means, and be ruled out of the Commonwealth roll. Moreover, the Commonwealth is intending to move in the direction of granting the vote to prisoners.

Mr. MILLHOUSE: I have one further matter to raise with the Attorney. Has he made already a specific arrangement with the Commonwealth for that purpose? How do we know for sure that the Commonwealth will agree to what he has just explained?

The Hon. PETER DUNCAN: I understand that computer rolls are kept by the South Australian Electoral Office, in any case.

Mr. Millhouse: But has the Commonwealth agreed to that?

The Hon. PETER DUNCAN: It is a matter of the Commonwealth's agreeing to our arrangements. I can tell the Committee that I do not foresee any difficulty.

Mr. Millhouse: In other words, you have not made an arrangement yet?

Clause passed.

Clause 13 passed.

Clause 14—"Application for registration as a general postal voter."

Mr. COUMBE: Will the names of electors within a prescribed area be entered on a special roll covering several electorates? Will these general rolls be available for Parties and members to scrutinise?

The Hon. PETER DUNCAN: They will be public rolls.

Mr. GUNN: I take it that this provision will assist people living in my district and that of the member for Frome who have been disfranchised at the last election because they could not get their application for a postal vote processed in time? Will these people who have been disfranchised apply once and then be permanently placed on the register?

The Hon. PETER DUNCAN: I do not know whether this provision will assist people in the honourable member's district, because I doubt that it will be his district for much longer.

The CHAIRMAN: Order! I hope that the honourable Minister will stick to the clause just as other honourable members are required to.

The Hon. PETER DUNCAN: Yes, Sir. Once electors are enrolled and are living at the address for which they enrolled, they will stay on the general postal-voter list. If electors change address, it will be necessary to re-enrol or to advise of their change of address.

Clause passed.

Clauses 15 to 22 passed.

Clause 23—"Enactment of Part XA of principal Act."

Mr. COUMBE: I should like the Attorney-General to spell out what is meant by "declared institution" in new section 87a? Can he also elaborate on new section 87b (1), because "nursing home" can cover a multitude of institutions, and reference is made in paragraph (*c*) to any other institution.

The Hon. PETER DUNCAN: The difficulty was to try to draft a clause to cover the types of institution that the Government wanted to rope into the provision whilst spelling it out at the same time. One could think of many institutions for this purpose. It might be necessary, if we want to proclaim an institution, to do so by name, whereas in other cases they could be proclaimed by class. If the honourable member could be more specific with his example I would be willing to reply. It is simply a matter of drafting a provision that is wide enough to cover all the matters we wish to cover.

Clause passed.

Clauses 24 and 25 passed.

The CHAIRMAN: Clause 25—the honourable member for Mitcham.

Mr. MILLHOUSE: I am indebted to you, Mr. Chairman, for holding up this matter for me.

Mr. HARRISON: I rise on a point of order, Sir. A vote was taken on clause 25 and it was passed.

The CHAIRMAN: The honourable member for Mitcham has the floor.

Mr. MILLHOUSE: Thank you, Mr. Chairman; I appreciate your protection.

The CHAIRMAN: I must inform the honourable member that during his absence a vote was taken on clause 25, but I have decided to allow reconsideration of the clause.

Clause 25—"Compulsory voting for House of Assembly."

Mr. MILLHOUSE: Thank you, Sir. I had an amendment on file, anyway. I move:

Page 11, line 1—Leave out all words after "is" and insert "repealed".

The amendment is not quite in the same form as that which is on file, but the effect is the same. Its effect is simply to repeal section 118a of the Act, which provides for compulsory voting in South Australia. I said something about this matter during the second reading debate, and I now intend saying a little more about it. I oppose compulsory voting because we should, as widely as possible, protect and preserve the liberty of the individual, and we are not doing that by obliging a person to vote at an election. I have said in this Chamber before and I will say again that one of the first things that I learned when I went to America on my first visit to that country was that Australia is not regarded as a democratic country, because we force people to vote. I can remember being told by university students when I was visiting a university, "Of course, you come from a country that is not democratic; you make people vote at elections." That never occurred to me before, but it is a fact, and Australia is one of the few countries in the western world (not the only one) that obliges its citizens to vote at elections.

Only a week ago today the United States had a Presidential election in which there was no suggestion that people had to vote. It was one of the tasks of the American political Parties to get people out to vote. I believe that 55 per cent of people voted. The same thing happened with by-elections in the United Kingdom, where there was also no suggestion that voting should be made compulsory. Why, if it is not compulsory in those countries, should voting be compulsory in South Australia? The same arguments apply in both places. As a liberal (and I use the word with a small "l"), I believe in personal freedom and in not compelling people to vote if they do not wish to do so. We shall see just how liberal members of the Liberal Party are on this matter. I hope that, on this occasion, they will show that they are truly liberal.

Mr. Chapman: Do you think there will be more responsible voters with voluntary voting?

Mr. MILLHOUSE: My view is that there would be. I do not believe that we get a very responsible vote now from those who are forced to vote.

Mr. Chapman: Does the same apply to council elections, where there is a voluntary voting system?

Mr. MILLHOUSE: I do not know what the member for Alexandra is driving at.

The CHAIRMAN: Order! The honourable member will speak to the Bill.

Mr. MILLHOUSE: Right. I appeared at a justices appeal for a chap named Ninnes who is enrolled in the Salisbury District and did not vote at the last State election. After being sent half a dozen or so "please explains" by the Electoral Office he was charged with the offence of failing to vote and was hauled up in court at Elizabeth, where he was found not guilty by Mr. J. R. Harry, S.M. The Crown appealed against that decision. I was then briefed to appear for Mr. Ninnes, who, in the Court of Summary Jurisdiction, had acted for himself. Mr. Justice Hogarth, who heard the appeal, stated that the proceedings in the Court of Summary Jurisdiction took a rather unusual course. However, that is irrelevant to this question. What His Honour decided (and this is perhaps of some interest to members) is that section 118a only obliges a person to go along to record his vote; that is, get the voting papers. There is no obligation to cast a vote or to cast a formal vote. In his judgment, His Honour said:

It follows in my view that the verb "vote" in subsection (11)—

of section 118a—

is to be construed as relating to those who have duly obtained their voting papers and, possibly, placed them in the appropriate ballot-box or otherwise (as in the case of a postal vote) returned them to the proper destination. I do not think that a person who casts an informal vote at an election is one in breach of subsection (11).

So, there is no obligation, as I would have believed before His Honour gave judgment, to cast a vote: the only obligation we put on people is to go along to the polling booth, have their name crossed off, and get the ballot-paper.

