LEGISLATIVE COUNCIL

Tuesday, October 5, 1971

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

QUESTIONS

LAKE BONNEY

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

Leave granted.

The Hon. R. C. DeGARIS: Some time ago there were photographs and articles in the press about the pollution of Lake Bonney in the South-East. At that time the Government said it would look at the matter and issue a policy statement as soon as possible. Later, a statement was made that a policy statement would be made by the end of September on the future of Lake Bonney. Can the Chief Secretary say whether this policy statement has been made? If it has not, will the Government make a policy statement on this matter?

The Hon. A. J. SHARD: I do not know whether a policy statement has been made, whether it is available or whether it is about to be made. I think the Minister of Lands may be able to give a better answer than I can.

The Hon. A. F. KNEEBONE: I understand that the Minister of Works has been negotiating on this matter with a view to making a report to Cabinet so that Cabinet can issue a statement. I think such a statement will be made in the foreseeable future.

WHEAT

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

Leave granted.

The Hon. C. R. STORY: In a leading article in a country newspaper circulating in the Upper Murray district in South Australia the following appears:

Colourful Federal Politician Mr. Al Grassby made headlines again last week when he accused the Federal and State Governments of clinging to the fiction of huge wheat surpluses when it was generally known, in New South Wales at least, that quotas would be scrapped this year. News that quotas are to be dropped in one State would not be welcomed elsewhere, particularly as many farmers believe it was to some extent increased production in that State which forced the introduction of Australia's quota system.

Is the Minister aware, through his discussions at Agricultural Council meetings, that there is any intention on the part of the New South Wales Government to drop wheat quotas? If he has any information that there is some possibility of this, what will be the attitude of this State Government regarding dropping the wheat quota system? Also, would he be good enough to find out from the Commonwealth Minister for Primary Industry what basis Mr. Grassby would have for making such a statement, which would appear to be completely contrary to the recent announcements made by the Australian Wheat Board?

The Hon. T. M. CASEY: I make it clear that I am not responsible either for what Mr. Grassby says or for what newspapers print. This matter has never been discussed at Agricultural Council meetings, and in fact this is the first I have ever heard of such a suggestion. Therefore, I cannot give the honourable member any information whatsoever. At no stage has there been any suggestion that there would be a complete relaxation of wheat quotas, and this applies to all States.

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

Leave granted.

The Hon. C. R. STORY: This colourful Federal politician, Mr. Al Grassby, had more to say about quotas. Will the Minister of Agriculture ask the Commonwealth Minister for Primary Industry to ascertain from the Chairman of the Wheat Board his board's assessment of the situation regarding Australian wheat, both prime hard and ordinary types? I should also like to know what grounds Mr. Grassby had for making these rather unusual, and sometimes alarming, statements. I would like the Minister to allay not only my fears but those of the wheatgrowers of South Australia. If there is any substance whatever in this report, it appears to me that we could be missing out very badly.

The Hon. T. M. CASEY: I will certainly contact the Minister for Primary Industry and refer this matter to him so that he can get the information from the Chairman of the Australian Wheat Board (Dr. Callaghan). On the second point, I suggest that the honourable member should write to Mr. Grassby to ascertain directly from him why he made the statements. I have heard nothing along these lines from any official quarters, and it would be as easy for the honourable member to write to Mr. Grassby as it would be for me to refer to Mr. Grassby any letter I received from

the honourable member. This is the first time I have heard of this matter coming to the fore. I do not know whether there is anything in it, but nevertheless I will get the information from the Minister for Primary Industry.

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

Leave granted.

The Hon. M. B. DAWKINS: My question refers to wheat quotas, and particularly a quota for prime hard wheat, which I believe the Minister has favoured for some time and which would be suitable for some parts of South Australia if we were successful in securing sufficient recognition of the possibility of growing this wheat in any quantity. Is the Minister still pursuing this matter at Agricultural Council level or by making representations to the Australian Wheat Board? If so, can he report to this Council any progress that has been made?

The Hon. T. M. CASEY: As I have stated previously, I am in favour of a hard wheat quota for South Australia but I should like to remind the honourable member that this is a decision that must be made by the Australian Wheatgrowers Federation; it comes to the Agricultural Council only for ratification. At the last Agricultural Council meeting, I raised this matter and got the support of the Ministers from the other States. Nevertheless, that is as far as we can go on that score. It is a matter for the Australian Wheatgrowers Federation. If I may jog the honourable member, he can do a little good by approaching the South Australian members on the federation and pointing out to them the advantages that can be gained by having a hard wheat quota for South Australia.

The Hon. M. B. Dawkins: They may take more notice of you, the Minister.

The Hon. T. M. CASEY: I have already done that and hope that something will be resolved soon. I repeat that it is a matter for the Australian Wheatgrowers Federation.

RAILWAYS INSTITUTE

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

Leave granted.

The Hon. C. M. HILL: On August 24, when speaking in the debate on the Public Purposes Loan Bill, I said:

Another matter with which I have been concerned for years is the Railways Institute building. I have asked questions in this Chamber time and time again about this matter. I do not want to be disrespectful to the Minister but I believe I have been fobbed off in regard to the Railways Institute building. Just what are the plans for it? Where has the site been chosen to rebuild it?

Later, in referring to the change in Government in 1970, I said:

Plans were in train to expedite the building of the new building that the railway employees required and deserved. I do not know what happened to those plans; I can make no progress in finding out. If the Minister could assist me in that way, I should very much appreciate such information.

I again referred to the matter in the Committee stage, when the Minister said he would look into the questions raised and forward me replies. Just before this sitting commenced the Minister kindly informed me that a letter was being sent to me in regard to this and other matters. However, the issue became public this morning, when I read the following paragraph in the newspaper:

S.A. Railways Institute members say they've had it. They are sick of waiting for a new building to replace that superseded by the new festival hall. At last night's annual meeting, general secretary Ron Grant said that the institute had prepared five different sets of plans for the Government in two years without effect. Next step will be a petition signed by most of the institute's 6,000 members.

In view of that paragraph and my concern about the matter, I ask the Minister whether I can have replies to the following questions: (1) Has the institute been consulted regarding final plans for an institute building? (2) Have the plans been approved by the Government? (3) What is the approximate cost of the project? (4) Where is it proposed that the building will be erected? (5) Who is the architect? (6) When will be building be commenced? (7) What is the approximate completion date?

The Hon. A. F. KNEEBONE: I am aware that the honourable member asked those questions and that I assured him that I would get replies. I have been waiting to receive them from my colleague. Only yesterday I had a draft prepared of a letter that would be sent to the honourable member containing replies to his questions. That is about all I can tell the honourable member, other than to say that the decision about the site of the festival hall was made by the previous Government without that Government's preparing plans for a new institute building.

The Hon. C. M. Hill: That is not so.

The Hon. A. F. KNEEBONE: The decision to put the festival hall in that area made occupation of the area by an institute building an

impossibility and, as a result, every effort is being made at present to provide a suitable site. The honourable member will receive a letter from me in the course of the next couple of days that will answer his questions.

BUSH FIRE WARNINGS

The Hon. R. A. GEDDES: Will the Minister of Agriculture say whether consideration has been or will be given to the timing of bush fire warnings to be announced in the coming summer, following the introduction of daylight saving at the end of this month?

The Hon. T. M. CASEY: I am afraid I did not catch the tenor of the honourable member's question.

The Hon. R. A. GEDDES: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. R. A. GEDDES: The Bureau of Meteorology, before issuing bush fire warnings to the public, must assess weather patterns. I understand that the earliest the bureau can make its weather predictions is at 6 a.m. on the old summer time. However, with the introduction of daylight saving at the end of this month, these predictions will have to be made at 5 a.m. to keep to that pattern, and I am told that this will be a difficult objective for the bureau to achieve because the atmospheric conditions prevailing at that time of the day are not sufficiently stable to enable the bureau to do so. As I see it, it may be 8 a.m. before farmers can be given information regarding bush fire warnings. Will the Minister of Agriculture say whether consideration will be given to this problem and an announcement made?

The Hon. T. M. CASEY: I will refer the honourable member's question to the Regional Director of the Bureau of Meteorology, who is responsible for assessing weather patterns, not me. When he sends a reply back to me, I will give it to the honourable member.

TURTLES

The Hon. JESSIE COOPER: Has the Minister of Lands received from the Minister of Environment and Conservation a reply to the question I asked on September 21 regarding Murray River turtles?

The Hon. A. F. KNEEBONE: The turtles referred to by the honourable member are probably long-necked Murray River tortoises, which are native to Australia and are protected in Western Australia. Members of the Fisheries and Fauna Conservation Department have been concerned for some time at the trading in these animals, and are at present considering among various suggested amendments to the Fauna Conservation Act and regulations one that will prevent the trading in harmless members of the class *reptilia* (snakes, lizards and turtles/tortoises). Consideration is also being given to extending the protection of the Fauna Conservation Act to cover animals of the class *reptilia* in other areas of the State that are not proclaimed prohibited areas, fauna reserves, fauna sanctuaries or game reserves (where all animals and birds are protected), with certain specified exceptions. The members of the class that would not be protected are those which are harmful to man.

POLLUTION

The Hon. M. B. CAMERON: Has the Minister of Forests a reply to the question I asked on September 15 regarding pollution at Mount Gambier?

The Hon. T. M. CASEY: The Conservator of Forests reports that the drainage problem at the wood preservation plant at Mount Gambier sawmill has been accentuated this year by the exceptionally wet winter. (I know the honourable member appreciates that, because it has been the wettest winter they have had for many years.) However, plans which have been prepared for the expansion of the plant incorporate provision to relocate a portion of the preservation plant. These alterations will be put in hand during the coming summer and are expected to eliminate this drainage problem before next winter.

LERP

The Hon. R. C. DeGARIS: I understand the Minister of Agriculture has a reply to the question I asked recently on lerp infestation and the depredations of cattle in the gum areas of the South-East.

The Hon. T. M. CASEY: The current lerp infestation on eucalypts in the Upper South-East has been the subject of several recent inquiries from residents in the area and I recently obtained a further report on this matter from the Conservator of Forests. It appears that attacks by lerp are occurring in partially cleared areas and not on forest reserves. However, the Conservator of Forests had made further inquiries of Dr. T. C. R. White of the Zoology Department of the Adelaide University, who has been studying the lerp insect for some years, particularly in the Keith district. His conclusions are that the lerp population increases under climatic conditions which place the host eucalypt trees under stress over

a period of years until feeding destroys most of the foliage. This situation has now been reached; but, as the amount of foliage is reduced, so will the insect population diminish and parasites and predators give more help. As stated previously, it is possible some trees may die, but the vast majority will recover. Chemical control of the insect is possible, but is not considered practicable nor economic over large areas under present conditions. The Woods and Forests Department or the Waite Agricultural Research Institute would be pleased to advise any individual landowner on control measures. The damage caused to the bark of eucalypts in the same area by cattle was the subject of a recent inquiry made to my colleague the Minister of Environment and Conservation and at his request I sought information from the Director of Agriculture on the problem. The Director reports:

This unfortunate habit has been noted for many years, mainly in the South-East, but also in other areas. Cattle in prime condition and on excellent pastures are the main offenders. There is no evidence that it is associated with any deficiency in the diet, and boredom is probably the main causative factor as is the case of tail-biting by pigs and crib-biting by horses. The only effective preventive action appears to be wrapping wire netting or galvanized iron around the tree trunk. Painting the trunks with repellent substances is stated to help. Providing salt and molasses licks or other licks in block form is also stated to reduce the problem by giving the cattle something to do.

The Hon. H. K. KEMP: I seek leave to make a short statement before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. H. K. KEMP: The Minister said that the loss of gum trees in the South-East was caused mainly by cattle chewing the bark and thus ring-barking the trees. Will he check with his officers that this is precisely the case? In my observation in districts closer than the South-East, it is common for trees to be ring-barked by the horns of cattle, particularly at this time of the year when the tendency is for lice to increase and for cattle to rub their horns on trees to relieve itchiness that develops around the ears. The trees appear to have been chewed by cattle, but actually the damage is done by the horns. I think there is a very fair chance that it may not be an appetite urge we are up against in this matter but a matter of lice control. Will the Minister take up this matter with his department?

The Hon. T. M. CASEY: Yes.

TELL-TALE LIGHTS

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

Leave granted.

