LEGISLATIVE COUNCIL

Tuesday, August 17, 1971

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

QUESTIONS

LEAF CUTTER BEE

The Hon. C. R. STORY: Has the Minister of Agriculture a reply to my question of August 11 about the leaf cutter bee?

The Hon. T. M. CASEY: A consignment of leaf cutter bees was imported from Canada in October, 1970, and held in quarantine at the Waite Agricultural Research Institute. These insects have been checked for the presence of parasites and for their ability to survive under South Australian climatic conditions, but no work has yet been done on their ability to survive on plants other than lucerne, nor have they been tested to determine the possibility of damage to vines, vegetables, garden plants and other crops. The Director of Agriculture expects that this work will take several years to complete, and the release of these insects from quarantine cannot be expected until all these aspects have been resolved.

RESERVOIRS

The Hon. M. B. DAWKINS: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. M. B. DAWKINS: Last week, in reply to my question about the storages in the metropolitan reservoirs and three country reservoirs, the Minister informed me that there was an article in the *Advertiser* about the matter on that day. Had the Minister been in his old stamping ground of Frome, he would not have seen that article, because it was not in the country edition. Has the Minister a reply to my question?

The Hon. T. M. CASEY: I am only too delighted to supply the honourable member with information from the Minister of Works that is as up to date as possible. My colleague has today provided me with the following details of storages in metropolitan and near-metropolitan reservoirs as at 8.30 a.m. yesterday morning:

Reservoir	Capacity million gallons	Storage million gallons
Mount Bold	10,440	10,414.0
Happy Valley	2,804	2,804.0
Myponga	5,905	5,905.0
Millbrook	3,647	3,647.0
Kangaroo Creek	5,370	4,358.0
Hope Valley	765	716.0
Thorndon Park	142	130.0
Barossa	993	800.0
South Para	11,300	10,524.0

VICTORIA SQUARE

The Hon. C. M. HILL: Has the Chief Secretary a reply to the question I asked last week regarding the Victoria Square site and the possibility of land tax concessions being given to those facing bankruptcy in rural areas?

The Hon. A. J. SHARD: The Government is aware of the need for satisfactory office accommodation for departments of the Public Service and planning to enable this to be provided is being undertaken by the Public Service Board and the Public Buildings Department. The matter of land tax relief in rural areas is being dealt with in legislation now before Parliament.

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to the question I asked recently regarding Victoria Square?

The Hon. A. J. SHARD: The proposal by the Government is to invite consortia to submit proposals for the erection and operation of an international standard hotel on land situated on the corner of Victoria Square and Grote Street, Adelaide. It is proposed that the hotel should provide an adequate number of suites in order to meet the expected tourist demand over the next decade for first-class hotel accommodation of an international standard. It will also be required to provide conference facilities with adequate entertainment, banqueting and meeting rooms, and all services suitable for overseas and especially Asian businessmen.

It is also proposed that the hotel have either a floor or a wing catering for Japanese tourists and businessmen in a fully detailed traditional way. The Government will lay out the site at no cost to the approved consortium and provide a 99-year lease of the land at a nominal rental. The land will be exempt from land tax whilst the fee simple is held by the Crown.

SOUTH-EAST WATER SUPPLIES

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture representing the Minister of Works.

Leave granted.

The Hon. M. B. CAMERON: In answer to a question I had previously asked regarding salinity in drains in the South-East, the Minister last week gave salinity readings for several drains which seemed to me to be very high indeed, although it would appear that with the winter flow there was some reduction of the salinity content. One drain (the Blackford Drain) was said to have a salinity of 11,400 p.p.m. Will the Minister of Agriculture ascertain from his colleague where these readings were taken in this drain and whether they could have been influenced by the tidal flow going into that drain? Also, will he ascertain what percentage of the salt content of these drains is sodium chloride, and what percentage has, or would have, a direct effect on the health of stock if it is used for stock water or for pasture? I am trying to ascertain whether the salt content is sufficiently high to be harmful.

The Hon. T. M. CASEY: I will refer the honourable member's question to my colleague and bring down a report as soon as it is available.

ANSTEY HILL QUARRY

The Hon. C. M. HILL: I seek leave to make a short statement prior to asking a question of the Minister of Lands, representing the Minister of Environment and Conservation.

Leave granted.

The Hon. C. M. HILL: During the term of office of the previous Government land was acquired by the State Planning Authority at Anstey Hill. Situated on that land was a quarry. The State Planning Authority sought consent to operate that quarry; consent was refused. In the publication *Planning News* issued by the South Australian State Planning Authority dated December, 1970, under the heading "A Bold Experiment", the following appears:

> The authority has bought an operating quarry in the hills face zone overlooking Adelaide. The land forms part of the proposed Anstey Hill regional park near Tea Tree Gully. It is proposed to allow the quarry to continue to operate in accordance with a plan now being prepared.

Has the Government approved the use of this quarry as an operating quarry? If so, what quantities of stone have been removed since the authority acquired the quarry and what quantity of stone does the authority plan to remove in the future? Has the Government consented to other quarrying interests using the subject land for the purpose of access to an adjacent quarry and, if so, what are the terms and conditions of such an arrangement?

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

BEDFORD PARK LAND ACQUISITION

The Hon. C. M. HILL: I seek leave to make a short explanation prior to asking a question of the Minister of Lands.

Leave granted.

The Hon. C. M. HILL: I direct my question to the Minister of Lands in his capacity as Minister in charge of the Land Board, which is the principal acquiring agency for Public Service departments. I understand that in the matter I now wish to raise the Public Buildings Department has been involved, and I will well understand if the Minister prefers to discuss it with the Minister of Works before replying. Time and time again the question of the acquisition of properties at Bedford Park of land for the future south-western districts hospital has been raised. I have raised the matter here when I have been approached by constituents in that suburb. This morning I received a telephone call from a gentleman in that area who is still most upset and concerned about the procedure being followed by the Government in endeavouring to acquire his home. Section 10 of the Land Acquisition Act, 1969, states:

> Where the authority proposes to acquire land for the purposes of an authorized undertaking, it shall serve upon each person who has an interest in the land, or such of those persons as, after diligent inquiry, become known to the authority, a notice, in the prescribed form, of intention to acquire the land.

These people in Bedford Park have not been served with such notices of intent. Does the Government intend to issue such notices of intent? If not, what reason for its refusal in the light of the existing law does the Government provide?

The Hon. A. F. KNEEBONE: I appreciate the honourable member's reference to the fact that this is a matter that would have to be discussed with the Minister of Works. Following questions by the honourable member and other members in this Chamber and conferences between the two departments involved, I was under the impression that this matter had been finally sorted out to the satisfaction of the people concerned. However, I will

discuss with my colleague what has been done and what is being done in this matter and bring back a reply as soon as it is available.

ABATTOIRS

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

Leave granted.

The Hon. C. R. STORY: I was listening to an Australian Broadcasting Commission rural session on the radio and was disturbed by a statement made by Mr. John Harnett, the representative of the Meat Exporters Association of this State. The statement went roughly along these lines, that the system that had earlier been adopted at the abattoirs for crutching sheep prior to offering them for sale in the saleyards and before they were slaughtered had been abandoned, that many rejections had occurred at the sales in the last few days, and that many sheep had been declared dirty—which means, of course, that the producers of those sheep will have to take a penalty. Can the Minister say, first, who was responsible originally for making that decision not to adhere to the recommendation of the Department of Primary Industry and, secondly, what action has been taken to either reimpose the crutching or see that some alternative method is provided so that both producers and exporters will be protected in this valuable export industry?

The Hon. T. M. CASEY: We had better get the facts right from the jump: the Department of Primary Industry was not responsible for the imposing of crutching at the Gepps Cross abattoir; it was a decision arrived at by the producer organizations, the wholesalers and the stock agents. Some 18 months ago the system at the Gepps Cross abattoir was that, if a producer sent in his sheep for sale and they were purchased by a wholesaler who wanted them slaughtered and there were, say, two dirty sheep in the pen, he could say to the auctioneer, "There are two dirty sheep in the pen", and the auctioneer would say, "Right; two sheep dirty", and $1 would be knocked off for each sheep as a result.

