

## LEGISLATIVE COUNCIL

Tuesday, August 10, 1971

The PRESIDENT (Hon. Sir Lyell McEwin) took the Chair at 2.15 p.m. and read prayers.

### CARRICK HILL VESTING BILL

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

## QUESTIONS

### RURAL ASSISTANCE

The Hon. R. C. DeGARIS: I seek leave to make a brief statement prior to asking a question of the Minister of Lands.

Leave granted.

The Hon. R. C. DeGARIS: I have previously asked the Minister of Lands a question concerning the length and complexity of the application form for assistance under the rural reconstruction scheme. I have been asked what course of action should be taken by a person who realizes that his position has reached the stage of not being viable, and requires some assistance in regard to retraining. Does this person have to fill in this lengthy and complex form for someone to decide whether or not his position is viable when all he wants is some assistance in retraining? Can the Minister give the Council some information on this matter?

The Hon. A. F. KNEEBONE: At the last conference I had with the Commonwealth Minister I was told that the details in regard to retraining were being worked out. However, I have not had any further information on this matter. The Commonwealth Government has promised that there will be retraining. In answer to the Leader's other query, I do not think it is necessary for such a person to fill in the whole of the application form. In my view, he should write in to the department and give his ideas regarding his inability to be viable within a reasonable time. This would have to be checked to see whether the applicant's impression of his viability was correct. It would not be necessary to fill in the whole of the application form, but merely to write a letter giving his impression that he is not viable, and that his only course is to give up the rural industry and to seek retraining and financial assistance, if that is required. The Act does provide for a sum of money up to a limit of \$1,000 to be made available to people forced off the land as a result of the crisis in the rural industry. The Commonwealth has laid down that up to \$1,000 may be advanced

as a result of such difficulties and to assist during re-establishment and the retraining period.

The Hon. Sir ARTHUR RYMILL: Will the Minister explain what is meant by "viable"?

The Hon. A. F. KNEEBONE: To be viable a person must be able to meet commitments, both living expenses and operating expenses, within a reasonable time, and able to service the debts he may have.

The Hon. Sir ARTHUR RYMILL: I ask leave to make a short statement before asking a question of the Minister of Lands.

Leave granted.

The Hon. Sir ARTHUR RYMILL: I am grateful for the Minister's reply to my question regarding the meaning of viability. I am not quite sure what he means, and apparently many other people are not. I know of 12 applications being made in another State to the rural reconstruction authority, of which 10 were refused on the ground that they were not considered viable (although in my opinion, because I know the cases, they are definitely viable), and two of which were deferred, apparently on the ground that they were viable and therefore could get such help as they needed elsewhere. The legislation seems to have been reduced to some sort of negative whereby those who are not viable are not entitled to help and those who are viable do not need it. The Minister's reply seems to indicate that a dangerously similar situation may exist in South Australia. I ask the Minister: who are the judges of viability or otherwise; what is their attitude when they consider there is doubt about whether or not a person is viable; and, if there is doubt, do the judges come down on the side of the individual or on the side of saving money for the Government?

The Hon. A. F. KNEEBONE: The honourable member poses quite a question. I cannot pass an opinion on what has happened in another State, but perhaps I did not make myself quite clear. The honourable member asked me what "viability" meant, and I told him. The committee set up under the Act makes finance available to people who can become viable in a reasonable time with the financial assistance they receive from the scheme. To be eligible for assistance a person need not be completely viable; he must show some possibility of becoming viable in a reasonable time with the assistance he receives from the scheme. I have mentioned the conditions laid down by the Commonwealth in that way. We accepted them because it

was a matter of accepting at that time or delaying considerably the operation of the scheme. Another consideration was the attitude of the Commonwealth towards the States in this matter. The Commonwealth authorities said it was up to the States to decide whether or not they wanted to come into the scheme, but if they did not it would be for the States to explain to people in the rural industry why they had not done so. It was a pretty tough sort of negotiation. Regarding the matter of a person who is at present viable not being eligible for assistance, one of the conditions laid down by the Commonwealth (as with the assistance given us regarding drought relief and all other schemes of this nature) is that, to be eligible for assistance, a person must have been refused financial help by the recognized financial institutions that assist the rural industry.

I think that answers the honourable member's question regarding persons who are viable. He cited an example of two producers who were refused assistance because they were viable and who were sent elsewhere for help.

The Hon. Sir Arthur Rymill: Their applications have been deferred.

The Hon. A. F. KNEEBONE: The honourable member said they were viable. If they are viable now I see no reason why institutions like those of which the honourable member is a part should refuse them the assistance to which they are entitled. Why are they coming to us? Why should they need rural reconstruction assistance if they are viable and can get assistance from the institutions? If those institutions are not making finance available to them when in the opinion of those people they are viable, why is this not being done?

The Hon. Sir Arthur Rymill: I understood the Minister to define viability as including the ability to become viable within a reasonable time.

The Hon. A. F. KNEEBONE: No, I said those are the conditions under which they are assisted under the scheme.

The Hon. Sir Arthur Rymill: I still ask what is viability.

### CITRUS

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to my question concerning the quantity of citrus produced in South Australia which is being handled by the Citrus Organization Committee?

