LEGISLATIVE COUNCIL

Wednesday, November 3, 1971

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

QUESTIONS

KANGAROO ISLAND FREIGHT RATES

The Hon. M. B. CAMERON: I seek leave to make a short statement before asking a question of the Minister of Lands, representing the Minister of Roads and Transport.

Leave granted.

The Hon. M. B. CAMERON: On October 21 (*Hansard,* page 2395), the Minister of Lands, representing his colleague, in reply to a question I asked about freight rates to Kangaroo Island, said:

The company has, of its own volition, chosen to increase its freight rates. Whilst the concern of the residents of Kangaroo Island is fully appreciated, it must also be acknowledged that the Adelaide Steamship Company is not subject to Government direction in relation to the rates it charges.

The reply then continued with a little propaganda about private enterprise, as follows:

Private enterprise is able to increase its charges without any public hearing.

Following that reply, I asked whether, if the Government purchased the *Troubridge,* it would reduce freight rates by 15 per cent, to bring them back to what they were before the recent increase. In reply to that question, the Minister of Lands said:

My colleague has already said that it is premature to make any statement on the negotiations that may be taking place in this matter.

Since that time the negotiations have been completed, and I believe the Government has purchased the *Troubridge.* Consequently, will the Minister take up again with his colleague the question of reducing the freight rates by 15 per cent, to bring them back to what they were previously and thereby reduce the burden on Kangaroo Island people?

The Hon. A. F. KNEEBONE: Naturally, I will take up the honourable member's question with my colleague but I think the time is still premature because, as I understand it, the Government will not be taking over the *Troubridge* until July 1 of next year.

RURAL RECONSTRUCTION

The Hon. A. M. WHYTE: The Minister of Lands yesterday indicated that today he would have a full statement to make about the conference of the State Ministers of Lands on rural reconstruction held in Melbourne last Friday.

The Hon. A. F. KNEEBONE: I promised the honourable member yesterday that I would bring down today a more detailed reply to his question. I have it with me and it is in these terms. A meeting of State Ministers responsible for the implementation of the Commonwealth Rural Reconstruction Scheme was held in Melbourne on Friday, October 29, 1971. The general purpose of this conference was to review the operations of the Rural Reconstruction Scheme to this stage. It is clear that, in general terms, the policies being pursued by the States in this scheme are consistent. Although there are some differences in detail, the general concept of the scheme is being administered along reasonably uniform lines in both debt reconstruction and farm build-up.

All Ministers expressed reservations about various aspects of the scheme, and particularly the financial provisions at present in force, and decided to seek an immediate review by the Commonwealth. As part of the review, it was decided to ask the Commonwealth to reaffirm the promise made that additional money for rural reconstruction would be made available and that it would be made available as and when required and not over the four-year period presently in force. The conference also resolved that the Commonwealth be asked to agree to withdraw immediately the provision that half the moneys should be spent on debt reconstruction and half on farm build-up. Whilst the States agreed that the 50/50 formula should be deleted, all accepted the principle of farm build-up as an integral and desirable concept in attaining the reconstruction of primary industry in the long term and that this should be encouraged to the greatest practicable extent.

To this end, the Ministers agreed that, to encourage interest in farm build-up, the Commonwealth should be asked to agree to extendi the period of repayment of advances by primary producers from 20 years to a maximum of 30 years. In formulating this proposal, Ministers were conscious that such a change would necessarily involve a compensating relaxation in the terms of repayment by the States to the! Commonwealth. The States also decided to ask the Commonwealth to introduce measures that would give scope for the States to extend temporary relief to primary producers having difficulty in meeting their instalments owing to the impact of price fluctuations, diversification of production, drought, floods, etc. It

is proposed that the States be permitted the option to defer interest and principal repayments to the extent of overdue instalments from the borrower with a limit of 10 such half-yearly instalments, without the accrual of interest. The States felt that such action would provide the means to meet the inevitable difficulties that the circumstances described bring about.

In discussing the financial situation of primary producers, it was generally recognized that there was a need for long-term finance for presently viable primary producers and in the absence of the proposed Commonwealth insurance scheme Ministers decided to ask the Commonwealth urgently to indicate its attitude on this important matter. Experience in this and other States indicates that there is a need for this type of assistance as farmers who are otherwise viable are finding it difficult to obtain long-term finance. The question of schemes to meet specific problems in industries other than the wool and wheat-sheep sectors was discussed. Matters of particular concern to Ministers were the condition of the apple industry in Tasmania, the canning pear industry in Victoria and possibly the dried fruits, citrus and fruit-canning industries in South Australia and elsewhere. In initiating the present scheme, the Commonwealth suggested that action might be necessary to develop separate schemes to meet the difficulties in other agricultural and horticultural industries, and Ministers decided that there should be further consultation between State officers with a view to developing specific proposals, for consideration by Ministers, designed to meet the problems in these industries, as they affect the various States which may be concerned.

The other matter of major consideration concerned the rehabilitation provisions of the present scheme. As honourable members will remember, the scheme provides for loans of up to $1,000 to eligible farmers, that is, in general those farmers and their families or employees who have been refused assistance under the scheme. The conference unanimously decided that the existing provision is inadequate and that the Commonwealth should be asked to review this matter and also the procedures which are presently available to facilitate retraining and resettlement of those farmers who are compelled to leave their holdings.

As a general comment upon the progress of the scheme in this State, it is still a matter of concern that the number of applications which have come forward seems to be proportionately somewhat less in this State than in others. I have, therefore, arranged through the United Farmers and Graziers Association for my officers to address meetings of farmers at Loxton, Kimba, Cowell and Lock in the next few days to explain the purpose and methods of operation of the scheme. Officers will be made available to address similar meetings elsewhere if these can be arranged. However, the number of applications which have been processed and the proportion of those which are successful is favourable when compared with the situation in other States.

ABATTOIRS

The Hon. L. R. HART: I seek leave to make a statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. L. R. HART: Meat producers, particularly lamb producers, throughout South Australia were concerned when they heard recently that the Metropolitan and Export Abattoirs Board had lost its export licence. In reply to a question that I asked yesterday, the Minister said that he hoped soon to be able to notify the Council whether the board had been successful in regaining its export licence. Is the Minister now able to give the Council any further information on this matter, which is of great concern to many people in South Australia?

The Hon. T. M. CASEY: As I indicated yesterday, I hoped to receive via the board a communication from the Department of Primary Industry that the Gepps Cross abattoir would be reinstated on the export abattoirs list as soon as practicable, and I think I said that the matter was probably being considered last Saturday. I am pleased to inform the honourable member that I have received official notification that the Gepps Cross abattoir export licence has been restored, as from last Saturday, October 30.

RED SCALE

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

Leave granted.

The Hon. C. R. STORY: I have asked the Minister several questions recently regarding red scale, and particularly regarding biological control. I understand that the Minister has obtained some information for me. However, I should like him to say in his reply, if he can, whether or not the department intends vigorously to pursue the matter of biological control.

The Hon. T. M. CASEY: The honourable member has asked several questions about red

scale, and the reply I have here covers two of them. I will obtain a reply to his further question and will give it to him when he asks for it later. The request to the Commonwealth Development Bank of Australia for assistance to the Agriculture Department for research on biological control of red scale was not successful, but a similar request shortly afterwards to the Reserve Bank of Australia resulted in $14,400 being provided, an amount which covered a portion only of the estimated cost, and as a result the proposed project is being implemented on a reduced scale. The firm which intends to breed the parasites is Cresco Biological Services, a subsidiary of Cresco Fertilizers, located at Loxton. The firm is doing this on its own initiative, but its technical knowledge on breeding has been gained from advice given by a research officer of the Agriculture Department.

The departmental research on biological control of red scale is far from complete, and the department is not recommending liberation of the particular parasite involved as a complete answer to red scale. It is considered that other assisting parasites will be needed. These are being tested following their introduction from overseas. The Director of Agriculture considers that the general management in the orchard of the first parasite and problems of its population surges have not been solved and require further extensive investigation. When this research is complete, and if, as expected, results are satisfactory, biological control should be less costly than chemical control of red scale. The insectory at Loxton is being extended for this essential research to be carried out.

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

Leave granted.

The Hon. C. R. STORY: Only a few days ago I noticed a press report that Cresco Fertilizers had sold out to or had been taken over by the Wallaroo Mt. Lyell company. Will this have any effect on the research being undertaken into the control of red scale?

The Hon. T. M. CASEY: I heard over the air yesterday morning, I think, that a merger between these fertilizer companies had taken place, but now that the honourable member has raised the matter specifically I will endeavour to find out exactly what the situation is and let him know as soon as possible.

ATOMIC FALL-OUT

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

Leave granted.

The Hon. R. C. DeGARIS: Some time ago the Chief Secretary was good enough to get some information for me on the degree of radioactivity in reservoir water following the nuclear tests in the Pacific area. I believe these tests were done at Bolivar and showed that the level of radioactivity in South Australia following the second test in the Pacific reached 583 *pico curies* a litre, and we have had a full explanation of the meaning of that. Further, rainwater tanks in the area would take the water in at this level. The international standard acceptable is 1,000 *pico curies* a litre. I point out that strontium 90, the main radioactive material, has a half life of 26 years, whereas radio iodine is not as dangerous, with a half life of only eight days. My questions are as follows: in the tests done on reservoir waters, were tests taken from the bottom waters? It is probable that radioactive particles had sunk to the bottom of the reservoir. Secondly, have any tests been taken of rainwater tanks in South Australia in relation to their radioactive level, and can information be made available of the degree of radioactivity detected in the rain in South Australia following the last Pacific test?

The Hon. A. J. SHARD: I shall endeavour to get the information and bring back a report as soon as possible.

CHEMICALS

The Hon. C. R. STORY: A few days ago I asked the Minister what facilities were available within the Agriculture Department, or in South Australia, for testing chemicals used generally in horticulture and horticultural pursuits. Has he a reply?

The Hon. T. M. CASEY: I have gone further than the honourable member has asked, and I have included "most States." In most States, laboratory screenings and field trials are carried out, using the most promising chemicals supplied by manufacturers, to find effective and efficient materials for control purposes. No State department is equipped to test every agricultural chemical or formulation prior to registration. To assist States in evaluating chemicals for registration, a technical committee on agricultural chemicals has been set up under the aegis of the Australian Agricultural Council. The committee has representation from all State Departments of

Agriculture and the Commonwealth Department of Primary Industry.

On the basis of data from manufacturers' trials, published literature and any departmental trials, the committee considers all new chemicals with regard to such matters as efficiency, environmental safety and pesticide residues. Similarly, examination of data is made by the National Health and Medical Research Council for such matters as toxicity, poison scheduling, safety precautions, residue tolerances and withholding periods. All States attach great importance to the recommendations of the Technical Committee on Agricultural Chemicals in deciding on registration of agricultural chemicals under their respective State legislation. In the course of particular research studies the relative efficiency of particular materials and formulations may be compared in the laboratory, but the department is unaware of large-scale routine testing of this nature being conducted anywhere in Australia.

POISON

The Hon. H. K. KEMP: Has the Minister of Agriculture a reply to the question I asked recently regarding the poison 1080?

The Hon. T. M. CASEY: The question dealt with the poisoning of birds with 1080. The Director of Fisheries and Fauna Conservation has informed me that the use of 1080 poison by experienced, responsible and trained officers is a recognized and satisfactory vermin control measure. The Director considers, however, that if this poison is used indiscriminately it can cause deaths of native birds. My colleague, the Minister of Lands, has obtained for me the following information from Lands Department officers:

Extensive field trials have been carried out with 1080 poison on oats with no evidence to show that it is disastrous to seed-eating birds. In one notable instance, 650 miles of poison furrow was laid and, despite intensive searches, no dead birds could be found. At the time, blue bonnet parrots, crested bronzewings, crows, mountain duck and other seed-eating birds were present, and there was no apparent reduction in their numbers. On the other side of the balance, conservationists agree that, by the elimination of rabbits (and hence the effects of selective grazing), the environment will be much more capable of supporting more of our native birds. It is a fact that a new type of poisoned oat has been developed and that one grain is sufficient to kill a rabbit. However, these grains are mixed in a ration of one poisoned grain to more than a hundred unpoisoned.

FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Second reading.

The Hon. H. K. KEMP (Southern): I move:

That this Bill be now read a second time.

In moving this motion I am a little at a loss, because I have been informed today that the Bill, being a hybrid Bill, must be referred to a Select Committee. Consequently, I do not think it is necessary or apposite that I put forward much of the substance of the second reading explanation that I had prepared; that explanation deals with the necessity for some action in this matter. However, it is apposite to state some of the thoughts and advice that have been given to me by many people since this Bill was first suggested.

It is very important to the working of any university that the university itself should, as nearly as possible, have complete autonomy. It would be most inappropriate for there to be outside political control that might limit the development of the university as an institute of higher learning. However, in recent years a need has been apparent to have the university itself solve some of the worries that have obviously contaminated its working. I shall give one or two very good instances. There was the classic case in Tasmania where an academic was in trouble with the law and with the university, but it proved to be beyond the university's powers to discipline that man.

I am sure the University Council, the governing body of the university, is a little uncertain just how far its responsibilities and powers go. Another instance occurred a little while ago, when there was an argument as to whether an academic in this State would receive his professorial salary while he was imprisoned for an offence against the realm; I believe that his salary was continued during his term of imprisonment. We must take extreme care, if we are to have a good university, not to limit the powers of the University Council; rather, we should extend and clarify them and indicate that, in the view of Parliament, the University Council has disciplinary functions that must be accepted. If the University Council fails to accept that responsibility, it is inviting the application of disciplinary measures from outside.

This Bill has been very carefully thought out along these lines. The aim is not to

remove any powers from the University Council whatsoever; rather, the aim is to enforce the powers of the University Council and underline the fact that the council, as the ruling body of the university, must itself accept the function of regulating university affairs not only in connection with students but also in connection with the academic body itself. For that reason the Bill is drafted in its present form.

Clause 2 adds to section 19 of the principal Act, dealing with the management of the university, a provision that the university shall not employ and shall dismiss from employment as a member of the academic staff of the university any person of the type referred to in paragraphs *(a)* and *(b)* of new subsection (2). This is the only way in which we can correct the kind of anomaly that arose from that classic Tasmanian case. The kind of anomaly I am referring to occurs when it is almost impossible for a university to dismiss a member of its academic staff unless there has been a failure in respect to his own duties within his own faculty or (as universities prefer to call it today) his discipline. I do not think there is any need to elaborate on the matter. There must be power to dismiss an academic who has misbehaved.

The question has been raised as to whether new subsection (2) should provide "The university shall not employ and shall dismiss" or whether the matter should be left to the university in even wider terms—"The university may not employ and may dismiss". In the circumstances with which we are faced today I think a little more emphasis needs to be used, instead of leaving the provision entirely permissive. Basically, the aim is to put firmly on the shoulders of the university the need to discipline its own body. In this case "shall" should be used instead of "may".

Clause 2 (2) *(b)* attempts to bring under control the permissiveness that seems to have invaded some of the faculties of the universities of this State. I do not want to go into this in detail because, if this Bill goes to a Select Committee, those people who have submitted so much evidence on this matter will themselves come forward and present it to the committee, probably much more ably than I can; but I do not think there is any doubt in the mind of any thinking person in this State that from the permissiveness that has invaded certain sections of the universities have sprung grave evils, which are growing rapidly in the community today.

I am not referring here only to the fact that there are people working against the stability of the community; it is true that this group of people agrees, too, that extensive permissiveness has occurred, and there has even been advocacy of the use of drugs and of ignoring completely the disciplines that bind the community together.

To me, it is important that this Bill is aimed particularly at that group of people that is undermining our youth by advocating means of change of government that are not according to the law. This is the central and only core to be aimed at at this stage. I should like to see just what the university itself will do in future about bringing these people under control.

Finally, it is necessary to provide power for the Minister to overrule a decision of the University Council where this is necessary for the public good. This is contained in clause 2 (3). There is no doubt that most people of this State are concerned about what is happening to the youth of today.

I hope this Bill will not become a matter of emotional stress and all that sort of rubbish that tend to attach to this type of measure today, but will be allowed to pass through Parliament. I plead with the Government that the Bill be allowed to pass through on non-Party lines, each member voting according to his conscience. Many people throughout the State wish to say that they are concerned and want things brought into line.

The Hon. F. J. POTTER (Central No. 2): I draw the Council's attention to some of the remarks I made yesterday when speaking to the University of Adelaide Act Amendment Bill. This Bill proposes exactly the same type of amendment as the mover proposes to introduce in the Bill dealt with yesterday. This Council should consider referring this matter to a Select Committee. I said yesterday that I still thought that under the terms of our Standing Orders, this being a Bill to amend the Flinders University of South Australia Act, it was in the nature of a hybrid Bill because, as I saw it, the principal Act was a Bill of that nature. This is a somewhat technical matter and perhaps the line between what is a hybrid Bill and what is a non-hybrid Bill is rather blurred. However, the principal Act was a hybrid Bill and, consequently, any amending Act is, too, because the principal Act sets up the university as an autonomous institution, not to be interfered with by the Government. There is

no Ministerial control, nor does the Government in any way come into the administration of the university, although it is acknowledged that under the financial arrangements made between the State and the Commonwealth money is made available to both universities of this State.

But, quite apart from that, whether or not it is technically a Bill that should be referred to a Select Committee, I believe it is a matter that should receive the attention of a Select Committee, both because of the principle involved in the amendment and because of the manner in which, even if the principle is accepted, it should be expressed in any legislation. Already, the Hon. Mr. Kemp has said that perhaps there are some aspects of the wording of the Bill that can be looked at. This matter will greatly concern the university authorities—the University Council itself, the staff associations and other bodies of the university—who will, if this Bill is voted on in this place, have had no opportunity to express their views on it, either for or against. Especially is this a Bill where they should be entitled to air their views, as indeed should those members of the public who consider that a case should be made either for or against the proposal. Consequently, although I am no great lover of Select Committees (I think I said when the last Select Committee was appointed in this Chamber that I hoped I would not be a member of another one) I cannot see that this is other than a textbook case of a Bill that should go to a Select Committee.

Therefore, I do not propose at this stage to express any view on the merits of the Bill; that should be left to a later stage. If the *Bill* passes its second reading, I shall move that Standing Orders be suspended for the purpose of referring it to a Select Committee.

The Hon. R. C. DeGARIS (Leader of the Opposition): I do not wish to deal with the subject matter of this Bill but I wish to take up the point, raised by the Hon. Mr. Potter, that it should be referred to a Select Committee. I am unable to determine whether or not this is a hybrid Bill. That is an academic exercise, and possibly long arguments could be advanced on this matter. I realize that last year the Council passed the University of Adelaide Bill, which was not referred to a Select Committee.

The Hon. Sir Arthur Rymill: Would you explain in simple terms what is a hybrid Bill?

The Hon. R. C. DeGARIS: Although I could probably do so, I think the honourable member is as able as I am to read the definitions that are available, one of which is Blackmore's definition. As I understand it, a hybrid Bill is a Bill which is passed by Parliament but which deals with matters over which Parliament has no control once it is passed.

The Hon. A. J. Shard: And which only affects a small section of the community.

The Hon. R. C. DeGARIS: That is as I understand it. Having examined this matter this morning, I believe this may be a hybrid Bill.

The Hon. Sir Arthur Rymill: Why is it called "hybrid"?

The Hon. R. C. DeGARIS: I suppose for the same reason as a mule is called "hybrid". I support entirely the contention that the Bill should be referred to a Select Committee. Indeed, I will go a step further and say that it should possibly be referred to a Select Committee for report whether or not it is a hybrid Bill. I understand that the Hon. Mr. Potter is to move at the conclusion of the second reading debate that the Bill be referred to a Select Committee, and I will support that motion.

The Hon. T. M. CASEY (Minister of Agriculture): In reply, I should like to clarify my position. First, like the Hon. Mr. DeGaris, I cannot decide whether or not this is a hybrid Bill. If the Hon. Sir Arthur Rymill can throw some light on the matter, I shall be delighted to hear him. Earlier this year the Council had before it a Bill, in relation to which a similar amendment was moved, and which, having been debated and put to the vote, was defeated. At no stage during the course of that previous debate was it suggested that the measure be referred to a Select Committee.

The Hon. H. K. Kemp: That's true.

The Hon. T. M. CASEY: There was no mention of its being a hybrid Bill.

The Hon. F. J. Potter: We might have been wrong then.

The Hon. T. M. CASEY: Let us be honest about the matter; the honourable member who introduced the measure said that there should be no outside political control. I believe that this attempt to set up a Select Committee is a political move, which defeats the whole argument of the Hon. Mr. Kemp, namely, that Parliament should not interfere with the university council's freedom to employ the persons it regards as suitable for various

positions. I think this is referred to broadly as academic freedom. Although I have never been a university student, I believe there is a golden rule within the universities that one should not attempt to interfere with their academic freedom. Indeed, I think the universities guard this principle dearly indeed.

Members interjecting:

The Hon. T. M. CASEY: This is where politics get mixed up in the matter. I will not serve on a Select Committee of this kind, as I believe that the suggestion to refer the Bill to a Select Committee is a political move initiated by this Chamber when it discussed another measure earlier this year. It would be a retrograde step at this stage to do this sort of thing when the matter should be debated and voted upon, as the honourable member who introduced it suggested should happen. He suggested that the measure should be debated fully in Parliament and that a vote be taken on it. However, he does not want to do it that way at all.

The Hon. H. K. Kemp: I didn't say that.

The Hon. T. M. CASEY: The honourable member did say that. He said he hoped that the matter would be debated fully in Parliament. Once the measure is referred to a Select Committee it becomes a different kettle of fish. For that reason, I oppose the suggestion that the matter be referred to a Select Committee. If Parliament cannot decide this matter, there are plenty of people outside who can talk to and put their views to members, without our referring the matter to a Select Committee. There is no problem in this respect. Once Parliament starts to interfere with the university council, there will be no end to the matter. What will we do next: introduce some other measure merely because a person is of a different colour, creed, size or race? It is all wrong, and I will oppose such a motion. As I have said, I will not serve as a member of such a Select Committee.

Bill read a second time.

The Hon. F. J. POTTER moved:

That Standing Orders be so far suspended as to enable a motion to be moved that this Bill be referred to a Select Committee.

The PRESIDENT: The question is that the motion be agreed to. For the question say "Aye", against say "No". There being a dissentient voice, I am obliged to ask the Council to divide in order to ascertain whether there is an absolute majority.

The Council divided on the motion:

Ayes (14)—The Hons. Jessie Cooper, M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, L. R. Hart, C. M. Hill, H. K. Kemp, F. J. Potter (teller), E. K. Russack, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (5)—The Hons. D. H. L. Banfield, T. M. Casey (teller), M. B. Cameron, A. F. Kneebone, and A. J. Shard.

Majority of 9 for the Ayes.

Motion thus carried.

The Hon. F. J. POTTER moved:

That the Bill be referred to a Select Committee.

Motion carried.

The Hon. F. J. POTTER: I move:

That the Select Committee comprise the Hons. R. A. Geddes, H. K. Kemp, F. J. Potter, V. G. Springett, and C. R. Story.

These five members have been selected by me and by arrangement with my colleagues because the Minister, in the second reading debate, indicated that he did not wish to sit on the committee, and I understand that that is the situation concerning all members of the Government Party in this Chamber.

Motion carried.

The Hon. F. J. POTTER moved:

That the Select Committee have power to send for persons, papers and records and to adjourn from place to place; the committee to report on Wednesday, November 24.

Motion carried.

RECLAIMED WATER

Adjourned debate on the motion of the Hon. H. K. Kemp:

That, in the opinion of this Council, the Government should give urgent attention to the immediate release of reclaimed water from the Bolivar treatment works for the replacement of underground water suppiles in Virginia and adjacent districts.

(Continued from October 27. Page 2506.)