Whilst I was at Mount Hagen at an Agricultural Council meeting, this was altered, and it remained altered right up until a week ago, when it was requested that all sheep coming into the Gepps Cross abattoir be crutched. That was the rule laid down. Many producer organizations did not agree with this; they found there were plenty of lambs that were being crutched unnecessarily, which was an added cost to the producer. So I called a meeting of all the interested bodies —the producers, the exporters, the stock agents, the Gepps Cross abattoir people, and the Agriculture Department—and we resolved that it would be in the interests of the producer (the main consideration here) for him to be responsible for seeing that the sheep were available for sale in the cleanest possible state. They all agreed that this was the correct attitude to take.

Last week at the abattoir it was very wet and only 2½ per cent of the total stock offered for sale were uncrutched. On the information I had, it was difficult to ascertain which sheep were being purchased for actual slaughter—because I remind honourable members that all the stock available for sale at Gepps Cross are not necessarily slaughtered. Many will be sold outside the area, but a number of problems relating to the carrying have been brought to my attention. These have been rectified by the stock agents in co-operation with the carriers themselves. Many of the double-tier and triple-tier semi-trailers in which stock are carried have no floors under each tier, and the droppings fall on the sheep below. This is a big problem in the sale of stock at the Gepps Cross abattoir. The stock agents have agreed to consult with the carriers to ensure that floors are placed between the tiers, and the producers have been warned in statements by me, through the Department of Agriculture and through the stock agents themselves that it is in their own interests to ensure that stock are clean and, where there is any doubt, they are advised to crutch. I think this will work out quite well. The system has only just commenced, and I am sure that, given a few weeks, everyone will be quite happy with the results—or at least I hope so.

The Hon. M. B. CAMERON: Does the Minister of Agriculture expect a similar situation to that which arose last year at Gepps Cross regarding numbers of stock to be killed in the spring? If so, what arrangements will be made this year? Will a similar ban on stock from certain areas be enforced or will there be a more equitable scheme which will not penalize the areas that were held out for a period of probably five months last year?

The Hon. T. M. CASEY: It is likely that about 900,000 lambs will be required to be slaughtered in the abattoir complex in South Australia. This is a tremendous number, and

is quite apart from the normal killing rate for local consumption on the mutton chain. I have had interviews with the interested bodies in South Australia—with Metro Meats, Noarlunga, with the Murray Bridge works, with Metro Meats at Peterborough, and also with the Gepps Cross authorities, and everything possible is being done to ensure that maximum throughput capacity is maintained until the end of the year, when the lamb season will conclude. I do not think we can hope to cope with the number of sheep available with the existing abattoirs system in South Australia, and it is probably not up to me to say at this stage exactly where the sheep will be drawn from. This is laid down by the operations committee, which was set up to look into problems concerning areas which have this tremendous turnover of lambs. It has always worked pretty well in the past.

The South-East is one area which has suffered, but most of the South-East stock goes in an easterly direction to Victoria. However, the Victorian people are finding themselves in dire straits this year because they will be in trouble, too, with such a tremendous production of lambs. I do not know the solution. Perhaps we should be building more abattoirs, but I do not think anyone is prepared to do that unless we can guarantee a yearly throughput of meat and, of course, we do not always get such a flush season of lambs. I do not think we can possibly cope with the numbers that are likely to come on the market with such a wonderful season as we are having at present.

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: When I heard the tail end of a news item this morning I thought my memory was playing tricks on me. If I heard correctly, the news item said the Minister of Agriculture would set up a committee to inquire into all phases of the Government Produce Department, the Port Lincoln abattoir, and other associated matters. I did not catch a statement about the personnel of the committee. When I was Minister of Agriculture I set up a similar committee, comprising Mr. Jeffery (the Auditor-General), Mr. Dennis (the Chairman of the Public Service Board), and Mr. Dunsford (the Director of Lands), to inquire into all phases of the meat industry. That committee reported to me shortly before I left office as Minister of Agriculture. It had very wide terms of reference and took evidence from practically every body that was interested in the matter. It took between six months and eight months to produce a report. Has the Minister of Agriculture read that report? Can he say whether the work to be undertaken by the new committee will duplicate the work of the other committee, which did a very good job in investigating the whole meat situation and the Government Produce Department at that time?

The Hon. T. M. CASEY: I assure the honourable member that I have read the report of the committee that he set up when he was Minister of Agriculture; that committee inquired into the problems existing at the Gepps Cross abattoir and, to some extent, the Port Lincoln abattoir, but it did not inquire into the Port Lincoln abattoir to the extent that the present committee will inquire into it. One of the terms of reference of the previous committee was to inquire into the possibility of bringing the Port Lincoln abattoir under the control of the Gepps Cross abattoir board. The committee that was set up a few months ago under the chairmanship of Mr. Dunsford will look specifically at the Port Lincoln abattoir, which we believe has been sadly neglected in the past; it is terribly run down, but it will be required to play a very important part in connection with primary industry on Eyre Peninsula. We have spent much money in bringing it up to the requirements of the Commonwealth Department of Primary Industry—no mean feat. One difficulty is that the Port Lincoln abattoir has, right in the middle of it, a bacon factory. Also, fish-processing plants channel goods into the abattoir for freezing. Mr. Jeanes, the General Manager of the Government Produce Department, is the chief man in connection with the Port Lincoln works. The committee will consider the whole situation and the Adelaide set-up of the Government Produce Department to see how we can modernize the department and also bring the Port Lincoln works up to a standard that will enable it to cope with the increasing amount of stock being produced on Eyre Peninsula.

The Hon. M. B. CAMERON: Can the Minister of Agriculture say whether any thought has been given to the future of the Gepps Cross abattoir? What is the life expectancy of that abattoir? It is obvious to me that its geographical situation must eventually lead to community problems. In spending extra money

there, does the Government intend to consider the expected life span of the abattoir in its present position?

The Hon. T. M. CASEY: The Government has not taken a line in this direction at all. I suppose one could say that maybe in 20 or 30 years something will have to be done; what the honourable member is implying is that we will have a built-up area all around Gepps Cross. Of course, we will have the same problem in connection with airports: much noise and nauseating smells emanate from them, too. The Government has not looked at the matter the honourable member has raised, but it should be considered in future. I will certainly keep the honourable member's suggestion in mind.

PRISONERS' HAIRCUTS

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Chief Secretary.

Leave granted.

The Hon. C. M. HILL: I wish to refer to the Government's decision to permit prisoners in South Australia to go unshaven and wear their hair long. I thank the Chief Secretary for the reply he gave last week to my question on this matter. Over the weekend I was again approached by a person who has had contact with prison authorities on this matter. That person informed me that the prison authorities are grossly upset and unhappy about this arrangement, of which they had been notified and which, I believe, is now in effect. I believe, too, that the rule that existed in the past, that prisoners must shave regularly and have their hair cut to a certain length, has been part of a regulation under the Prisons Act. I understand that the prison authorities were informed about the change two or three weeks ago. Does the Government intend to introduce this new rule by way of regulation and, if it does, when will that regulation be laid on the table?

The Hon. A. J. SHARD: I thought I made it clear last week that a regulation had to be amended to give real effect to the change. If I remember correctly, I said that the Crown Law Office was in the process of doing the necessary work. I believe that a regulation will have to be rescinded and a new regulation introduced through the Joint Committee on Subordinate Legislation. I will check up on the matter and make sure.

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:

Brinkworth Area School (Replacement),
Morphett Vale East Primary School,
Roseworthy Agricultural College Redevelopment (Stage II).

SUPREME COURT ACT AMENDMENT BILL

Read a third time and passed.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL

Read a third time and passed.

CONSTITUTION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 11. Page 684.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I do not intend to deal with this matter at great length, as I believe all honourable members would appreciate that my thoughts on it have been clearly expressed over many years. However, I should like briefly to re-state some of the views I have put during that time. First, I am convinced that, if all facts were put before them, the people of this State would demand that the two-House system of Parliament be maintained, with the Legislative Council so structured that it can operate with as much independence as possible, ensuring that it can fulfil its role as a second Chamber.