Mr. Keneally: You've been saying that for years.

Members interjecting:

The SPEAKER: Order! The honourable member for Mitcham has the floor.

Mr. MILLHOUSE: The honourable member's interjections are often helpful, but I do not think any returning officer or any of us will thank him for saying that. I do not know whether the honourable member and other members have had the experience I have had; that is, the experience of scrutineering at elections (of course, elections in which I have not been a candidate). Afterwards, when one is helping with the count, there is always a mad effort to balance the ballot-papers against the numbers ticked off. On a number of occasions I have gone through rubbish bins and God knows what else looking for spoilt ballot-papers to make the thing balance. That whole system can be ruined now, because, if people like to defy the accepted custom and go along, have their names crossed off, and put the ballot-papers in their pocket and walk out, there is no sanction against it. It will completely ruin the recording system in the Electoral Department.

That is one thing that came out of the judgment; another thing was the absolute unfairness and the anomalies that can arise. This man Ninnes had been a member of the Jehovah's Witness sect, but he is no longer a member of the sect. When he was a Jehovah's Witness, that was known to the Electoral Department, and he was left alone. He had only to say, "I am a Jehovah's Witness", and no action was taken against him for not voting, because Jehovah's Witnesses are regarded as people having a conscientious belief. He told the Court of Summary Jurisdiction, as he told me, that, while he was no longer a Jehovah's Witness, he still had the same beliefs as regards voting as he had when he was a member of the sect. Yet now, holding the same beliefs as he had then (and he told the court that), he was hauled up before the court, convicted, and fined the minimum of $2. If that is not an anomaly, I do not know what is. This is just another aspect of a very unsatisfactory section.

Mr. Keneally: Are you saying that, when he represented himself, he won, but, when you represented him, he lost?

Mr. MILLHOUSE: That is exactly right, and no doubt it will give the honourable member much satisfaction. His Honour finishes his judgment as follows:

Reading the evidence carefully, I cannot determine that there was a valid and sufficient reason established, even if the verb "vote" as used in subsection (11) means "to record a formal and valid vote". But for the reasons which I have given I do not think it means that. I think it merely means obtaining the voting papers and, possibly, placing them in the ballot-box, whether filled in validly or informal or blank. The respondent has not given any evidence which would suggest that he has any conscientious objection to doing that.

So, he was convicted and fined. All this section does is oblige people to go along, have their names crossed off, and leave if they want to.

Mr. Chapman: Each time?

Mr. MILLHOUSE: Yes. It does not oblige them to cast a formal vote. That greatly detracts from the force of the section and from the force of the arguments of those who support compulsory voting.

Mr. Wotton: It would be hard to police.

Mr. MILLHOUSE: Impossible. It is wrong to force people to vote. We should undo the mistake we made in 1942, when South Australia joined all the other States in having compulsory voting. Those of us who are in politics know, even though we do not like to acknowledge it, that the reason why we have inflicted on the community compulsory voting is really this: it makes the task of political Parties very much easier, and it undoubtedly takes away a large part of the task that political Parties have in other places—to get the vote out and to get people to the polling place to vote. We do not have to do that in this country. There is an argument as to which side of politics gains most as a result of having compulsory voting. Some Labor Party people think that they would do better if they had voluntary voting, but the majority of Labor Party people think that they do better with compulsory voting. I think that the majority is probably right, but no-one knows. There are people on this side who would take either one view or the other; there is no unanimity—there cannot be. The real point is one of principle—that we should not oblige people in this country to vote unless they wish to support one candidate or another in an election. We could go over the detailed arguments *ad nauseam;* they are set out in the book *Readings in Australian Government* in an article by Joan Rydon. To me, the arguments I have referred to are decisive.

Mr. CHAPMAN: I support the amendment, which seeks in a limited way to move away from the compulsory system with which we are burdened. I support the amendment for two reasons: first, because I support the principle of voluntary voting, as a result of which we get a positive, thoughtful result from those who cast a vote; and, secondly, because it is an anomalous situation that we have now, where one only has to register at the polling booth and take a ballot-paper on polling day but does not have to cast a vote. As long as people have taken their ballot-paper, they can cast it in the wastepaper basket if they like; that is ridiculous. If voting was voluntary, the difficulty could be overcome. Whether or not local government elections are a good example, those who are interested and keen enough can attend, despite the low percentages that prevail. I do not think for a moment that Parliamentary elections generally would attract such a low and apathetic response as is reflected at the local government level. I support the principle of voluntary voting at Parliamentary elections, and this is at least a step in the right direction.

Dr. TONKIN (Leader of the Opposition): I support the amendment, although I must say that the member for Mitcham continually lives in hope, because members know perfectly well that the amendment will not be carried. Nevertheless, it is an amendment that is worth supporting, as it involves a principle that is worth supporting. Opinions on this matter differ considerably. I have no doubt that the Attorney will put the argument that, in the democratic process, everyone has the responsibility to take part and that, therefore, everyone should be forced to do so. In my view this argument, which I have heard many times before, is a contradiction in terms, and I do not believe that anyone can be forced to exercise a democratic right. The whole principle of democratic right implies a keen desire to take part voluntarily.

This is my major objection to compulsory voting. Certainly, it has some advantages in getting the people to vote, as I think the member for Mitcham said. However, I believe that voluntary voting also has advantages that must be carefully considered. Certainly, in the past there has been in this State, and I believe in the Commonwealth generally, a proportion of "habit" or what I have often called "football team" voting, with people supporting one Party or another through force of habit. They support that Party not because of what it does or because of its record, but because they have always done so. Although one can forgive one's football team for all sorts of rough play and condemn the opposition team, no matter which team one supports, the attitude towards political Parties has been much the same. When people are forced to go to the polls, they are much more likely to succumb to habit voting.

There is a third way in which people can express their concern at what is happening in Government. They can go to the poll and support the Opposition Party or the Government Party. However, there is one group of people which, I believe, would stay away from the polls to register its protest. This group cannot bring itself to vote for the Opposition Party, but it can stay away and not vote for any Party. This is a significant feature that we lack by having compulsory voting.

I repeat that this matter has concerned the Opposition in the past. I believe that the Victorian Premier (Hon. R. J. Hamer), who was in Adelaide recently, summed up the modern electorate very well. He said it is younger, better educated, far more volatile in thinking, and better informed. For that reason, there is far more volatility in the electorate today. We are, therefore, less likely to have habit voting. We now have people who consider the issues and who support Parties because of those issues. In any case, the point being made by the Opposition is that it should be everyone's democratic right not only to vote but also to choose whether or not to vote. For that reason, I support the amendment.