The Hon. C. M. HILL: On September 17 an article in an Adelaide newspaper stated that the Road Safety Council had called for tell-tale lights to be made an essential safety fitting in motor cars. The purpose of the lights was to warn the driver that his rear brake lights were faulty. The actual fitting would, apparently, be on the dashboard of the motor vehicle. Mr. Boykett, the President of the Road Safety Council, acted as its spokesman in this matter and said he believed there would be a reduction in the number of rear-end accidents if such a fitting was necessary and provided by the manufacturers of new cars. It was also stated that some late model cars were already fitted with a special sound-warning device, giving the same result. Mr. Boykett made the point that, with the increased volume of traffic, particularly as a result of clearways, the increase in bumper to bumper traffic was noticeable and the accidents that occurred in such traffic should be reduced by every possible method. First, is this matter under consideration in the Australian Transport Advisory Council and, if so, when is it proposed that the design rule will apply? Secondly, if it is not, could the matter be placed on the agenda of the relevant committee of the Australian Transport Advisory Council for consideration?

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

MOUNT GAMBIER RATES

The Hon. M. B. CAMERON: I direct my question to the Minister of Lands, representing the Minister of Local Government, and seek leave to make a short statement before asking it.

Leave granted.

The Hon. M. B. CAMERON: My question relates to a problem that has arisen in the Mount Gambier City Council area with differential rating. The council has decided this year not to apply differential rating because it doubts the legality of such a rate. There is a move among the Mount Gambier ratepayers about the discontinuance of such a rate, asking the council to reverse its decision and await some action

to see whether or not the differential rate is legal. Can the Minister say whether the council has power under the present Act to rescind its decision in respect of differential rating and to re-apply differential rating? If the council has no such power, will such a power be included in the Local Government Act Amendment Bill now under consideration?

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

SKELETON WEED

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

Leave granted.

The Hon. C. R. STORY: Some time ago, with reference to the skeleton weed, which is a scourge in the light soil areas of South Australia and Victoria and is spreading, I noticed a reference to a rust type fungus which, if my memory serves me aright, originated from some experiments in Europe. Have we obtained that fungus for use in South Australia and, if so, is it being administered by the Agriculture Department? Are experiments being carried out and, if so, where?

The Hon. T. M. CASEY: I will obtain the information for the honourable member and bring it down as soon as possible.

CONTAINERIZATION

The Hon. H. K. KEMP: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture, representing the Minister of Marine.

Leave granted.

The Hon. H. K. KEMP: Over the past year, in which containerization has become operative for most of our exports, the tonnage going through Port Adelaide has fallen from 3,694,000 tons to 3,286,000 tons. That is a serious matter for the State, because all the facilities and labour provided at Port Adelaide to handle such commerce have been taken away from us at a stroke. Also, we are being asked to send nearly all our exports by rail to Melbourne, where they are loaded into ships for dispatch overseas. In other words, it is Melbourne's gain and our loss. Although there is officially no charge attached to the carriage of these goods from here to Melbourne, undoubtedly this is part of the greatly increased freight rates with which all our exports are being loaded. Further difficulty, which has been felt very bitterly this year, has been caused because there has been grave unrest in the Melbourne ports, and many of our exports to Britain have been held in Melbourne for a very long time and have arrived at their oversea destinations almost too late to be of any great commercial value.

We are told that there is no prospect of South Australia's having a terminal port for containerization. The cost with which we are involved in this regard, particularly for agricultural exports, is terrific. Will the Minister of Agriculture ask the Minister of Marine to investigate this matter to see whether it is not practicable to put in a bulk handling containerization scheme in Port Adelaide? Even though we cannot have whole ships discharged there, it should be possible for a very much more economical hauling than sending all our exports over to Melbourne and then having the unrest in Melbourne disrupt our trade still further. I also ask that the Minister investigate just what are the true costs with which we are being loaded in this matter of containerizing our exports and sending them to Melbourne. It is adding 480 miles of inland cartage to a pretty sensitive trade.

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

RURAL RECONSTRUCTION

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

Leave granted.

The Hon. R. C. DeGARIS: I thank the Minister for his lengthy reply to a question I asked recently in relation to letters that had gone to certain commercial people asking whether they would accept 80c in the $1 for debts owing to them by applicants for rural reconstruction. The Minister admitted that similar letters had gone out to councils. As, under the Local Government Act, rates are a first charge on any land, can the Minister say whether the Government will also agree to accept 80c in the $1 for such debts as outstanding land tax and succession duties owed to the State Taxes Department by persons applying for rural reconstruction?

The Hon. A. F. KNEEBONE: I think if the Leader looks at the Act and the schedule thereto he will find that the Crown is excluded in respect of the writing off of debts.

The Hon. C. R. STORY: In view of that reply, can the Chief Secretary say whether the Government would be prepared seriously to consider binding the Crown in the same way as other people are bound?

The Hon. A. J. SHARD: I will refer the honourable member's question to the Premier and bring back a reply as soon as practicable.

Later:

The Hon. A. F. KNEEBONE: I ask leave to make a statement.

Leave granted.

The Hon. A. F. KNEEBONE: My earlier reply to the Leader's question about rural assistance did not completely answer the question. In clarification, I should like to quote the following paragraphs, dealing with the method of operation, from the schedule to the States Grants (Rural Reconstruction) Act of the Commonwealth:

(a) A rearrangement and/or composition may take the form of the authority advancing money to pay off in whole or in part the creditors (whether or not the debts have been written down by the creditors under *(b)* below), excluding the Crown. There may be an arrangement by the secured or unsecured creditors to postpone repayments of principal and to refrain from taking action against the debtor for a specified time. Composition arrangements require the agreement in writing of creditors.

(b) The possibility of creditors, including the Crown, local authorities and public utilities, being asked to defer or write off part of their debts—possibly at a uniform rate but with due regard to priority of security—should be considered. Creditors should not be pressed to the extent that the availability of credit to rural industries is damaged.

SCHOOL OF ART

The Hon. C. M. HILL: Will the Minister of Agriculture ask the Minister of Education what will be the future use of the School of Art building in North Adelaide when the new School of Art that has been announced for inclusion in the new Western Teachers College complex is completed?

The Hon. T. M. CASEY: I shall be delighted to refer the question to my colleague.

UPPER MURRAY FORESTER

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

Leave granted.

The Hon. C. R. STORY: Some three years ago, after many years of effort, a position of forester to the Upper Murray district was created by the Public Service Board. That person has been appointed and is now located at Berri. Without wishing to transgress Standing Orders, I should like to say that I believe that this person is doing a very good job. However, it seems to me that his work up till now has consisted mainly of advising people on windbreak reserves. This is a very important part of his duties. However, another idea behind the appointment was that he would endeavour to rehabilitate many of the natural river red gum forests, which had been sawn out over the years for trellis posts and timber for the firing of the boilers of the old river steamers. Also, I believe there is a great potential for development of the deltoides poplar, a matchwood timber which is being used in furniture making. As we have fairly vast areas of Crown land and forest reserves and are obviously going into this matter of conservation much more now, would the Minister ask the Conservator of Forests what progress has been made along the lines that I have outlined?

The Hon. T. M. CASEY: I will take up the matter with the Conservator and find out exactly what is the situation. I know that the red gum situation is being looked at very intently, because I believe there are areas on the river where there has been quite a deal of rejuvenation, and I know that the forester in this area is looking at this very closely. I will certainly find out the situation with regard to the other aspect mentioned by the honourable member.

LEAVE OF ABSENCE: HON. L. R. HART

The Hon. C. R. STORY: At the request of the Hon. Mr. DeGaris and by leave of the Council, I move:

That one week's leave of absence be granted to the Hon. L. R. Hart on account of illness.

Motion carried.

JUVENILE COURTS BILL

Second reading.

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

That this Bill be now read a second time.

It seeks to give effect to the Government's policy regarding the treatment of juvenile offenders. Its provisions have their inspiration in the proposition that a community must regard its youth as its greatest asset and one of its greatest responsibilities. Moreover, the future way of life of each young person in

the community is of importance not only to that young person and his family but also to the wider community. Where a young person shows indications of behavioural difficulties that may, if uncorrected, mar his prospects of leading a full, useful and happy life, no effort should be spared to help that young person to solve his problems. Few things in life are more tragic than the spectacle of children and young men and women destroying their own characters and their opportunity of leading the good life. The work of salvage of this human material should have a top priority in any community whose values are sound.

I wi h to acknowledge my debt regarding recommendations that were made on this question in a report of the Social Welfare Advisory Council in May, 1970. The members of that council did much valuable work and produced a very useful and enlightened report. Since then there have been further inquiries by officers of the Social Welfare and Aboriginal Affairs Department and discussions with officers of the Police Department and legal officers. I acknowledge my debt to all who have been involved in these discussions.

The statutory provisions for dealing with juvenile offenders, neglected children and uncontrolled children at present appear in several Acts, namely, the Juvenile Courts Act, the Social Welfare Act, the Children's Protection Act, and the Offenders Probation Act. Habitual truants are dealt with in the Education Act. There are also some minor references to juveniles in the Justices Act and the Criminal Law Consolidation Act. Several of the recommendations made by the council affect the working of all of these Acts, but principally the Juvenile Courts Act and the Social Welfare Act. Another Bill (the Community Welfare Bill, which will be introduced later and which is complementary in several aspects to this Bill) will deal with several measures that affect the Social Welfare Act and the Children's Protection Act.

The present Juvenile Courts Act, 1966, was proclaimed in July, 1966. At that time it represented a consolidation and up-dating of the legislation. The existing Act sets out the special powers of the Juvenile Court in dealing with children under the age of 18 years. This State can take some pride in being amongst the first in the world (if not the first) to establish a special court and procedures to deal with young offenders and neglected children. The legislation then, as now, placed emphasis upon the prime importance of the protection and welfare of each child in trouble.

The report of the Social Welfare Advisory Council points out that during the past 10 years there has been a reappraisal in many countries of the work of juvenile courts and related measures dealing with juvenile offenders and other children in trouble. In the United Kingdom two White Papers *The Child, The Family and the Young Offender* (1965) and *Children in Trouble* (1968) were published, and subsequently amending legislation which introduced several new concepts was passed. In the United States of America there has been considerable discussion about the right of children, in view of their vulnerability, to be given at least the same protection by law as that afforded adults. At the same time, knowledge continues to grow in the fields of child development and of the social sciences, resulting generally in an increasing awareness, both among those who are professionally involved and, importantly, in the community generally, of the necessity of giving special attention to the needs of children in trouble.

Every person who fails to achieve a way of life that is satisfying to himself and of benefit to the community represents a failure of our society and a consequent wastage of human and economic resources. The Government therefore looks at the legislation from the point of view of improving and expanding the resources, facilities and procedures available for the care, training, and treatment of children and young people who are deprived or who have serious problems in conducting themselves in accordance with the accepted norms of our society. No-one has yet found satisfactory means of solving all of the problems of juvenile delinquency, but in a dynamic and complex society it is imperative that we be prepared to look at all new approaches and techniques so that a more flexible and effective system may be developed for the salvage of the lives of those young people whose future is in jeopardy. At the same time, it would be wrong to allow our concern for the needs of individual persons to blind us to the right of society in general to expect a reasonable degree of protection for life and property against extremes of unlawful and anti-social behaviour. The emphasis in the Bill is therefore on the welfare and rehabilitation of the young person, but they do not overlook the right of the community to adequate protection from the law. The chief features of the Bill are:

(1) the introduction of a scheme for the non-judicial treatment of juvenile first offenders, and certain other children;

(2) altered provisions for dealing with juvenile offenders and other children under 16 years of age;
(3) fuller assessment of the circumstances and behaviour of children prior to committal by a court;
(4) short-term treatment in the community at youth project centres;
(5) provision for the appointment of a judge in the Adelaide Juvenile Court;
(6) the incorporation of certain of the powers that exist in the Offenders Probation Act and the Juvenile Courts Act.

Some lesser amendments seek to clarify certain sections of the Act where there has been some difficulty in interpretation or administration, so that the existing law will be more effective in dealing with children in trouble.

Because of the number and type of the proposed amendments, many of the 68 sections in the existing Act required alteration. It was considered desirable, therefore, for the sake of clarity and of efficiency in administering the Act, to introduce a Bill for a new Act. This Bill therefore includes many provisions from the existing legislation without amendment and some with only minor consequential amendments. Several new provisions will be described in more detail where new concepts or major amendments are introduced.

I will now deal with the specific clauses of the Bill. Clause 1 is formal. Clause 2 provides for the proclamation of sections of the Act at various times so that they may be brought into operation as necessary facilities and resources are available. Clause 3 provides for the re-enactment, in more detail, of a section which appeared in the 1941 Juvenile Courts Act and which emphasizes the major principle under which a juvenile court and a juvenile aid panel (which will be discussed later) should operate; that is, the interests of each child are to be given paramount consideration, over and above any other responsibilities that the court or the panel may have.