The Hon. T. M. CASEY: The Secretary of the Citrus Organization Committee of South

Australia has advised me that approximately 60 per cent of South Australian citrus sold on the home market and 80 per cent of the export market is handled through his committee.

The Hon. C. R. STORY: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. R. STORY: In the last few days the Minister announced that he intended to introduce legislation soon to amend the Citrus Industry Organization Act. In that announcement I think he said that he had made available draft Bills to some sections of the industry for their perusal. Can he say who has received copies of that draft legislation, as I may ask him to extend the privilege to other people?

The Hon. T. M. CASEY: If I remember correctly, copies of the draft legislation have been sent to the United Farmers and Graziers and the Murray citrus organization. This morning I also posted letters to the Chairman and the General Manager of the Murray River Wholesale Co-operative Limited. From memory, I think those are the only organizations, but I will check and give the honourable member a verbal reply. If he can think of any other people to whom the draft legislation should be sent, I shall be happy to send it to them.

### HIGHWAYS REPORTS

The Hon. C. M. HILL: Has the Minister of Lands a reply to my recent question concerning Highways Department road schedules for the current year being made available to members of Parliament?

The Hon. A. F. KNEEBONE: No reason has been advanced for a departure from the decision made by the Government relating to the distribution of the Highways Department's annual works programme. In conformity with that decision each Cabinet Minister has been issued with a copy, with additional copies being made available to the Leaders of the Opposition in both Houses, to the Speaker, House of Assembly, and the President of the Legislative Council, as well as the Government and Opposition Whips. Two copies were also supplied to the Parliamentary Library. In addition to this, and at their express request, 10 additional copies have been provided to the Opposition Whip in the House of Assembly and four to the Government Whip in the House of Assembly. No other requests other than through the respective Whips have been made.

I direct the attention of the honourable member to *Hansard*, page 1006 dated August 26, 1970, and to a Ministerial statement, see *Hansard* page 1136 dated September 1, 1970.

### **SOCIOLOGICAL COMMITTEE**

The Hon. M. B. DAWKINS: Has the Chief Secretary a reply to the question I asked on July 21 regarding meetings of the Sociological Committee?

The Hon. A. J. SHARD: The committee is still active and its final report is not yet available.

### **LAND TAX**

The Hon. M. B. CAMERON: Has the Chief Secretary obtained from the Treasurer a reply to my recent question about land tax?

The Hon. A. J. SHARD: My colleague reports:

It is the accepted code in the Land Tax Act, and also in most land tax measures elsewhere, that the tax should be progressive according to the aggregate value of all land held by any one person or corporation. This code was first introduced into the South Australian legislation by a non-Labor Government. A company, whether a public or a private company, enjoys the privilege of being regarded at law as having an existence separate from the persons who may own the shares or exercise the control or gain the benefits from it. The advantages of separate existence include limited liability, continuity, some income tax benefits, freedom from complications and other benefits upon death of a major shareholder, and possibly economies in operation. If what would otherwise have been a partnership, or even a sole proprietor operation, sees advantage in being constituted as a company, it must ordinarily expect to shoulder any concurrent disadvantages which may accrue from that action.

It is noteworthy that the provisions in the Succession Duties Act which allow for certain concessions to near relatives succeeding to rural property do not extend to the equity in rural property held by way of shares in a private company, even though it be a family company. This exclusion, which the Government accepts as proper, was enacted under the Playford Government. As the provision in the Land Tax Act to which the honourable member has referred leaves no discretion with the Treasurer in the matter, he is unable to take it into account in the current reassessment, and the Government would not propose to submit any statutory amendment to permit him to do so.

### **BICYCLES**

The Hon. R. A. GEDDES: I seek leave to make a short statement before asking a question of the Minister representing the Minister of Roads and Transport.

Leave granted.

The Hon. R. A. GEDDES: In my opinion it is evident that the number of bicycle riders in the metropolitan and country areas is increasing. From press reports it appears to me that there may also be a marked increase in the number of accidents involving bicycle riders. Since the modern motorist is not entirely familiar with this form of velocipedic perambulation, will the Minister consider the question of a publicity campaign to warn motorists of the need to be particularly careful when cyclists are on the road?

The Hon. A. F. KNEEBONE: Yes.

### **MORGAN SHIPYARD**

The Hon. G. J. GILFILLAN: I seek leave to make a short statement before asking a question of the Minister representing the Minister of Roads and Transport.

Leave granted.

The Hon. G. J. GILFILLAN: The Morgan slip is used for maintaining and constructing vessels used by the Highways Department on the Murray River and also for repairing and constructing ferries. This enterprise employs about 23 people. About 25 per cent of the local school attendance is involved, and 12 of the people own their own houses in Morgan. It is a tremendously important enterprise for Morgan, which has been fighting back since the railway terminus was changed from Morgan to Eudunda. Furthermore, Morgan is showing some progress as a tourist centre. However, the shipyard is essential to the future development of the area. For some time it has been rumoured that the Highways Department has been considering moving the enterprise to Murray Bridge. The rumour has recently intensified to such an extent that it is believed that a decision adverse to Morgan has been made. Will the Minister, in considering or reconsidering this matter, give every consideration not only to the economics of the venture (because Morgan is central to the lock complex) but also to the very human problem that applies not only to the town but also to those people employed in the industry?