Mr. COUMBE: I have spoken on this subject previously, when I have advocated and supported the principle of voluntary voting. It is on record that I have done so, and I do so again now. The member for Mitcham's amendment to clause 25 deletes, in effect, section 118a of the Act, subsection (1) of which provides that it shall be the duty of every Assembly elector to record his vote at every election in the Assembly District for which he is

enrolled. The marginal note is "Compulsory voting for the House of Assembly", so that is the subject about which we are speaking.

Those of us who have had experience as candidates or as organisers at elections know the position: people must cast a vote in State and Commonwealth elections. Whether those people cast an intelligent vote is another matter, and it is left entirely to the individual voter to decide what he will do. The member for Mitcham was correct when he referred to this matter, which has been cited previously. I have heard this principle propounded at least once before. It is amazing, at any Commonwealth or State election, to realise the number of people who contact one and ask, "Must we vote at this election?" People get mixed up with local government and other elections.

The Leader of the Opposition commented on the electorate generally. There is no doubt in my mind that the electorate today is far better informed than it was, say, even 10 years ago. The advent of television, whatever we may think about it, does at least one thing: it brings home to people in their lounge rooms the fact that an election is being held, and it shows the leaders of the political Parties, the main opponents in an election campaign. As a result, a sweeping change occurred in the Commonwealth election held last December. It was the greatest landslide in the history of the Commonwealth.

The Hon. D. J. Hopgood: No, that's not true. You were alive in 1931.

Mr. COUMBE: The Minister is talking about the Hon. Mr. Lyons: the Lyons walk-over and the eventual switch. I am talking about the biggest majority that has been obtained in the House of Representatives as it is presently constituted.

The Hon. D. J. Hopgood: You said "landslide", and I thought that meant "swing".

Mr. COUMBE: I meant the greatest majority. Another way in which the electorate is changing is that husbands and wives now frequently vote differently. For many years, the wife took notice of how her husband said she should vote. Fortunately, people now have minds of their own in this regard. My main objection to compulsory voting is the compulsion aspect. We are talking about the position in 1976. I admit that a Government of a different political persuasion introduced this provision in 1942. I was not a member at that time, but let us be sufficiently realistic to say that, as legislators, we do not have to perpetuate things that happened in the past. If we are to progress, we must be flexible in our outlook and continue to maintain certain principles, but we can change ideas for the better.

I dislike intensely that tenet of the Labor Party that is frequently trotted out: "compulsion". Compulsory unionism is one that comes to mind immediately. True, a low vote is generally recorded at local government elections. However, it is interesting to note that in America last week a record number of coloured people voted. A case can be, and is being, made out for the substitution of compulsory voting by voluntary voting, which applies in the United Kingdom, on which the members for Glenelg and Mount Gambier, who have had experience there, could comment. The result of two out of three by-elections won by the Conservatives last week would lead one to believe that before long the voluntary system will be in force, whereby a general election will sweep the Labour Party out and the Tories in.

The Hon. D. J. HOPGOOD (Minister of Education): I believe I have spoken in every debate on this matter since I was elected to this place in 1970, and I have no intention of regurgitating everything I have said over those years. I was prompted to participate in the debate by the remarks of the member for Mitcham, who I find, if nothing else, is always the sort of speaker who tends to provoke comment from the rest of us. The line I have consistently advocated in this Chamber is that, while we would say that it is offensive to democratic principles that people should be compelled to cast a vote, it is not offensive to democratic principles (and in fact could be in defence of them) that the State should arrange for the turnout. The member for Torrens made some comments, largely irrelevant to the matter before the Committee, in relation to British Parliamentary elections. The major effort of the political Parties in those elections goes to getting out the vote, and there must be great offences done to all the concepts underlying the democratic system because of the differential abilities of the Parties to get out their vote because of the differential level of resources available to them.

In the Australian system, we nationalise the getting out mechanism. The State says to the Parties, "We will do it for you. You do not have to look to your own resources." To that extent, everyone will be on the one level and the election can proceed not on the basis of which Party is better organised, but rather on the basis of which Party has its message the better accepted by the electorate. A true political debate can occur rather than a competition as to who is better able to get out the vote.

Mr. Millhouse: Why doesn't this appeal in other countries?

The Hon. D. J. HOPGOOD: There are other countries where compulsory voting obtains. One of the members of the Opposition (I cannot recall which member) read a list of these places some two or three years ago, and I was surprised at the number of Parliamentary institutions around the world for which compulsory voting obtains. It is not good enough for the member for Mitcham to say that voluntary voting obtains in the United Kingdom and that therefore that *per se* is an argument we should look at, because they have got first past the post voting in the United Kingdom, and I am sure the honourable member would not advocate that system for South Australia or for any Parliamentary institution in the world.

I have consistently maintained that what we are talking about is not compulsory voting but compulsory turnout. I have been criticised by speakers on the opposite side for splitting hairs. The member for Mitcham, by his presence in this debate and by the point he made, suggests that a learned judge has borne me out in this matter. It is not splitting hairs. The very point I have made has been upheld in a court of law. There is a difference between the real requirement in the Electoral Act at present (and one which I defend) and the principle of compulsory voting. It is a realistic distinction, one upheld by the law, and I see no invasion of any sort of democratic principles, no damage done to democratic principles by leaving it there. I oppose the amendment.

Mr. GOLDSWORTHY: The Minister is splitting hairs. In any system where a secret ballot prevails it is quite impossible to compel people to make a mark on a paper and put it in a ballot-box. We have in this State the nearest thing to a compulsory ballot which is, in fact, a secret ballot. For the Minister to use all that gobbledegook is so much nonsense. I support the amendment.

Mr. Keneally: You say it is the nearest thing. It is not quite a compulsory ballot?

Mr. GOLDSWORTHY: It is the nearest thing if it is to remain a secret ballot. The only way to make it completely compulsory would be to have someone in the

ballot-box with the voter. The only argument which can be mounted in favour of a compulsory ballot is that there is a certain amount of safety in it; we are not likely to get extremist groups gaining control. The only argument that sways me is that it does ensure a relative degree of safety in a democracy. Some years ago in India, the young communists were out with clubs, etc., trying to convince people that they should be voting, or voting in a certain way. We are not subjected to such events in South Australia, but I cannot agree with the Minister, or with the Attorney-General's predecessor, who used to come in with a flourish of words. I remember that he said that compulsory voting is one of the true democratic insights that has dawned on Australia. That is absolute nonsense, too.