I know that in this Bill the bicameral system of Parliament is not directly threatened. However, if the Bill passes in its present form, this Council will not be so structured as to allow it to act as an effective second Chamber. Although some members in this Chamber may not agree with my views (it is clear that most House of Assembly members do not), I am certain that every member would agree that the views expressed by members of this Council are sincerely and honestly held and that they have, as their base, the preserving and maintaining of a Chamber that can act with independence and effectively as a second Chamber.

One could at this stage go back through history (and a long history it is) to trace the record of the Legislative Council. However, I do not intend to do that in detail. If studied, that history will show that the Legislative Council has fulfilled its role well as a House of Review. Indeed, I think it has fulfilled that

role better than possibly any other State Upper House in Australia has done. Criticisms are bound to be made regarding decisions taken in this Council, and those criticisms will emanate from people who, for a political reason, will say that this Council's attitude has been obstructive. However, this is not borne out by history.

Criticism also comes from people who take the more conservative right-wing view that this Council is not strong enough and that it adopts a weak attitude towards Government legislation. No matter what decisions are made here, criticism will be made. As I have pointed out previously, if one studies the history of this Council one will see that it has performed its functions as an effective brake on and not an obstruction to the will of the House of Assembly. The fact that for over the 115 years of the Council's history the deadlock provisions in the Constitution have never been fully invoked will show that this Chamber has performed with distinction its task as a House of Review.

I should like quickly to refer to one or two aspects of the last Parliamentary session, during which about 117 Bills came into this Council, only two of which were defeated. If my memory serves me correctly, about 169 amendments were moved; 102 of those amendments were accepted without argument; a further 60 were accepted after the Council conferred with the House of Assembly; and only eight or nine amendments were undecided. I think every member of this Council would agree that in the last session this Council fulfilled the best traditions of an Upper House.

The Hon. D. H. L. Banfield: How many Bills were thrown out when the Assembly was of the same political complexion as the Legislative Council?

The Hon. R. C. DeGARIS: It is rather remarkable that the history regarding that question has not changed much for many years. Indeed, I think (and once again I am speaking from memory) that up until 1966 the number was greatest in 1933. The history of this Council regarding the number of amendments moved and Bills defeated has been fairly consistent; one can see this by looking at the percentages of Bills sent to this Council over that period.

The Hon. D. H. L. Banfield: There couldn't have been too many presented, judging by the number thrown out when the two Houses were of the same political colour.

The Hon. R. C. DeGARIS: I do not think that is so. I have a document showing the number of Bills amended and defeated in this Council, which sets this out clearly and which was incorporated in *Hansard* in the speech I made previously on another Bill. If the honourable member cannot remember that, I refer him to that list in *Hansard.* Apart from the honourable member who interjected, I think that the Ministers in this Council, if they expressed their views, would say that in the last session this Council fulfilled its role as an Upper House in the best traditions of the bicameral system of Parliament. That is difficult to refute.

Much has been said for many years about this matter, and I do not wish to introduce any new material into this debate. However, I should like to quote some relevant parts of the speech I made last year, elaborating on some of the points I made then. This may be of some interest to honourable members, and I am certain that it will be of interest to others who seem to delight in placing labels of their own making on honourable members of this Council. At page 2031 of last year's *Hansard,* I said:

> If change is demanded, what should we do to preserve the historical role of the Council? ...I strongly believe that there should be a constitutional assurance of voluntary voting for this Council. The only way this can be assured is for the House of Assembly to follow the principle followed in this Council for a very long time.

I have always believed in the philosophy of voluntary voting, which I believe is the only democratic way in which a free election can be run. Compulsion should have no part in a free election, and over the 115 years of the bicameral system in South Australia the Legislative Council has always stood by this principle. On the other hand, this Council did not interfere with the view of the House of Assembly in 1942 when it asked in that House (and for this House) for compulsory voting. Although I have not had time to check this, I believe that the vote in the House of Assembly in 1942 in relation to compulsory voting was unanimous. This Council did not interfere with the desire of that House to move to compulsory voting, but it said very clearly that with regard to this Council one of the fundamental principles to be followed was the principle of voluntary enrolment and voluntary voting.

In my opinion, the unanimous view of the House of Assembly in relation to matters concerning that House should be respected.

I do not believe that this question of voluntary voting for the House of Assembly should be a contingency attached to any change relating to the Legislative Council. I believe that these two issues are separate. However, I will say that, if the House of Assembly decided to change its views on this question and make its voting more democratic, it would make it a good deal easier for the Legislative Council to be able to change its structure.

The Hon. D. H. L. Banfield: What, simply by allowing an extra 15 per cent of people to have a vote?

The Hon. R. C. DeGARIS: If the Hon. Mr. Banfield is patient, he will find that I will answer most of his questions before this speech is over.

The Hon. D. H. L. Banfield: You were going to speak to the Bill, not to something entirely different.

The Hon. R. C. DeGARIS: I am speaking to the Bill which, as I have pointed out, is a means of producing a Legislative Council that would be unable effectively to fulfil its role as a second Chamber.

The Hon. D. H. L. Banfield: Simply because everybody would have a vote?

The PRESIDENT: Order!

The Hon. R. C. DeGARIS: If the House of Assembly again refuses to adopt voluntary voting (and I believe that a request for voluntary voting for the House of Assembly is an impossible condition to ask), how can this Council preserve one of the principles (namely, voluntary enrolment and voluntary voting) that it has held since its inception?

The Hon. T. M. Casey: That is because you have had it all tied up.

The Hon. R. C. DeGARIS: The present slightly restricted franchise, apart from other arguments in its favour, has allowed some recognition of these principles, when one considers that we have compulsory enrolment and compulsory voting applying to House of Assembly elections.

The Hon. D. H. L. Banfield: It is not compulsory enrolment for the Assembly.

The Hon. R. C. DeGARIS: We all know that in point of law there is no compulsory enrolment for the House of Assembly. However, for all practical purposes it is compulsory enrolment, and every honourable member in this Chamber knows that. Therefore, the only other way of preserving this important principle of voluntary enrolment and voluntary voting that this Council has held to is for elections for this Council to be on a different day from that on which elections for the House of Assembly are held. This has much to commend it. I believe that the issues before the people in relation to an Upper House election are entirely different issues from those before the people at a general election.

I could develop this theme at length, but I will not do so, because I think every honourable member here would appreciate that Governments are not made in this Council. The issues before the people in relation to the Upper House are entirely different issues. To preserve the essential democratic ingredient of voluntary enrolment and voluntary voting, a simple measure such as voting on a separate day imposes further constitutional problems and still leaves unsolved so many other important aspects related to the bicameral system. I have no hesitation in saying that the majority of people want an Upper House in South Australia, and a majority of people want that House to be capable of performing its role. It does not want to see in South Australia a mirror image rubber stamp House of the House of Assembly. Only those people who seek its abolition would insist on a Legislative Council that is a pale imitation of the House of Assembly. The present franchise, although some honourable members would criticize it, has produced an Upper House that has performed its task exceptionally well over the years of its history and has worked in the best traditions of the Parliamentary system.

The first principle of which I have been speaking concerns voluntary enrolment and voluntary voting. This has two solutions, the first being voluntary voting for the House of Assembly. As I have said, I do not favour this Council's adopting this as a contingency to any change in the Legislative Council. The second solution is voting on separate days. This is not a simple constitutional question, for attached to this solution are intricate constitutional problems that need careful assessment. Let us suppose that this first principle of which I have been speaking is somehow resolved. What system would we then follow? In my speech last year I said:

> I stand firmly on the principle that in the Upper House the rural areas of this State must have equal representation with the metropolitan area. I also believe that, if there is to be a change, we should consider the question of proportional representation and a guarantee that the minority Parties in our community should have representation in the Council.