Clause 4 sets out the arrangement of the Bill. Clause 5 deals with the definitions. There have been a few alterations and additions to those in the present Act, and the significance of these will become apparent as the rest of the Bill is discussed. There are references to the Community Welfare Act and the Director-General of Community Welfare. This Act will not be proclaimed until the Community Welfare Bill (to be introduced later) is in force. Clause 6 contains some transitional provisions.

Clause 7 introduces Part II, which includes two important new provisions. First, it is intended that there will be separate provisions for dealing with children under 16 years of age who commit offences from those for dealing with children of 16 and 17 years of age. As a principle throughout the Bill, the relevant age is the age at the time of the alleged offence. The arrangements will not apply to children charged as neglected or with homicide; in both of those cases, other special provisions apply. Clause 8 provides that juvenile offenders up to 16 years of age shall not be charged with the offence as such, but the commission of an offence may constitute grounds on which to lay a complaint that a child is in need of care and control. This represents a major innovation, and means that no child under 16 years of age will be charged with a specific criminal offence (except in the case of homicide), and no conviction will be recorded against him for such an offence.

The procedure for dealing with children alleged to be in need of care and control is dealt with in more detail under clause 41. The rest of this Part, clause 8 (3) to clause 16 introduces another entirely new concept, that of juvenile aid panels. The aim of these panels is to provide an alternative to court proceedings in the case of certain children involved in offences, or subject to allegations of truancy or uncontrolled behaviour. Although the juvenile court system has worked well, experience in other places has shown that many children can be dealt with satisfactorily in a non-judicial setting. About 60 per cent to 70 per cent of children appearing before courts in this State are first offenders who do not offend again. Many of the offences concerned are of a minor nature.

In several other places, both in Australia and overseas, non-judicial systems (variously known as juvenile aid bureaus or juvenile crime prevention schemes) are in operation, providing both a formal warning and counselling service to parents and children. Schemes of this nature are in existence in New Zealand, Western Australia and Queensland. The scheme in New Zealand has been operating for several years and reports on its operation are particularly favourable. The scheme proposed in the legislation will introduce greater adaptability in the arrangements for dealing with young offenders and other children in trouble, by providing a screening process before court proceedings are taken.

Subclauses (3), (4) and (5) of clause 8 provide that the panels will deal with all first

offenders, truants or uncontrolled children under 16 years of age in the first instance, and with children under that age involved in further offences or other misconduct if they are not under an existing court order. Subclauses (6), (7) and (8) of clause 8 provide that, if a child is apprehended and brought before a court, the court may deal with the child or refer him to be dealt with by a panel. Clauses 9 and 10 provide for lists of persons from whom panels may be appointed and the constitution of panels. Each panel will consist of a police officer or a justice of the peace and an officer of the Social Welfare and Aboriginal Affairs Department. This will enable the knowledge, expertise and resources of these officers and their departments to be brought to bear on situations as quickly as possible.

Clause 11 provides that the panels will not meet in a police office or court building. Clause 12 enables a panel to refer a child to be dealt with by a juvenile court if the child does not appear; if the child or his parent requests it; or if the panel considers it necessary or desirable. Clause 13 provides for reports to be prepared for the assistance of the panel by the investigating police officer and, if necessary, by a social worker of the Social Welfare and Aboriginal Affairs Department. Clause 14 sets out the powers of panels. They will have no judicial powers, but may caution the child and his parents, and may arrange counselling, training or other special treatment for the child, for a period of six months. The panel may refer the case to a juvenile court at any time during the six-month period.

Clause 15 contains the procedure by which a panel shall refer matters to a court. Subclauses (4) and (5) prevent any proceedings of a panel being admitted as evidence before a court, except in regard to a subsequent offence. Subclause (6) extends the time limit whereby a complaint may be laid in respect of certain offences, so that a panel will not be prevented from referring a child to a court in certain circumstances. Clause 16 prevents a child being dealt with by a court for an offence that has been dealt with by a panel, unless the panel refers the matter to a court. It is envisaged that the panels will be able to dispose of matters involving many children in a relatively informal setting and with a minimum of delay after any alleged misconduct by a child. As they become established and known in various areas throughout the community, it is hoped that the panels will be approached voluntarily by parents where they will have an important role to play in the prevention of delinquent activity.

With one important new clause and some minor amendments, clauses 17 to 23, which constitute Part III of the Bill concerning the constitution and jurisdiction of juvenile courts, are similar to sections 8 to 13 (Part II) of the existing Act, in a rearranged form. Clause 17 is entirely new and provides for a judge or judges appointed under the provisions of the Local and District Criminal Courts Act, 1926-1971, to be appointed to exercise jurisdiction in a juvenile court. Consequentially, a number of later clauses also include a reference to a judge in the Juvenile Court. Again this is a new and progressive step.

So far as is known, there is no other State in Australia where a judge normally sits in the Juvenile Court. It is not unusual in Canada and the United States of America. The Government believes that an appointment of this nature will increase the status of the Juvenile Court at a time when many developments, including those outlined in this Bill, are taking place in the difficult field of the control and treatment of juvenile offenders and other children in trouble. When appointed, the judge will sit primarily in the Adelaide Juvenile Court but will have responsibility for the functioning of juvenile courts throughout the State. This will have the effect of co-ordinating the work of such courts, and, more importantly, of enabling a person of judicial status, knowledge and experience to specialize in this field, and so provide guidance and leadership to other persons sitting in juvenile courts.

Clauses 18 and 19 provide for the constitution of juvenile courts, and have been amended to include a judge and special justices. Clause 20 sets out the powers of a juvenile court as a court of summary jurisdiction and provides for the application of the Justices Act to proceedings in a juvenile court. Subclause (4) excludes certain provisions of the Justices Act, where it is considered that, generally, the application of those proceedings in juvenile court procedure is undesirable. These provisions are sections 27a, 27b, 27c and 27d which provide for the service of summons by post; section 57a which provides that a plea of guilty may be made in writing; and section 70ab which provides that a bond may be

ordered in addition to any other penalty. Subclause (5) excludes the provisions of the Offenders Probation Act in relation to juveniles. Over the years there have been difficulties in administering some provisions of that Act in regard to juveniles. Recent provisions in the Act for suspended sentences are not considered desirable for juveniles. Further, the opportunity has been taken to bring into a single Act all the necessary powers for the disposition of juvenile cases. Consequently, provision is made later in this Bill for juveniles to enter into a recognizance under the Juvenile Courts Act rather than the Offenders Probation Act.

Clause 21 provides for juvenile court proceedings to be heard in special places, as far as practicable apart from adult courts. Clause 22 (section 12 of the existing Act) has been amended to delete references to the Social Welfare Act and the Education Act, as all necessary powers will be provided in the Juvenile Courts Act. Consequential amendments to the Social Welfare Act and the Education Act are in hand. Clause 23 provides for the powers of justices and special justices in juvenile courts.

Clauses 24 to 32 (Part IV—General Procedure and Powers of the Courts) are similar to sections 14 to 24 (Part III of the existing Act), with some small amendments. Clause 24 (section 14) concerns the arrangements for a change of venue for a juvenile court and has been amended to bring them into line with the provisions for the remand of children in clause 29.

Clause 25 is procedural, dealing with arrangements to be followed where it is found that a child or an adult has been brought before a juvenile court or adult court in error. Clause 26, which is analogous to the existing section 17, concerns the procedure to be followed where a child is involved in an offence with an adult. The clause provides that a child shall not be charged jointly with an adult, and further that a child alleged to be in need of care and control (that is, a child under 16 years of age), shall not be charged jointly with a child over 16 years charged with an offence. This provision gives further effect to the principle that children under 16 years should not be charged with or convicted of offences.

There have been minor amendments to clauses 27 and 28, which provide for children to be referred from any juvenile court to the Adelaide Juvenile Court and for the attendance of parents in court. Clause 29 replaces section 20 of the existing Act dealing with the powers of the court to remand children in custody. There have been criticisms of the use of this power by some courts, and there have been cases where children have been remanded in custody in circumstances where a similar order would not have been made against an adult. Remand in custody deprives a person of his liberty prior to a hearing and determination of guilt or prior to the making of the order in the child's interest required by this Bill and the power should be used only where it is unavoidable. The power should never be used as a subterfuge to enable the court to impose what is in effect a short sentence of detention. Clause 29 therefore attempts to set down clear guidelines for the court to follow when deciding whether to remand children in custody.

Clauses 30 and 31 deal with the taking and admissibility of evidence by deposition, and are substantially unaltered. Clause 32 provides for special inquiries to be made into the mental condition of certain children. Clause 33 introduces Part V—"Special Provisions Relating to the Hearing and Determination of Complaints". Clauses 33 to 39 repeat existing sections of the Act with consequential amendments and will not be dealt with in detail.

Clause 40 provides for children to be sent to an assessment centre for investigation and evaluation of their personal and social needs. Improved assessment procedures were a recommendation of the Social Welfare Advisory Council. Assessment is being performed at present at the Windana Remand Home and a non-custodial centre is planned for the future. A team of persons from various professions is available to submit a comprehensive report to the court with recommendations as to the child's treatment needs. The same report will be available to persons who may become involved in the subsequent supervision, training or treatment of the child, either in departmental homes or in the community.

Clauses 41 and 42 take the place of sections 34 to 37 of the existing Act. Those sections deal with the powers of the court as to penalty and committal. At present children charged with offences may be convicted and sent to a reformative institution, or, with or without conviction, they may be placed under the formal control of the Minister, or they may be fined, or placed on a bond under the Offenders Probation Act. Clauses 41 and 42 introduce quite different provisions. Firstly, it is considered desirable to have different arrangements for younger children in view of their immaturity. The Social Welfare Advisory Council suggested that the upper age limit of

the younger group should be 14 years. On further consideration, it has been decided to increase this to 16 years, which would include the great majority of schoolchildren. The arrangements for first offenders and other children under 16 to be dealt with by juvenile aid panels have already been described. The court will continue to deal with any cases referred by a panel (these may be serious offences; cases where the panel believes the child is in need of care, training or treatment, or where the child or parent requests that the matter go to a court) and also with recidivists. No child under 16 will be convicted of an offence. In place of a charge for an offence, a complaint may be laid that the child is in need of care and control. In dealing with such a matter the court must be satisfied that an offence has been committed, either by admission or proof, but, before making an order, must also be satisfied that the child is in need of care and control of a kind that the court can provide. The orders that may be made are as follows:

(1) discharge under a recognizance, with or without supervision of an officer of the Department of Social Welfare for a period up to two years;

(2) under the recognizance, include a condition that the child attend a youth project centre as directed;

(3) place the child under the care and control of the Minister for not less than one year or for any period up to his 18th birthday.

As explained earlier, the recognizance provisions replace those previously applied in the Offenders Probation Act. The maximum period has been reduced from three to two years. Youth project centres are to be established under the Community Welfare Act. The centres will be non-residential, and certain youths, selected according to their personality and type of offence, will be recommended for this kind of treatment. They will attend on several evenings for training based on group therapy techniques, and on Saturdays for community work programmes.

The care and control order replaces the existing committal to a reformative institution or to the control of the Minister. The proceedings bring into focus the welfare role of the Juvenile Court. The appearance of any child in a court, for whatever reason, is symptomatic of personal, family or social problems that need careful assessment and differential treatment. A later clause provides that no child shall be placed under the care and control of the Minister or ordered to attend a youth project centre unless he has first been seen at an assessment centre and a report has been submitted to the court. The report may make several alternative recommendations for the future care, control and treatment of the child, but the final disposition will remain with the court. However, in future, no direct committals to any institution will be made. Separate "reformative institutions" under the Social Welfare Act are to be abolished under the proposed Community Welfare Act, and all homes established by the department will be used in a more flexible approach to the needs of the individual child.