If we are in a true democracy, we are going to increase the options open to our citizens. This is a case in point. If they wish to exercise their vote, they may do so; if they do not wish to, that should be another option open to them. At the moment, it is not. We have heard quoted the vast majority of Western democracies where voluntary voting prevails. It is our Party's platform, and I see no reason in any of the arguments advanced from the Government benches to deflect from that view.

Mr. MILLHOUSE: Apparently the Minister of Education is the only Government spokesman on this matter. I was disappointed in what he said. It would have been a great deal more candid if he had said (and he carefully avoided saying it) that compulsory voting is the policy of his Party and, come hell or high water, all his members will vote for it. That was not said. With members opposite, it is decisive. A complete and absolute answer to what the Minister said is this: if the arguments which he has put up again tonight are so compelling, why do they not appeal to the people of the United States, the United Kingdom, or in the overwhelming number of Parliamentary democracies around the world? I am not sugesting that, simply because voluntary voting is in force in another country, that is an argument. That is a perversion of my position, and one which it pleases the Minister to use to try to score a point off me. If the Minister's arguments in favour of compulsory voting or the compulsory recording of a vote are so strong, why are they not followed by the overwhelming number of people in Parliamentary democracies throughout the world? The only answer is that those arguments are not strong enough to convince people or even raise an argument in the United Kingdom, France, United States, and so on.

The Hon. J. D. Corcoran: Are you opposed to preferential voting because it is not carried out in other countries, or is that a different matter?

Mr. MILLHOUSE: I am almost in despair because of that interjection. It would have been better if it was not made at all, because it shows that the Minister has failed completely to follow the line of argument that I put with some clarity. What I say is that, if the arguments are so strong, why are they not followed where the people are as intelligent and as democracy-conscious as we are? The answer is that those are not really good arguments, except that it is the policy of the Government. I am gratified that members of the Liberal Party are supporting me, and I hope that one day I will convince the majority of members of the Labor Party as well.

Mr. MATHWIN: I was waiting—

The CHAIRMAN: Order! I did not see the honourable member for Glenelg, because the honourable member for Eyre was in my sight.

Mr. MATHWIN: I apologise for the member for Eyre. I was waiting because I hoped that the Minister in charge of the Bill would speak on the amendment.

The CHAIRMAN: Order! The honourable member has been here long enough to know that a Minister does not have to answer every question put by members. I hope that the member for Glenelg will stick to the amendment.

Mr. MATHWIN: Perhaps the Attorney is having difficulty finding an answer to the amendment. I spent some time in a country where there was a voluntary voting system and I knew the freedom and value of what was a voluntary vote. People do not vote merely because they have to vote, and they know what they will do before they get to the polling booth. With compulsory voting, the main reason why many people attend is that they want to avoid punishment. We know that most of the free world has the democratic voluntary vote.

In places like Russia and China, where there is only one Party, the Party gets 101 per cent of the vote, because there is only one set of candidates. In the case of the colleagues of the member for Stuart in China, the Parliament meets only once a year to endorse what the Communists and Bolsheviks put before it. We know that it is Labor Party policy not only to have compulsory voting but also not to give the voters credit for being intelligent. The Australian Labor Party tells the people that they must vote by placing a cross.

Mr. Whitten: As is done in the United Kingdom.

Mr. MATHWIN: The Minister of Education has mentioned resources available to the Labor Party. I do not know whether he has been in the United Kingdom when an election has been on there, or whether he has taken part in one.

The Hon. D. J. Hopgood: I was there during the referendum last year.

Mr. MATHWIN: I presume that he helped the socialists. I assure the Minister that the Labour Party in the United Kingdom is never short of funds. That is because of the amount of money it gets from the trade unions.

The CHAIRMAN: Order! I think the honourable member is straying far from the amendment concerning compulsory voting, and I hope he will come back to it. I do not think anything in the clause deals with trade unions.

Mr. MATHWIN: In the United Kingdom, it is even-stephen between both major Parties in providing cars to get people to the poll. The basis of voluntary voting is that a candidate must work hard. If we are looking for an easier way out we make voting compulsory.

The Hon. PETER DUNCAN (Attorney-General): The Government opposes the amendment. It is most surprising in one sense, although not in another, to find that the member for Mitcham has become a late convert to this cause, because for nearly two years when he was Attorney-General and Minister in charge of the Electoral Act he did not try to change the voting system in this regard. He took no action to introduce an amendment of this kind to provide for so-called voluntary voting. There is no doubt that, following the decision made by Mr. Justice Hogarth, in the Supreme Court, the position in South Australia is that we do not have compulsory voting, as such. Contrary to what the Deputy Leader of the Opposi-

tion proposes, it is possible to have true compulsory voting because, with voting machines, it is simple to provide a mechanism whereby the person pulls a handle or presses a lever, which, without displaying to any other person how the person voted, indicates whether or not the person cast a preference for one Party or the other.

Dr. Tonkin: How many of those machines have we in South Australia?

The Hon. PETER DUNCAN: That is irrelevant. It is possible to cast a vote in that fashion and, therefore, it is possible to have true compulsory voting, which we do not have in South Australia. What we have in South Australia is a provision that requires people who are enrolled on the electoral roll (let us not forget that enrolment itself is compulsory) to attend at the booth on each election day and have their name crossed off the list. That is the compulsory element we have in South Australia. I think that is a minor requirement on our citizens, and it is a minor thing we ask them to do. Once in approximately every three years we require them to attend at a polling booth for the purpose of having their name crossed off the list. Let us not forget that this is the very heart of our democracy: the requirement that a person should go along and take the trouble to attend at the booth.

The principal reason for this, which has not been alluded to in the debate, is to attempt to rule out the element of chance in the election of a Government. Why should this State's Government be elected according to the weather on election day? That is really what the Opposition is on about. On a cloudy, wet day, when it was unpleasant to leave home, it would be likely that the Liberal Party, for example, would obtain a marginal benefit from the weather. That is the situation in the United Kingdom and in the United States of America. This provision in our electoral law is intended to take to the greatest degree the element of chance out of the election. I think that that is a fundamental thing.

We do not want the situation in South Australia where Governments will be elected purely on chance, if we can avoid it. That important aspect has not been referred to in much detail. It is important that we look at the oversea situation, which has been referred to several times. Regarding the American elections, I recall several times reading and hearing references to the Australian system in laudatory terms—people saying they thought it was desirable to have a system similar to Australia's so that the element of chance could be removed. Although Americans could not bet on the outcome of the elections, they could bet on the weather on election day.