The Hon. A. F. KNEEBONE: I will convey the honourable member's question to my colleague and bring back a reply as soon as possible.

### **HOSPITAL FIRE CONTROL**

The Hon. V. G. SPRINGETT: Has the Chief Secretary a reply to my recent question about fire control measures applicable to South Australian hospitals and nursing homes?

The Hon. A. J. SHARD: There are no rules and regulations that govern fire control measures in South Australian hospitals and nursing homes. However, the information relating to Government hospitals is as follows:

(1) There is no one document setting out requirements regarding fire control measures in buildings generally (including hospitals and nursing homes). The Public Buildings Department has advised that buildings designed by that department are in accordance with the provisions of the Building Act and the various codes of the Standards Association of Australia governing details of construction. All of the features incorporated in the design are naturally in line with good building practices and would include such things as the provision of alternative exits, the consideration at planning stage of the segregation of sections of the building to prevent the spread of smoke and fire, and the provision of fire detection and alarm systems (either thermal or smoke detectors) and fire-fighting equipment, all of which would be in accordance with the recommendations of the South Australian Fire Brigade.

In addition, special provisions are made in the design of hospital buildings in the case of specific known hazards—for example, the use or storage of inflammables, medical gases, etc. The Department of Public Health has published a *Hospital Standard Guide of Practice* as a guide to persons wishing to operate a private hospital. Section 2.13 of this guide deals with fire protection and reads as follows:

Prior to licensing and every three years thereafter or whenever the building is altered, proprietors should obtain a report from the fire authority stating that their requirements have been met in regard to construction of building, escapes, fire protection, equipment, fire alarms and fire control for the staff.

(2) The major Government hospitals each have fire security officers appointed on the staff, whose duty it is to ensure that an adequate fire-fighting and disaster evacuation procedure is prepared and kept up to date and that the staff is kept informed of its responsibilities in the event of fire. Instructions are issued in all hospitals with the advice of the Fire Brigade, which makes a complete inspection of the hospital premises every 12 to 18 months. Fire warning and instruction notices are displayed prominently throughout the hospitals, and the sisters or senior staff in all areas are given a copy of the fire-fighting and evacuation procedure. All staff members are regularly lectured and instructed in the use of fire-fighting equipment. The procedure for the evacuation of bed-ridden patients is included

in the overall plan, but actual drill for the evacuation of these patients is not carried out.

The Hon. V. G. SPRINGETT: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. V. G. SPRINGETT: The Chief Secretary referred to the state of affairs in the major Government hospitals. He said that they have specific features incorporated in their design, that they deal with specific fire hazards, and that they have fire security officers. I am very worried about some of the smaller hospitals that are not public hospitals, and I am most perturbed to hear that nurses do not have specific fire drill regarding the evacuation of patients. Bearing in mind the length of time a nurse is employed in a hospital, some of them nowadays only a year, and the fact that there is a rapid turnover of girls, is it not essential that these girls be instructed in how to remove patients; and what facilities exist for the removal of patients in the event of a fire?

The Hon. A. J. SHARD: I will examine the question and bring back a report as soon as possible.

### VOTING

The Hon. D. H. L. BANFIELD: I seek leave to make a brief explanation before asking two questions of the Chief Secretary, representing the Attorney-General.

Leave granted.

The Hon. D. H. L. BANFIELD: Recently, an S.O.S. campaign has been conducted in South Australia resulting in shadowy figures going from tree to tree on North Terrace and dancing across North Terrace into a lighted doorway, and culminating in a magnificent decision arrived at behind closed doors down at Glenelg last weekend by over 300 people, which, at one sweep, would achieve the object of the "Save Our Seats" campaign by bringing forward the matter of voluntary voting and voluntary enrolment for both Houses of Parliament. To enable the public to know what this result might mean in the future, will the Chief Secretary obtain for me the percentage of polls conducted for House of Assembly and Legislative Council elections held on the same day during the last 12 years, as well as the percentage of polls conducted at by-elections to fill vacancies in the Legislative Council over the same period?

The Hon. A. J. SHARD: I shall be delighted to refer the question to the Attorney-General.

The Hon. Sir ARTHUR RYMILL: Will the Chief Secretary also ask the Attorney-General whether it is not a fact that there is already voluntary enrolment and voluntary voting for the Legislative Council, and voluntary enrolment, although compulsory voting, for the House of Assembly? Also, will he ascertain how many persons qualified for enrolment on the Legislative Council roll on a voluntary basis are actually enrolled?

The Hon. A. J. SHARD: I will refer that question to the Attorney-General, too.

The Hon. R. C. DeGARIS: Will the Chief Secretary seek details from the Attorney-General of the percentage vote at by-elections for the House of Assembly over the past 12 years? Will he also ascertain whether the percentage voting in normal elections is higher for the Legislative Council than it is for the House of Assembly? Finally, will he ask the Attorney whether he has any information in regard to the size of the donkey vote in relation to compulsory voting?

The Hon. A. J. SHARD: Yes.