The Hon. L. R. HART (Midland): We have heard time and time again that South Australia is the driest State in the driest continent in the world. Therefore, is it any wonder that when visitors come here from overseas they are amazed when they learn that we allow reclaimed water to run to waste at a rate in excess of l,000,000gall. an hour every day of the year. What further puzzles those people is that we allow this state of affairs to continue when similar reclaimed water has been used for certain irrigation purposes in their own countries for up to and even more than 50 years.

Members on this side of the Council have been deeply concerned for a long time that these huge quantities of reclaimed water should be allowed continually to go to waste. We

are not trying to make political capital out of the present situation; we sincerely hope that the Government is endeavouring to rectify the position. However, we have drawn the attention of both this Government and the previous Government to this state of affairs over a long time.

I think I have made more speeches on this subject than I have on any other subject since I first entered this Chamber in 1962. On looking back through *Hansard* I found that I debated this subject in depth as far back as May, 1965, in my Address in Reply speech. Furthermore, what I said on that and on subsequent occasions is still relevant today. However, there is always some new aspect that one can touch on.

Today I shall deal with the uses to which reclaimed water is put in this State and the uses to which it is put in oversea countries. At the outset, we must assume that the treatment works at Bolivar are among the most modern in the world. At the same time, one wonders whether the system used for reclamation is very far ahead of that being employed at other less modern works in the world or even in Australia. The type of plant at Bolivar differs from that at Glenelg and Port Adelaide. The Public Works Committee was told:

It appears possible to build a simpler form of works at Bolivar which, though requiring very much more area, will produce an equally safe effluent. Such a plant would also be very much less susceptible to changes in sewage characteristics brought about by trade wastes, synthetic detergents, etc. The time factor would be very much different, and what is accomplished in hours at, say, Glenelg, would take days at Bolivar with such a plant. At Glenelg, big quantities of power are necessary to compress air and, in turn, blow it into the sewage in order to provide the oxygen required for such an accelerated biological process. At Boliver this same oxygen would need to be obtained very much more slowly from the atmosphere and from the photosynthetic oxygenation of green algae. Such microscopic organisms need favourable climatic conditions as regards light, temperature, humidity, wind, rainfall, etc., and so such a plant is only possible where climatic conditions are favourable.

On the basis of this information we must assume that the quality of the effluent at Bolivar is equal to, but not necessarily superior to, that at the Glenelg and Port Adelaide works. It is at this point that the issue becomes somewhat clouded by what one could term contradictions. The Minister of Agriculture, representing the Minister of Works, said in this Chamber on July 21 last (I quote from page 196 of *Hansard*):

A scheme to provide for reticulation of Bolivar effluent throughout the Virginia area poses special problems. The Government has authorized the major study by the Agriculture and Mines Departments to determine what problems irrigation with this water would cause. It is expected that the cost of the study will exceed $100,000.

So we see there is a suggestion of some difficulties in using the Bolivar effluent water.

Let us look at the situation at Glenelg, where the works probably uses a slightly different system, a works not necessarily as modern as that at Bolivar. Effluent from the Glenelg works has been used for irrigation purposes for up to 10 years. The salinity of that effluent is about 1700 parts a million, whereas salinity from the Bolivar effluent is in the vicinity of 1600 parts a million, and that is the maximum salinity. On that score, therefore, we find greater salinity in the effluent from the Glenelg works than from the Bolivar works.

Honourable members may be interested to hear what was contained in an item in the *South Australian Information Bulletin* on February 24, 1971. This was inserted by the E. & W.S. Department and reads:

Water reclaimed at the Glenelg sewage treatment works has been used over a period of years for maintaining grassed areas developed by the West Beach Recreation Reserve Trust and the Glenelg Corporation, up to 3,000,000gall. a day being supplied to these authorities. In 1970 the Government approved a scheme to cost $297,000 to provide a supply of up to 5,700,000galls. a day to the Adelaide Airport, Kooyonga and Glenelg golf clubs, Lockleys oval and the Lockleys school. Construction is currently in progress on the works which comprise pumping and storage facilities and pipelines up to 30in. in diameter.

The water from Glenelg is to be used more extensively than over the past 10 years. There is no suggestion of any danger associated with its use, no suggestion that its salinity could cause problems, nor any suggestion that there is a health hazard attached to its use. Not only do we see that water from the Glenelg treatment works can be used for irrigation purposes, but it is even used to irrigate lawns around a school. We all know the situation where grass is grown around schools. No doubt children will pick pieces of the grass and chew them, and if there is a health hazard then surely this is a risk.

On March 13, 1971, we were told that treated sewage effluent might be discharged into streams feeding into the Mount Bold

reservoir. Mr. Beaney, Director and Engineer-in-Chief of the E. & W.S. Department, said if this happened the effluent would first be rendered absolutely safe. It was only one of several proposals for the disposal of the effluent, but he would give no details of the others. The effluent would be from hundreds of houses in or near the Adelaide Hills catchment area at present served by septic tank systems. So we have the situation that the effluent from schemes in the Adelaide Hills could be rendered perfectly safe and could be discharged into metropolitan reservoirs, yet when we suggest that water from the Bolivar works should be used for certain irrigation purposes we are told this cannot be done until a study in depth is made, and this study could cost more than $100,000.

We look a little further. We go overseas to see what is done in relation to effluent in some of the oversea countries. First, we journey to Santee, California, where we find that treated effluent from the sewage works at Santee is used for swimming facilities. It is reclaimed and placed in recreational lakes; people boat in it, fish in it and indeed swim in it. I have before me the final report of the United States Department of the Interior dealing in the main with the Santee recreation project. It says in part:

The Santee recreation project has demonstrated the feasibility and social acceptability of using water reclaimed from sewage as a supply for recreational lakes. The study has further determined that, under the treatment provided at Santee, the recreational lake waters were free of measurable virus concentrations, even though virus isolations were made from all samples of raw sewage and from 95 per cent of the samples of secondary effluent. Under additional treatment to meet the water quality standards of outdoor swimming pools the reclaimed water was used safely for swimming. The public acceptance of this swimming programme by more than 3,200 registrants has focused national attention on the project. The study also demonstrated that nutrients can be controlled to create a balanced producer-consumer chain that supports seven species of fish.

So we see here again that in one of the oversea countries the sewage effluent can be treated and that people can swim in it and have body contact with it. One assumes that sewage the world over is very similar, particularly where human waste is concerned.

Again, we find that at Glenelg it can be treated and used for irrigation. In the Adelaide Hills it can be treated and rendered absolutely safe and put into the domestic water supply system. At Santee, California, people can swim in it, yet when it comes to Bolivar, one of the most modernworks in the world, we find that the water cannot even be properly treated. This is borne out in a reply from the Minister of Works given in this Chamber on March 18, 1971. The Minister of Agriculture, representing the Minister of Works, said:

Effluent at Bolivar cannot be fully protected simply by chlorination, owing to the masking effect of organic fibres contained in effluent.

But the effluent from the Glenelg treatment works can be chlorinated, and I assume that the effluent from the treatment works in the Adelaide Hills can be chlorinated, if it is to be put into the domestic water supply system. Further, the effluent from the treatment works in California can be chlorinated, yet the effluent from the Bolivar treatment works cannot be chlorinated, "owing to the masking effect of organic fibres contained in effluent". If there are any organic fibres in the effluent, surely there is a way of eliminating them: they are eliminated from effluent in other treatment works. What special conditions are there at Bolivar that make it impossible to eliminate organic fibres from the effluent there? There are two ways of getting rid of organic fibres—by settlement and by putting the water through a gravel bed. I wish to illustrate how settlement takes place. I have two bottles of water.

The PRESIDENT: Order! The honourable member cannot bring exhibits into the Chamber.

The Hon. L. R. HART: I could give honourable members illustrations—

The Hon. T. M. Casey: Do you want to do hand springs?

The Hon. L. R. HART: —where the effluent is as clear as any tap water.

The Hon. T. M. Casey: I agree with that.

The Hon. L. R. HART: What I have said can be proved by observing settlement.

The Hon. R. C. DeGaris: I think it is time the honourable member had a drink

The Hon. L. R. HART: Let not honourable members have any doubts about this matter.

The Hon. R. C. DeGaris: You could get rid of the exhibit.

The Hon. L. R. HART: If the Minister of Agriculture has any doubts about the quality of the water, he can easily satisfy himself.

The Hon. T. M. Casey: What is wrong with the Leader of the Opposition? He made the interjection.

The Hon. L. R. HART: If anyone thinks that water from the Glenelg treatment works is not drunk by human beings, he does not know what the situation is.

The Hon. T. M. Casey: He does not know what he is missing.

The Hon. L. R. HART: In California the water is cleared of any sediment by being put through a gravel bed, the minimum length of which is about 400yds. Surely we can treat water in that way in South Australia. Surely it can be chlorinated to make it safe for many purposes. The sum of $I00,000 is to be spent to ensure that the water is safe. The experiment should have been started in 1966, when the Bolivar scheme was first reported on by a committee of inquiry into the utilization of effluent from the Bolivar Sewage Treatment Works. That committee recommended that an experimental 80-acre farm, costing $110,000, be set up within a one-mile radius of the effluent outfall channel. The total annual running costs were estimated to be about $34,600.

The Government is to spend $100,000 now to look into the question but, if we had spent the same sum in 1966, we would probably have the answer by now. Fortunately, the Munno Para District Council was awake to the situation, as it started an experimental garden on July 24, 1968, which has been very successful. Have the supposed dangers that may result from using Bolivar effluent been recognized all along, or are there new fears that have resulted from changes in personnel in Government departments? If the dangers have been known all along, how is it that on October 31, 1967, Mr. Beaney was reported as follows:

The first supplies of effluent water from the Bolivar Sewage Treatment Works would probably be available early next year . . . He said the Government was not planning to set up an irrigation area itself but intended to make the water available for private development. The water is there and people just have to take it, he said.

In 1956 the then Director-General of Public Health said:

In general, the use of the effluent is to be encouraged, so long as proper care is taken. Vegetables that should not be grown with it are those that are eaten raw from the ground. The most important are lettuce, radishes and endive. It is reasonable to grow capsicums, provided watering is done by furrows and not overhead spray and that washing under the tap before cutting up is done. There is no need to restrict the growing of vegetables that are cooked before use. Cabbage, cauliflowers, root vegetables, beans, peas and eggplant come in that category. For fruit trees, of course, the effluent may be used with advantage.

In November, 1969, the successor to the previous Director-General of Public Health said:

Following consultation with the Department of Agriculture and the Engineering and Water Supply Department, some bacteriological work and virus studies have been done on vegetables watered during the growing period with effluent from the Bolivar treatment works. These vegetables were grown on an experimental basis on land made available by the Copanapra Pastoral Company Proprietary Limited—

that is the experimental farm that I referred to that was set up by the Munno Para council—

The Engineering and Water Supply Department adopted the policy that the effluent should not be used for the growing of vegetables which may be eaten in their raw state but, as it was considered that this was a public health matter, the opinion of this department was sought. These tests have indicated bacterial contamination of root crops similar to crops grown without effluent, and a very satisfactory condition for flood or channel irrigated tomatoes, with no evidence of viral contamination.

That makes the attitude of the Public Health Department very clear. To make it possible for people to use reclaimed water, a contract form was drawn up. However, until the present time only one user has signed the contract. This is mainly because of the restrictive conditions laid down in the contract. Property Management Proprietary Limited, the company that has signed the contract, is at present using about l,200gall. of the effluent an hour. Of course, that is only a mere trickle compared with the l,000,000gall. an hour going to waste. It is using it exclusively on vines and almonds. I have been informed by the company management that it is not using any fertilizers whatever. Its main fear is that eventually it may have an excess nitrogen build-up. That proves some of the beneficial side effects coming from the use of effluent.

I ask the Minister of Works whether this company, when it signed the contract, was advised of the dangers associated with this effluent water. I understand that it was not advised of the dangers associated with the use of this water or that there could be salinity problems or a health risk. I think it was the Hon. Mr. Dawkins who canvassed the suggestion that possibly the Irrigation of Private Property Act, 1939-1958, should be amended to allow the people of the Virginia area to form themselves into an irrigation trust so that a properly constituted body could contract to take and distribute the reclaimed

water in accordance with the conditions laid down in the contract.