If the weather has become a significant factor in the Presidency, the so-called most powerful job on earth, it is an appalling situation. We have found a way of removing that element of chance, and that is desirable. The Liberal Party, for its own political benefits, has decided to support the amendment. Significantly, its colleagues in other States and in the Commonwealth are not following its so-called "lead" in this matter. It seems to me that this is a typical example of the Opposition's trying to score a few points and, if it is genuine, one would expect that its Federal colleagues would be following a similar line, but they are not. They are more realistic about the situation than is this State's Liberal Party, and that is probably an indication of why this State's Liberal Party is likely to be in the wilderness of Opposition for many years to come, because it is not realistic about many matters, and this is a further example of that.

The Opposition has suggested that we would get a more informed vote from voluntary voting. I think it was the Leader who referred to the fact that a compulsory voting system, which has been suggested for South Australia, would attract people to vote who vote for a political Party on the basis similar to that which they might use to support a football team: the approach of "My Party right or wrong." That is ridiculous, because even if we had voluntary voting, we would inevitably have the Party faithful voting for their own Party. They will always go along, regardless of whether or not voting is compulsory. The proposition raised by the Leader of the Opposition was specious in that respect. If it is a fact that we have a situation which provides a vote that is less informed than it might be, the solution would be to provide a better system of political education, thus encouraging people to take an interest in the political process.

I think that, more than anything else today for democracy in Australia, we need to have a much greater in-depth political debate than at present. We ought to be debating this measure on that basis and not on the basis of matters of political benefit that might accrue to any Party. We ought to get away from that kind of Party political bickering, and get down to the fundamentals. We ought to be turning our minds to encouraging people to take a greater interest in politics, to improve their knowledge of the political process, and to involve themselves in it. That is how our democracy ought to be developing, not in the direction suggested by the amendment.

It seems to me that the amendment has been moved simply to enable the member for Mitcham to raise something that is likely to get him a headline tomorrow. I think that that is unfortunate. As members know, we have seen this done many times before, and we are seeing it done again this evening. It has taken about an hour of the Committee's time to discuss the matter. It is really a case of the tail wagging the dog. One only hopes that the Opposition will soon lift its form to the stage where it can provide some real opposition, and not rely on the member for Mitcham to provide it.

Mr. MILLHOUSE: In his final point, the Attorney-General tried to discomfit the Liberal Party, thus showing how hard up he was for arguments to rebut the points put in favour of the amendment. I did even worse than nothing when Attorney-General: I actually introduced amendments to the Electoral Act and got them through. One of them was an amendment to section 118a. I did not try to repeal it, and it is a wonder that the Attorney-General did not mention it before when he atacked me on that ground. If he had done his homework, he would have known that I had directed my attention to this clause. I am even worse, in that way, than he suggested.

I remind honourable members of the Government of one of their little peccadilloes even since I was in office. In about 1970 or 1971 we had a referendum on shopping hours in this State and one of the sections that we put in the special Act to provide for that referendum was that voting would be compulsory and you, Mr. Chairman, will probably remember that. One section provided that voting be compulsory, and over 60 000 electors of this State did not vote but not one of them was prosecuted by the Government opposite for failing to vote!

Does not that make an absolute farce of this obligation to vote? When it suits the Government it turns a blind eye to it, although in the Bill it introduced in this House the Government provided that voting be compulsory. That at least balances my omission to attempt publicly in this place to repeal section 118a. I should like to ask a question of the Attorney, who followed the Minister of Educa-

tion in opposing this amendment. I tried to ask it by way of interjection, but the Attorney was shrewd enough to rush on—

The Hon. Peter Duncan: Interjections are out of order.

Mr. MILLHOUSE: The Attorney and others, when they think the question they are likely to be asked will be awkward, rush on so no-one can get it in. The Attorney was careful not to answer the argument I put in answer to the Minister of Education, who led for the Government. He stated that it was Labor Party policy to have compulsory voting. He, too, has ignored it, although it binds him hand and foot. I am willing to accept that he personally believes in compulsory voting.

Is it the policy of the British Labour Party to have compulsory voting? The answer is that it is not. What the Attorney has said about conditions in the United Kingdom and getting out the vote do not appeal to his fellow socialists in the country about which he was talking. Members of the British Labour Party do not agree with him. If anything gives the lie to the argument, it is that. I have not asked the Attorney about policies of Parties in the United States because the parallel is not exact and it is not the policy of any major Party there to have compulsory voting, despite the fact that honourable members opposite rely on experience in other countries to bolster their arguments in favour of compulsory voting in South Australia.

Mr. BLACKER: I support the amendment, although I accept that the Government is not in favour of the introduction of voluntary voting. Its philosophy throughout the union movement is to bring about compulsory voting. If voluntary voting were introduced, all politicians would get a rude awakening. We would probably get a vote similar to that obtained in local government and, if we obtained 60 per cent of the vote, we would be fortunate. In the present climate the South Australian public would show exactly what they thought of their Parliamentarians and would protest about the situation by not voting.

The Attorney referred to a chance vote and to a voluntary vote. If a person seriously considered the manner in which he wished to vote (and some people take hours and even days considering the importance of their vote), should that person have his vote completely nullified by someone who attends merely to cast a donkey vote? There are points to be made on both sides and, because voluntary voting assists to maintain freedom of speech and freedom of expression to which people in South Australia are entitled, I support the amendment.

The Committee divided on the amendment:

Ayes (22)—Messrs. Allen, Allison, Arnold, Becker, Blacker, Boundy, Dean Brown, Chapman, Coumbe, Eastick, Evans, Goldsworthy, Gunn, Mathwin, Millhouse (teller), Nankivell, Rodda, Russack, Tonkin, Vandepeer, Wardle, and Wotton.

Noes (22)—Messrs. Abbott and Max Brown, Mrs. Byrne, Messrs. Connelly, Corcoran, Duncan (teller), Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, McRae, Olson, Payne, Simmons, Slater, Virgo, Wells, Whitten, and Wright.

Pair—Aye—Mr. Venning. No—Mr. Broomhill.

The CHAIRMAN: There are 22 Ayes and 22 Noes. There being an equality of votes, I give my casting vote in favour of the Noes.

Amendment thus negatived; clause passed.

Remaining clauses (26 to 28) and title passed.

Bill read a third time and passed.

POLICE OFFENCES ACT AMENDMENT BILL (No. 2)

Received from the Legislative Council and read a first time.

CONSTITUTION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 19. Page 1616.)