I believe that those who serve in the Legislative Council should be removed as far as possible from the electorate matters of the House of Assembly. I do not believe that the job of a person serving in this Council should be almost at the parish pump level of politics. It is a job that should not be associated, in the same way, with a member representing a smaller House of Assembly district. Also, the honourable members serving in this Council should be removed as far as possible from the dominating influence of the Party machine.

The Hon. D. H. L. Banfield: Are you going to give up your preselection in voting in the future?

The Hon. R. C. DeGARIS: As I said to the Hon. Mr. Banfield earlier, if he waits long enough he will have all his questions answered.

The Hon. D. H. L. Banfield: Don't forget to explain about your preselection.

The Hon. R. C. DeGARIS: We now come to the question that we think should be removed as far as possible from the Party machine. I will answer the honourable member's question in a moment, if he would not mind being a little patient.

The Hon. D. H. L. Banfield: That remark has been put over time and time again.

The Hon. R. C. DeGARIS: The first point is that the role of a Legislative Councillor is an entirely different role from that of a person serving in the House of Assembly. These principles are recognized in the structuring of most Upper Houses in the world. I come now to the question asked by the Hon. Mr. Banfield. In structuring an Upper House, these principles have been borne in mind. Let us take, for instance, the Australian Senate. The honourable member will perhaps recollect that I spoke on this matter in the debate on the Address in Reply, and I do not want to recast my thoughts.

The Hon. D. H. L. Banfield: About adult franchise for the Upper House?

The Hon. R. C. DeGARIS: In the debate on the Address in Reply, I spoke of the Senate. I believe that some change in the system would have produced an entirely different situation in the Senate; it would have produced a Senate that could have acted in its historic role as a States House, but the Senate has been structured on a six-year term, with proportional representation. It is proportional representation that has produced in the Senate a House that is gaining greater respect amongst the people of Australia. If we look at the history of the Senate over the years, we see that it has changed its role because of proportional representation. It is no longer a House dominated by Party machine politics. I refer also to New South Wales. Some members, particularly the Hon. Mr. Banfield, talk about franchise, but there is no franchise for the Upper House in New South Wales. It is a nominated House, its members being nominated for 12 years. Why 12 years? The reason is to allow people, even Labor Party people, who find themselves nominated to the Upper House to untie themselves from the dominance of the Party machine. That is why New South Wales has a 12-year term. We have seen New South Wales Labor people nominated to do a certain job being able to show their independence because they have a 12-year term of office.

The Hon. A. J. Shard: What happens to those people?

The Hon. R. C. DeGARIS: The Upper House should be so structured as to release its members from the dominance of the Party machines that have developed in our political system. Let me now look at Canada. There, it is nomination for life and retirement at 75 years of age. Once again, the reason is to allow—

The Hon. D. H. L. Banfield: With which Parliament are you dealing now?

The PRESIDENT: Order! Interjections are out of order.

The Hon. R. C. DeGARIS: I am now talking about the Senate system in Canada, where the nomination is for life, with retirement at 75 years of age. The reason is to allow the person who has been nominated to that House to move away from, to be independent of and not to be dominated by the Party machines that operate. That is a first principle in any Upper House. The Hon. Mr. Casey has been talking about the States. The whole situation is different. The Provinces in Canada are not constitutionally sovereign—an essential point that the Minister of Agriculture has perhaps overlooked. Rather strangely, the only great variation that one can find in Australia from that principle has been in Tasmania. In the States of Australia and the Senate, with the exception of New South Wales, the term is six years; in New South Wales it is 12 years, as I have said before.

Let us read what Mr. Davies and other people have written about the system in Australia. The variation is in Tasmania, where there is compulsory voting and a proportional representation system in the House of Assembly, and 19 single-man electorates in the Upper House, with voluntary voting and voting on a separate day. So there is a multitude of ways

in which one can produce an Upper House that can take its position effectively in a bicameral system of Parliament; but this Bill will not implement that principle.

While in South Australia we have single-man electorates in the House of Assembly, it is necessary that the Legislative Council districts be large and multi-member districts. I remember some time ago an excellent speech by the Hon. Sir Arthur Rymill on the matter of one vote one value, when he drew the picture of an electoral district with 9,999 electors, in which 5,000 voted for the No. 1 candidate and 4,999 electors voted for the No. 2 candidate. He posed an interesting question, on one vote one value: what value were the 4,999 votes? The answer, of course, was "No value whatsoever". It may well be that a group of people with a certain political philosophy or an Independent candidate can poll 10 per cent, 12 per cent or 15 per cent of the total votes in the whole of South Australia, or there may be an Independent who may do exceptionally well in one district. The House of Assembly, irrespective of what electorates it has, can never produce one vote one value on the single-man electorate system; it is mathematically impossible.

Therefore, the system should be designed to encourage and allow people who belong to minority groups to have representation in this Council. It is done in many parts of the world in a strange way by nomination where, if people poll a certain number of votes of the electors, they have the right to nominate a member of Parliament to represent their interests. Strong objection can be taken on any rational grounds to the present system in the Council of the "winner takes all" principle. In other words, the present system of passing on the preferences excludes the possibility of minority groups or Independents gaining election, and that applies to both Houses. So the second principle emerges—and I am still dealing with the speech I made last year. In the consideration of this question, proportional representation must be taken into account. As I said earlier, associated with any proportional representation system consideration must also be given to the question of some appointment or nomination which, in some countries, is used to allow the minority groups certainty of some representation in the Upper House.

One could go on discussing the large number of variations on this theme. Many variations I have not touched upon have been incorporated in the Constitution of many countries to satisfy the principles I have enumerated. No method can be idly dismissed. Each has its own advantages and each has its disadvantages; each must be assessed in relation to our own history in South Australia and the fact that we have our own sovereign Constitution. That is a most important point for everyone to remember. The final quote I will make is from page 2032 of last year's *Hansard* where I concluded by saying:

> If change is demanded, we must ensure that we achieve the purpose for which the two-House system was designed.

We are dealing in this matter with a sovereign Constitution, a point not often understood by a great number of people. This places more than ordinary responsibility on those who constantly agitate for change. Many people who agitate for change do so only to serve the ends of power politics, without deep thought being given to the results of the changes advocated.

So far the Legislative Council has only had before it a Bill which has often been described as a naked and a bare Bill. Every Bill before us on this subject has been of such a character. In these few remarks I have not introduced any new material.

The Hon. D. H. L. Banfield: You have not spoken about anything connected with the Bill yet.

The Hon. R. C. DeGARIS: Yes, I have. Every remark I have made in this speech has been directly related to the Bill before us.

The Hon. D. H. L. Banfield: I hope I get the same privilege when I speak.

The PRESIDENT: Order!

The Hon. R. C. DeGARIS: I have not introduced any new material in this speech. I conclude by saying that, if change is demanded, the changes must produce a House that can fulfil its role in the democratic process, fulfil its role as a House of Review. The Bill before us will not achieve that purpose.

The Hon. R. A. GEDDES (Northern): I rise to speak on this problem of the Bill to amend the Constitution Act. Man, whether primitive man or educated man, has always established for himself certain guidelines for his social behaviour, his economic behaviour, and his personal behaviour, and these have been handed down to us. Even the Aboriginal tribes, well before the white man came to Australia, set certain standards, and the tribes obeyed. In the early Jewish era the Ten Commandments were formulated for society, and society today still tries to live by them and up to them; although many people have difficulty in abiding by the rules as set down

in the commandments, no-one yet has been able to amend that type of constitution.

The Hon. A. J. Shard: Not even the Liberal Party.

The Hon. R. A. GEDDES: Not even the Liberal Party—very true. One commandment that is possibly the hardest to maintain is the one which says "Thou shalt not covet", and that is exactly what is occurring behind the scenes and what has caused the introduction of this Bill. Everyone knows it is the avowed intention of the Australian Labor Party to abolish the Legislative Council. It covets the privilege this Council gives to the rank and file of the people in this State and of the community, the minority group, the problems and needs of which it is the proud privilege of members of this Council to represent.