I know that the people in that area are keen to do this but I am concerned to know whether, such a trust having been formed, the Government will allow it to take the water even under the conditions laid down in the contract. I ask this in the knowledge that the Minister of Agriculture, representing the Minister of Works, said on July 21:

I think every honourable member is most concerned about the situation at Virginia, but it is important that we know all the facts before we use this water from Bolivar willy-nilly, only to find that we shall be in a situation later where it will cost an enormous amount of money to rectify the position. No Government would be right in the head merely to go along and use this water willy-nilly, not knowing exactly where it was going.

The Government should come clean and say where it really stands on allowing people to take and use this water. Do not let us forget that Mr. Beaney back in 1967 said that the water was there and all that had to happen was that people should come along and just take it. A member of the Government, preferably the Minister of Agriculture, should speak in this debate and answer many of the questions that have been raised.

The Hon. R. C. DeGaris: Hear, hear!

The Hon. L. R. HART: He should tell the Council of any scheme in connection with this area. He should say how keen the Government is to have this water used.

The Hon. C. M. Hill: They gagged you when you were on your feet the last time on this matter.

The Hon. D. H. L. Banfield: Now they will not let him have a drink!

The Hon. L. R. HART: I believe the Government is keen to use this water but it cannot quite make up its mind how to use it.

The Hon. A. J. Shard: It wants to be dead sure before it acts.

The Hon. L. R. HART: It was dead sure about spending $290,000 last year on the use of the Glenelg sewage treatment water for irrigation purposes; it was dead sure about that. It was dead sure when it was going to make the effluent from the Adelaide Hills perfectly safe to be put into the domestic water supply; but, when we want to use reclaimed water from the Bolivar treatment works for the growing of certain vegetables (to which approval has been given by the Health Department), it is not too sure whether that can be done. It takes $100,000 to prove whether or not it can be done safely.

The Hon. T. M. Casey: If you were given the responsibility of making a decision, would you say "Yes" or "No"?

The Hon. L. R. HART: If I had had as much information available to me as the Minister of Agriculture has, I would probably have said "Yes" three years ago; but he was not the Minister then.

The Hon. T. M. Casey: You say "probably"; you are not too sure.

The Hon. L. R. HART: Anyway, that was a hypothetical question.

The Hon. A. J. Shard: When things are different, they are not the same.

The Hon. R. C. DeGaris: Is this water being used anywhere at present?

The Hon. L. R. HART: That is the point; it has been used for the growing of vegetables since July 24, 1968, on the same piece of ground, and on one of the worst pieces of ground in the area. It has been used also for the growing of vines and almond trees by the company I mentioned just now. The water has been available there for anyone who liked to take it and use it for any purpose other than the growing of salad vegetables. It is available for this purpose.

The Hon. T. M. Casey: Would you use it if you were in that area?

The PRESIDENT: Order!

The Hon. L. R. HART: I should like to have the opportunity of using it.

The Hon. D. H. L. Banfield: But would you use it?

The PRESIDENT: Order!

The Hon. T. M. Casey: Would you encourage other people to use it?

The PRESIDENT: Order!

The Hon. L. R. HART: I suggested that the Minister should make a speech on this motion.

The Hon. T. M. Casey: He will.

The Hon. L. R. HART: But in his own time, not by interjection. I should also like to know how it is intended to conduct soil tests.

The Hon. T. M. Casey: They have been conducted.

The Hon. L. R. HART: One reason why the survey has been approved by the Government is the conducting of soil tests. There are varying soils throughout the area, of course, and there are various methods of irrigation. There are orchards and vineyards at present with vines and almond trees that are receiving a constant watering on the same area under a drip watering system. As against that, there is the watering of vegetables in open garden areas and glasshouses. These areas are alternated from year to year. After four or five

years the gardener shifts his glasshouses to another area, so he is not applying the same amount of water to the same area year after year. Even if there is a slight build-up of salinity in these areas, that can probably be overcome by the substitution of bore water for effluent water. If we use the effluent water, we must thereby preserve the underground basin; so possibly there would be a build-up in the underground basin which would permit the use of bore water every year or two on certain areas.

Then we have the red herring drawn across the trail that after a few years a drainage system may have to be installed. We require drainage only when there is a water table build-up. We have been watering in this area with bore water for the last 20-odd years, and there is no water table build-up at all; so what is the purpose of putting in drains? There is no need to put in drainage if there is a mere build-up of salinity near the soil surface; drainage does not help in that case. There is no great risk in this build-up. There may be some salinity build-up in the use of bore water but if we garden according to normal practices and adopt a patchwork garden pattern, then I am sure that any build-up of salinity will be dissipated during the years when vegetables are not grown on that land.

At the present time there is in South Australia a person of world repute—Professor D. S. Goldberg, from Israel. He has been brought to Australia by commercial interests in the plastics industry. A Professor of Irrigation at the Hebrew University of Jerusalem, and the person who developed the drip-feed irrigation system, Professor Goldberg is an authority not only on that system but he also has knowledge of the use of effluent water for irrigation purposes. When I refer to "effluent water", I do not mean treated effluent, as the people in Israel irrigate with raw sewage. If they can do that, surely we should be able to use some of our treated water for similar purposes. I therefore hope that the Government will take the advantage of conferring with Professor Goldberg while he is here.

We have heard much about the pollution of the sea bed at the outlet channels of both the Bolivar and the Glenelg treatment works. Some people have made some devastating remarks about the effect of this enriched effluent flowing into these areas and denuding them of marine growth. This is nothing new. Indeed, I think I referred to the possibility of this happening as far back as 1965. Also, the Engineering and Water Supply Department is aware of the possibility of this happening. If one examines the evidence given to the Public Works Standing Committee in relation to this matter, one can see it was stated that the discharge point at Fork Creek (the discharge point for Bolivar effluent) is sufficiently far north to be relatively free from the estuarine influences that exist in St. Kilda. Because of these influences, unregulated discharge of the effluent at St. Kilda could have the effect of reducing the oxygen content of the sea water to a point where marine life, including fish, would not survive and, because of the high oxygen demand of the decomposing bottom muds, objectionable conditions could develop.

On the basis of that evidence, it was known that it was unsafe to discharge this effluent in the St. Kilda area and that it would be necessary to take it farther north. On that basis, it was realized that the discharge of this effluent would have a detrimental effect on marine growth in the area. It is all very well for the Minister of Works to say that he does not know whether the effluent is the cause of this problem, because we have no evidence of what the previous situation was. However, aerial photographs are available to show what the sea bed has looked like at various times over the last 10 years. The fishermen who frequent these areas are able to tell whether the areas that are being denuded of marine growth are getting larger. I do not think there is any doubt that this denudation is being caused by effluent, as I think it has been well established that the discharge of effluent off the coast is having this effect. We are losing not only marine growth but also natural habitats of fish and crabs, and cabbage weed is growing profusely on the outskirts of these areas. The leaves of the cabbage weed, which are shed in the ocean, are finding their way on to the various beaches and are fouling the propellers of fishing craft.

The Hon. T. M. Casey: Is the cabbage weed caused by effluent?

The Hon. L. R. HART: It is prompted by effluent. That is what people who know something about the matter have said.

The Hon. C. R. Story: Has the honourable member got any proof of that?

The Hon. L. R. HART: Dr. H. B. S. Womersley, Reader in Botany at the University of Adelaide will confirm this. If the Minister wants any information on this matter, he should talk to Dr. Womersley.

The Hon. T. M. Casey: I want you to tell me.

The Hon. L. R. HART: I consulted Dr. Womersley, and I am pleased I did so, because I can tell the Minister what the situation is, as I was asked to do. When one considers all the evidence that has accumulated since as far back as 1956, when this matter was first examined, and in recent years since the works have been in operation, one cannot see why there has been a delay in using effluent from the Bolivar treatment works. One might ask whether this delay is justified in view of the evidence that is available in relation to other treatment works. Is it because the Bolivar works are not functioning as they were meant to, or because they were designed badly initially and the design should have been different from what it is? Only a person such as the Minister can answer these questions. I therefore ask him to say where the Government stands on this matter. It is no good the people of Virginia forming an irrigation trust at great expense to themselves if they are to find in a year or two that they cannot use this water. These people, who want guidance, which they can only obtain from the Government, are being led up a blind alley. I have pleasure in supporting the motion.

The Hon. E. K. RUSSACK secured the adjournment of the debate.

ROAD TRAFFIC ACT AMENDMENT BILL (SEAT BELTS)

The House of Assembly requested a conference, at which it would be represented by five managers, on the Legislative Council's alternative amendment to which it had disagreed.

The Legislative Council granted a conference, to be held in the Legislative Council conference room at 7.30 p.m., at which it would be represented by the Hons. M. B. Cameron, R. A. Geddes, C. M. Hill, A. F. Kneebone, and A. J. Shard.

Later:

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

That Standing Orders be so far suspended as to enable the conference on the Road Traffic Act Amendment Bill to be held during the adjournment of the Council and the managers to report the results thereof forthwith at the next sitting of the Council.

Motion carried.

BUILDING REGULATIONS

Adjourned debate on the motion of the Hon. R. C. DeGaris:

(For wording of motion, see page 860.)

(Continued from October 27. Page 2507.)

The Hon. D. H. L. BANFIELD (Central No. 1): I oppose the motion. I do not think the Leader of the Opposition would be surprised to hear me say that. I do so because I believe the regulations, if correctly implemented, will be in the best interests of the public and the building industry generally. I venture to say that probably not one honourable member of this Council has not been approached by some of his constituents regarding shoddy workmanship within the building industry with which members of the public have had to contend for many years without having redress for losses incurred.

The Hon. R. C. DeGaris: There is plenty of redress under the regulations.

The Hon. D. H. L. BANFIELD: At least the builder can be brought to heel and can lose his licence. That is not to say that the public has any redress under these regulations, but at least the builder will realize that he dare not step out of line, because his livelihood is at stake. He will improve his workmanship if he is likely to have his livelihood taken away, so in the long run the public must benefit because of these regulations.

The Hon. R. C. DeGaris: You speak of redress to the person affected.

The Hon. D. H. L. BANFIELD: I am saying that it may not be necessary for the public to have such redress, because if the builder realizes that his livelihood may be taken away he will improve his workmanship. We all know that the genuine builder has nothing to fear by the implementation of these regulations. I am surprised at the action of those members who support this motion, because the only people they are protecting are those in the community who are fly-by-nighters or those who have something to hide. Rather than protect the general public from these types, it seems that some members prefer to look after the interests of these shady customers, and those members will have to accept the responsibility for their action.

These regulations were drawn up by an advisory committee that consisted of people from all parts of the industry, and included employers and employees. They were not drawn up by the trade unions, as has been implied by several members who, for some reason, like to think that because they were drawn up by the trade union movement there would be something wrong with them. The regulations were drawn up by representatives of the industry, and I believe that this committee gave this matter more thought than has been given to it by some members of this

Chamber. I was interested when the Hon. Mr. Geddes concluded his speech by saying that he would vote in favour of the motion unless he received satisfactory replies to his questions. I believe that the voting may be close, and I do not want to lose the vote of the honourable member. As the Minister has already spoken in this debate, he is unable to reply to these questions and he has asked me to perform that task. The Hon. Mr. Geddes asked why builders should be liable to supply names and addresses of all persons working on their behalf; and why some persons should have to serve eight years to obtain certain licences.

In reply to his first question (re regulation 17 (1)), it is pointed out that section 29j of the Act authorizes a regulation "requiring the holders of licences (or councils) to furnish the board at such time or times as may be prescribed with such returns or information as may be prescribed". The board believes it is necessary to be able to find out the names of subcontractors who carry out work performed in an unsatisfactory manner. Whilst the board will always hold the principal contractor liable to remedy faults, it will also need to take up the matter of the standard of poor workmanship with licensed subcontractors, with a view to warning them or moving to suspend or cancel the subcontractor's licence if that is warranted.