Under the proposed Community Welfare Act, the Director-General of Social Welfare may place any child under the care and control of the Minister in any home for care, control, training or treatment. Further, the period of care and control has been altered. At present, a child from eight years to 18 years can only be committed until 18 years of age. This order has come under criticism because of its long and, in effect, indeterminate nature. In future the order may be for a minimum of one year, or for any period up to 18 years. Provision is being made in the proposed Community Welfare Act for each child under care and control to be reviewed each year with a view to release from care, and for right of appeal by parents to a judge of the Juvenile Court for release. In summary, the effect of clause 41 is as follows:

(1) to acknowledge that child offenders do not differ in their needs from other children in trouble; that is, they may be in need of care and control, while the nature of the offence and a criminal conviction are of secondary importance in dealing with the child;

(2) to provide a wider range of orders, including community treatment in youth project centres;

(3) to provide for a general order placing children under the care and control of the Minister rather than, in some cases, in place of committal to a specific institution, thereby making for a more flexible use of training centres and children's homes according to the needs of each child;

(4) to provide more realistic periods for children to be placed under the care and control of the Minister.

Clause 42 has provisions for dealing with children who commit offences between their 16th and 18th birthdays. The arrangements are

the same as those for children under 16 except that (1) the child will be charged with the offence as such; (2) a conviction may be recorded; (3) a fine of up to $100 may be imposed; (4) a fine may be imposed in addition to a recognizance; and (5) the care and control order will be for not less than one year or more than two years.

Clause 43 requires the court, before an order is made placing a child under the care and control of the Minister or sending him to a youth project centre for the first time, to obtain a report from an assessment centre regarding the background and development of the child and a recommendation regarding treatment, training, supervision or other assistance for the child. Clause 44 introduces a further new arrangement, which has been referred to earlier. It is considered desirable that, where a child commits an offence, he should be dealt with according to the degree of maturity existing at that time. Mention has already been made of the arrangements for dealing with children under or over 16 years, according to the date on which the offence was committed. This clause applies the same principle to persons over 18 alleged to have committed offences prior to turning 18. The person will appear initially in a juvenile court, where, depending on several factors, he may be dealt with by that court or a court of summary jurisdiction, or the court may commit him for trial to the appropriate court as an adult. Clauses 45 and 47 are new and provide the procedure to be followed in an application for variation and breach of a recognizance under this Act, and are similar to provisions in the Offenders Probation Act in that regard. Clause 46 requires the court to provide a child with a simple written notice explaining the conditions of a recognizance or a variation of a recognizance.

Clause 48 limits the powers of justices from placing any child under the care and control of the Minister. Clause 49 deals with the disqualification of a driver's licence. An order for disqualification may be made for a specified or unspecified period, in addition to any other order, and in addition to the powers of the Road Traffic Act, 1961-1969. The section has been criticized because of its wide powers, especially with regard to specified periods which may be long but are not subject to review, as are indeterminate periods, under the provisions of the Road Traffic Act. A new subsection (4) has been included, therefore, providing for variation or revocation of such an order made under this clause. Clause 50 provides that only a judge of a juvenile court may exercise the powers of section 77 or 77a of the Criminal Law Consolidation Act, 1935-1969, in respect of a child.

Clause 51 concerns orders for compensation or restitution. It provides that a judge in the Juvenile Court may order restitution or compensation of up to $800, while a maximum of $400 may be ordered by a magistrate. A further subsection has been added which prevents a juvenile court making any order under the Criminal Injuries Compensation Act, 1969. Clauses 52, 53 and 54 deal with powers of the Supreme Court in respect of child offenders, and refer to sections 41, 42, and 43 of the existing Act. They remain unchanged except for a new provision in clause 54. As it stands at present, a child convicted of murder may be ordered to be detained at the Governor's pleasure, but there is no provision for holding the child while the Governor's directions are obtained. Clause 54 (2) provides that the child may be sent to a home or other suitable place pending the Governor's directions.

Clauses 55 to 62 follow sections 44 to 55 of the existing Act regarding neglected and uncontrolled children, together with new provisions regarding habitual truants. There have been criticisms of the present arrangements whereby children are "charged" as neglected or uncontrolled, and of subsequent orders where children may be "committed". Both of these terms have connotations of criminality, which are inappropriate and damaging to the child's status. Such children, especially neglected children, are not offenders; rather they have been offended against, and a court appearance and possible separation from parents is traumatic enough. Even the smallest suggestion that the legal proceedings are in any way associated with criminal proceedings should be removed. These clauses have therefore been amended in the following ways:

(1) Children may be brought before a juvenile court on a "complaint alleging that a child is neglected or uncontrolled".

(2) The order, if any, will be to "place the child under the care and control of the Minister". The court will not make an order sending a child to any specific children's home. After an order is made, the Director-General may, if considered necessary, place a child in any suitable

home for such care, training or treatment as may be appropriate;

(3) for uncontrolled children, no order may be made until the personal circumstances and psychological needs of the child have been evaluated at an assessment centre. This requirement does not apply to alleged neglected children, who are generally younger children in need of care and protection. In this case, questions of deciding the best disposition in terms of treatment and training, are of less immediate concern.

Because of the nature of the social problems involved in these cases, the period of care and control which may be ordered has not been changed, that is, for children under 16 years, the order is until 18 years of age; and for children over 16 years, the order is for not less than one year nor more than two years. Reference has been made to provisions in the Community Welfare Bill to ensure that each child's circumstances, and those of his parents, will be reviewed annually. Parents will be advised of their right to apply for the release of their children from the care and control of the Minister and of their right of appeal to a judge in the Juvenile Court.

Clause 56 is new and concerns habitual truants. The existing powers in the Education Act which will now be inconsistent with this Act, are to be repealed, and replaced with a provision that a complaint may be laid that a child is an habitual truant. The powers of the court now provided in this Bill are in keeping with those for dealing with other children in trouble. Clauses 57 to 62 have been amended consequentially, but the powers have not been affected. They substantially follow sections 45 to 52 of the existing Act, with the exception of section 46, which has been deleted, as the powers contained therein for committing children direct to a specific institution are no longer required.

Clauses 64 and 65 are analogous to sections 53 and 54 of the Act. Clause 65 provides for reconsideration of penalty by a juvenile court. As the law stands at present, there has been difference of opinion in the courts as to which decisions of a juvenile court are subject to reconsideration under this clause. Clause 65 (1) has been amended therefore to provide that "any order or adjudication" of a juvenile court may be reconsidered, subject to the further provisions of the clause. Two new subsections (10) and (11) have been added to this clause limiting the reconsideration of orders to magistrates and judges. Clause 66 sets out the procedure to be followed for determining the age of persons who might be brought before a juvenile aid panel, a juvenile court, or any other court, and for the powers of the court to reconsider orders which have been made on mistaken ages. Clause 67 provides that juvenile courts shall not be open to the public, and power is given for the court to direct which persons might be present at a hearing concerning a child.

Clause 68 deals with the age of criminal responsibility of a child. The age of eight years has not been altered from the existing Act, but is now qualified by the provisions of this Bill for dealing with children under 16 years of age on complaint that they are in need of care and control. Clause 69 is a new provision giving power for a judge or special magistrate to recommend that a juvenile offender of 17 years of age be transferred to prison in certain circumstances. Although new in this legislation, similar provisions have existed in the Social Welfare Act for some time in connection with children in training centres who become beyond control in that setting. These provisions are a frank recognition of the unfortunate fact that there are some youths who have such a highly developed pattern of criminal or anti-social behaviour that they will not respond to treatment programmes in a training centre designed for persons under 18 years of age. If a child is transferred to prison under this provision, he will be eligible for parole and remissions and will remain under the care and control of the Minister until the expiration of that order. Clauses 70 and 71 are formal provisions regarding the issue of mandates by the court.

Clause 72 makes provision for dealing with a child on a warrant of commitment for non-payment of a fine or other monetary penalty. The question of the effectiveness of imposing fines on juveniles is a difficult one. There have been some cases brought to notice where a fine has been imposed without reasonable time to pay or where the child has no immediate funds to meet a heavy fine and a committal has followed automatically. In either case the order is inappropriate. In other cases, because children are remaining longer at school, parents may pay fines, and this has little effect on the child. For this reason, fines for children under 16 years have not been provided in this Bill. The earnings and expenses of children under 18 years leave little funds available to pay a large fine without a reasonable time to pay.

No ready solution is available to overcome the various problems, but subsection (2) has been added to the clause, giving a child the opportunity to apply to a Juvenile Court for an extension of time to pay. Provision is made in the Community Welfare Bill that any child detained in a remand home on a warrant of commitment for any period in excess of 21 days may, by order of the Director-General, be transferred to any other suitable home for the period of the order. This will overcome to a degree the problems of a long-term stay in a remand home where the programme is not specifically designed for such children. Clauses 73 to 79 are substantially similar to sections 62 to 68 of the Act, with consequential amendments where necessary. Clause 78 provides for the making of such regulations as may be necessary for the purposes of the new Act.

The Hon. F. J. POTTER secured the adjournment of the debate.

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

Second reading.

The Hon. T. M. CASEY (Minister of Agriculture): I move:

That this Bill be now read a second time.

Its principal objects are, first, to replace the existing power of the Citrus Organization Committee to charge all growers an annual levy computed on a bushel basis with a power simply to require all growers to pay contributions from time to time towards administrative costs without prescribing any basis of computation and, secondly, to improve the penalty and evidentiary provisions of the principal Act. Recently, doubts have been cast on the constitutional validity of the levy provisions of the Act as it now stands, and the question has been raised as to whether the levy is in the nature of an excise. The committee has given much consideration to the financial provisions of the Act. Some growers and packers who do not avail themselves of the marketing services of the committee have felt that they should not be required to support the financing of the committee's marketing activities. The committee has therefore decided to divide its source of income into two areas. All persons who desire to use the marketing facilities offered by the committee will pay for this service on a fee based upon the quantity of fruit packed for sale. However, the committee provides many other services and benefits for all growers in the State, for example, promotion of the industry, research, statistics and crop estimation, control of quality of citrus fruit and general public relations.

All growers benefit from these activities and so must continue to contribute towards the cost incurred by the committee in carrying them out. The committee therefore must have the power to require payment of contributions from all growers from time to time. The Bill provides such a power without specifying the manner in which the contributions will be computed, although the committee presently envisages that such contributions will be calculated on the individual grower's acreage of fruit trees, a method with which the main body of growers appears to agree. The committee is of the opinion that income derived in such a manner will be easier to calculate and collect and also will be less fluctuating than their present income, which is calculated on a bushel basis.

Instead of placing an arbitrary limit on the amount the committee may charge by way of contributions (for example, 20c a bushel, as the principal Act now provides), the Bill sets out a procedure whereby the growers themselves may disallow proposed contributions. If not less than 100 growers sign a petition requesting that a poll be taken, the State Returning Officer must conduct a poll of all growers on the question whether the proposed contributions should be charged. If the poll is not in favour of the proposed contributions, the committee can take no further action with respect thereto. An additional safeguard as far as the growers are concerned is that the approval of the Minister must be obtained before the committee requires payment of any contributions.

The committee has found that the penalty and evidentiary provisions of the Act as it now stands are unsatisfactory. It is an unfortunate fact that offences against the Act are relatively common, although the committee does not have the funds or the facilities to prosecute all offences. The committee is of the opinion that the very low penalties imposed in many cases are in some part responsible for the apparent attitude that the advantages to be gained from evading the provisions of the Act outweigh any fine that may result from that evasion. Experience has shown that, with respect to marketing legislation as a whole, the courts tend to impose very low penalties not only for the first offence but also for second and subsequent offences. This is obviously unsatisfactory if prosecutions and previous convictions are to have any deterrent effect at all on the particular defendant and any other prospective offender. The committee

therefore seeks to have minimum penalties imposed for both first and subsequent offences. The Bill also brings all penalties into line with one another.

Problems have also arisen during the prosecution by the committee of offences against the Act, problems with respect to proving technical matters and establishing *prima facie* cases against defendants in certain cases. The Bill seeks to shortcut the unnecessary obligations that presently fall on the committee with respect to proving internal administrative matters. With respect to breaches of marketing orders, the committee wishes to ensure that a *prima facie* case will be established against a defendant when certain basic facts have been proved by the committee, as such cases are quite frequent and sometimes turn out to be unnecessarily cumbersome, time-consuming and costly for all concerned.

I shall now deal with the clauses of the Bill. Clause 1 is formal. Clauses 2 and 3 amend sections 2a and 9 of the principal Act, by removing passages rendered obsolete by the amendment made in 1970 with respect to the constitution of the committee. Clause 4 amends section 20 of the principal Act by replacing the existing subsection (7), which provides only a single penalty of $400. New subsection (7) provides a minimum penalty in respect of both first and subsequent offences.