The A.L.P. wants complete and absolute power and control so that its brand of philosophy and political thinking can become the order of the day for the entire community without reference to the minority group; this fact is one of the back-bone arguments in favour of the bicameral system. Just as man has recognized and endeavours to live up to his every-day principles, so has it been necessary for Parliaments to have set limits to guide them. Constitutional Acts lay down the limits; they provide the guidelines for the Parliament and the Government of the day. Through 114 years of responsible government in South Australia there has been a necessity for a Constitution so that Parliament knows its limits. Any proposal for an alteration to or amendment of the Constitution must be carefully considered to see that the Constitution is fully protected; otherwise there would be no limit to the action Governments of tomorrow could take. If our South Australian Constitution could be altered only by the people, such as by referendum, my argument would be entirely different and the needs would be entirely different.

The Hon. A. J. Shard: That applies to some of the arguments put up today. For instance, we cannot abolish the Legislative Council without the vote of the people.

The Hon. R. A. GEDDES: I am trying to talk about the Constitution.

The Hon. A. J. Shard: You must go the full way, not half way.

The Hon. R. A. GEDDES: We will continue with side-lines later on.

The Hon. A. J. Shard: It is not a side-line.

The Hon. R. A. GEDDES: Why did those men who formulated the Constitution of the Commonwealth of Australia—men who all came from States with similar sovereign rights to South Australia and who could amend their Constitution in a similar way—write into the Commonwealth Constitution extremely restrictive clauses to make sure it could only be altered by the approval of the majority of the States and also by the approval of the majority of the people who lived therein? They made it extremely difficult to change any section of the Constitution.

The Hon. D. H. L. Banfield: What sort of franchise—

The Hon. R. A. GEDDES: I am not talking about franchise.

The Hon. D. H. L. Banfield: The Bill is, though.

The Hon. R. A. GEDDES: The Bill is talking about the Constitution, and I am talking about it, too. Those who drew up the Commonwealth Constitution were aware of the dangers that could arise if the Constitution could be amended willy-nilly at the whim of the political Party of the moment and at the whim of the political climate of the moment, so they did what they have done and, although there are those who are critical of that Constitution when it suits them, it is there for the benefit of everyone, and time alone can prove whether it has been wrong.

The Hon. D. H. L. Banfield: It gives everyone a vote, doesn't it?

The PRESIDENT: Order! The Chair will decide whether a speech is relevant.

The Hon. R. A. GEDDES: We have seen a new form of control coming into Australia over people's lives in the last 12 to 18 months; that control has come from the executive of the trade union movement. Previously the Government and Parliament had the privilege of issuing certain types of directive, but today we see the Australian Council of Trade Unions accepting a new role far beyond the principles that it previously adopted. This new role deals with the way that people should behave and what they should agree to and disagree to.

The Hon. D. H. L. Banfield: Don't upset Sir Frank Packer!

The Hon. R. A. GEDDES: The honourable member has referred to a certain newspaper owner. My comments apply equally to that type of problem in respect of the bicameral system. Today the Upper House needs to consider the other viewpoint. The worst elements of the trade union movement's decision (I call it a decision because it is a prerogative that has not appeared in the past to any great degree) are that at present the people are

allowing it to happen and a noisy minority is making its presence felt by means of disruption. The union bosses today seem to have far greater dictatorial power to call their men out on strike if they believe that a strike is warranted, and one sometimes wonders whether that need is seen from, the viewpoint of the people or whether the need is of a disruptive nature, because of the union's philosophy. Let us be fair: the Labor Government is unable to control the type of union boss that union members sometimes elect. It is no secret that there are Communist leaders here in South Australia who have been elected by union members.

It is fair comment to say that the Parliamentary wing of the Labor Party must listen to its executive. It is fair, too, to say that the executive can issue certain broad instructions to Labor members of Parliament and ask them to abide by them. Should the Communist element come into the Trades Hall of South Australia in a far greater proportion, these hidden strings to the Parliamentary Labor Party would present extreme difficulty. So, the bicameral system must be preserved to act as a buffer and give another viewpoint and a voice to those people who do not believe in extreme Socialism, those people who do not believe in neo-Communism, those people who do not believe in Labor Party principles, and those people who are Liberals but do not agree with the entire Liberal policy. There is evidence from the records of this Council over many years that it has acted in that way.

In fact, we have a three-tier structure now —the people who vote for the Hon. Mr. Banfield, the unions that instruct the honourable member, and the Government. All these tiers of control occur before Parliament gets the opportunity to debate a matter. The Legislative Council of this State is a House of Review: it is a cog in the bicameral system, and it represents a freedom for those people who wish the other viewpoint to be expressed and maintained. In the years to come, as the power of the trade unions grows greater (as I fear it may) the Council will act as a buffer that will give time for adequate consideration of important matters.

The Hon. A. J. Shard: It will be a better protection for the Establishment. Why don't you come straight out and say it?

The Hon. R. A. GEDDES: Is the bicameral system the Establishment?

The Hon. A. J. Shard: I am talking about this place.

The Hon. R. A. GEDDES: But I am talking about the bicameral system.

The Hon. A. J. Shard: It is a better safeguard for the Establishment. That is why you don't want to alter it.

The Hon. R. A. GEDDES: If the Chief Secretary, with the support of his Party, will spell out clearly that it is no longer the intention of the A.L.P. to have as a plank in its policy the abolition of the Legislative Council, this talk about the Establishment will no longer be necessary. I wish to refer to a statement made by Mr. C. R. Cameron, Federal Member for Hindmarsh, at a State A.L.P. convention, at which a motion was moved to change the Party's policy in regard to the abolition of the Legislative Council. The motion, which sought to change the part of the Party's platform headed "Constitutional and Electoral", was defeated. Mr. Cameron said:

> It is not easy after 60 years to admit that we have been wrong. We formed the existing policy calling for the abolition of the Legislative Council in the 1920's at a time of bitterness, and since then have held strongly to that view . . . Our policy is to elect a majority of Labor candidates to the Legislative Council and then for them to vote to abolish the House.

Mr. Cameron had moved to change the Party's policy on abolishing the Legislative Council. Was he trying to make this place an establishment for the A.L.P., or was he thinking of the record of this Council over the years?

The Hon. D. H. L. Banfield: He was trying to get a lock for the door.

The PRESIDENT: I must warn honourable members that repeated interjections are out of order. Any continuance of such behaviour will have to be dealt with.

The Hon. R. A. GEDDES: The Bill provides that a person who is entitled to vote at an election for a member of the House of Assembly shall, subject to the Electoral Act, 1929, be qualified to have his name placed on the appropriate Council roll. This means that all people eligible to vote in South Australia will be entitled to a vote for the Legislative Council.

Members interjecting:

The PRESIDENT: Order! I hope honourable Ministers will support me in maintaining order.

The Hon. R. A. GEDDES: This argument can be put forcibly this year. By interjection, the Government's attitude in this regard was

given. As I asked in replying to an interjection, is it the policy of the A.L.P. to retain the bicameral system of Parliament? Indeed, is it the policy of the Australian Council of Trade Unions to have a bicameral system? If this amending Bill is pasted, what strings will be pulled by union executives, and what pressure will be applied by those who espouse the psychology of Socialism, to introduce legislation to abolish the Legislative Council or which could make the voice of the second Chamber a mere echo of another place?

If the A.L.P. were prepared to come out and put its point of view, one would know the true position. Mr. Cameron said there was much bitterness in the 1920's, but can bitterness be levelled against the manner in which this Council has operated since 1965, when the Government headed by the late Mr. Walsh came into office? I am not here, as part of the establishment (if I take the tag), to defend my own scat. I am not necessarily fighting against the adult franchise system. As I hope has been clearly understood, I am fighting against the abolition of the Upper House. I conclude my remarks with those made by Sir Winston Churchill in 1947, when speaking on a Bill in the House of Commons dealing with proposed changes to or the possible abolition of the House of Lords. He said then:

All this idea of a handfull of men getting hold of the State machine, having a right to make the people do what suits their Party, personal interests or doctrines, is completely contrary to every conception of surviving Western democracy. All this idea of supermen and super-planners, such as we see before us. making the masses of the people do what they think is good for them, without any check or correction, is a violation of democracy.