The Hon. M. B. CAMERON: Will the Chief Secretary ascertain from the Attorney-General how many people have been prosecuted for not voting in the last five general elections and the shopping hours referendum, and how many people have not voted in those elections and in the referendum? Perhaps the Attorney-General could also obtain for me some information regarding elections in Great Britain, which I understand has a voluntary voting system. Can he find out for me the percentage poll in the last five general elections in that country?

The Hon. A. J. SHARD: I will refer the question to my colleague. However, I warn the honourable member that we are dealing not with England but with South Australia, and I do not think it is the Attorney's task to get information for members to use in their speeches: members should do this research themselves.

The Hon. C. R. STORY: Will the Chief Secretary ask the Attorney-General whether the so-called voluntary enrolment for the Legislative Council and the House of Assembly is coupled with the system of compulsory enrolment for Commonwealth elections?

The Hon. A. J. SHARD: Yes.

### GREENOCK ACCIDENT

The Hon. M. B. DAWKINS: Has the Minister of Lands received from the Minister of Roads and Transport a reply to my question of July 20 regarding the tragedy that occurred

at Greenock and the possible measures that could be taken to reduce the likelihood of similar tragic occurrences?

The Hon. A. F. KNEEBONE: The Minister of Roads and Transport reports that, although the existing signs on the approaches to Greenock meet the normal safety standards, additional signs are being manufactured and will be erected shortly. In addition, the installation of safety bars and edge lining is being investigated.

### BARLEY BOARD

The Hon. C. R. STORY: Will the Minister of Agriculture say what progress has been made recently in the formation of an all-Australian Barley Board?

The Hon. T. M. CASEY: The initiative for the formation of an all-Australian Barley Board came from the Barley Committee of the Australian Wheatgrowers Federation. About two or three years ago this committee arranged for the establishment of the Australian Barley Co-ordinating Committee, which had representation from the Australian Barley Board and the barley marketing authorities of Queensland and Western Australia. Although this committee has served a useful purpose in making people aware of the implication of an all-Australian board, I believe that little, if any, real progress towards the objective has been made for two reasons. First, I understand that the Western Australian attitude is now opposed to participation in an all-Australian board. I think that was indicated by a recent press statement. Secondly, there is no organized marketing system for barley in New South Wales.

I was interested to learn recently of a poll of barleygrowers in New South Wales. If the result of this poll shows that New South Wales growers favour organized marketing of barley in that State, one of the main barriers to the formation of a wider Barley Board will have been removed. However, while the present Australian Barley Board has given full co-operation to the work of the Australian Barley Co-ordinating Committee, I am firmly of opinion that the responsibility for moves towards the formation of an all-Australian board still rests with the growers organization, that is. the Barley Committee of the Australian Wheatgrowers Federation.

### UNIROYAL STRIKE

The Hon. L. R. HART: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. L. R. HART: An article in this morning's press states that both the Premier and the Minister of Labour and Industry blamed outside influences for yesterday's decision by the strikers at the Uniroyal plant to defy union advice and continue their strike. The Premier said he understood that the Worker Student Alliance was involved. The article goes on to state that this group is basically a university group. I ask the Chief Secretary the following questions: are any members of the group university students attending university under Government scholarship; is that group a Communist Party front; has the Government investigated the background of the Worker Student Alliance and, if it has not, will it do so in view of the disruption to industry and the disruptive effect its activities have had on the economy of this State over recent weeks?

The Hon. A. J. SHARD: The short answer I could give to the honourable member would be an obvious one to all honourable members; but I will examine the question, discuss it with my colleagues, and bring back a reply.

#### **FRUIT MARKETING**

The Hon. H. K. KEMP: Has the Minister of Agriculture a reply to the question I asked on July 27 with regard to fruit marketing?

The Hon. T. M. CASEY: The honourable member has wrongly assumed that the regulations now tabled relating to the Fruit and Vegetables (Grading) Act will do away with the "open package" grade. However, the Director of Agriculture advises that the industry is considering replacing the "open package" grade with one called "domestic" which would apply only to South Australian grown fruit. The result of this industry recommendation, if incorporated in the regulations, would vary in effect the "open package" grade by requiring apples and pears to be "mature" and "free from internal softening and browning".

The previous exemption granted to growers under the Fruit and Vegetables (Grading) Act regulations from marking on open packages their names and the variety and number of fruits is to be revoked. This provision is no longer necessary in the grading regulations because the Packages Act, 1967, requires that the container carry a label showing the grower's name and address and its weight. However, the present amendment to the grading regulations affects all packages of fruit to the additional extent that the label must also show the variety and grade (probably seldom more than two words). These proposed changes in the

grading regulations should not increase the cost to the householder, and by identifying the variety and grade of fruit should help purchasers.

#### **KULPARA TO PORT PIRIE ROAD**

The Hon. L. R. HART: Has the Minister of Lands a reply to my question of July 28 regarding the Kulpara to Port Pirie road?

The Hon. A. F. KNEEBONE: Although it may be necessary at some future date to realign the main road in the vicinity of Bute so that through traffic is separated from purely local traffic, at this stage no approvals have been given for any detailed investigations to be carried out, and there are no proposals under consideration. The District Council of Bute was advised in December, 1969, that, if and when a planning investigation commenced, council would be made fully aware of the thoughts of the Highways Department and would be given ample opportunity to present its views.