Clause 5 amends section 21 of the principal Act by removing that paragraph which gives the committee power to raise moneys in the manner provided in section 23. This paragraph is unnecessary as section 23 sets out the relevant power quite adequately. New paragraph *(d)* gives the committee an additional power with respect to accepting payment of moneys in instalments. Clause 6 amends section 22 of the principal Act by replacing subsection (4), which provides only a single penalty of $400. New subsection (4) provides minimum penalties for first and subsequent offences and also an additional penalty for a breach of a marketing order as to the harvesting or sale and purchase of citrus fruit. New subsection (5) provides a method of establishing a *prima facie* wholesale price of citrus fruit for the use of the court in calculating the additional penalty. The defendant can, of course, tender evidence to prove that the wholesale price was in fact not that price stated in the secretary's certificate.

Clause 7 repeals section 23 of the principal Act which gives the committee power to impose charges on all growers on a bushel basis. New section 23 is inserted. Subsection (1) of the new section gives the committee power from time to time to require all growers to pay contributions to the committee. The committee may do this only with the approval of the Minister. The method of calculating such contributions is not specified. Subsection (2) provides that the committee must give notice of every intended levy in the *Gazette* and a daily newspaper. Subsection (3) provides that, if within 30 days of that notice not less than 100 growers sign a petition and lodge it with the committee, the State Returning Officer must conduct a poll on the question whether the contributions should be paid. Subsection (4) provides that, if no petition is received by the committee or if a poll is conducted and is in favour of the contributions, the committee may require payment by publishing a further notice in the *Gazette* and a daily newspaper. That notice must specify the day on which the contributions will be due and payable. Subsection (5) requires the committee to serve each grower with a notice with respect to the contribution payable by him. Subsection (6) provides the committee with the usual powers for recovery of unpaid and overdue contributions. Subsection (7) is a savings provision.

Clause 8 amends section 24 of the principal Act by empowering the committee to require growers to give particulars of the total acreage of trees in their orchards, and by replacing subsection (3), which provides only a single penalty of $200. New subsection (3) provides minimum penalties for both first and subsequent offences. Clause 9 amends section 27 of the principal Act by deleting all penalties provided therein and by inserting new subsection (10), which provides minimum penalties for both first and subsequent offences. Clause 10 amends section 28 of the principal Act by inserting new subsection *(4a),* which provides minimum penalties for both first and subsequent offences. Clause 11 amends section 30 of the principal Act by substituting for the penalties in subsections (1) and (2) a new subsection (4), which provides minimum penalties for both first and subsequent offences.

Clause 12 amends section 33 of the principal Act by inserting new subsections (3) to (5). New subsection (3) enables a duly authorized officer of the committee (for example, an inspector) to institute proceedings on behalf of the committee. New subsection (4) relieves

the committee of any obligation to prove certain internal or administrative matters in proceedings instituted by or on behalf of the committee. New subsection (5) provides that, in proceedings for the breach of marketing orders, a *prima facie* case shall be made out against a defendant if the committee proves that at the relevant time the defendant was in possession of the citrus fruit and that he either did not produce a sales docket in respect thereto to the inspector or produced a sales docket that did not purport to have been issued and in fact had not been issued by the committee or by a licensed seller.

Clause 13 amends section 34 of the principal Act by giving the Governor power to make regulations with respect to polls referred to in new section 23, if necessary.

The Hon. C. R. STORY (Midland): I support the Bill because this matter must be kept alive. I do not think that this Bill does any more than blow a little fresh air into the lungs of a very sick, pasty child. The main reason for this is that the whole matter got off to a shockingly bad start in the first place. The original legislation was drafted in haste and no-one understood very much about it, because there was no model for it and it encompassed tremendous powers that were to be in the hands of people nominated by the then Minister. Those people proceeded to wale into others with a heavy sledge hammer, when all that was needed was a slight prod in the tail. Ill feelings grew almost from inception, and the sources that disposed of the 100,000 to 150,000 cases of citrus annually were all closed in one fell swoop by the panic action of the committee, which was not ready to go fully into this matter of marketing. Although the growers had for years talked about taking the matter out of the merchants' hands, the reverse happened, and the system went right into the hands of the merchants, particularly those in South Australia. Every case of fruit had to be channelled through the merchants at the Adelaide market. As a result, severe penalties were placed upon some worthy growers at that time.

Threats of prosecution have always been present. Indeed, one prosecution was actually launched against a New Australian. Mr. Justice Travers, who heard the case, was extremely critical of the drafting of the legislation. Many amendments have been made since the legislation was first introduced in 1965. However, that is only a minor aspect compared to the number of amendments made to the regulations under the Act. The amount of paper work involved in that respect is almost three times as great as that in relation to amendments to the Act.

For some time the administration of the legislation proceeded during the term of office of the former Labor Government even though the Act had not been proclaimed. Therefore, what was happening under the Act was happening illegally. There has been much loose talk regarding the whole matter of citrus marketing. In 1963-64 we had a booming New Zealand export market, and the Melbourne and Sydney markets were well developed. The Adelaide market was left in the hands of producers at Mypolonga, who could produce fruit at a different time of the year from that at which fruit from the Upper Murray could be produced. Because of their close proximity to Adelaide, these producers were able to do well on the South Australian market.

Right from its inception, the legislation could do nothing other than regulate the flow of fruit to the Adelaide market, and the only prosecutions launched involved persons who offended within this State. Although the committee is empowered to handle the total South Australian crop and, if it so desires, to handle all processing of citrus fruit and to sell that fruit, this can happen only within South Australia. Under section 92, all fruit offered for export either into or out of Australia is not subject to the levies imposed to keep this organization going or to any conditions in relation to the manner in which the committee functions.

There has been equally loose talk, particularly in the last few days in debate in another place, about the operations and functions of the Murray Citrus Growers Co-operative. As a direct result of representations made to the Minister on August 26 by representatives of M.C.G.C. the whole scheme, which had been approved previously by the Minister, was withdrawn and a new scheme introduced into the Bill. A copy of the original is in my possession.

I have before me a copy of a submission made to the Minister by Murray Citrus Growers Co-operative on August 26, which points out to the Minister exactly what would have happened had the Bill as drafted been proceeded with. The worst thing that could have happened was that the previous legislation would have put paid to the Citrus Organization Committee, as it discriminated against those who had been loyal to and had marketed through the committee; these would have been the only people who would have had to pay

the levies, because the committee had their money under its control. This was one of the provisions of the Act.

In this respect, I am attacking not the Minister but those who have made loose statements on this matter, as recently as last Thursday. Anyone who takes the trouble to do so can read what has been said. I believe it is expedient for political purposes for some people to hang their hat on another organization at present. Murray Citrus Growers Co-operative for a long time has served them under the management of Mr. J. J. Medley, whose efforts have also been disparaged. He has done a tremendous amount of work in relation to the export of citrus and is now trying to alert the industry to the problems facing it and to tell it that its fruit is not presented in the way that buyers want.

New Zealand has been a wonderful customer for Australia for many years. However, her buyers are coming here and saying that they will have to look elsewhere for their citrus because Australia is not presenting it in the way it used to do. It is time we took notice of Mr. Medley, particularly because he has been appointed by New Zealand buyers to oversee the quality of fruit being produced here. It must not be forgotten that South Australia is still the biggest exporter of fruit in Australia. A most interesting point arose in an article headed "Citrus needed for export but juice fruit surplus looming" which appeared in the *Loxton News* on September 30, part of which is as follows:

"Valencias for export were not being picked in the quantities needed, and already one large shipment had been lost because the order could not be filled", the General Manager of C.O.C. (Mr. J. D. Galvin) said this week. He said on Tuesday that C.O.C. was struggling to fill a shipment to Singapore. Mr. Galvin said that 24,000 cases were needed by the end of the week and the chances of filling the order did not look good. Growers must realize that if an order to Singapore was not filled it could result in the loss of this market as other countries were continually trying to capture the Australian share of this market, he said.

This is precisely what I have said since I returned from overseas in 1960. I reiterated it in the Chamber in a long speech that put me in hospital just before Christmas. I had a jolly good look at these markets in 1960 and again in 1969, and I have never wavered in the slightest in what I believe is right. We are so close to New Zealand, Singapore and Hong Kong that we absolutely command those markets, yet we footle around with little bits and pieces, trying to get into Holland, into the United Kingdom, and I believe also into Israel—and Israel is one of the biggest citrus growers in the world. However, that country, like many other Socialist places, gets into a mould. If the Agriculture Department tells producers to drop muriate potash this year, they do so. If they are told not to put on any sulphate next year, they do not, and the result is that the whole of the crop is likely to go soft or to lose colour. However, they are very efficient, and Israel has a tremendously good system of marketing. It is like the old lady who puts all her eggs in one basket, gets herself a decent-sized stick, and sits over the top. This is what we should be doing at present.

I want to deal very quickly with the change in system. There is one thing the Minister must satisfy himself about, and no doubt he has done that, but he must satisfy me, too, and that might be even harder. Is this method of extracting money a levy or an excise? If it is a levy, it will be all right, but if it is an excise and the committee sets out to prosecute and loses its first case, then C.O.C. will tumble. I believe that not only will it fall in its own right but it will bring down a number of other organizations that have operated with this method over many years. All the C.O.D. levies in Queensland are made on the same basis. The banana suppliers of New South Wales have copied from C.O.D.

We could be on the threshold of getting a reasonably efficient marketing organization for citrus throughout Australia (and this is one reason why I am wasting my breath again in supporting this) if we can keep this alive and try to do something to prove to the rest of the States that there is something in this. If we get a Commonwealth scheme we will most certainly have a very much better chance of succeeding than we have had to date. We have seen the success of the wheat board, and of the Australian Barley Board as far as it goes. We have seen the somewhat limited degree of success of the Australian Dried Fruits Board. However, most of those boards were set up to deal entirely with export trade, and if we could get a guarantee it would be something. Instances within the last few months of confusion existing on the Singapore market, and suggestions of it on the New Zealand market, are enough to be frightening. When we have as our customers some of the best hagglers in the world, the Chinese merchants (and they are very clever business men), when we are offering two or three prices, obviously there must be confusion within the industry, and the person who will be kicked off is the

grower. The merchant will be all right: he has no problem. The packer is all right, because it is an on charge, and if there is any deficiency the deductions will go back to the grower. Without any doubt, we have to see that the whole of the Australian export is co-ordinated in relation to quality and price.

I am worried at the moment about a move that might be afoot. I do not know for sure, because I have ascertained this from someone who apparently is closer to the throne than I am at present. However, there is a suggestion that juice from surplus citrus should be tinned, that finance should be arranged for this, and that the juice should be exported to other countries. I remind members of the period in the early 1960's when we hawked Australian citrus concentrate to Canada and finally brought it back again. We lost considerably on this venture. This was in the early days of Berri Fruit Juices Co-operative.

Honourable members could cast their minds back to another disastrous situation when freestone peaches were selling at $15 a ton. It does not hurt to mention names now, because these companies are all overboard. A company called Barossa Canneries thought that, by buying an additional 200 tons of peaches at $15 a ton, it could make a considerable sum of money. It was urged on by growers who had the fruit available, and the consequence was that the growers got nothing for their fruit and Barossa Canneries went broke. The State Bank lost a tremendous amount of money, some of which has been written off by this Parliament. If one reflects back, this was the position with Brookers, Mumzone and Foster Clark.

If there is any suggestion of the Government's being involved in a Government guarantee to put juice into tins for export, it is a great surprise to me, at a time when the Australian Citrus Growers Federation is pressing the Commonwealth Government to impose higher duty on the importation of citrus juices. We could buy citrus juice, no doubt, from Florida, Israel or Spain. We have had plenty of it from Spain lately; some has been brought in from Spain and sold as Australian citrus in Adelaide, which is an indictment of us. Other people can produce and send concentrated juice here much more cheaply than we can produce it if we are to keep our standards of living as we want them.

The price is fixed every year for factory citrus. Some people talk nonsense when they say they hope they may see price control as we have it for wine grapes. They want price control because anyone who does not pay the proper price to the grower for his citrus for canning purposes loses his sugar concession under the Fruit Industry (Sugar Concession Committee) Act, so there is nothing very new in that. I have queried with the draftsman the word "compute" in the Bill. I should prefer to have seen it spelt out a little more clearly but there are two saving graces in this Bill which were not in the previous draft and which I am glad to see the Minister has noted: that is, that under clause 5 section 21 of the principal Act is amended, and new subsection 1 *(d)* provides:

> Permit payment in instalments, when and in whatever manner the committee thinks fit, of any moneys payable to the committee under this Act.