Dr. TONKIN (Leader of the Opposition): Section 33 of the Constitution Act has disqualified from voting throughout the history of responsible Government in this State any person attainted of treason or anyone convicted and under sentence for an offence punishable by one year's imprisonment or more. It is a provision that has been accepted throughout the years almost without question and, indeed, it was obviously most significant in days gone by. The fight for full adult franchise was a long one, and the vote obtained after such a struggle was a prized possession. It is a matter of some concern that a possession so strongly fought for and so proudly held now tends to be regarded so lightly by some people.

It may be the result of our rapidly growing population and the sense of frustration that comes from the thought that one vote can achieve very little on its own, but the feeling remains. The opposite viewpoint, the balancing viewpoint, is represented when an elector presenting himself at a polling booth is told for one reason or another (usually because of a roll) that he cannot vote. To paraphrase a saying, "Hell hath no fury like a willing voter scorned". It was for that reason that section 110a was included to deal with some of those anomalies. It seems to me and to the community generally that the right to vote is not considered to be as essential as it used to be or as valuable as it used to be. That certainly applies from the viewpoint of taking away that right as a form of punishment. This matter was raised in the first report of the Mitchell committee, at page 129, paragraph 3.22.2, under the heading "Legal disabilities", as follows:

There is one disability which has come to our notice which applies only to the prisoner while he is under sentence and is in our opinion questionable. It is that under the Constitution Act of the State, section 33 (2), no-one who has been convicted of an offence punishable with imprisonment for one year or more, and is either under sentence or liable to be sentenced for it, is entitled to vote for the House of Assembly . . . We do not, however, think it desirable that something of a prison electorate should come into existence. We therefore recommend that prisoners should not vote in the electorate where their prison happens to be but as absentee voters from the electorate of their last known address.

That recommendation was made because, in the opinion of the committee, people under sentence or serving a sentence should not be deprived of their vote. I have much respect for the Mitchell committee and for the work that it is doing in the field of criminal law and penal methods reform. It is for that reason that I am inclined to support the Bill.

The consideration of the right to vote or otherwise of a convicted offender is the last thing that he has in mind and is certainly the last thing that the court has in mind when sentence is passed. It is an additional penalty added to the penalty determined by the court. It is a penalty that is not applied consistently. If for no other reason, I would have to support this measure because it removes the inconsistency which, by the nature of the courts and by the nature of the interpretation of various members of

the Judiciary sitting in various courts, the inconsistency is perpetuated. There may be a whole range of sentences for the same sort of offence; that depends entirely on the court. In other words, one person may have his right to vote taken from him because he is sentenced to a term of imprisonment for committing an offence whereas another person may keep his right to vote because the penalty imposed on him does not include a term of imprisonment.

That sort of inconsistency on such an important matter is quite inadmissible. It has been said that penalties provide first of all a deterrent and secondly an opportunity for rehabilitation. Not only has this Government ignored expiation but other Governments in recent times have done so, too. There is a growing opinion in the community (not only the Australian community but also throughout the world) that some expiation is, for many offenders, a necessary and important part of their full understanding of the nature of their offence in relation to society. Inevitably, there must be a close relating by the offender of the seriousness of the offence to the penalty set down and to the penalty imposed. Obviously the penalty imposed is the important factor in this matter. It seems to me that there is a real tendency for people to say, "If the offence that I have committed renders me liable to a prison term for two years, it must be a very serious offence." If, on the other hand, that person goes before a court and is released under, for example, the Offenders Probation Act and is told there is a penalty of two years imprisonment for this offence but it will not apply to him unless the circumstances are exceptional, there is a real risk that the offender will say, "Society states that there shall be a penalty of two years for this offence but, in fact, when it comes to the point, it is not willing to give two years imprisonment. So, society is really having us on. Society really does not believe that at all." The obvious conclusion some people may draw is that the offence is not as serious as society says it is. This matter must be examined very carefully.

Just how the question of expiation can or should be applied is certainly not quite clear, but there is a growing feeling that some form of expiation should apply and that the courts should apply a much more consistent attitude to offenders. I would be the last person to suggest that Parliament should bind the Judiciary with detailed instructions or conditions on each offence; it would be impossible to do so. Just as a child expects, and has every right to expect, consistency in a parent's attitude to punishment, so has the offender a similar kind of expectation. When a child is told that, if he misbehaves, he will get a spanking but the parent does not administer it, the parent is doing the child a disservice. If the child cannot see consistency, he does not respect the parent's values. The same analogy applies to many offenders. I am not suggesting that we should revert to the hard, fast, immovable code that once applied in the days of transportation. However, I believe that all offenders have a right to expect some degree of consistency and certainly some form of expiation of their offences as well as rehabilitation.

Whatever the outcome, with the present variations of penalty possible, the decision as to whether or not an offender shall exercise a vote depends on the penalty imposed. It is, in fact, a decision of the courts which will decide whether one person may vote and another may not, even though the offences are similar. This is not a desirable situation. The right to vote applies to all citizens, whether they be good citizens or bad citizens. Some members of the community could not be called good citizens by any stretch of the imagination, but they are not in gaol and are therefore not penalised in this way. Under present-day conditions, I do not believe the present provision is appropriate, and I therefore support the Bill.

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

ADJOURNMENT

The Hon. PETER DUNCAN (Attorney-General) moved: That the House do now adjourn.

Mr. ALLISON (Mount Gambier): Recently in Mount Gambier for the first time a combined meeting was held of the Australian Railways Union. As a result, it was decided that a delegation, represented by the President and several union members, would come to see me. They were concerned that they had received a letter from Mr. W. W. Marshall, the State Secretary of the Australian Railways Union, regarding railway rentals. This was one of several subjects troubling them, and they maintained that they had reasonably approached the Minister but had not received reasonable replies and, in some cases, no reply at all. Regarding the first topic, the question of railway rentals, Mr. Marshall's letter among other things said:

You will recall I advised last year that railway rents were to be automatically adjusted annually in accordance with the movement in the housing component of the consumer price index. This applies to all Government-owned houses. The railwaymen in Mount Gambier concluded with some concern that Mr. Marshall seemed to agree with the arrangements made, and a large part of their concern lay in the fact that in 1974 their rents were increased 100 per cent; in 1975, 25 per cent; and now in 1976 on December 21 (which makes the deadline very near) another 20 per cent. These increases collectively would be far in excess of even the wildest cost-price indexes over the past three years. They point out that, although their rents are admittedly still below the average Housing Trust rents, many of their houses (and there are 60 in Mount Gambier) are in a very poor state of repair; many men have had to install their own sink heaters; many houses still have antiquated, smoky, old-fashioned, wood stoves. Generally, the condition of the railwaymen's houses is far less acceptable than applies to houses of the Housing Trust, which maintains its own properties to a relatively high standard. The men pointed out that, since the State was currently finalising negotiations to dispose of South Australia's country rail system and was boasting of considerable profits (I believe $800 000 000 was to be accrued over the next 10 years), some of this money might well be spent on their houses before the country railways were finally transferred to the Commonwealth Government. They pointed out that Mount Gambier, although it has a relatively low standard of railway housing, is in zone A.