#### **PLANNING AND DEVELOPMENT ACT**

The Hon. C. M. HILL: Recently I asked the Minister of Lands whether he could obtain some information from the Minister for Conservation concerning an investigation which I understood was being carried out by the Government into the question of appeal rights for third parties being granted under the Planning and Development Act. Has the Minister a reply to this question?

The Hon. A. F. KNEEBONE: The Minister for Conservation has advised me that the Director of Planning has submitted his report on "objector" appeals following visits to Victoria and New Zealand. The Government is presently considering the report and the many implications of introducing such rights of appeal. It is intended to introduce a Bill to amend the Planning and Development Act during the session, and the Government's intentions will be made known at that time.

#### **SOUTH-EAST WATER SUPPLIES**

The Hon. M. B. CAMERON: Has the Minister of Agriculture a reply to the question I asked on July 27 regarding the salinity of water in the South-East?

The Hon. T. M. CASEY: My colleague the Minister of Works in a press statement released on May 6, 1971, stated:

Typical salinity (total dissolved solids) readings for three major springs in the Mount Gambier area were: Eight Mile Creek, 500 parts per million (p.p.m.); Deep Creek, 1,000 p.p.m.; Piccaninnie Blue Lake, 1,700 p.p.m.

The Mount Gambier Blue Lake had a typical salinity (total dissolved solids) reading of 380 p.p.m. The investigation had also revealed that drains in the South-East were playing a major role in taking saline water to the sea. Drain M had recorded salinity (total dissolved solids) readings of 700 to 1,200 p.p.m.; Drain L, 1,700 to 3,000 p.p.m. and Blackford Drain 9,000 to 21,000 p.p.m. The salinity readings had been taken between the late spring of 1970 and the present time (that is, to May, 1971) at positions where the readings could not have been affected by an inflow of sea water.

I have also been supplied with winter flow and salinity data for some drains, and I shall be happy to make available to the honourable member a copy of this table which contains rather technical information.

The Hon. H. K. KEMP: Has the Chief Secretary obtained from the Minister of Works a reply to my recent question about South-East water supplies?

The Hon. A. J. SHARD: My colleague is unaware of any recent statement having been made to the effect that a hydrologist allotted to the study of water supplies in the South-East has been withdrawn. There has not been any reduction in staff working on this investigation. A multi-disciplinary group known as the South-East Water Resources Investigation Committee, comprising agricultural scientists from the Agriculture Department, geologists from the Mines Department, scientists from both the Commonwealth Scientific and Industrial Research Organization and Flinders University and, finally, engineers of the Engineering and Water Supply Department, has been set up to conduct the investigation, which is scheduled for seven years' duration. The Engineering and Water Supply Department is responsible for co-ordination and management of the investigation. During the course of the investigation the various aspects that the honourable member mentioned as a preamble to his question will be examined by the committee.

### STATUTE CONSOLIDATION

The Hon. F. J. POTTER: Has the Chief Secretary a reply to the question I asked some weeks ago about the consolidation of Statutes?

The Hon. A. J. SHARD: It is not possible to commence producing any volumes of consolidated Statutes until the Commissioner of Statute Revision has been through every Act of Parliament to ensure that every amendment is incorporable in its principal Act. Where this is not possible, amending legislation in the form of Statute law revision amendments has to be drafted and passed by Parliament. When

this stage is completed a "cut out" date will be fixed and the Statutes will be consolidated as at that date. As the Statutes will be in alphabetical order in the new edition, it would be possible for each volume to be issued as it is completed. Unfortunately, the time the Commissioner of Statute Law Revision has been able to devote to this work has been limited owing to the call on his time as Parliamentary Counsel to meet the heavy legislative programme. However, in the meantime, in order to meet the needs of the legal profession, the judiciary and the public, he has brought out, and is bringing out as time permits, in pamphlet form, consolidated Acts that are in general demand.

### PASTORAL LEASES

The Hon. A. M. WHYTE: I ask leave to make a short statement before asking a question of the Minister of Lands.

Leave granted.

The Hon. A. M. WHYTE: Concern has been expressed to me regarding a statement made by the Minister for Conservation about closing down some pastoral leases for a term of perhaps 20 years to allow the leases to recover. The Minister for Conservation has indicated that a study is being made. Will the Minister of Lands say whether he knows by whom it is being made and whether the Pastoral Board, to which such problems really belongs, will be involved in such an investigation?

The Hon. A. F. KNEEBONE: Because I was recently absent from the State for a few days, I am not aware of the statement. I should have to look at its terms before I could venture any opinion on it. I should think that the honourable member was correct in saying that, if any investigations are to take place (and I do not know whether there will be any), the Pastoral Board would have to look into the matter.

### VICTORIA SQUARE

The Hon. C. M. HILL: Has the Chief Secretary a reply to my recent question about the Premier's plans for the development of Victoria Square, and can he say how those plans fit in with those of the Lord Mayor's committee on Victoria Square?

The Hon. A. J. SHARD: The reply does not coincide with the statement that the honourable member has just made, but I believe it does relate to the honourable member's original question. The reply is that the Acting Premier will not take action to hold up negotiations commenced overseas on this matter.