That means that the committee will be able to take payments in instalments and will be able to decide by what method—the acreage method of collecting or any other method, as set out in clause 7. This clause repeals section 23 of the principal Act and enacts a new section in its place, as follows:

> (1) The Committee may, with the approval of the Minister and subject to this section, from time to time require all growers to pay to the Committee contributions towards the cost of the administration of this Act and the carrying out of the powers, functions and duties of the Committee under this Act.
>
> (2) The Committee shall, before it requires payment of any contributions under this section—*(a)* give notice, published on the same day in the *Gazette* and in a daily newspaper circulating generally in the State, of its intention to require payment of those contributions; and *(b)* specify in that notice the manner in which the contributions are to be computed, the period with respect to which they relate and such other information as the Committee thinks fit.

The word "computed" is used. A circular has been in the hands of the growers for some four or five months, in which the Citrus Organization Committee visualizes that the collection will be on the basis of $6 for each acre of trees owned by the producer (and those trees can be from one year to 101 years old; they may be producing no fruit or they may be at the tail end of their life and be completely uneconomic). It appears there has been no great disagreement with this method laid down by the Citrus Organization Committee in its circular earlier in the piece. I merely point that out. There are several other aspects I want to deal with

and several other avenues I want to follow, so I ask leave to conclude my remarks later.

Leave granted; debate adjourned.

APPROPRIATION BILL (No. 2)

Adjourned debate on second reading.

(Continued from September 30. Page 1833.)

The Hon. M. B. DAWKINS (Midland): As the Hon. Mr. DeGaris has said, an Appropriation Bill always presents problems to Upper House members because it is most unusual in other than the most exceptional circumstances for the Upper House to seek to amend it. All the talk we hear from time to time about the power (or what is sometimes called the excessive power) of the Legislative Council invariably overlooks this fact. There are, of course, some good things about the Budget, which proposes to appropriate for the purposes of the State nearly $350,000,000, which is a very large sum. Other honourable members have indicated that the total receipts are estimated to bring in nearly $100,000,000 more, and the total extra outgoings will exceed that sum, so there will be an estimated deficit of about $7,500,000, which is disquieting. We remember that it is only a year or so ago that the outgoing Government was able to indicate a credit of nearly $3,000,000; now we are considering an estimated deficit of $7,500,000.

Despite the considerable increases in Commonwealth assistance and the referral of pay-roll tax to the States (which is estimated to produce nearly $25,000,000, following the increase in the rate of tax from 2½ per cent to 3½ per cent), State taxes and charges are still rising. The Chief Secretary has referred to a wide range of increased stamp duties and hospital fees, amongst other things, the latter being something I am sorry to see. State taxation, apparently, will increase considerably, plus the increasing of State charges and the amount of Commonwealth refunds, which it has been indicated will give a total increase of about $75,000,000. This surely is a most significant sum, to say the least, and it is a most satisfactory situation for the Government to be in, although I must say straight away that I am aware that an allowance must be made for the fact that the sum of $24,000,000 is made up of the newly referred pay-roll tax and that over $14,000,000 of this sum was previously paid as a tax to the Commonwealth Government at the rate of 2½ per cent. I believe that the transfer of this growth tax to the States is a good thing and something to which no honourable member could take exception.

The Select Committee on capital taxation did, in my opinion, a most valuable job in highlighting the very serious problems of many people in South Australia. I agree with what the Hon. Mr. DeGaris said in his speech, and I make no apology for repeating what he said because I believe it could not be said in any better way. He said:

> The increases in taxation and charges introduced in this Budget will impose a severe burden on the people of South Australia at a time when many South Australians should logically be looking for relief, particularly from the most damaging form of taxation we have: capital taxation.

In view of the increased money available to the Government, I believe that this is a time when some relief should have been given by the Government. In the light of the sum of money I have mentioned and the additional Commonwealth assistance, the Government is open to severe criticism for ignoring this very difficult situation for many people. I think most of us will realize that there are some people today on fixed incomes who find the situation with regard to capital taxation a great problem.

On previous occasions I have gone through the Budget in some detail, but I do not intend to do this to the same extent today. However, I have some serious criticisms to make of estimated allocations for expenditure, in view of the very considerable increases in revenue to which I have referred.

The Hon. Mr. DeGaris also pointed out that the Loan Estimates have some effect on the Budget and that the Budget has some effect on the Loan Estimates; in other words, that there is some possibility of an effect coming from one to the other. In view of this, I wish to refer briefly to the proposed expenditure on the festival theatre and the associated arts complex.

In the first place, in my opinion the cost of the festival theatre is needlessly high, and I believe that the previous Government cannot escape some criticism for this. It is certain that a festival hall was needed; I agreed that that was so, and I supported the legislation when it first came into this Chamber six or seven years ago. I agree that a hall is needed, not a theatre, because other theatres are available.

A concert hall needs to be large because of the relative infrequency of concerts and the great cost of repeating them, but it does not need to be complex and, accordingly, cost a great deal more because it is complex. The

Adelaide Town Hall is an excellent concert hall, the only thing wrong with it being that it is only half the size necessary. Acoustically, it is excellent, and it has a very good concert platform. However, no-one would suggest that it was a suitable theatre. On the other hand, no-one with any experience would suggest that Her Majesty's Theatre would make a good concert hall, adequate though it may be as a theatre at the present time.

The escalated cost of the festival theatre comes in trying to marry the two to make a concert hall and a theatre in one and to be successful as both (which I have yet to see), with this, as I have said before, needless great expense added, as a number of theatres are already available. Added to this we now have the unnecessarily large expense of a performing arts centre to be paid for on top of the cost of the festival hall.

I do not believe that any person would suggest that these facilities may not be necessary at some stage, although one may disagree with the type of facilities provided; but surely this is another instance of wrong priorities. Why must we have a festival theatre, as opposed to the more economic structure of a festival hall (which we need), plus a performing arts centre when we cannot find any money at present to rebuild the Adelaide Children's Hospital (a need that I think most members will realize is most pressing) and when at the same time we have to increase hospital charges?

I believe that this is a case of wrong priorities. I hesitate to use the expression "morally wrong", but certainly it is a case of wrong priorities. Just as in 1965 the previous Labor Administration gave preference (I believe for political reasons) to a hospital for Modbury over a teaching hospital at Flinders University, so now we have a performing arts complex for Elder Park taking precedence, in effect (because, as I said earlier, the Loan Estimates and the Budget have some effect on each other), over the needed reconstruction of the children's hospital and over the objective of keeping hospital charges down.

The common people (I use the word "common" in its best sense because we are all common people) have to pay more hospital charges and other charges such as stamp duties, etc., so that amongst other things a performing arts centre, a dream of that great actor the Premier, may go ahead.

I turn now to the Agriculture Department, that all-important department concerned with our primary industry. Why is it that in a record Budget in which many avenues of expenditure have been increased (in many cases, I would say justifiably so) by from 10 per cent to 50 per cent the expenditure in the Agriculture Department is reduced by nearly 20 per cent?

This Government, which in its first year of its previous term devoted a whole five lines in the Governor's Speech to primary industry and in its first year this time (if my memory serves me correctly) gave even less space in the late Governor's Speech to the all-important branch of agriculture, is once again showing its lack of appreciation of the problems of rural industry by reducing the sum voted to agriculture from over $7,250,000 to about $6,000,000.

Perhaps the Minister of Agriculture will be able to tell the Council why this Government does not apparently value primary industry or its exports more than it does, because primary industry and the exports of primary industry are still a very great contributor to the economy of this State and to the nation as a whole, and they will continue to be a great contributor to the balanced economy of this country.

The Hon. C. R. Story: You should ask the Minister what he is doing about the small seeds industry.

The Hon. M. B. DAWKINS: I would do that, but the Minister is absent at the moment. Possibly the Hon. Mr. Story will have the opportunity to ask him that question. I am aware that some lines have been transferred to the Education Department. However, even allowing for that, the position of the Agriculture Department is quite out of proportion in view of the escalation of expense in other departments. It is the Cinderella department. I believe that this shows the Labor Party's fundamental lack of appreciation of, or even lack of ability to understand, the value of primary industry to the economy of this State.

I can hardly imagine that the Minister of Agriculture, who has tried hard and with some success to grasp the problems of his department, would be happy about the niggardly provision for his department. I am certain that the Hon. Mr. Story, who did such a splendid job when he was Minister of Agriculture, would be most unhappy about the situation. Honourable members have previously criticized excessive expenditure in various departments, especially the Premier's Department, and the same type of criticism is being voiced this year. The amount spent (or wasted) in that department has been increased from about $90,000 to about $154,000, which is something of a scandal. In saying this I am not referring to

the Mines Department or the Industrial Development Branch.

We have heard talk about the possibility of reinstating rail passenger services that were losing much money and were replaced by road services during the regime of the previous Government. If there is any substance in that talk, I point out that the plan to reinstate those services is unrealistic. Although there were protests at the time the uneconomic rail services were cancelled, the road services that replaced them are much better patronized and are doing a good job from the passengers' viewpoint and at the same time saving the State large sums. I have heard hints about the reintroduction of those rail passenger services, despite the fact that the Railways Department seems to be losing more and more money.

We are told that transfers towards railway deficits may be about $20,000,000 of the taxpayers' money in the coming year. Of course, no-one denies that railways are a necessity in a country like Australia. However, to suggest that they are as efficient as they might be, that they are never wasteful, and that meaningful economies cannot be made is ridiculous. The railways should be thoroughly overhauled to ensure that a deficit of about $20,000,000 is substantially reduced.

In turning to the provision for education, I commend the Government for what it is trying to do in this field. However, it is not with any pleasure that I note that by far the greatest proportion of the increase in that provision is taken up by salary increases, although some of those increases were doubtless necessary and justified. I believe that the Minister of Education, despite the arrogance and opportunism he displayed when in Opposition, is doing a competent job, and I commend him for that. However, I do not commend him for his continual complaints about lack of Commonwealth aid. It is time he stood on his own feet.

The Hon. Mr. DeGaris dealt in detail with increases in Commonwealth assistance in various fields, as did the Chief Secretary in his second reading explanation, and I do not intend to repeat what they said. It ill becomes the Minister of Education to continue his never-ending story of "blaming the Commonwealth"; in this sense it is high time he grew up.

I regret the decision to close so many rural schools. Such closure may be necessary in some cases, but in other cases it is premature, and even unwise at this stage. Some of the rural schools that are to be closed are well equipped. The anomalous situation has occurred in the past where officers of the Public Buildings Department arrived to renovate and paint a school when it was about to be closed or when it was already closed. In a couple of instances rural schools that are to be closed are probably better equipped than the schools to which the children will be redirected; the latter schools are overdue for replacement and unable to cope properly with the children they already have. In some cases the redirection of young children to larger schools will result in those children having an unnecessarily long day. Despite the qualifications I have made, I believe that, by and large, the Education Department, under the Minister, is doing a good job in handling the constantly increasing demands made upon it. However, we must not blind ourselves to the constant need for improvements to schools and the replacement of schools.

I have criticized some parts of the Budget, and other honourable members will no doubt criticize other parts. On the other hand, many items of expenditure would be in the Budget regardless of politics and regardless of the political complexion of the Government in power. They are necessary for the continued development of South Australia. Whether the amounts allocated or the priorities would be similar is another matter. I have already criticized the priorities, and no doubt other criticisms could be advanced. With these qualifications, I believe that the compilation of the Budget, which constitutes the basis of the Bill, is essential for progress. I therefore support the Bill.

The Hon. D. H. L. BANFIELD (Central No. 1): The Government is to be complimented on the way in which it has attempted to do the greatest good for the greatest number of people in the State with the limited amount of finance available. One hears the Hon. Mr. DeGaris, the Hon. Mr. Hill and the Hon. Mr. Dawkins criticizing the Government for what it is doing in one direction and for what it is not doing in another direction. They criticize the Government for attempting to raise extra money and say that the Government should not have to increase taxes, yet they continue to say that the Government should spend more money in some directions.

Opposition members cannot have it both ways; when they were in Government they did not find it possible to spend more money

and raise less money at the same time. The Treasurer in the previous Liberal Government had condemned the earlier Labor Government for increasing charges, yet in his first financial statement as Treasurer, on September 5, 1968, he announced seven new taxes in one hit to raise extra money. So, we can see how hypocritical Liberal members are. They did not try to tell the Government how it should get extra money: they merely criticized the Government which, under the circumstances, is doing a good job. The honourable member also said that some Ministers, particularly the Minister of Education, were referring to the lack of responsibility by the Commonwealth Government in relation to education. Education has advanced so rapidly that it should be the responsibility of the Commonwealth Government. However, that Government is not standing up to its responsibilities in this respect. For some unknown reason, and in contradiction to the sentiments expressed by the general public, honourable members opposite do not like our Premier, and at every flimsy opportunity they make statements and innuendoes to discredit him and the Government generally. I assure honourable members that the public is well aware of the deficiencies within the L.C.L. ranks. They are aware also of the bitter hatred and the wrangling that exists within that Party, and they will not be misled by Opposition attempts to cast reflections on the Government merely to distract attention from shortcomings within the L.C.L.