I oppose the Bill.

The Hon. C. M. HILL secured the adjournment of the debate.

COTTAGE FLATS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 12. Page 745.)

The Hon. C. M. HILL (Central No. 2): I support this short Bill, which provides that, whereas over the last five years the sum of $50,000 has been allocated each year from the Home Purchase Guarantee Fund to the Housing Trust for the purpose of the erection of cottage homes for the aged, in the forthcoming five years an allocation of $75,000 will be made from that fund for that purpose. I support the remarks of the Hon. Mr. Springett when he spoke on this measure and emphasized at length the great need which exists for Parliament, all other institutions and, for that matter, all individuals to do everything they can to help aged people obtain the accommodation to which they are entitled.

The short parent Act, which this Bill amends, was assented to on December 1, 1966. Section 3, the first of its three operative sections, deals with the allocation of the $50,000, to which I have referred. Section 4 provides that the trust shall expend the amount paid to it in each financial year for that purpose and for persons in necessitous circumstances; and section 5 gives the trust the right, if it so wishes, to expend the rents received from those persons for this same purpose.

The Home Purchase Guarantee Fund, to which the Minister referred when introducing the Bill, was born with the original Homes Act when it was passed in 1941. The Minister said that the sum of money at present in credit to the fund is $371,754. It is interesting to note that, despite allocations out of the fund over the years, the balance at the end of each financial year has continually increased. It is therefore apparent that this reserve of money is available for some purpose, and I agree that this is an ideal purpose to which it can be allocated. Over the years, a contribution of $200,000 has been made under the Country Housing Act, and an allocation of $100,000 has also been made to the Housing Loans Redemption Fund.

To give an example of the rate by which the balance has been increasing, I shall refer to the balances for the financial years ended June 30, 1966, 1967 and 1970. The balance as at June 30, 1966, was $296,923; for the financial year ended June 30, 1967, it was $326,137; and for the financial year ended June 30, 1970, the balance was $392,968. That money is, therefore, available for some purpose. It has already been used to a certain extent to build homes for the aged, and if this Bill passes a further grant will be made

The Homes Act, which gave birth to this fund, was an exceptionally progressive and successful measure introduced in 1941 by the then Treasurer, Sir Thomas Playford. I have no idea of the exact number of young South Australian families that have benefited by this Act since then until a year or two ago, but it seems, from what the Minister has said, that advantage of it has not been taken recently However, hundreds of thousands of young South Australians must have benefited from it

The main purpose of the Act has been to enable the Government to guarantee to certain lending institutions the repayment of some parts of loans made when houses have been purchased. If I may, I should like to paint a clearer word picture. I refer to very general figures. The benefits that have been obtained as a result of the Homes Act can best be understood if I say that, if a young person wishes to place a 10 per cent deposit on a house and is forced to borrow 90 per cent of the purchase price, a lending institution that would normally lend only about 75 per cent of the purchase price is able to lend the whole 90 per cent.

Therefore, the balance between the 75 per cent of the purchase price and 90 per cent thereof (the area in which there is risk in lending from the lender's point of view) has been guaranteed by the State. Time and time again those people who have borrowed money through building societies, the Savings Bank and the Superannuation Fund have been able to secure these high percentage loans, and the lending institution has been able to provide such money because that last little bit, so to speak, has been guaranteed by the State.

Because those institutions have enjoyed that guarantee, they have been asked to pay a small percentage (it now stands at ¼ per cent of the sum of money guaranteed) into the Home Purchase Guarantee Fund. That fund has been built up, and the claims made on it have been minimal indeed.

In fact, between 1941 and 1970, although the total receipts of the fund were $879,168, the total of claims made against it amounted to only $2,118. So because of the foresight of Mr. Playford (as he then was) and no doubt those in his Cabinet who served with him, this measure was introduced. It has been tremendously successful, and it has helped South Australians at a time in their lives when they need a good deal of help, that is, soon after they are married and when they have to purchase their first house.

Now, however, we are told by the Minister in his speech that the lending institutions have found other means of assuring themselves that their payments can be guaranteed. The provisions of the Homes Act are now, therefore, not being used, and over the next five years the fund will be run down to practically nothing and will be used for the purposes mentioned in this Bill. This brings me to a point that I want to make, and I put it forward very sincerely to the Government for consideration. It is a great pity that young South Australians will not be able to go on benefiting as a result of the Homes Act.

It seems to me that the reason it is not being used at present is that in our modern business world mortgage loan insurance corporations have set themselves up. Indeed, one, known as the Housing Loans Insurance Corporation, is a Commonwealth instrumentality. Another one, the Mortgage Guarantee Insurance Corporation, is a subsidiary of the largest private mortgage insurance group in the world, with its headquarters in America.

No doubt the lending institutions are very happy to find these corporations that insure the repayment of mortgages, because the whole repayment becomes guaranteed and not just that little bit in the end to which I have referred. However, these lending institutions have very little bother indeed with mortgagors regarding the majority of the loan repayments: the worry comes only because of that little extended amount to which I have referred.

The lending institutions, to guarantee these Joans, now look to the borrower to pay a premium, and therefore young South Australian couples, who some years ago would have been able to use the provisions of the Homes Act and would not have had to pay any extra sum for that privilege, now find that they are asked to pay a premium to these mortgage insurance corporations. Indeed, the latest figures indicate that, where a young couple borrows $10,000 and a lending institution such as the Savings Bank of South Australia insists on the loan being insured and therefore by-passes all the provisions of the Homes Act, the borrower is asked to pay a premium of $150. That is a very unfortunate state of affairs for young people to find themselves in, because $150 means a good deal to young people at that stage of their lives.

I realize that the provisions of the Homes Act would have to be amended and that the sum laid down as a maximum amount of first mortgage would have to be extended. When the Homes Act was first introduced in 1941 it did not cover any mortgages in excess of a sum equivalent to $2,000. This figure has now risen to $8 000. Obviously, the figure would have to be increased, and there would have to be some other alterations, too, because under the Homes Act there is a maximum interest rate above which the Act cannot apply. However, I think that, in keeping with modern borrowing amounts, modern property values and present-day interest rates, adjustments could be made.

I consider that the lending institutions could continue to pay a very small premium into this Home Purchase Guarantee Fund and that those young people could continue to gain the same benefits and not have to pay, for example, $150 in insurance premiums, if the provisions of the Homes Act could continue.

Not only would that advantage accrue to young people buying homes today but also the fund itself undoubtedly would continue to improve, and that money could be used for further cottage flats after the expiration of this five-year period covered in this Bill. As I have said, under the Bill the fund will become run down and will in fact be practically all used up over the next five years; but if there were small contributions to it from the lending institutions it would no doubt continue to accrue and there would be a continuing reserve of money that could be used to benefit aged people after the five-year period referred to in this Bill.

Particularly, young people, who find now that they are forced to pay insurance premiums such as I have mentioned, would go on benefiting as all young South Australian couples have benefited under the Homes Act between 1941 and about 1968. All young South Australian couples in the future could have the same benefits, and that would be a good thing for these people.

I ask the Government to look into this matter and see whether this could be further considered so that the benefits of the Homes Act could still be enjoyed by young people. Thereby, the Home Purchase Guarantee Fund would go on accumulating, and even greater assistance could be given to aged people in the years ahead. However, I wholeheartedly approve of the use of the money that is there at present in the way in which the Bill sets out, and I commend the Government for introducing the Bill. I know that a great number of aged people in South Australia will benefit if this measure is passed.

The Hon. A. J. SHARD (Chief Secretary): I thank the Hon. Mr. Hill for his contribution to this debate and his support of the Bill. I will draw the attention of the Minister in charge of housing to the honourable member's speech, and no doubt the points he raised will be considered.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

LIFTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 12. Page 743.)