If this regulation is disallowed, a contractor holding a general licence could refuse to say who the subcontractor was in a case under investigation, and the board would have no legal way to discipline the unknown holder of the restricted builder's licence or even to ascertain if an unlicensed subcontractor had been used. The builder might pretend the unlicensed subcontractor was a workman on wages and refuse to give his name. The board has used this provision only once since licensing came into force, and it is not expected that it will be needed frequently. Nevertheless, it is a useful tool in the administration of the Act. The information gathered would be confidential and would certainly not be disclosed to outside interests.

I thought that the second question was adequately covered in the Hon. Mr. Kneebone's speech. The periods of training set out in the guide to applicants do not form part of the regulations: the guide is merely a non-legal expression of the board's intent, and just as the board has used its discretionary powers on other matters, so too will it consider each application for a restricted licence on its merits. If, for example, a man in Melrose wants a carpenter and joiner's licence, the board will certainly take into account the need to service a remote area. Such a consideration has frequently been allowed in the past and will continue to be allowed in the future.

The Hon. Mr. Kneebone correctly pointed out that a youth who serves an apprenticeship of five years will need merely to serve an additional two years to qualify for a subcontractor's licence in the major trades, for which seven years is specified. If he left school at 15 years of age, he may be a subcontractor at 22. If he did not serve an apprenticeship, an extra year will be required, but that is not unreasonable. The regulations have now been operating successfully for some time and, as at the middle of last month, the board had approved the issue of 3,839 licences for general builders and large subcontractors in particular trades. In the restricted field, 5,823 applications had been approved.

The Hon. H. K. Kemp: There are supposed to be only 600 builders here.

The Hon. D. H. L. BANFIELD: Many people have been licensed, so it seems that the board is not being too hard: at least there have been 3,839 licences granted up to the middle of last month.

The Hon. H. K. Kemp: That sounds funny.

The Hon. D. H. L. BANFIELD: It may be from the point of view of someone who wants to disallow the regulations and allow all and sundry into the trade. Perhaps the honourable member could build a house in his spare time whilst a Select Committee is sitting. I do not know his ideas, except that he does not like the regulations.

The Hon. H. K. Kemp: I am on record as having approved of the regulations.

The Hon. D. H. L. BANFIELD: I humbly apologize to the honourable member, as I do not wish to lose his vote: I hope the honourable member will remain on my side when the vote is taken.

The Hon. C. M. Hill: I think the larger number includes restricted licences.

The Hon. D. H. L. BANFIELD: A total of 5,823 restricted licences has been issued and 3,839 licences have been issued for general builders. Together, almost 10,000 licences have been issued, and this shows that people generally accept the fact that they can work under the regulations without any worry. These 10,000 people are not worried about the fact that they had to be licensed, and it is true to say that only a small number of people have grievances against the regulations. I

believe the only reason for these grievances is the fact that they cannot get away with what they have been doing in the past. For these reasons, I oppose the motion.

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

CIGARETTES (LABELLING) BILL

Adjourned debate on second reading.

(Continued from October 27. Page 2508.)

The Hon. D. H. L. BANFIELD (Central No. 1): I am grateful to the Hon. Mr. Springett for the alarming statistics he gave, when he introduced this measure, concerning the damage that can be caused by cigarette smoking. He pointed out that the incidence of deaths registered in Australia caused by lung cancer had risen from 1,606 in 1960 to 3,108 in 1969, and that, indeed, is an alarming increase. No doubt the medical profession is most concerned to impress on people the dangers of cigarette smoking. Some people have wondered why the profession has concentrated on cigarettes and has not concerned itself with other types of tobacco smoking. There is still a danger to those people who smoke a pipe. The more they smoke, the greater the danger to those who are trying to give up the filthy habit of smoking pipes or even cigars.

The Hon. C. R. Story: What a peculiar shaped halo you have.

The Hon. D. H. L. BANFIELD: I try to look after my body and soul in the best way I can. Whether or not I read the warning on the packet, I would not smoke, because it makes me ill.

The purpose of the Bill is to give the people of South Australia a right to be warned, every time they look at a cigarette packet, of the risks involved in smoking. However, I suggest that people should be warned prior to the handling of the packet. Night after night, day after day, we watch advertisements on television telling us that when only the best will do we should have a certain type of cigarette. Other advertisements tell us we can enjoy ourselves only by smoking certain other brands. Without doubt, the young people must be affected by this. There is no point in trying to save those who are already hooked. One often sees a member of the medical profession (many members of which say people should be warned against cigarette smoking, while others say it should not be indulged in in any way), with his hands in his pockets, finding a packet of cigarettes and waiting for an opportunity to have a draw. I know they are hooked, and at that stage they cannot get away from it, try as they may.

The only people who will be affected by the provisions of this Bill are those who have not already taken up smoking. If young people are enticed into taking up the habit as a result of the T.V. advertisements, I suggest they would not even see the packet the first time they try a cigarette. At a party, or at some other place, someone will bring out a packet of cigarettes, they will be passed around, and someone will suggest the young person tries a cigarette. The box is open, the cigarette comes out, and the young person does not even take the box into his own hands. It would not matter what warning was on the packet, for there is every possibility that the person about to take his first cigarette would not even see it.

The Bill does not go nearly far enough towards giving proper warning to people who are likely to become hooked in the smoking habit. However, it is a start, and even if it means that at some stage a person will read the warning (and I do not suggest people will read it every time they take out a packet of cigarettes), if they cut down even a little bit in their smoking that would in some way lessen the danger of lung cancer. It is only for that reason that I support the Bill. I do not think it will greatly affect those who are already smoking; I doubt that it goes far enough. By the time a person has reached the stage of handling cigarettes fairly often the warning is too late. However, if it saves the life of one person, then it has achieved its objective. The Hon. Mr. Springett pointed out the high percentage of smokers amongst 15-year-old boys and girls. If they have started at that age, I suggest that they will continue for the rest of their lives, and I do not see that the warning will in any way affect them.

The legislation is not to come into operation until similar measures have been enacted in three other States. I appreciate the difficulties in the marketing of cigarettes if a warning must be placed on the packets of those sold in only one State. We have no idea, therefore, when the Act will become effective. No doubt people in the other States will be bringing to bear pressure on Governments and Parliaments to enact similar legislation to that which I hope will be passed by this Parliament.

The Hon. F. J. Potter: The regulations will be more important than the Act.

The Hon. D. H. L. BANFIELD: That could be so.

The Hon. F. J. Potter: The regulations say where the warning will be put and how big it will be.

The Hon. D. H. L. BANFIELD: That is fair enough, but of course there will be a great deal of pressure from the cigarette manufacturers in this regard. We know the amount of influence these people can have. We know how much money they spend on television and on newspaper advertising, and we know how much public support they will get when they put up a story as to why the print should be only one-eighth of an inch, or something similar. Public opinion will be moulded just to save the money that is coming in.

The Hon. F. J. Potter: In America it is hard to find the print at all.

The Hon. D. H. L. BANFIELD: That is so. There is no doubt that the advertising still goes on. It might even be difficult to get agreement between the three States as to the type of print. This is another way in which the operation of the legislation could be delayed. Although the Bill does not go far enough and I doubt whether it will be effective to any great degree, if there is any effectiveness at all in it it will serve its purpose, and for that reason I support it.

The Hon. A. M. WHYTE secured the adjournment of the debate.

TRAVELLING STOCK RESERVE: OODNADATTA

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

That an area of 110½ acres of the reserve for teamsters and travelling stock adjacent to the town of Oodnadatta, as shown on the plan laid before Parliament on February 23, 1971, be resumed in terms of section 136 of the Pastoral Act, 1936-1970, for the purpose of expanding the town.

The Departments of Social Welfare and Aboriginal Affairs, Education and Public Health require sites at Oodnadatta. The reserve was originally dedicated as a teamsters and travelling stock reserve in 1897. In order to provide for the requirements of the three departments mentioned and for future expansion of the town it is proposed to resume 110½ acres of the reserve, which would then contain approximately 36 square miles. The existing water facilities for travelling stock and normal commonage would still be preserved.

The immediate requirements are that the Department of Social Welfare and Aboriginal Affairs requires sites for a hostel and an ablution block. The Education Department requires sites for a school and a residence, and the Department of Public Health requires a site for a residence for a district inspector. In view of the purposes for which this land is required, I ask honourable members to support the motion.

The Hon. A. M. WHYTE secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

Second reading.

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

That this Bill be now read a second time.

It contains significant amendments to the Motor Vehicles Act which are designed to give effect to a simplified method of providing the insurance necessary for registration of motor vehicles and thus benefit the public considerably. It will streamline administration of the third party system by eliminating clerical and administrative work involved in the present system. Payment will be made by the motorist to the Motor Vehicles Department of one amount to cover registration fees and third party insurance. Applicants for registration, renewal of registration or permits of various kinds will no longer be required to obtain an insurance certificate from an approved insurer. No proposal forms will be necessary and no policies will be issued. Instead, an applicant will merely insert the name of his selected insurer in a space provided on the registration or permit application form. On issue of the registration or permit, the applicant will become insured automatically (with the insurer he has selected) in terms of a policy that is set out in a schedule to the Bill, as from the actual time at which the registration or permit is issued.

If an applicant fails to make a proper selection, he will not suffer the present delays through deficiencies in insurance requirements. In such cases the Registrar will be authorized to make a selection on his behalf according to a plan arrived at by agreement with insurers. The registered owner and insurer selected will be bound by the terms of the policy set out in the Bill for the period of registration, and no change of insurer will be permitted during that period. Insurance will continue to apply to a new owner on transfer of registration. No change of insurer will occur at the time of transfer.

The registered owner will be billed for insurance on renewal forms, on which will also be shown the name of his existing insurer. That insurer will remain selected on renewal

unless the owner specifically requests a change. The amount of premiums collected by the Registrar will be paid to the insurers concerned. The Registrar will be entitled to retain a portion of the premiums to cover administration expenses. Each insurer will be required to enter into such agreements with the Minister and all other approved insurers as may be necessary to give effect to the insurance provisions of the Act. The Registrar will be involved only in collecting the insurance premium at the time of application. Any variations in premium or refunds upon cancellation of registration will be a matter handled directly between insurance companies and their clients.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides for the Bill to come into operation on a day to be fixed by proclamation. Clause 3 provides a definition of "insurance premium". Clause 4 amends section 16 of the principal Act to eliminate the present method of producing a certificate of insurance or cover note to a police officer in the country when applying for a 14-day permit. Instead, an applicant will only have to satisfy the officer that he has sent the insurance premium as well as other fees to the Registrar. Clause 5 amends section 20 of the principal Act to provide the same procedure when applying direct to the Registrar for registration. Clause 6 repeals section 21 of the principal Act because insurance certificates will become redundant.

Clause 7 extends existing powers under section 22 of the principal Act to require a person to provide information to enable the Registrar to assess the proper insurance premium. Clause 8 amends section 24 of the principal Act to require payment of the insurance premium as well as registration fee and stamp duty to the Registrar when making application for registration. Clause 9 re-enacts section 26 of the principal Act in an amended form. It will no longer be necessary to give the Registrar power to vary the registration period because of a discrepancy between the date of the insurance certificate and the date of registration. Provision for such variation is accordingly removed.

Clause 10 deletes from section 33 of the principal Act the requirement to pay stamp duty. Doubts have been expressed about the validity of the duty in the light of section 92 of the Commonwealth constitution. Clause 11 amends section 33a of the principal Act to require payment of the insurance premium as well as existing fees to the Registrar. Clause 12 re-enacts section 43 of the principal Act. This section provides for recovery of moneys due to the Registrar on cancellation of registration where short payment is made or a cheque is dishonoured. The section in amended form is designed to include payment for insurance. The remedies provided are cancellation of registration and refund of any balance in the case of short payments, or voiding of registration and insurance in the case of dishonoured cheques.

Clause 13 provides a re-enactment of section 49 of the principal Act in place of sections 49 and 49a to bring together the circumstances in which the Registrar may issue a permit pending completion by the applicant of registration requirements. At the same time the powers of the Registrar to issue permits are slightly widened, in the interests of applicants who would otherwise be left without use of their vehicles pending completion by them of requirements for registration. Clause 14 re-enacts section 54 of the principal Act to extend the authority of the Registrar to cancel the registration of a stolen vehicle and make a refund to the owner. Clause 15 provides amendments to definitions in section 99 of the principal Act. These are related to subsequent amendments in Part IV of the Act.