Both the Leader of the Opposition and the Hon. Mr. Hill went to great pains to condemn the 92 per cent increase in the allocation for the Premier's Department. The Hon. Mr. Dawkins also referred to this aspect. The Hon. Mr. Hill said that this increase was unnecessary and, indeed, extravagant. I think the Leader was well aware of the necessity for this increased expenditure, and I was surprised that he did not elaborate on the matter. Perhaps it was one of his general attempts to mislead the public. I am not surprised at the Hon. Mr. Hill's comments, as he is renowned for not being able to grasp facts. He goes off at a tangent, and does not try to follow a matter through. I therefore assume that he had not grasped the full facts on this occasion. If he does not agree with me on this matter and says that he fully understands it, I must assume that he deliberately tried to mislead the public.

Both honourable members compared the 92 per cent increase in relation to the Premier's Department with the 7 per cent increase for the Mines Department. I assume that they arrived at the figure of 92 per cent by comparing the 1971-72 allocation for the Premier's Department with the actual payments made by that department during 1970-71. I must give credit where it is due as both honourable members made a reasonably correct calculation in this respect. However, that is as far as I can go, as their reasoning was not so correct. Obviously, neither honourable member bothered to examine the details of the allocations. In order to clear up this matter, I will put the facts before the Council and perhaps honourable members will not then continue with their criticism. The total increased expenditure for the Premier's Department is $558,149, of which $300,000 is allocated to the Planning and Development Fund. That is a necessary allocation, with which the Hon. Mr. Hill would no doubt agree.

If the Government is to measure up to its responsibilities and make provisions for this State's development, it must have money to do so. Perhaps the Leader and the Hon. Mr. Hill do not favour planning and development. Other increases in relation to the Premier's Department are the result of administrative changes and the decision to appoint a Director of Environment and supporting administrative and clerical staff. Perhaps honourable members opposite oppose these provisions. However, I do not think they do, especially the Hon. Mr. Hill who, having been Minister in charge of planning and development, knows that the State Planning Authority needs sufficient finance in order to carry out its responsibilities satisfactorily and to enable the necessary attention to be given to the environment, if this city is not to fall into errors and suffer the resulting consequences that have been suffered by older cities in the world.

The Hon. Mr. Hill also criticized the Government's proposals regarding the construction of an international standard hotel in Victoria Square. He referred to concessions being given in this respect as "give-away prizes in the market place". Honourable members realize that the tourist industry in Australia is the fastest-growing industry we have and, if this State is to share in the development of that industry, it must ensure that it has the necessary facilities to cater for visitors. True, the Government intends to provide concessions in relation to this project; no-one has tried to hide that. Previous Governments in this State have given concessions such as this, as have

Governments in other States, and it is hypocritical of honourable members opposite to suggest that, by granting concessions in relation to this project, we are indulging in give-away prizes, as the Hon. Mr. Hill suggested.

If members opposite are genuinely opposed to the Government's giving concessions such as these, why do they not say so? Not one member opposite has said he is opposed to concessions such as these. Why did they not say how much they were opposed to the give-away prizes in the open market handed out by the L.C.L. when it was in office? Did honourable members opposite complain about the concessions given by the L.C.L. Government in relation to the Broken Hill Proprietary Company's indenture when the then Government agreed to construct a main to Whyalla? Did they object to water being supplied to B.H.P. Company for 20c for each 1,000gall. irrespective of the cost to the consumers? Of course they did not. They would not oppose give-away prizes, as the Hon. Mr. Hill described them.

The Hon. A. M. Whyte: Do you think a new international hotel would be worth as much to South Australia as the B.H.P.?

The Hon. D. H. L. BANFIELD: At least it would attract people to this State, and at present tourism is the only industry that is really proceeding rapidly here. The B.H.P. Company is well able to pay its full share of the cost of that main without being subsidized by the State. Indeed, it is making millions of dollars profit annually while the State, which is giving it these concessions, has a deficit Budget. If the honourable member thinks that is a reasonable concession, let him tell the people of Whyalla whom he represents that he does not think these concessions should be given. That is what honourable members opposite imply when they say that these give-away prizes have not been given by other Governments. Of course, these concessions have been given by other Governments. I do not oppose this practice; nor do I oppose the concession that is being given to the tourist industry in this respect. I am not hypocritical enough to say that I am opposed to these concessions, as members opposite have done.

The Hon. R. C. DeGaris: Does the B.H.P. Company pay land tax?

The Hon. D. H. L. BANFIELD: It is paying 20c for each 1,000gall. of water, whereas everyone else is paying 35c. It can afford to pay land tax, as it is making millions of dollars a year. Of course that company pays land tax, but it is receiving a good concession from this State in relation to its water supply.

The Hon. G. J. Gilfillan: That is for a guaranteed quantity.

The Hon. D. H. L. BANFIELD: Yes, 20c a 1,000gall. for a guaranteed quantity, but they are paying 20c when others are paying 35c or more. That is not a bad concession.

The Hon. C. M. Hill: They do not have to pay rates and taxes, but they are paying voluntarily an equivalent amount. That is how generous they are.

The Hon. D. H. L. BANFIELD: And they are just the sort of generous people able to do it with the money they save through being subsidized on the cost of water. Of course they can do it. We all could if we were being subsidized to that extent.

The Hon. R. C. DeGaris: Does the honourable member think the hotel in Victoria Square will assist decentralization?

The Hon. D. H. L. BANFIELD: It is assistance to the tourist trade and it is necessary. South Australia is entitled to its share of the tourist industry, and this concession has been given in the same as honourable members opposite, when in Government, gave many concessions to people to assist in other industries. Do members opposite want to scrap the agreement made by the Playford Government with Actil, a give-away prize in the market, so described by the Hon. Mr. Hill? That agreement gave Actil (and this is even better than B.H.P.) water at the rate of 10c a 1,000gall. for quantities up to 50,000,000gall., with a lower rate after that quantity had been used, as compared with 30c a 1,000gall. being paid elsewhere at the time the agreement was made. In addition to that, however, the Government undertook to provide special treatment for the water at a cost of 10c a 1,000gall., so in effect Actil gets all its water cost free, because the water Actil is buying for the princely sum of 10c a 1,000gall. costs the Government 10c a 1,000gall for treatment. Yet members opposite say we should not give concessions to industry. They imply that this is something done by this Government and not by other Governments.

Perhaps the Leader and the Hon. Mr. Hill were opposed to the indenture entered into by the Liberal Government with Associated Pulp and Paper Mills Limited giving that company good terms for the disposal of waste. Are they opposed to this, or do they conveniently forget that these things were already in operation, granted by a Liberal Government,

the give-away prizes that have been going on for years, just as much under the Liberal Government as under this Government? No doubt these things will continue for a number of years. They must, if the State is to expand. We must attract industry, and this is the way in which all Governments attract industry.

Obviously honourable members opposite must be opposed to the actions of the Housing Trust in making package deals to attract industry. Perhaps the Hon. Mr. Hill is opposed to the Housing Trust's being set up because it conflicts with his personal interests. Perhaps that is why he is opposed to these things. Perhaps that is why he is opposed to someone other than Murray Hill Proprietary Limited handling the sale of that block of land in Victoria Square. He did not say whether that was so, but that is the only conclusion we can arrive at, the only thing left to us to believe, that he is opposed to these give-away prizes, because he did not mention any of the others. If that is not so, perhaps he is opposed to it because the Housing Trust is offering competition to various land sharks and some reputable firms.

The Hon. C. M. Hill: Get up out of the gutter!

The Hon. D. H. L. BANFIELD: Have you got that, too, and have you taken that over? I did not refer to any specific firm.

The Hon. C. M. Hill: You mentioned a firm.

The Hon. D. H. L. BANFIELD: I did not. I said it was in open competition.

The Hon. C. M. Hill: You mentioned a firm.

The Hon. D. H. L. BANFIELD: I did not mention your firm under that heading. If the honourable member took it that way, then I apologize to him. Had he been listening and not been so concerned that I exposed him regarding what he said about give-away prizes, he would have been better off. I said that perhaps the honourable member was opposed to the Housing Trust's being set up and offering competition to various land sharks and reputable firms.

The Hon. C. M. Hill: A few minutes before that you mentioned a firm.

The Hon. D. H. L. BANFIELD: True, I mentioned a firm a few minutes before that. I had gone on past that and I had no intention of casting any reflection on the firm I had named earlier in my speech. Had the honourable member listened he would have known that. If he is against that sort of thing, let him get up and say so. That is all he must do. The firm of Murray Hill Proprietary Limited is a reputable firm, but we all know that there are land sharks connected with the sale of land. The Hon. Mr. Hill would know that as well as anyone else. I was not referring to the firm of Murray Hill Proprietary Limited, and the honourable member was far off the track in inferring that I was.

Do members opposite oppose the Housing Trust's designing and building factories at Elizabeth and offering them to international and interstate purchasers, making them available at a cost of $3,800 an acre, fully serviced, with roads, water and electricity? If L. J. Hooker and other firms were handling the same deals they would be charging $9,000 to $10,000 an acre at Elizabeth for the same thing, or $25,000 an acre at Netley or Plympton. Surely these concessions, made by the Housing Trust, set up by the Liberal Government, and continuing on, must also come under the heading of the give-away prizes referred to, but we have heard not one word of opposition from the other side, because these things have been going on to attract industry to South Australia, and this is most necessary.

Perhaps members opposite are opposed to the Housing Trust's building houses in order to house the work force near these industries. If they are, they should come out and say so. These give-away prizes have been going on for many years under the Liberal Government and are being continued by this Labor Government. Perhaps they are opposed to the contract made with Petroleum Refineries of Australia for building the refinery at Port Stanvac. Did they oppose the building of the railway line to Stanvac for the refinery? Did they oppose permission being given for the refinery to build a pipeline from Port Stanvac to Birkenhead? After a line had been laid to carry goods by rail from Port Stanvac, the refinery was permitted to build a pipeline to carry its products. Members opposite did not oppose that. To make things worse, the refinery was even allowed to put some of its pipeline on railway property at no rental whatsoever, yet members opposite talk about this Government's giving away one measly block of land in Victoria Square! It is not a drop in the ocean compared to the things the previous Government gave away, yet they imply that this is something terrible, something that should not be done.

The Hon. R. C. DeGaris: I think you are defending too strongly. You are making us suspicious.

The Hon. D. H. L. BANFIELD: We are all suspicious now. We will all be looking over our shoulders to see what is being given away, now that it has been implied this is something that should not be done. I have said I am not opposed to this sort of thing, but it was the Leader who first referred to the fact that the Government was making concessions regarding the block in Victoria Square. He led this line of attack, so ably followed by his lieutenant and taken up by his corporal, and later you will see the others coming in behind the Leader. They are the "also rans". All other ranks will follow the Leader, who started this off. If honourable members are not being hypocritical in what they have said about the Government's intention to assist the tourist industry, in all conscience they must oppose the assistance that is being given today to primary production.

But let us look at some of the give-away prizes that the primary producers are benefiting from today. We hear a lot about succession duties, that they should be abolished altogether. I think the Leader said they should be abolished, but he did not suggest what should be put in their place.

The Hon. R. C. DeGaris: Would you like to quote where I said that?

The Hon. D. H. L. BANFIELD: The Leader said that succession duties should not be imposed. The Select Committee said that death duties should be abolished. That is the line the Leader has been taking over the years, and he cannot deny it.

The Hon. A. J. Shard: Members opposite have had plenty of opportunity to do that.

The Hon. D. H. L. BANFIELD: Of course they have. Has the Leader made a logical suggestion of something to take the place of that tax? It is easy enough to say, "Give this away" and "Give that away", but he does not say how any Government, of either Party, can operate or how this State will run if this type of taxation is removed without something else taking its place.

The Hon. R. C. DeGaris: I suggest that you read the Select Committee's report.