### EGG BOARD

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to my question of July 28 about the appointment of a new Chairman of the Egg Board following the death of Mr. Rollo Williams?

The Hon. T. M. CASEY: The matter is still being considered, and I hope that very soon I shall be able to appoint a suitable person to the position.

### BIRDSVILLE TRACK

The Hon. C. M. HILL: Will the Minister of Lands ask the Minister of Roads and Transport how much of the Commonwealth Government's beef road allocation of \$1,000,000 for the Birdsville Track has been received by the Highways Department and spent up to the present on reconstructing and maintaining the track?

The Hon. A. F. KNEEBONE: I shall be happy to take the honourable member's question to my colleague and bring back a reply as soon as it is available.

### FLASHING LIGHTS

The Hon. C. M. HILL: Has the Minister of Lands obtained from the Minister of Roads and Transport a reply to my recent question about flashing lights at railway crossings?

The Hon. A. F. KNEEBONE: My colleague states that the actual expenditure on the installation of flashing lights at road-rail level crossings during the 1970-71 financial year amounted to \$188,000. There were 25 crossings involved in this programme.

### SYNDICATION ADVERTISEMENTS

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about syndication advertisements?

The Hon. A. J. SHARD: Division V of Part IV of the Companies Act is designed to control fund-raising activities in cases where investments other than shares or debentures are offered to the public, and in New South Wales, where real estate syndicates were first promoted, it was considered that the provisions of that division could be invoked to ensure that the public would have the protection of the Companies Act. However, in a test case before the Supreme Court of New South Wales recently, it was held that real estate syndicates are partnerships and, since partnership agreements are expressly excluded from the operation of Division V of Part IV, the promotion of such syndicates is not subject to statutory control.

The Standing Committee of Attorneys-General of the various States and the Commonwealth has already considered the question and has agreed that the Companies Acts in force in all States should be amended to ensure that real estate syndicates are required to execute a trust deed that is acceptable to the Registrar of Companies; that an independent trustee approved by the Attorney-General is appointed to protect the interests of the members of the syndicates; that a prospectus is issued in compliance with the Act; and that advertising is controlled to the same extent as is applicable to companies that offer shares and debentures to the public. A Bill to amend the Companies Act in this and other respects has already been prepared, and will be introduced during the present session of Parliament.

### AGRICULTURE JOURNAL

The Hon. R. C. DeGARIS: I believe the Minister of Agriculture has a reply to a question I asked him recently about the *Journal of Agriculture*.

The Hon. T. M. CASEY: I regret to inform the Leader that it has been found necessary, because of steep increases in postage and printing costs, to raise the charges made for copies of departmental publications issued by the Agriculture Department. The announcement by the Commonwealth Treasurer in the 1970 Budget that all publications produced by Government departments would be removed from the postal "registered periodical list" had the effect of increasing postage on single copies of the *Journal of Agriculture* from 2.4c to 18c. This represented an annual increase in the cost of posting the monthly journal to all Agricultural Bureau members from \$752 to \$5,760, and the total postage bill for publications of all types would have risen from \$3,000 a year to \$16,000 a year.

This would have created an intolerable situation, and it was therefore decided to change the format of the journal (still retaining its content) and to increase subscription rates in order to recoup some of the increased costs of publication and distribution. In its new form, the journal will cost 12c a copy to post, and as from January 1, 1972, the following scale of subscription rates will apply:

Agricultural Bureau	
members.....	\$1 a year post free;
Non-Bureau members	\$2 a year post free;
Schoolchildren.....	\$1 a year (bulk distribution).

Extension bulletins, which are issued in series, will cost \$1 a year post free for each series, and a charge of 50c a year post free



will be made for the *Riverland Newsletter*. I may add that Agriculture Departments in other States are facing similar problems with their publications and are endeavouring to meet the situation in various ways, including reducing sizes of publications and cutting down on the frequency of issues. Because it is felt that the South Australian publications are important to the rural community in this State, the volume and quality of issues have been maintained; but obviously the extraordinary increases in postal charges (ranging from 400 per cent to 500 per cent) cannot be absorbed. Having regard to the standard of the publications, I do not consider that in the circumstances the proposed rates are unreasonable.

#### **PUBLIC WORKS COMMITTEE REPORTS**

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Gladstone High School (Replacement).  
Loxton Primary School.

#### **LIFTS ACT AMENDMENT BILL**

Second reading.

The Hon. A. F. KNEEBONE (Minister of Lands): I move:

*That this Bill be now read a second time.*

Requests were made by the Road Transport Association (on behalf of crane owners) to the previous Government, and have been made by trade unions for legislation to be enacted to require that all power cranes used in the State should be designed to approved standards. A similar suggestion was made in 1967 to the Royal Commission on State Transport by the manager of one of the major crane hiring companies in the State, who also expressed the view that all cranes which come into the State should be examined and tested by Government inspectors to ensure that they are safe.

At present, legislation in this State regarding the safe construction, maintenance and operation of cranes applies, by virtue of the principal Act, only to those power cranes attached to a building and, by virtue of the Industrial Code and the Construction Safety Act, to power cranes (including mobile cranes) when used in factories and on building sites. Numerous mobile cranes which are used elsewhere than in factories and on building sites and fixed cranes such as loading cranes on wharves, are not covered by any legislation in this State. Cranes in mines also need to be subjected to greater control than at present. In all other States of

Australia there is legislation which ensures the safety of all types of power crane, whether fixed or mobile, and wherever they are used.