The Hon. J. D. Wright: You are saying "they" all the time. What do you think about this?

Mr. ALLISON: It was a 90-minute discussion. They came to see me.

The Hon. J. D. Wright: Give us your own opinion.

Mr. ALLISON: I am supporting them; otherwise, I would not be doing this.

The Hon. J. D. Wright: But you are using the word "they".

Mr. ALLISON: I will go through this matter item by item. It was completely new to me. I accept the opinions that they passed on to me. It was pointed out that Mount Gamber is in zone A. I do not know who classified zone

A, but I accepted their word. Port Lincoln and Adelaide are in zone A. Had Mount Gambier been in zone B, as is Tailem Bend, their rents would be only 80 per cent of the zone A rent. Several questions presented themselves in discussion. The Housing Trust is probably responsible for zoning the houses. One of the first questions I asked on entering this House related to the future ownership of railway houses, and the Minister assured me that they would be part and parcel of the Commonwealth deal. However, nowhere in the agreement do I see anything other than that railway property will be transferred. Therefore, I can only conclude that these houses will remain the property of the South Australian Housing Trust or the South Australian Railways system, in which case the repairing of them would be a State responsibility.

I also question whether the South Australian Housing Trust has considered approaching this matter on a fair rents basis. By comparison, the railwaymen appointed out that South Australian police homes were in excellent condition, that South Australian teacher housing had its own authority currently, and that Public Service officers were occupying reasonable standard accommodation. They were comparing their own housing standard and rents generally with those maintained by the South Australian Housing Trust.

Another important problem, regarding which I am sympathetic, is that they wondered what would happen on retirement. There is no provision for railwaymen on retirement. The houses, whether they belong to the Commonwealth or the State Government, are attached to the occupation. Few of them have had any provision for purchasing a house of their own and, when they do retire, they will be faced with the problem in old age of acquiring alternative accommodation. This is a serious problem, particularly for country people. They have pointed out that at present they do not have access to the South Australian Housing Trust's waiting list, however inferior may be the railway houses that they currently occupy. These men wonder, in view of the Government's keenness for worker participation, why they had not been consulted on the increase in rents. They also pointed out that this was nothing new, because they had not been consulted on the recent Medibank strike, which caused an erosion of their earnings. That was an unsolicited comment.

I had a look at houses which had wood stoves and wood chip bath-heaters. Some had provided their own sink heaters. I also looked at stone houses which appeared to be solidly constructed but which had substantial cracks in the walls. Many were mouldy with damp and mildew. I could only conclude that these houses were probably built by the same person who constructed a number of Woods and Forests Department houses because they have similar damp, mouldy conditions not common to Mount Gambier houses generally.

These people pointed out that their ability to pay these rents was not comparable with that obtaining in Adelaide, because country railwaymen did not seem to be getting the amount of overtime that was obtainable elsewhere. Generally, there were a few things that could not really compare fairly with zone A houses in the metropolitan area. For all I know, these conditions may apply to railwaymen's houses throughout country South Australia. Perhaps they may also obtain in metropolitan South Australia. They pointed out that, when Sir Thomas Playford in his day tried to increase rents, Mr. Walsh scrubbed it. Now, there is a change of heart by the Australian Labor Party Government, which they thought wanted to protect their interests. The deadline of November 21 is critical. Hence, the reason why I am grieving on this matter rather than asking the Minister a Question on Notice or across the floor, in which event a reply might be delayed. There is no other reason than that.

I also point out that a year or more ago, when I spoke on the railways transfer agreement, I suggested that the Government should consider three or four points. Those points are enumerated in *Hansard*. One of them was the possible reduction of staffing. Another was the closure of lines. Others were the chance of fewer promotion prospects for country railwaymen, and the difficulty of applying for a similar job when a railwayman transfers, at his own request, from a country to a metropolitan occupation within the railways. Finally, there was the chance that a railwayman would have to take a lesser job with less promotion potential.

The ownership of houses in Mount Gambier is not certain, although the Minister intimated that these would go with the Commonwealth. I strongly question that in view of the agreement which is being finalised and which has almost been ratified. The matter of superannuation was also pointed out. That, again, was a question I referred to the Minister. A year and three months ago he assured me that the question was resolved. We all know, from questions since then, that that is not so. The matter is one of the contentious points that have delayed ratification.

Local railwaymen ask whether the Government is glad to be rid of the country employees, along with the country railways, and whether they are to be continuously treated differently from other Government employees. At present they seem to be the forgotten men, with substandard homes and indeterminate futures. They resent that they may be cast off by the Government with their problems still neglected, despite their questions, my questions, and the opinions I expressed in this House a year and three months ago.

The SPEAKER: Order! The honourable member's time has expired.

Mr. McRAE (Playford): In the brief time available to me, I should like to talk about the question of drug trafficking. This evil is not new. At various times in various countries whole sections of the population have become addicts of drugs. To the eternal discredit of Western countries, the traffic in opium in Eastern countries, especially China, earlier in this century was deliberate and widespread, disregarding the harm to the people and having regard solely to the profit of the companies involved. However, on the local scene there can be no doubt that the traffic in drugs in Australia, and of course in South Australia, has been one of the major social developments of the 60's and 70's.

In the period before that, it was virtually unknown that people in the community habitually used drugs such as barbiturates, amphetamines, marihuana, and heroin. In the previous period, attention was paid to those people who, by accident, may have come across the problem. The irony that we now face is that many people, especially young people, are addicted to what can be called hard drugs. The drugs in question, especially derivatives of opium, including heroin, are in the main emanating from the Far East, especially Thailand. The evils involved in this traffic are manifold.

In the first place, the harm to the user is great, and in many cases fatal. That harm is, of course, reflected on the family unit. There can be no question that enormous profits are made to the advantage of the supplier. There

can be a Fagan-like situation where people already addicted are forced by blackmail and threat of deprivation of supplies to indoctrinate other potential users. Unfortunately, this method of indoctrination has appealed to young people, some of them in junior high school. The profits made from the terrible harm to others are enormous.