The Hon. D. H. L. BANFIELD: In the meantime he is talking about these give-away prizes and about a concession granted to an industry. I am referring to concessions given to another industry, the primary-producing industry. Concessions in succession duties are given on rural land for primary production provided the intention is to continue in primary production. The Government has just passed a Bill to allow a revision of land assessment on rural land, and this only one year after the quinquennial assessment had been made. This is a clear indication of the Government's desire to assist primary production where it can.

Railway freight charges on superphosphate are the lowest of any State for each ton mile. Freight rates on grain are the next lowest to Western Australia for each ton mile. The Commonwealth advertised rate is actually the lowest, but it does not handle manures or grain. Ours is the lowest freight charge for superphosphate. In this State there is a 50 per cent reduction in registration fees for commercial motor vehicles provided they are used for primary production. No honourable member opposite opposes give-away prizes of that kind.

The Hon. R. C. DeGaris: Don't you think it is just?

The Hon. D. H. L. BANFIELD: Of course it is. We must help primary industry, which today is in a bad way. We must do all we can for it. Of course this is justified. The tourist industry, too, is in a bad way and we must help it. The Leader knows that very well. Why would this concession be any more justified to this than to any other industry? Can the honourable member tell us that? These industries are all in business to make a crust. Because some make it more quickly than others does not mean to say that they are not just as entitled to protection as is primary industry. Although the primary producer would be in a bad way without these concessions, we must remember the time when he was able to run around with two Rolls Royces gathering in sheep, when he was in a very good way. The primary producers still have these concessions. It has not been done just to tide them over a tight period. Good luck to them that they can get away with it! I have never been able to get these reductions, in one instance of 75 per cent. I challenge honourable members opposite to come out into the open and declare themselves whether they are in favour of these concessions (which the Hon. Mr. Hill describes as give-away prizes) or whether they think industry should not be assisted in any way.

The Hon. Mr. DeGaris has said that the Government should reconsider its priorities. I

believe the Government has its priorities in the correct order. This Government has always given top priority to the people of this State, and the Budget clearly shows that it is continuing along these lines. It is people who count, and nothing else. I congratulate the Hon. Mr. Dawkins and the Hon. Mr. Russack on the correct interpretation they have placed on the writing on the wall. They fully realize that the people of the Midland District no longer want to be represented by members of the Liberal and Country League, so they have decided to desert the sinking ship and try their luck elsewhere. I suggest that they are trying their luck on a sunken ship.

The Hon. C. M. Hill: Will the member for Norwood in another place try his luck elsewhere?

The Hon. D. H. L. BANFIELD: The honourable member started the rumour, which got three-quarters of a page in the newspaper last Sunday, that the Premier was going elsewhere, but apparently he did not see the statement in the last paragraph that there was nothing in it. Obviously, the Hon. Mr. Hill did not think that the paper would check on his rumour; but it did and it soon found out that it was just another rumour emanating from the other side.

I congratulate the Hon. Mr. Dawkins on leaving the sinking ship while he can still get off. I wish him all the best in opposing the Leader in another place. I think he will make a much better Leader of the Opposition in the other place than the present Leader. I congratulate these two honourable members and look forward to seeing how they will fare under compulsory voting. Both the Hon. Mr. Russack and the Hon. Mr. Dawkins oppose compulsory voting. They are in this Council as a result of voluntary voting; now they will go out into the big wide world and come up against compulsory voting—provided, of course, they are in a true blue ribbon seat. That is what the Hon. Mr. Dawkins has done; I wish him well. I wish the Hon. Mr. Russack well, too (he has not been in this place very long but he has contributed to our debates) in his efforts to depose the Leader of the Opposition in another place. If the two honourable members accomplish that, they will have accomplished something for the State.

The Hon. H. K. KEMP secured the adjournment of the debate.

MEDICAL PRACTITIONERS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 30. Page 1835.)

The Hon. C. M. HILL (Central No. 2): I do not intend to speak for long on this Bill, although it is important. I am prepared to be guided largely by the Chief Secretary's explanation when introducing the Bill and also by the splendid contribution from the Hon. Mr. Springett. I intend to support the second reading and to listen with interest to the debate that will develop in the Committee stage.

I have looked carefully through the Bill and seek only one general assurance from the Chief Secretary. I understand that the Hon. Mr. Springett touched upon this very point, and I think it should be clarified by the Chief Secretary. This point is whether or not the Australian Medical Association (South Australian Branch) is in favour of all the clauses of the Bill.

I believe that, with any legislation that concerns professions or industry generally, the bodies that represent those professions and those industries (such as the various institutes and associations) should be consulted and that every possible effort should be made to obtain agreement with such representation before the legislation is introduced.

In reading the second reading explanation, I cannot find where the Minister states that the A.M.A. agrees with the Bill and, in my assessment of the measure, I consider that some such assurance should be given if possible. If I receive that assurance, I shall be even happier with the Bill than I said a few moments ago I was.

I am sure that the Medical Board is acting in extremely good faith. However, I must be fair and point out that three of the five members of the board are appointed by the Minister, so it is not unreasonable to say that the balance of power on that board lies in the Minister's hands. It may well be that the board would make recommendations to the Government for changes in the legislation, which directly affects members of the A.M.A. (South Australian Branch), and it may well be that only the Medical Board seeks change and that some members of the A.M.A. may be opposed to it.

I think that those who make the laws that affect such professional people ought to know at this stage what the real position is. That is the only point I wish to make. I should like the Minister in his reply to say whether

or not the A.M.A. is in full support of all the changes proposed in the Bill.

The Hon. A. J. SHARD (Minister of Health): I thank honourable members for the attention they have given this Bill. In reply to the Honourable Mr. Hill, I am fairly sure I was told that the A.M.A. was in complete accord with the Bill. I may have got that information from the board itself. I am under the impression that the A.M.A. is quite satisfied and happy with the Bill. Also, I think the Honourable Mr. Springett, if he did not actually say it, implied that that was so.

The Hon. V. G. Springett: I did say that.

The Hon. A. J. SHARD: I think honourable members realize that if I give an answer I like to be truthful. Therefore, I should like to check on the matter and have it cleared up. The only other thing that came up in the debate requiring a direct answer was the Hon. Mr. Springett's query regarding clause 25 (A). The amendment strikes out the word "remuneration" appearing at the end of subsection *(b)* of section 5 of the principal Act as amended in 1966 (page 390 of the 1966 volume of Acts). The amendment substitutes the word "examination" for the word "remuneration", and only corrects a drafting error in the 1966 amendments. I think at the time both the Honourable Mr. Springett and I were looking at the wrong section of the Act. I understand that the honourable member is now quite convinced, as I am, that the Bill as proposed is quite in order.

Regarding the query of the Hon. Mr. Hill, immediately we get into Committee I shall be quite happy to move that progress be reported in order to check on that matter. Although I think I am right in saying that that body is in complete accord with the Bill, I should like to have that fact verified.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—"Board may refuse application for restoration in certain circumstances."

The Hon. C. M. HILL: I think this is about the stage in the Bill where very severe penalties become involved and the real discipline that the measure introduces into this honourable profession becomes effective. Therefore, I think I should ask again whether or not the A.M.A. (South Australian Branch) approves of the Bill and, specifically, of this clause and the clauses that follow. The Minister said he thought the association did approve of the Bill.

I understand also that the Hon. Mr. Springett implied that he had had some contact with the President of the A.M.A. and that his impression was that it did, in fact, agree with the Bill. Therefore, I am quite happy to let the matter go on through Committee. However, I should appreciate it if the Minister would have the matter looked into a little further, and I will raise the matter again on the motion for the third reading.

Clause passed.

Remaining clauses (10 to 25) and title passed.

Bill reported without amendment. Committee's report adopted.

AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 30. Page 1835.)

The Hon. C. M. HILL (Central No. 2): I support the Bill and commend the Government for introducing it. The Bill increases from $6,000 to a maximum of $10,000 the subsidy that can be given to councils and other bodies that provide senior citizens centres and similar establishments. I also commend the Hon. Mr. Russack for the very informative speech he made last week. At present the Commonwealth Government provides a subsidy of up to one-third of the total cost of these centres. So, with the Commonwealth subsidy and the increased State grant, the burden upon councils will not be as great as it once was. This Bill will not result in a large increase, in the aggregate, in Government expenditure. I foreshadow a minor amendment to correct the reference in the principal Act to the City of Whyalla Commission. That commission has now been dispensed with, because local government now exists in Whyalla. The Hon. Mr. Russack asked whether councils would benefit from this Bill in connection with existing senior citizens centres that wish to expand. I believe that the Minister is looking into the matter. Section 3 (1) of the principal Act provides:

> Subject to this Act, the Minister may make a payment to any council or to any body, institution or authority recommended by any such council and approved by the Minister, for the purpose of assisting such council, body, institution or authority to purchase land with or without buildings, to construct or enlarge buildings or to purchase furniture or equipment.

Consequently, the question of enlarging buildings would be covered.

The Hon. A. J. Shard: You are saying that, if a senior citizens centre has already been

built and there are plans to enlarge it, the legislation would apply to it?

The Hon. C. M. HILL: Yes.

The Hon. A. J. Shard: I do not think there is any doubt about it.

The Hon. C. M. HILL: I do not think so, either. Last Saturday the annual inspection of the city of Mitcham was conducted. The Mitcham council kindly invited Government representatives to join in the inspection and travel around the city with council members. Last Saturday we visited two large senior citizens centres, the construction of which has not yet been completed. We closely inspected the centre at Mitcham, and we also viewed the centre at Westbourne Park.

The Minister of Local Government, who was also a guest of the council, was interested in those centres and, in his speech thanking the council on behalf of guests for the occasion, he singled out the manner in which the Mitcham council was caring for aged persons through providing those facilities. Two years ago, during a similar inspection and at a similar moment in his speech at the conclusion of the tour, the Minister made a special point of congratulating the council on its provision of facilities for aged people at Blackwood.

The Hon. D. H. L. Banfield: What is the estimated cost of the Westbourne Park centre?

The Hon. C. M. HILL: It is $55,000, including the value of land and buildings and the architect's fees. The cost of the Mitcham centre is comparable to that of the Westbourne Park centre. That cost does not include the cost of furniture, a stove and other such equipment, which the council estimates will be about $5,000 for each centre. It will be several weeks before each centre is completed. The council has applied for the maximum grant of $6,000 under the principal Act and has received approval for that, of which it is very appreciative.

Furthermore, the council greatly appreciates the service it receives from the Under Secretary (Mr. Isbell) when it makes inquiries about such matters. Mr. Isbell was mentioned very favourably when I spoke to the Town Clerk this morning. There is no doubt that, if the subsidy could be increased to $10,000 for each of the two centres, it would be very much appreciated by the ratepayers, the council and all concerned with the centres. Section 3 (2) of the principal Act provides:

A payment shall not be made under this Act unless the Minister is satisfied that any land, buildings, furniture or equipment to be purchased or constructed is or are intended to be used for the purpose of a club or centre for the provision of physical or mental recreation or welfare services mainly for aged citizens.

I emphasize the words "to be purchased". In the case of the Mitcham council, it seems to me that, as the equipment has not yet been purchased and the buildings have not yet been completed, the council may well fall within this category and benefit from the Bill. Section 3 (4) of the principal Act provides:

The aggregate of all the payments made by the Minister under this Act in respect of any one club or centre shall not exceed $6,000.

The Hon. A. J. Shard: In my opinion, it does not matter whether they get one bite or two bites.

The Hon. C. M. HILL: I am pleased that I have the Chief Secretary's support at this stage. I seek an assurance that in an instance such as the one to which I referred, where construction has not been completed and furnishings have not been purchased, the council involved will be able to apply for the new maximum grant. If it can do so, I will be happy and the Mitcham council will be grateful.

I have been told of a precedent that has been set in relation to that council. The Commonwealth Government's subsidy scheme came into operation before construction of the Blackwood senior citizens home was completed. At that time the council applied to the Commonwealth Government for a grant, and that Government granted its application. I ask that this instance be examined so I can be sure that under the Bill a council in a similar position will benefit. I do not think this is an unreasonable approach to the matter. If this cannot happen under the present scheme, a minor amendment to the Bill may have to be considered.

I commend the Government for its initiative in increasing the maximum amount payable and, although the sum is not a great amount in relation to the Government's overall expenditure, it will help aged citizens, a cause in which we are all interested and want to support as much as possible.

The Hon. D. H. L. BANFIELD secured the adjournment of the debate.

STAMP DUTIES ACT AMENDMENT BILL

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

ADJOURNMENT

At 5.44 p.m. the Council adjourned until Wednesday, October 6, at 2.15 p.m.