Clause 16 inserts a new section to enable the principle of the new system to be put into operation. It provides for payment of the insurance premium to the Registrar, selection of an insurer, and the provision of information to the Registrar to enable the proper premium to be determined. The section provides that the policy of insurance in terms of the fourth schedule shall be in force from the time the registration becomes effective, that the selected insurer shall become the insurer from that time, that insurance continues in operation upon transfer of registration, and that insurance cannot be cancelled whilst a registration remains in force. The section also requires the Registrar to pay amounts collected as premiums to the appropriate insurers, retaining administration expenses as determined by agreement. Finally, the section allows a transition period of three months during which certificates of insurance may be accepted in lieu of the insurance premium. This is considered necessary for the convenience of the public.

Clause 17 amends section 101 of the principal Act and provides for the methods of admission of insurers to, and withdrawal from, the scheme. It also requires insurers to enter into an agreement relating to administration of the scheme. This agreement is designed

to cover such matters as the method of selection of approved insurers by the Registrar on behalf of applicants where they have omitted to make a proper selection. Clause 18 adds a subsection to section 103 of the principal Act, specifying that a valid certificate of registration shall be sufficient evidence that a policy of insurance is in force in respect of the motor vehicle.

Clause 19 re-enacts section 104 of the principal Act by deleting reference to a policy issued by an approved insurer, as this will no longer be the normal procedure. However, there will be occasions where an owner is not required to register his vehicle (for example, in the case of fire-fighting vehicles) but is required to have or desires to have third party insurance. In such cases the owner will not approach the Registrar but will obtain insurance direct from his insurance company. It is therefore necessary to retain in this section the provision relating to the nature of such policies. Clause 20 amends section 105 of the principal Act to ensure that policies in force prior to the date this Act comes into operation are deemed to provide the insurance required by this Act.

Clause 21 deletes reference in section 107 of the principal Act to the issue of policies, and determines the liability of an insurer to indemnify the person specified in the policy. Clause 22 re-enacts section 109 of the principal Act to ensure that the payment of an incorrect premium does not affect the validity or operation of the policy. Clause 23 deletes reference in section 110 of the principal Act to the issuing of policies, since the new scheme does not require the issue of policies. Clause 24 amends section 114 of the principal Act. The amendment is complementary to the new section 124a under which the insurer's rights to indemnity against the insured person where he is guilty of a breach of the policy, or the provisions of the Act, are gathered together.

Clauses 25, 26 and 27 delete references in sections 116, 118 and 118a of the principal Act to the issuing of policies. Clause 28 re-enacts sections 121 and 122 of the principal Act. The only cases in which a policy will be cancelled will be those in which registration is cancelled, or not granted after a permit has been issued. The amendment reflects this new situation. Clause 29 repeals and re-enacts section 124 of the principal Act. The existing section was considered by the Chief Justice of the Supreme Court in the case of *Surrey Insurance Co. Ltd.* v. *Nagy*. The Chief Justice made certain criticisms of this section and the matter was subsequently made the subject of a report by the Law Reform Committee. This section, as re-enacted, overcomes certain difficulties which were inherent in the old section.

Clause 30 enacts new section 124a of the principal Act. This new section gathers together the various rights of indemnity that an insurer has against an insured person under the principal Act when the insured person is guilty of a breach of the policy or of a provision of Part IV. The new section provides that, where the insurer has been prejudiced by any such breach, he may recover from the insured person such compensation as is reasonable in the light of that prejudice. Clause 31 makes consequential amendments to the principal Act. Clause 32 amends section 126 of the principal Act. An insured person is not permitted, without the consent of the insurer, to enter upon any litigation, make any offer of settlement, make any settlement, or make any admission in respect of a liability against which he is insured. This amendment prevents an insured person from authorizing the repair of his vehicle, or dismantling or damaging his vehicle, without the insurer's consent, where it has been involved in an accident causing death or bodily injury. This amendment is desirable in order to preserve evidence for the purposes of subsequent legal proceedings.

Clause 33 amends section 129 of the principal Act. The amendments are consequential upon the new insurance scheme. The Insurance Premium Committee will in future determine actual premiums for insurance under the Act. While the committee has hitherto technically been determining maximum rates of premium, in fact this determination has acted for the purpose of the insurance industry as a determination of the actual premiums to be charged. Clause 34 prohibits an insurer from making payment in the nature of a rebate or commission upon insurance premiums. This provision is desirable in order to achieve stability in the insurance industry and to enable the committee to make realistic assessments of insurance premiums. Some large corporations have in the past been able to force rebates upon third party premiums. This reacts upon those with lesser bargaining power because it means in fact that they must either pay higher premiums in order to ensure that the insurer maintains his profitability, or suffer the prospect that the insurer may default under his obligations to the public. This new clause should prevent such

undesirable practices. Clause 35 sets out the terms of the policy of insurance. The policy follows the standard provisions applicable to third party policies.

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

STAMP DUTIES ACT AMENDMENT BILL (INSURANCE)

Second reading.

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

That this Bill be now read a second time.

It is entirely complementary to the amendment to the Motor Vehicles Act just introduced into this Council. The purpose of that amendment, as has been previously explained, is to provide that an applicant for registration will obtain both registration and third party insurance in the one "package deal". There will be no separate application to an insurance company for a policy of insurance and there will, accordingly, be no separate certificate of insurance. This system reacts upon the Stamp Duties Act, because at present stamp duty is payable upon the certificate of insurance. The present Bill, accordingly, introduces a legislative scheme whereby all stamp duty will in future be payable upon the application for registration or the renewal of registration. One component of the amount payable on the application will be the amount at present attracted under the Act and the other component will be the amount presently payable upon the certificate of insurance. The provision for payment of a separate amount upon the certificate is removed. The Bill preserves the existing provisions as to the disposition of the amount collected by way of stamp duty in respect of policies of insurance. This amount is, of course, paid into the Hospitals Fund.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides for the date of commencement of the new Act. It will, of course, commence concurrently with the corresponding Motor Vehicles Act amendments. Clause 3 inserts in the principal Act definitions necessary for the purposes of the new provisions. Clause 4 amends section 42b of the principal Act. This is the major operative amendment. It strikes out the provision for separate payment of duty upon the certificate of insurance and provides for payment of stamp duty, upon an application to register, in two components. One component is to be paid in respect of registration and the other is to be paid in respect of the policy of insurance. Consequential amendments are made to subsection (3) under which the amount collected as stamp duty in respect of policies of insurance will still be credited to the Hospitals Fund at the Treasury. Clauses 5, 6 and 7 make consequential amendments to sections 42c, 42d and 42e of the principal Act. Clause 8 amends the second schedule to the principal Act. The item at present relating to a certificate of insurance is removed and the operative portions of that item are brought under the provisions imposing duty upon applications to register motor vehicles. The stamp duty payable upon the application is thus divided into two separate components, one of which relates to registration and the other to the statutory third party insurance.

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

MINING BILL

Adjourned debate on second reading.

(Continued from November 2. Page 2607.)

The Hon. G. J. GILFILLAN (Northern): I rise to speak to this Bill which, I believe, is stimulating more interest among certain sections of the community than does most of the legislation that we get before Parliament. In this Bill, we see a move away from established rights and principles that are far-reaching in their implication, in that it is proposed to divest from people rights which they have purchased and which have been written into the titles of their land.

The details of the Bill and many of these matters have been dealt with at length by previous speakers. The whole undertaking of the Mines Department is interesting. We have heard given as a reason for widening the department's powers the need for expanding mineral search throughout the State. It is implied that this would increase to some degree the State's prosperity. We know that the minerals in any country are important, and that many minerals are lost forever each year through domestic use. I refer in this respect to copper and zinc, the latter being used on galvanized iron. Once it is placed on that iron, it is lost for all time. That is not so in relation to steel, much of which is reclaimed. Many other metals are reclaimed to some extent. If the standard of living in some of the underdeveloped countries throughout the world is raised to anywhere near the standard of living that we in this country enjoy, there will not be enough minerals to satisfy the demand. With the increased use of minerals in the future,

we will need as many as can be discovered. I doubt the wisdom of rushing in within a few years and exploiting all the minerals Available. We must consider the generations that are to follow us. Mineral resources should, therefore, be exploited with care.

The Mines Department has been of value to the welfare of this State, and it is interesting to note that it is providing its services at a small cost to the taxpayer. Indeed, if one examines the allocations made to that department during the financial years 1966-67 to 1970-71, one will see that the cost to the taxpayer has decreased from about $714,000 to $122,852, a reason being that the Mines Department has an income of its own. The majority of its income, which in 1970-71 amounted to $1,428,500, is obtained from royalties. The total income for the 1970-71 financial year was $1,797,678, resulting in a cost to the taxpayer for services rendered of $122,852. Therefore, the claim that the Government is conferring something on the State and is actively promoting mining does not tie up with the Estimates of Expenditure for this financial year. The increase sought is cf such a minor nature that it does not even cover the expected increase in salaries. The sum of money made available for such important fields as geological and geophysical survey work, drilling and the mechanical engineering branch is less this year than it was in 1970-71. Therefore, although the Government claims that the wide powers sought in this Bill are necessary, it has not considered that the operations of the Mines Department are worthy of a substantially increased allocation.

I am concerned about the apparent alienation of established rights in the declaration that all mineral rights shall be reserved to the Crown. As the Minister stated in his second reading explanation, prior to 1889 mineral rights were reserved on a freehold title to the person buying the land. At some date prior thereto, all minerals became the property of the landholder, although I believe gold rights were alienated after a certain date. However, after 1889 all minerals were reserved to the Crown. In his second reading explanation, the Minister said that this was an unfair discrimination. I point out that the people who bought land at that time had a real knowledge of the mineral potential of land. Indeed, that was an important aspect. In the early development of this State, mining was not just an important factor but was the chief source of income for this State. These rights have been passed on to the purchasers of land each time it has changed hands.

I believe that what the Bill attempts to do is wrong, as it is taking away the rights of a person that buys land, without giving any compensation to him. I know of some problems that have existed where mineral rights have been separated from a freehold title and their present ownership is no longer known. Where this aspect can be proved successfully, those rights should revert to the Crown. I have checked this Bill against the original Act, and it seems to me that, although the Bill streamlines the administration of the Mines Department, in doing so it has gone further than is desirable. For instance, many provisions in the original Act, which have been omitted from the Bill, could have been included therein with some gain.

Honourable membets have heard much about environment. We are living in a time when emotional causes appear to be popular. It is interesting to note that in many areas of the State in which mining took place in the last century, the old mines and associated workings are tourist attractions and are, therefore, an asset to the district. Indeed, in Burra there is a large open cut mine and many ruins of mine buildings, some of which are fine examples of Cornish stonework. In an area like this, where mining has resumed, much money has been spent in rebuilding the ruins on other sites as a memorial to the pioneers of the district.

In stressing the question of environment, I believe that we can become too emotional. There could be some areas where it would be most undesirable to have this type of operation without providing some safeguards to the people living in the area. Also, I have questioned the removal of the mineral rights and the proclaiming of mineral lands, because it takes any control away from the landholder with regard to right of entry. I agree that our present position in this regard is somewhat unsatisfactory to administer. As the Minister said, to some degree that right of entry is in the hands of the warden at present, because he can grant this right after a specified waiting time.

I consider that it would be satisfactory if this right of entry was a joint venture, in that any right of entry granted by a landholder should receive the approval of the Minister or the Director. In this way the Mines Department would have some control over a speculator

trying to gain right of entry from an unsuspecting landholder. At the same time, the landholder would have some rights preserved to him under this suggested system. I do not claim that the Mines Department is infallible in granting rights of entry. I have seen mining exploration undertaken in pastoral country by questionable operators, who had received the right to conduct this exploration from the Mines Department. These operators have gone into the country, have left a considerable mess behind them (including some unpaid debts to local trades people), and irked landholders: after discovering traces of minerals, they have sold their rights to an international company. I believe that some joint contract between the landholder and the Mines Department would be more desirable than the system proposed in this Biil. I ask leave to conclude n.y remarks later.