An evil empire based on greed and violence has control of the racket. We in South Australia have the advantage of a good Drug Squad, but the members of that squad, as well as most practising lawyers and social workers, know that the people who are caught are usually the victims, the people who have the drugs in their possession, as contrasted with those who are supplying the drugs. Only recently in an Adelaide court, an unfortunate victim of this evil was heard to declare that he could not disclose his sources. Of course, that is true. Those caught in this web can well expect the death penalty for disclosing those who have fed off this flesh. That is a reality. Some people who are missing have been executed because they have been prepared to comment about those who have supplied them with drugs.

The objective of any scheme to eliminate the evil must be to get the leaders of the network, yet it is extremely difficult to do that. Other philosophies have been made out, but all of them are based on the attempt to make the venture unprofitable. It is only by eliminating the growing of the product that one can eliminate any possibility of profit, yet that is so difficult to do.

In the past few months one massive supplier of drugs in the Western world, Turkey, has renounced the agreement that she made with Western countries, because of her own internal difficulty. Regarding the various attempts to eradicate this evil, I must contrast two extremes and then consider the South Australian situation. At one extreme, we have the position in the United States.

In that country, although I cannot support the system at all, it is believed that, by giving no help at all to the addict, there will be some hope of eradicating the supplier. To give some basis for and credence to that belief, from time to time we see press reports that the Federal Bureau of Investigation has been able to catch the suppliers of heroin and other hard drugs, or to arrest and possibly secure the conviction of a supplier. On the other hand, in the United Kingdom there is a system of registered clinics. That system has been changed since 1968 but it works on the basis that, if the evil is to be eradicated, one way or the other the profit to the supplier, the entrepreneur, must be eradicated. Britain, like other European countries, has adopted the attitude that, if the State supplies the drugs to which people are addicted free and without question, there can be no basis on which the supplier, the entrepreneur, the mastermind (call him what you will) can continue with his operation, and it seems to me that what is happening in the United Kingdom has been far more successful than what has happened in the United States.

It is clear that, in the United States, hundreds of thousands of people are addicted to heroin and have no hope of recovery from that addiction, and it is clear that that addiction is fatal. In the United Kingdom, with a quarter of the population of the United States, only a few hundred or, at the most, a few thousand (certainly fewer than 10 000) are addicted in the same way. The reason for that is that those people can go to a clinic knowing that they will receive a full pardon for any offence they may have committed and that they will receive supplies of the drugs they will require. By the supply of those drugs to those people, no matter how repulsive that may be to most people, at least the profits to the ringleader are cut out.

In this State, we seem to be midway between one set of principles and the other. I cannot support the position in the United States, and the position in the United Kingdom may go too far. The position in South Australia is a sort of modified version of what happens in the United Kingdom; that is to say, registration is available under legislation of this Parliament but there is difficulty in supplying to the addict the drugs he may require, and there is a difference between the two instrumentalities operating under the Act in regard to what therapy they should apply. This is a major problem. It has been highlighted in the press, and I believe that there ought to be a major inquiry anew into this whole matter, particularly to ascertain whether the philosophy that has been espoused in the United Kingdom might not be as successful as anything we have here. In particular, we should eliminate the entrepreneurs and the master minds who, we know, inhabit Hindley Street and other streets.

The SPEAKER: Order! I point out that the honourable member's time has expired. The honourable member for Gouger.

Mr. RUSSACK (Gouger): I bring forward a matter that concerns the availability or otherwise of finance under the Rural Industry Assistance (Special Provisions) Act, 1971, to effect a farm build-up proposal where the property in question is offered at public auction. I have been approached by a constituent who made such a request to the rural industry assistance authority, and was declined assistance. He told me that, prior to committing himself to the purchase at auction of about 155 hectares, he approached the authority and was told that his intended application for assistance could not be considered prior to the offer of the property at auction. The reasons were because of the uncertainty of monetary consideration and for justification of the expense of property inspection, feasibility study, budget and valuation by the authority, when the property in question might be purchased by some other party.

He was told of the alternatives available to him, as follows: (1) approach the auctioneers prior to the sale and arrange to have his bids accepted, subject to the availability of finance; (2) assuming that the property was offered and passed in, negotiate the normal vendor-purchaser contract, subject to finance; or (3) arrange bridging finance, attend the auction as a prudent bidder and, if successful, lodge application with the authority. He appreciates that, although he was impressed that no guarantee could be given as to the availability or otherwise of rural industry assistance finance, the terms of the States Grants (Rural Reconstruction) Act, 1971, provide as follows:

To supplement, without discouraging, the normal processes under which properties which are too small to be economic are amalgamated with an adjoining holding or are subdivided and the subdivided portions are added to adjoining holdings, or to assist a farmer with a property too small to be economic to purchase additional land to build up his property to at least economic size.

This gave him cause for optimism, particularly when told that, given compliance with normal requirements, the application would be determined on the basis of economic merit or the ability to repay. Clearly the property to be purchased, which was under cereal and grazing, could not be considered a living area or to lend itself to amalgamation. He had no doubt

that he could service the additional costs of purchase from his combined farm incomes. He purchased the property, at auction, for $66 000, but his subsequent request for a $50 000 loan to assist in the purchase was rejected. The reasons given were that his existing property was not sub-economic, having produced large surpluses in 1974-75 and 1975-76. That application for assistance was lodged one week after purchase of the property at auction. My constituent appealed, first, on the basis that the years 1974-75 and 1975-76 were exceptionally good cereal years with above-average production, and that income was accentuated by an acceleration in pool payments, especially by the Australian Wheat Board.

He had, as indicated, approached the authority before considering this purchase at auction. His subsequent approach was rejected, not on the ground of economics but from the opinion expressed by the Rural Industries Assistance Committee to the effect that in purchase at auction the runner-up, who might have been able to purchase the property without assistance, was precluded. This is incredible. The Rural Industries Assistance Committee would be well aware that in offering property for purchase under private treaty there may be a dozen or more interested purchasers.

The minute one completes an agreement for sale and purchase, that property is no longer available to others, regardless of intended arrangements. The following question should be asked of the Minister of Lands regarding persons satisfying all other requirements of the States Grants (Rural Reconstruction) Act, 1971, who intend to purchase additional property at public auction: that is, are those persons to be precluded from the benefit of rural industries assistance?

Motion carried.

At 10.12 p.m. the House adjourned until Wednesday, November 10, at 2 p.m.