This Bill seeks to amend the principal Act (renamed the Lifts and Cranes Act) so that all power cranes and hoists (with certain exceptions) must be designed and constructed to conform to approved standards, and must be registered with the Secretary for Labour and Industry. The Bill further requires the owner of every crane to be responsible for ensuring that the crane is properly maintained and kept in safe working condition and authorizes inspectors to inspect any crane and to order repairs or alterations if a crane is found to be unsafe. The Bill also provides that, in the interests of safety, any crane or hoist which is built, or altered, after the Act comes into operation must be inspected before it is used. The Director of the Marine and Harbors Department has indicated his agreement to the proposal that cranes on wharves come under the control of the Secretary for Labour and Industry.

The principal Act already applies to lifts in all parts of the State and, apart from a clarification of the meaning of "lift", these provisions are virtually left untouched. The requirement that certain crane drivers must hold a certificate of competency issued by the Engine Drivers Board appointed under the Boilers and Pressure Vessels Act, should more appropriately be included in the Lifts and Cranes Act and provision is therefore made in the Bill for the issuing of such certificates under the principal Act. A consequential Bill to amend the Boilers and Pressure Vessels Act repeals the provisions of that Act concerning certificates of competency for crane drivers. The opportunity has been taken to include in this Bill some Statute law revision amendments and sundry machinery and other amendments to overcome problems that have arisen in administering the Act since it was passed in 1960. I will refer to them in commenting on the various clauses of the Bill, which I shall now proceed to do.

Clause 1 is formal and amends the citation of the Act to read "Lifts and Cranes Act". Clause 2 provides for the commencement of the Act on a day to be fixed by proclamation. Clause 3 inserts a new definition of "crane" as meaning any power-driven apparatus for raising, lowering or moving goods or materials. A new definition of "lift" is inserted as meaning any apparatus attached to a building and controlled by guides for raising, lowering or

moving persons, goods or materials, including chairlifts, escalators and moving walks but excluding a conveyor belt used only for goods or materials.

A new definition of "owner" is inserted as meaning, in relation to a lift, the owner, occupier or lessee of the building that houses the lift and also, where relevant, the contractor erecting the building and the contractor installing or repairing the lift. In relation to a crane or hoist, "owner" is to mean the person who has the crane on hire or lease and, where relevant, the owner, occupier or lessee of the building in which or in connection with which the crane is used, and also means the contractor constructing, installing or repairing the crane.

Clause 4 amends section 4 of the principal Act, which deals with the application of the Act. The result of these amendments is that the principal Act will not apply to lifts worked by hand power, cranes exempted by the Chief Inspector, hoisting appliances to which the Construction Safety Act applies which are exempted by the Chief Inspector, machinery to which the Mines and Works Inspection Act applies, cranes (other than mobile cranes) to which the Industrial Code applies, and cranes owned and used by an agriculturist on his farm. The clause further provides that the Chief Inspector may exempt any crane, or any hoisting appliance to which the Construction Safety Act applies, from the provisions of the Act. The Chief Inspector at present has this power only in relation to lifts worked by hand power.

Clause 5 amends section 5 of the principal Act by up-dating a reference to the Industrial Code. Clause 6 amends section 6 of the principal Act, which deals with the construction and alteration of lifts and cranes. A passage is inserted which provides that the Chief Inspector may require plans and specifications to be altered so as to conform to any standard of the Standards Association of Australia, before he grants a permit to construct or alter a lift or crane. The life of a provisional certificate of registration is altered from 30 days to 90 days, as the firstmentioned period has been found to be far too short having regard to the increasing number of lifts and cranes which are and, after this Bill passes into law, will be registered with the Secretary for Labour and Industry.

New subsection (7a) is inserted, which provides that the present provision that a lift or crane which is constructed or altered in any way must not be worked until it has

been inspected, approved and registered, shall apply, in respect to cranes, only to those cranes which, after the commencement of this amending Act, are to be used for the first time after being constructed or altered. Therefore, those cranes that are now operating and at present do not come within the ambit of the principal Act need not, when this Bill passes into law, be inspected and approved before they may be registered. It would be impossible for such inspections to be completed by the Chief Inspector under at least a year.

Clause 7 repeals the existing provision relating to registration and inserts a new section 7. It is provided that all cranes and lifts must be registered with the Secretary for Labour and Industry before they can be worked. Existing registrations are continued and are given full force and effect under this new section. Therefore the owners of cranes which at present do not come within the ambit of the principal Act will have to apply for registration and will not be able to work those cranes until registration is effected. The interval between this Bill passing into law and the day proclaimed for commencement will be ample time for all such owners to apply for registration. New section 7 further provides for the issuing of registration certificates (conditional or otherwise), the payment of a prescribed fee, the notification of change in ownership and the periods during which such certificates will remain in force. The registration of a lift must be renewed annually or on change in ownership, whichever is the sooner, and the registration of a crane need only be renewed on change in ownership. Definitions of "registered" and "unregistered" are provided.