Leave granted; debate adjourned.

BARLEY MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 2. Page 2608.)

The Hon. M. B. DAWKINS (Midland): I support this Bill, which makes consequential alterations to the Barley Marketing Act. This Act was first enacted 24 years ago and has been amended at least six times, although some of these amendments were necessary merely as a result of the passing of time and the need to extend the legislation. I do not intend to detail the history of this Act, as this matter has been dealt with previously in this Chamber. I know (and I am sure other honourable members know) that barley marketing is in a relatively chaotic situation in Australia. We have an excellent barley marketing board operating in South Australia and Victoria, known as the Australian Barley Board, but two other boards operate in Australia and one State has free trading.

Since the advent of wheat quotas there has been a large increase in the acreage planted to barley: a considerable increase in the Eastern States and a much greater increase proportionately in Western Australia and South Australia. South Australia for many years has been the major barley-producing State of the Commonwealth, but, although we may still hold that position, we are being challenged by some other States, as a result of the increased acreages caused by wheat quotas. When we try to sell our wheat we have one board and, by and large, it has been very successful. However, we have the unfortunate situation with barley in that three boards compete with each other and, in some cases, undercut each other, in addition to the free-selling situation that has existed in New South Wales. In these conditions, I believe our own Australian Barley Board has done a wonderful job. The way in which this board has been able to sell the excess production of the last two or three years has been remarkable, and the price at which the board sold our barley iast season was, in the circumstances, a satisfactory one. This amending Bill would be much more effective if it could be amended to provide for an all-Australian Barley Board and to provide for better marketing conditions for the increase in sewing that has occurred throughout the major States.

I knew that it is all very well to talk about an all-Australian board: it could be said, with complete accuracy, that we have been trying to obtain this for many years, but it is more urgent now than it has been before to establish this type of board. Whilst I would have pleasure in supporting this Bill (for the most part at least) with its relatively miner amendments to the Act, I emphasize to the Minister (as I have previously to his predecessors) the vital need to come to an agreement about an all-Australian Barley Board. I know that the honourable gentleman is aware of the need for a better barley-marketing situation. Such a solution, if it were obtained in the future, would minimize some possible chaos now possible in the industry because of the continuing increase in production.

This Bill makes some consequential amendments that are quite important, and others that alter the wording of the Act to enable it to apply to present-day conditions. For example, clause 3 merely amends section 2 of the principal Act by altering the passage "Chief Electoral Officer for South Australia" to the more up-to-date term "Returning Officer for the State". Clause 4 deals with section 3 of the principal Act and clause 8 with section 14a. These two clauses will make it more difficult in future for barley to be sold illegally.

As I mentioned earlier, the fact that we have had three barley boards, one State working under free marketing conditions, plus the existence of section 92 of the Commonwealth Constitution, has made it relatively easy for illegal or free barley sales to be made. This has been one of the weaknesses in our barley legislation. The amendment to be made by clause 4 will widen the definition of "barley" so that it includes the grain known by that name, as well as growing crops of that grain, gristed grain of that name and grain

of that name treated in any other manner or by any process converted into the product of grain of that name.

Some concern has been expressed because this may make it possible to include barley crops cut for hay. This could cause some problems in the marketing of hay, but very few people cut barley for hay unless it is a matter of cutting the tracks around the crops and the baled result is fed to stock. Therefore, there is no real problem in this. Clauses 4 and 8 tidy up the situation relating to illegal barley sales probably as far as it is possible to do so until we achieve the all-Australia Barley Board I mentioned earlier.

Clause 5 deals with the constitution of the board and increased representation. I think the membership is to be seven now, and we also have foreshadowed an alteration to the quorum, which would be five instead of three. I do not know whether this is wise. It is usual for the quorum to be one more than half the total number. If the chairman and perhaps one other member were overseas trying to make sales, it would mean that 100 per cent of the people remaining in South Australia and Victoria would have to attend meetings for the quorum to be achieved and the meeting to be regular. I wonder whether this is a good amendment.

Clauses 6 and 9 have regard to separate accounts and separate marketing of the home needs of barley in the States of South Australia and Victoria. This may benefit Victoria, where a large proportion of the barley produced is used for home needs; it may mean Victoria will have a better price. It could be slightly to the disadvantage of South Australia, but I understand this may be necessary to keep the board as an active and effective entity, and these amendments are needed to keep it as one effective body. I would support these clauses with some reluctance, because I believe possibly the present arrangement is a better one than that envisaged under this measure for barley growers in South Australia.

I have no amendments to make. I sound that note of warning about the alterations which will be effective as a result of clauses 6 and 9, and also the alteration foreshadowed as to the number required for a quorum. Having said that, I support the Bill.

The Hon. L. R. HART (Midland): I support the second reading, and in doing so I hope the Bill is the forerunner of further legislation governing the marketing of barley on a much broader basis, namely, a statutory marketing authority on an all-States basis. It has been said that perhaps at this time we should not go into the early history of the board, but I think it is important that some reference to it should be made. The first Barley Marketing Act was introduced in 1947. Organized marketing of barley was carried on during the Second World War under the National Security Regulations. The Australian Barley Board, covering all States, and set up under those regulations, functioned for three seasons and operated pools in the 1939-40, 1940-41, and 1941-42 seasons. A referendum held in 1942 failed to give the Commonwealth Government power to continue the control over the marketing of agricultural products, so for the 1942-43 season South Australia and Victoria were the only States operating in the pool. As these two States were at that time producing 95 per cent of all the barley grown in Australia they decided, after a poll of growers, to continue to operate as the Australian Barley Board.

During this period Western Australia and Queensland decided to set up their own barley marketing boards, which are still in operation. It must be remembered that although Victoria and South Australia operate as the Australian Barley Board under complementary legislation, the application of the Act in Victoria applies only up to and including the 1970-71 season, whereas the Act in South Australia applies until the 1972-73 season. Perhaps the reason why we have this legislation at this time is that the Victorian Act is up for review and renewal.

For several years now moves have been afoot to form an all-States Australian Barley Board. The formation of such a board would have many advantages, but so far agreement between the States has not been reached, although there appears every possibility that such a board may be constituted in the not too distant future. Western Australia and Queensland already have such boards. The Western Australian board, because it has dealt mainly with the domestic and oversea markets, has operated reasonably successfully, but it has until very recently dealt with a relatively small production of barley. However, Western Australia at present probably produces more barley than any other State does, so the situation there may alter considerably in the very near future. Barley growers in Western Australia may want access to markets in the Eastern States to make sure their industry is a viable one, although at present while the oversea market is very

attractive there may not be any great inducement to Western Australia to go into an all-Australia barley board.

The Queensland board also has handled only a small amount of barley, mainly because, first, that State has not produced a large amount of the grain and, secondly, most of it was produced near the border with New South Wales and considerable amounts were traded over the border rather than through the State board. The operation of the present Barley Board has some limitations through lack of credit facilities, because it is not an all-Australia statutory board. This situation allows the merchants to compete with the Barley Board on rather favourable terms (to them) by making full payment at the time of purchase rather than by a series of advances, as the board is obliged to do.

For the coming 1971-72 crop the Australian Barley Board estimates that it will require finance to cover the first advance payment expenses of about $35,000,000. The total payments for the 1970-71 season, when completed, will amount to about $34,700,000. This money is obtained from the rural credits section of the Reserve Bank and is borrowed against the estimated total crop for that season. Further advances are made to growers on the basis of sales made.

At present it appears that the prospects for oversea sales are fairly buoyant and, given favourable harvesting weather, we should have a record or near-record crop. One of the problems facing any commodity board that is not an all-States statutory board, as I have already said, is that of over-the-border trading. If we look closely at the percentage of production that is sold through the various boards, we find that in some cases a greater percentage of the crop is sold outside the boards than through them. This weakens their effectiveness.

The total Australian production for 1970-71 was 103,300,000bush., of which South Australia produced 32,700,000bush., 26,700,000 bush. (81.5 per cent) being delivered to the board. Victoria produced 14,000,000bush., 9,800,000bush. (66.4 per cent) being delivered to the board. So, the combined production of Victoria and South Australia was 46,700,000 bush., 36,500,000bush. (76.8 per cent) being delivered to the board. The following quantities were produced in the other States: New South Wales, 18,900,000bush.; Queensland, 2,700,000bush.; Western Australia, 33,900,000 bush.; and Tasmania, l,300,000bush.—a total of 56,800,000bush. That figure is greater than the combined production of Victoria and South Australia.

This situation has not been the usual pattern. In fact, over a long period South Australia produced more barley than all the other States combined. As a result of the imposition of wheat quotas, the pattern of barley growing has changed considerably. An all-Austra!ian Barley Board offers many advantages, not the least of which is economy of scale. The figures I shall now quote are not necessarily the latest, but they are the latest available to me. The figures will enable me to show the advantages of handling large amounts of grain. They are as follows:

Board	Percentage of crop handled	Administration and handling costs per bush. cents
Australian Wheat Board	90	1
Western Australian Barley Marketing Board	80	1.3
Australian Barley Board	77	1.5
Queensland Barley Marketing Board	30	4

The Canadian wheat board, which handles huge quantities of grain, has administration and handling costs that are even lower than the figure of 1c a bushel that applies to the Australian Wheat Board. So, there would be distinct advantages through economies of scale if we had an all-Australia Barley Board. Where we have a multiplicity of boards we see representatives of the various boards competing with each other on oversea markets. Also, there is competition for chartering ships. So, at present we have an undesirable situation in regard to barley marketing in Australia, but we hope it will be improved very soon.

Clause 9 provides for each State to have regard to the reasonable requirements of persons requiring barley for consumption in that State. Previously, the Australian Barley Board had to provide for the requirements of the whole of Australia; South Australia, being the largest producer of barley, was making provision for the requirements of Victoria in addition to its own requirements. So, the new provision will be to the advantage of South Australia. Because there is nothing controversial in the Bill and because there is nothing in it of distinct disadvantage to South Australia, I have much pleasure in supporting the second reading.

The Hon. T. M. CASEY (Minister of Agriculture): I thank honourable members for their deliberations on this Bill, which is important to South Australia and Victoria. One slight amendment has been foreshadowed.

I must apologize for an oversight. The Victorian Minister of Agriculture, Mr. Chandler, picked this up. The extra member necessitated an alteration to the number for a quorum for the committee. We have to change the number of members from three to five because of the provision in the Victorian Act; the South Australian legislation must be complementary to the Victorian legislation. The Bill will benefit the barley growers of this State and will make barley marketing more orderly.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Constitution of Australian Barley Board."

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

After paragraph (*b*) to strike out "and"; and after paragraph (*c*) to insert

and

(*d*) by striking out from subsection (8) the word "three" and inserting in lieu thereof the word "five".

As I have explained, this is complementary to what is being included in the Victorian legislation owing to one extra member being appointed from Victoria. The quorum will now be five instead of three, as previously.

Amendment carried; clause as amended passed.

Remaining clauses (6 to 13) and title passed.

Bill read a third time and passed.

DOOR TO DOOR SALES BILL

Adjourned debate on second reading.

(Continued from November 2. Page 2608.)

The Hon. A. J. SHARD (Chief Secretary): I am indebted to honourable members for the care and attention they have given to their examination of the measure. I notice that a number of amendments have been placed on file and, accordingly, I shall confine my remarks at this point in time to dealing with the more general comments of honourable members since particular questions will no doubt fall to be dealt with in the Committee stage. The Hon. Mr. DeGaris characterizes the measure as a "steam roller to crack a peanut". When we look at elements that must be found in a transaction before the provisions of the Bill will be involved, that is, the concept of an uninvited salesman (and I emphasize the term "uninvited") calling at the home, I do not think that measure can properly be called a steam roller or, if it can be so called, it is surely a very light-weight one. Further, in terms of human distress and financial difficulty resulting from the activities of the more unscrupulous door-to-door salesman, I do not think the problem can be fairly described as a "peanut".