The Hon. A. F. KNEEBONE (Minister of Lands): I thank honourable members for the way in which they have applied themselves to the Bill. Several questions were asked by honourable members, and I believe I have the answers to them. Although until now the Act has bound the Crown only in respect of the provisions relating to lifts, the Government intends that the Act should also bind the Crown in respect of cranes and hoists. Section 4 (1) (*g*) of the Act gives effect to this intention because section 4 (2) of the Act, when so amended, will read "The provisions of this Act shall bind the Crown."

Then a question was asked about farm implements. The Act does not apply to farm implements. Section 4 (1) (*e*) of the Act specifically excludes from its operation cranes and hoists used on any farm for agricultural, horticultural, viticultural or dairy purposes. It follows, therefore, that the provisions of the Act requiring a manufacturer to obtain approval for the design of a crane which is part of a machine used solely for agricultural purposes do not apply. The intention of the Act is that all cranes, including mobile cranes, wherever used should be constructed in accordance with approved plans, unless they are to be used solely on work to which other Acts apply, or on farms, etc. The responsibility is on the manufacturer and not a likely purchaser to ensure that he obtains approval for the design of a crane. The provisions of the Act do not apply to a machinery agent unless he uses the crane for his own purposes (not for demonstration purposes). Because agriculturists are exempt, a mobile crane used solely on a farm would not have to be registered, even though its design was approved.

New section 14a is deliberately drafted in such a way that it will apply only to a limited type of crane. Throughout the rest of the Act the terms "crane" and "hoist" are interchangeable. However, the need for a crane driver to be required to hold a certificate of competency issued by the Chief Inspector before he is permitted to operate a crane exists for only certain types of crane. New section 14a (2) limits the requirement for a certificate of competency to be held by the driver to a crane that can both luff and slew with a suspended load: that is, the jib must be capable of being raised and lowered and also moved from side to side. In fact, this section is

simply a repeat of the existing provision in the Boilers and Pressure Vessels Act which the Government considers is more appropriately included in the Lifts and Cranes Act than in the Boilers and Pressure Vessels Act.

Regulations made under the Marine Act, 1936-1970, require fishing vessels to comply with the detailed provisions set out in the regulations and to be surveyed at least once every two years. The survey is conducted by inspectors of the Department of Marine and Harbors, and all machinery on those vessels is checked for safety. Section 69 of that Act requires surveys of coastal trading vessels to be made annually. These surveys are made by the same inspectors and include inspections of all machinery on those vessels. It is not intended that the Lifts and Cranes Act should apply to these vessels, although it is intended to apply to floating cranes designed specifically as such. The Commonwealth Navigation Act applies to all vessels except those that operate purely within the State.

Section 4 of the Lifts Act provides that the Act applies in respect of all cranes, hoists and lifts in this State, with certain exceptions. It was never envisaged that the term "in this State" would encompass a crane on a vessel; nor is that intended. If honourable members consider it necessary, a further paragraph could be added to section 4 of the Act to exclude any machinery on a "coast trade ship" or a "fishing vessel" to which the Marine Act, 1936-1970, applies. However, I do not think it is really necessary. The answer I gave in a previous paragraph covers the situation fully.

Although the question was not asked in the debate, the Hon. Mr. Story asked outside the Chamber whether the Act would apply in respect of equipment at the Coober Pedy opal mines. I think the honourable member asked this in a previous session when we were discussing this matter. The only exemption at Coober Pedy from the Mines and Works Inspection Act is in the town area itself. It is highly unlikely that there would be any crane or hoist within that area which was not at some time used in the mines and to which the Mines and Works Inspection Act applied. In the unlikely event of a crane operating within the town area only, the provisions of this Act would apply to it; otherwise, the Mines and Works Inspection Act would be applicable. I think I have answered the questions raised by honourable members in this debate.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

DENTISTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 12. Page 743.)

The Hon. V. G. SPRINGETT (Southern): In speaking to this Bill, I say straight away that it is not a restrictive Bill, nor is it unduly permissive. Everyone recognizes nowadays that dentistry is part of the overall pattern of the health care of the community, and the days when a dentist just gleefully pulled teeth are as dead as the dodo. Dentistry is defined by the National Dental Health Council, as follows:

> Dentistry is the science and art of preventing, diagnosing, and treating diseases, injuries and malformation of the teeth, jaws, mouth and associated structures.

Dental health is an integral part of general health, and any dental health programme must emphasize preventive measures and their implementation. It is as specialized and vital in the general sphere of medicine as is medicine itself.

Dental students undergo a five-year course that includes the basic sciences of chemistry, physics and biology, which subjects are studied by medical students. Dental students study in greater detail than do their medical colleagues the anatomy, physiology and pathology of the head and neck. In much lesser detail they are given a general outline of ordinary medicine and surgery. As with the medical profession, dentistry has a very high standard of recognition in Australia, and South Australia is no exception. In the new dental school and the dental department at Frome Road, South Australia has something of which to be very proud. Its teaching facilities, the high quality of its staff and its widely respected teachers at all levels give South Australia a kudos we can be proud of, and there is every reason for the State to consider itself fortunate in the standard of its dental training facilities. But, as in its sister profession medicine, there are not enough practitioners to meet the total needs of the State. This means that, whatever other restrictions apply, the sheer bulk of the work in the State exceeds the capacity of the profession at the moment.

The dental school has 240 students, varying between 68 in their first year of training and 25 in the fifth and final year. Today the total number of dentists on the register in South Australia is 429, of whom local graduates make up 80 per cent, interstate graduates 11 per cent, United Kingdom graduates 6 per cent, and the remaining 3 per cent is made up from people from other parts of the world. The ratio between dentists and population is given

very clearly in a book entitled *Study No.* 1 *of Professional and Technical Manpower,* issued by the Department of Labour and National Service in 1970. This book shows that in 1966 South Australia had one dentist for each 4,167 persons, a poorer proportion than had New South Wales, Victoria, Queensland, Western Australia, the Australian Capital Territory and the Northern Territory, and also Australia as a whole. Only Tasmania, with one dentist to each 4,585 persons in the population, showed a poorer proportion. It must be remembered, of course, that these are 1966 figures, and Tasmania has different facilities which we are looking into and hoping to acquire partly in South Australia, following this amending legislation.

The Hon. A. J. Shard: Our position has improved a little since then.

The Hon. V. G. SPRINGETT: That is why I said what I did. Those figures were for 1966, and with the amending legislation new measures will be coming in which will improve our position.

The Hon. A. J. Shard: The dental therapists are helping, too.

The Hon. V. G. SPRINGETT: I will be mentioning that later. Under the existing Dental Act certain oversea countries are recognized for their training and standards, and this enables their graduates to be registered in South Australia without complications or difficulties. Included in those countries are the United Kingdom, the Irish Republic, Malaysia, Malta, New Zealand and South Africa. People trained in those countries have been accepted for some years now, but there are other people who are trained dentists, highly qualified and highly skilled in many cases, who, because their qualification was obtained in some other country, cannot be recognized in this State unless they have gone through a full course of training once more.

With the ever-increasing ease of travel and the closer links at conferences and seminars it is easy for us to see and learn just what counts and who counts. In consequence, clause 8 of this amending Bill repeals section 18 of the principal Act and makes it possible for an extended range of recognition, depending not on just where a man came from but on whether he is sufficiently skilled to be regarded as suitable to practise in this country.

This brings in, first of all, the situation of the North American graduate. In North America certain dental schools are recognized as having very high standards, and certificates of recognition are granted to them by the Council of Dental Education of the American Dental Association. This body investigates standards of training schools and compiles lists of suitable centres which are enabled to gain recognition by the dental council. Clause 8 enables these recognized schools, approved by the dental education council, to have recognition in South Australia, just as the United Kingdom schools and some other schools have had it for a long time. In America a doctorate is a basic qualification, but in Australia and most countries in the British tradition a doctorate represents a higher qualification. In respect of quality and standard of training, the doctorate of North America and the bachelor laureate of Adelaide are very similar.

The degree of Doctor of Dental Science of Adelaide University signifies a person who has done much post-graduate work and studies along specific and specialized lines in connection with clinical or scientific research; or, it may signify that the person has published works that merit higher recognition. So, the initials D.D.Sc. (Adelaide) mean that the holder of that qualification is highly competent, highly trained and a skilled dental scientist. So, clause 8 extends the range of recognition, because it caters for another type of person.