Clauses 8 and 9 contain amendments to sections 8 and 9 of the principal Act respectively which are consequential upon the new definition of "owner" referred to earlier. Clause 10 amends section 11 of the principal Act, which deals with annual inspection of lifts and cranes. New subsection (2) is inserted which provides that the owners of lifts worked by hand power and all cranes (other than exempted lifts and cranes) shall cause them to be inspected at prescribed intervals. This clause also makes a consequential amendment to the section. Clauses 11 and 12 make amendments to sections 12 and 13 of the principal Act respectively which are consequential upon the new definition of "owner".

Clause 13 makes a consequential amendment to section 14 of the principal Act, which section deals with the working of lifts by

persons under the age of 18 years. New subsection (3) is inserted which provides that the prohibition against a person under 18 years working a lift shall not apply to a passenger controlled lift (which is defined in the regulations). Clause 14 inserts new section 14a in the principal Act, which new section provides for certificates of competency for crane drivers. All cranes in this State (including the cranes excluded from the other provisions of the principal Act) which are fitted with vertically moving jibs come within the ambit of this new section. Classes of crane or single cranes can be exempted. No person can operate, be in charge of or permit another person to operate or be in charge of a crane without a certificate of competency. The Chief Inspector is given the control of these certificates and he may cancel or suspend such a certificate when he thinks there is good cause so to do. Persons who hold a crane driver's certificate under the Boilers and Pressure Vessels Act will be deemed to hold one under this new section.

Clause 15 amends section 15 of the principal Act which deals with regulations. The Governor is given further power to make regulations for all matters concerning certificates of competency. New subsection (2) is added; it provides that any regulation may refer to or incorporate any standard of the Standards Association of Australia. Clause 16 makes a Statute law revision amendment to section 17 of the principal Act.

The Hon. C. R. STORY secured the adjournment of the debate.

### **JOINT COMMITTEE ON CONSOLIDATION BILLS**

A message was received from the House of Assembly requesting the concurrence of the Legislative Council in the appointment of a Joint Committee on Consolidation Bills. The three persons representing the House of Assembly on such a committee would be the Hons. D. A. Dunstan and L. J. King and Mr. R. R. Millhouse.

The Hon. A. J. SHARD (Chief Secretary) moved:

That the Assembly's request be agreed to and that the members of the Legislative Council to be members of the Joint Committee be the Chief Secretary, the Hon. R. C. DeGaris and the Hon. Sir Arthur Rymill, of whom two shall form the quorum of Council members necessary to be present at all sittings of the committee.

Motion carried.

### **CONSTITUTION ACT AMENDMENT BILL**

Received from the House of Assembly and read a first time.

### **COTTAGE FLATS ACT AMENDMENT BILL**

Received from the House of Assembly and read a first time.

### **SUPREME COURT ACT AMENDMENT BILL**

Received from the House of Assembly and read a first time.

### **LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL**

Received from the House of Assembly and read a first time.

### **PORTRAITS OF PRESIDENTS**

The Hon. A. J. SHARD (Chief Secretary): I move:

That this Council place on record its thanks to the President, the Hon. Sir A. Lyell McEwin, K.B.E., M.L.C., and to his predecessor in that high office, the Hon. L. H. Densley, for the portraits they have presented to the Legislative Council.

I remind honourable members that the Hon. R. C. DeGaris and I, on behalf of the members of our respective Parties, wrote to you, Sir, and to the Hon. L. H. Densley expressing the hope that the gallery of portraits of occupants of the high office of President of this Council since the inauguration of responsible government in 1857 might be maintained in an unbroken sequence for posterity: and now, at considerable personal expense to you, Mr. President, and to the Hon. L. H. Densley, the continuity of that record has been preserved and your portraits have been added to those of your illustrious predecessors that grace the eastern corridor of this Council. Those portraits serve as a constant reminder to all who visit this Parliament of the debt of gratitude that is due to those who have served in the high office of President of the Legislative Council in maintaining the high standard of conduct and dignity for which this Council is known. I invite all honourable members to join me, after the adjournment of the Council, in the eastern corridor of the Council where these portraits will be formally presented and unveiled.

The Hon. R. C. DeGARIS (Leader of the Opposition): I have very much pleasure in seconding the motion. I know that all other honourable members of this Chamber will join me in endorsing the Chief Secretary's remarks. One of the interesting facets of our political history is the relatively few people who have held the high office of President of this Council

since the inauguration of responsible government in South Australia in 1857. As the Chief Secretary has said, an approach was made to you, Sir, and to the Hon. Les. Densley expressing the desire we all felt that the gallery of portraits of Presidents should be complete, and we are deeply grateful to you and to the Hon. Mr. Densley for your generosity in making available these portraits, I know at considerable expense to you both.

I firmly believe that the gallery of portraits of our Presidents should be maintained, and I know that this gift that both of you have

made to the Parliament is greatly appreciated by all. Both you, Sir, and the Hon. Mr. Densley have served this State well, and you both completed your long service in this Council by occupying the very high position of President. These portraits are very fine gifts and are deeply appreciated.

Motion carried.

#### ADJOURNMENT

At 3.37 p.m. the Council adjourned until Wednesday, August 11, at 2.15 p.m.