The Hon. Mr. DeGaris attempts to distinguish between door-to-door salesmen who are in regular contact with their customers and those who are not. It may be that this point is well made but I would draw his attention to the floor of $20 below which transactions will not attract the proposed measure. Surely a substantial number of these people would not fall within the measure at all. On the basis of monthly calls, a salesman would be able to do about $240 worth of business a year without being affected by the measure at all. Finally, the Hon. Mr. DeGaris questions the purpose of allowing the $20 floor to be varied by regulation. I can assure him that this measure of flexibility has been included so that, having regard to the almost inevitable decline in the value of money, this level of exemption can be maintained by increasing the actual amount where necessary.

I thank the Hon. Mr. Potter for his praise of the principles contained in the Book Purchasers Protection Act, since I take it that it is to that measure he refers. That measure, of course, is extremely effective but it does operate on a somewhat different principle from that envisaged here. Shortly, under that measure there can be no delivery and no passing of consideration until there has been an act of confirmation by the purchaser. I would agree with the Hon. Mr. Potter that such a measure is obviously an excellent method of achieving the objects of this Bill. The Hon. Mr. Potter raised the question of soliciting of sales at places of employment and asked whether any complaints had been received in this area. By a coincidence, it is believed that in the recent past there has been an upsurge of activity in certain places of employment by one of the more notorious exponents of door-to-door selling. I regret that I cannot be more specific at this moment except to say that the need for protection in this area has, I feel, been amply demonstrated.

The Hon. Mr. Potter touches on the necessity of the vendor obtaining a receipt from the purchaser for the statutory documents. I would point out that so much depends on determining, in the interests of both parties, exactly when the "cooling off" period starts and the best evidence of this from the vendor's point of view will be the signed receipt of the purchaser. However, the Hon. Mr. Potter's criticisms seem to turn on two main points:

first, that no deposit can be paid and, secondly, that if goods are delivered the purchaser is under no duty of care in respect of them. Since these matters are in the Government's view of such fundamental importance, it seems worthwhile to consider the questions in some detail. Fundamentally, the Bill sets out to provide a "cooling off" period, to give a purchaser who has entered into a contract not of his initiation a period to pause and reflect and give the matter mature consideration. If he decides against it, he is to be restored to his original position as easily and simply as possible. It is clear that, if he is to restore himself to this position, he should not have to (*a*) start chasing the vendor to recover his deposit; or (*b*) consider his legal position as a bailee of goods with its attendant obligations to take care of the goods, since both of these considerations militate against his right to be restored to his original position and, accordingly, will render the measure the less effective.

I would point out in the strongest possible terms that in contracts or agreements caught by this measure there is absolutely no obligation on the vendors to deliver goods until the "cooling off" period has expired; indeed, they would be better advised if they did not so deliver, as they could then incur no loss at all from the operation of the measure. This right to deliver was in fact inserted at the express wish of those engaged in business of this nature. In passing, much has been made outside this Council of the right of the purchaser to "try goods before he buys them", and it has been suggested, by those who should know better, that the restriction on delivery imposed by this Bill will reduce this right. With respect to those who advance this view, this is arrant nonsense. At least one highly reputable store in Adelaide, and almost certainly more than one, has always done business on the basis of "money back if not satisfied" and there is no reason why reputable traders who have confidence in their wares should not continue this highly desirable practice.

I thank the Hon. Mr. Potter for his most perceptive analysis of the psychology of the door-to-door transactions, and suggest that an understanding of this question will lead to a true understanding of and sympathy with the objects of this measure. I thank the Hon. Mr. Gilfillan for his remarks but, since they concern the detail of the measure, they perhaps can be adequately dealt with in Committee. The Hon. Mr. Hill's remarks again were directed more to matters of detail. However, while I am obliged to him for his quotation from page 60 of the Rogerson report, I am sure he will forgive me if I draw honourable members' attention to the next following paragraph which I feel somewhat qualifies the statement quoted by the Hon. Mr. Hill.

Indeed, I suggest that credit transactions, in which no money passes at the time of sale, should cause little difficulty in this field, aside from the necessity of conforming to the formal requirements of the measure unless, of course, the vendor is so unsure of his product or of his salesmen that there is a possibility that the purchaser will, on reflection, feel that he has been overpersuaded in entering into the bargain or that the product is simply no good. I am sure the Hon. Mr. Hill is not over-sensitive to the interests of traders of this class. I also thank other honourable members who have addressed themselves to this measure.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Definitions."

The Hon. A. J. SHARD (Chief Secretary): As I have not yet had an opportunity to examine some of the amendments that have been placed on file, I think this would be a convenient time to report progress.

Progress reported; Committee to sit again.

FILM CLASSIFICATION BILL

Adjourned debate on second reading.

(Continued from November 2. Page 2610.)

The Hon. R. A. GEDDES (Northern): I rise to speak on this Bill with a certain amount of diffidence and difficulty. I doubt whether there will ever be a consensus of opinion of what constitutes pornography or where the duty of society to protect its younger or weaker members ends and where the rights of people to harm themselves begin. In September last year, the Commission on Obscenity and Pornography in the United States of America caused a storm of controversy in that country. It recommended that pornography laws be repealed throughout the United States of America and that adults should be allowed to see or read any sexual material they wished. The American Congress and the American President were very outspoken against the commission. The President summed up the resolution by calling the commission "morally bankrupt".

I do not want to deal with what the commission has to say. However, as a result of the commission's findings, a woman named Gladys Schultz wrote a book titled '*How Many More Victims? Society—the Sex*

Criminal. Having read this book, I have gleaned much information on the problems of pornography in society. From what is written in the book it would appear that there is a decided danger in a loosening of our code of films or any types of literature of a sexual or pornographic nature. Gladys Schultz gathered her information from a Wisconsin prison, which provides intensive treatment for men convicted of sex crimes, and from a hospital in California, which treats mentally disturbed offenders. Reports from America's uniform crime figures show that in 1969 the greatest concentration of arrests for forcible rape was in males of the 17 to 20 years age group, and in the period 1960 to 1969 the number of arrests for forcible rape in this age group had increased by 89 per cent. In one therapy group, a young man stated that he had been deeply affected by the things he saw and read. He said:

> You want to practise what you've been reading. I used to like going to movies, but I had to stop seeing the new sexy ones because they would make me want to go out and rape someone.

Another man charged with 19 rapes said that erotic movies definitely were a factor in his crimes'. He said that he would go to one and then go out and attack some woman. In another instance, a university student who had attempted rape commented that a girl towards whom he had no sexual feelings had treated him coolly, as he said, and he had decided to punish her. He said that the prevalence of sex material definitely makes it harder for men with a sex problem, as it gives them a distorted impression of women and the relationship between men and women.

The unavoidable fact is that pornography sets up sexually sick people as models of behaviour, and emphasizes bestiality, perversion and cruelty as if it were the accepted norm. Another case history from this survey tells of a man in his mid-twenties who felt that pornography had played an important role in impelling him to sex crime. His early sexual fantasies came from "Girlie" magazines that he had obtained from his older brother at the age of 15. He was reading hard-core pornography, which included sadism and other perversions. From these books he graduated to dirty movies and, after he had been convicted of rape, he expressed the opinion that he might well have gone on to torture and murder in a hopeless effort to experience in reality the satisfaction he received from the perverted fantasies that pornography in both films and books had aroused in him.

One of the most interesting observations in this report is the opinion that many men who commit sex crimes and enter institutions are still ignorant of the facts of life. Apparently, they argue that, because their parents had not explained to them when they were children the facts of life or the understanding of normal sexual behaviour, the influence of pornography caused them to experiment. One of the worst features that may result from R classification films in future is the possibility of an increase in the showing of films that are sadistic or violently pornographic.

The Hon. T. M. Casey: That is not suggested in any circumstance: blue films will not be permitted.

The Hon. R. A. GEDDES: I am not speaking of 1971: I emphasize "in future". I am concerned that, if we go down a step in allowing a wider range of films of a nature that could increase the awareness of some people (as the Hon. Mr. Springett said in his excellent speech was so easy to do), neither the Minister nor anyone else in this Council or State can say what standard man will set in five, ten or 15 years.

The Hon. D. H. L. Banfield: There is a move against permissiveness now.

The Hon. R. A. GEDDES: That is why the Bill has been introduced!

The Hon. A. F. Kneebone: Won't the Bill protect people from going to the type of film that the Hon. Mr. Story spoke about?

The Hon. R. A. GEDDES: Is an 18-year-old an adult in the mental sense?

The Hon. A. J. Shard: The law says he is.

The Hon. R. A. GEDDES: The law says he is and the law says he can vote. However, the best thing would be for me to refer to members what the Hon. Mr. Springett said yesterday, because he spelt it out so clearly.

The Hon. T. M. Casey: That doesn't say he is right.

The Hon. R. A. GEDDES: The Hon. Mr. Springett would be more correct in his assumptions than would certain other gentlemen in this Chamber: I am not pointing the finger at anyone. It is considered that the type of film that shows normal sex acts is not as much a problem as is the film that shows crimes resulting from sex. Objectionable as the normal sex act may be to many people when it is shown on films, it is believed it is not the trigger that causes people to do things that

the lad did as reported in the press last week, who after seeing a blue film—

The Hon. A. F. Kneebone: That was a pornographic film, which is different from the R classification.

The Hon. R. A. GEDDES: I am dashed if I know: the film described by the Hon. Mr. Story does not have an R classification.

The Hon. T. M. Casey: I wonder whether the Hon. Mr. Story has been the only member to have seen it.

The Hon. R. A. GEDDES: The introduction of sadistic material can cause men from 18 years upward (and particularly those in the younger age group) to do far more serious things than commit rape, such as mutilation, tying people up, and possibly killing them. Despite the humour that members on the Government benches are showing, there is evidence of a serious problem—

The PRESIDENT: Order! *Hansard* reporters are trying to take a report of the speeches, and I should be pleased if we had fewer interruptions and private conversations in order that they can carry out their obligations.

The Hon. R. A. GEDDES: Much evidence exists that people who have been convicted of sex crimes have been incited to commit their crimes by the fact that they have seen certain films or read pornographic books or magazines. I do not think this is a laughing matter: it is a most serious matter, and I consider that this Bill is opening the door a little further to allow more permissiveness in this State. I believe we are lowering our standards (although others may consider that standards are being raised) concerning permissive censorship, and I am concerned about the standards that will be acceptable in the next 10 years. Many films shown on television between 6 p.m. and 8 p.m., which is the normal viewing time for children, contain the caption "Not suitable for children".

I presume that these standards were set some years ago, but, with the change in our standards, the television companies show the films and leave the parents to judge whether the child should see them. This would be difficult until the film has ended. This "Not suitable for children" standard is not a good enough reason for the child to accept the excuse for the television to be turned off. It seems to me that there has been no updating of this type of film grading. With the type of films coming into Australia, particularly those produced in America and Europe, and with an R classification to be used more often in future, what standard of film will be shown on television between 7 p.m. and 8 p.m. in 1981? None of us can answer that question, but it is a fear that I have.

The Hon. A. F. Kneebone: I won't be worrying about it.

The Hon. R. A. GEDDES: Why not open the door and let the flood in?

The Hon. A. F. Kneebone: I meant that I would not be alive then.

The Hon. R. A. GEDDES: This is a bad Bill. The Government has been enacting legislation to prohibit and control how people shall live in every way of life, but suddenly it introduces this palliative to allow permissiveness to grow like cancer or pollution at a time when so many questions about pornography remain unresolved. I consider that it would be wiser to vote against the Bill, believing it would be better to withstand breaking down any more barriers until we have a clearer idea of what today's sexually permissive society is doing to itself.

The Hon. D. H. L. Banfield: Is it more permissive, or is it more out in the open now?

The Hon. R. A. GEDDES: I support the second reading of the Bill in order to allow the amendments on file to be considered. I am not happy with the Bill, because the Commonwealth has a standard of censorship on films and the State Government is asking this Council to allow it to have another standard that is not defined in the Bill to my satisfaction. It will need an extremely conscientious and sincere man in authority to ensure that the morals of the State are well guarded in the future.

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

ADJOURNMENT

At 5.52 p.m. the Council adjourned until Thursday, November 4, at 2.15 p.m.