For some years this country has thrived on and been grateful for receiving a large intake of migrants who have come from all walks of life and various professions. There are medical graduates, for instance, who have come here and who in the past had to obtain non-medical work because they were not recognized as having qualifications suitable to allow them to practise here. Now, an investigating body decides whether such newcomers can be permitted to take up the profession for which they were trained in another country. Clause 8 makes it possible for the same principle to be applied to the dental profession.

I am sure that nothing but good can come to the nation as a whole and to this State in particular from having this recognition granted to suitably recognized dental colleagues from another country. The training of these people has in the past been wasted but it need not be wasted in the future. For highly skilled men to have to turn willy-nilly, because of the place of origin of their qualifications, to humble jobs for which they were never trained and in which their skills were wasted, was nothing but nonsense. Now, each case can be judged on its merits. A high standard can still be maintained, but a suitable newcomer

can be made aware that he can make a contribution compatible with his experience.

The fact that some men come from other countries to further their studies in this State indicates that the dental school in this State is such that its research is attractive and its post-graduate teaching is sought after. At the same time it is to our advantage that we have short-term teachers from other countries who have come here and are attached to the local dental school for a limited time; in this way they bring the benefits of their experience to the local scene. Such folk, whether they have come here for periods of teaching, for research, or for post-graduate studies, are not seeking registration to set up in practice locally, but they do require registration of some sort if they are to be part of the dental profession locally, even for a limited time. Will the Minister, in his reply to the second reading debate, say whether there is any intention of having a set period, with right of renewal, for this temporary registration, but with an ultimate limit, or is the period to be set by the initial request and to be variable for each individual case?

Clause 12 deals with some provisions that are vital to the working of the modern "team" concept in dental work. All of Part IV of the principal Act is repealed by clause 12. The present title of Part IV of the principal Act, "Operative Dental Assistants", is archaic today. In their day, licensed operative dental assistants served the community well. They were trained through a form of preceptorship by individual dentists. They had no formal course like that envisaged under this Bill for dental auxiliaries. The position of any local licensed dental assistant who is still active will not be wiped out by this provision.

New Part IV, entitled "Dental Auxiliaries", provides that the old operative dental assistants will automatically be registered without further application. Modern professional life must be planned to make the maximum use of the expensive training that is involved in the career of a professional person. This is the basic concept behind the use of a dental team. The first member of the dental team is, of course, the dentist himself, but there are four grades of dental auxiliary personnel: the chair-side assistant, the dental hygienist, the dental therapist, and the dental laboratory technician. Most of us are familiar with the chair-side assistant, but we are not so familiar with the dental hygienist, because that type of person is new in this State. There is no training here for them yet. I think I am correct in saying that only one dental hygienist is working in this State.

The Hon. A. J. Shard: Only one at present.

The Hon. V. G. SPRINGETT: And I think she comes from the other side of the world.

The Hon. A. J. Shard: She comes from a little place near where you used to live.

The Hon. V. G. SPRINGETT: A lot of good things come from there. Dental hygienists are widely recognized throughout the world as part of the dental scene. Today, they have the blessing of the World Health Organization and of the International Dental Federation. Their training is conducted along certain well-defined lines. Certainly, they are instructed in chair-side assistance and practice management. Education in dental health for the community is conducted in small groups such as instructing a few children, a family, or the patient in the chair. This education includes instruction on diet and teeth brushing routines.

Next, these people must be able to undertake dental radiography for the usual type of examination; in other words, the X-ray of teeth to see whether they are good at the root or the crown; but they cannot perform the more complicated procedures. They must be able to apply rubber dams, give pre- and post-operative instruction, and irrigate the mouth and remove sutures; they must also be able correctly to apply solutions directly and locally to the teeth, remove calculus (in other words, scale), clean and polish teeth, and perform certain functions after fillings.

Although they do not put in the fillings, they must be able to polish the teeth thereafter. They must also be able to take impressions for casts, which are made for study and not for fitting dentures. They have to be able to deal with the insertion and removal of dental packs, and the removal of orthodontic bands by hand. They are not permitted to use high-powered machinery. These are some of the duties to be performed by hygienists. Their course lasts one year, and they work with a dentist in his practice. Can the Minister say how soon such a course for these people is likely to start in South Australia?

I mention dental therapists, who go even further than do the hygienists. The dental therapists undergo a course of training that lasts two years. These people, who have been trained and in existence in this State for four and a half years, are doing an extremely good job. A total of 38 of them are employed not by dentists but by the Crown. They work in clinics attached to primary schools, under the

control of a dentist. Much of their work is as deep and as detailed as is that of the dentist himself. The difference is, however, that though they do much of the same training, their range of work is more limited. There are 18 active clinics in South Australia, and I noticed in the 1971-72 Loan Estimates that five more are planned.

The school therapist does everything that the dental hygienist does, and is able to apply nerve plugging and anaesthetics of other types, as well as being able to remove certain teeth and prepare cavities for fillings. Part IV, to which I have been referring for some time, concerns hygienists. I hope to see this new group of people working in large numbers in this State soon. Dental therapists are not provided for in Part IV, as they come under section 40 of the principal Act. Clauses 13, 14 and 15 deal with dental clinics of the type set up in places such as Port Pirie, under the aegis of the Broken Hill Associated Smelters Co-operative. The Bill deals with clinics that are run by non-dental people in order to provide dental services. I think I am correct in saying that there are two or three of these clinics throughout the State. There is certainly one in Broken Hill and one in Port Pirie. Those three clauses are straight-forward and uncomplicated.

Clause 16 deals with the way in which a dental therapist shall gain practical clinic experience under adequate supervision. I emphasize that all trainees in medicine in its widest sense (nurses, medical students, dental students and so on) must gain practical experience under adequate supervision. One of the problems is to allow enough licence to enable these people to gain experience without their being a menace to the community. A certain flexibility must therefore be allowed to responsible teachers. I am sure that this has been achieved by clause 16. By the addition of new subsection (5) to section 40 of the principal Act, cover is provided for the work of a hygienist in the same way as a therapist is provided for. For many years a restriction has been placed upon the word "dentist". Section 43 of the present Act is amended by clause 17 of the Bill. There is a restriction of the word "dental" so that it relates only to registered dentists. In view of the team concept, a need exists to alter this name. Clause 17 does just this.

In the past, the Dental Technicians Association has been titled the "Prosthetic Technicians Association". The dental technician is extremely skilled and has been trained to do his own work. He is not trained in a clinical sense at all. He is a prosthetician. To use the title of "Prosthetic Technicians Association" is absurd, because the word "prosthetic" has a wider connotation. I assure honourable members that more prosthetics are used in the body than go into the mouth.

The amendment which clause 17 makes to section 43 will enable a greater range of persons and bodies to assume a title including the word "dental", and I refer to dental chair-side assistants, dental auxiliaries, and so on. Clauses 18 to 27 are consequential amendments. Clause 28 amends section 60 of the Act. I am in favour of the Dental Board being the responsible body to prescribe by regulation registrable qualifications for all dentists and dental auxiliaries and to control the terms, duties and functions of all dental auxiliaries. I think this sort of thing in professional life should be left in the hands of the profession concerned.

Clause 29 allows for the issuing of a certificate to a dentist or dental auxiliary upon registration, and this again is good. There should be a recognition at the end of the course. I sometimes think it would not be a bad idea if all professional certificates were always put in a place on the wall of, say, a waiting room or surgery so that people would know just what and who were treating them. The second schedule of the Act, which lists the technical qualifications and their sources, is obviously no longer required in the light of the foregoing amendments, so clause 31 repeals it. I support this Bill, which I know has the blessing of the dental profession. I am sure that if it is passed, as I hope it will be, it will do nothing but good for the dental services of South Australia.

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

CHURCH OF ENGLAND TRUST PROPERTY BILL

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

ADJOURNMENT

At 4.43 p.m. the Council adjourned until Wednesday, August 18, at 2.15 p.m.