LEGISLATIVE COUNCIL

Wednesday, April 5, 1972

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

QUESTIONS

TOTALIZATOR AGENCY BOARD

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

Leave granted.

The Hon. R. C. DeGARIS: About three weeks ago I directed a question to the Chief Secretary about loan assistance to participating clubs from the Totalizator Agency Board. At the end of his reply the Chief Secretary said:

At the present time the board is considering a proposal to provide finance to a club for the purpose of carrying out capital improvements on its course. The negotiations are still proceeding and it is anticipated that a further report may be considered by the board at its next meeting on March 27, 1972.

Has the Chief Secretary any further information on this matter for the Council?

The Hon. A. J. SHARD: No, but I will take the matter up with the Totalizator Agency Board and, if I can get any further information, I shall be prepared to make it available.

NURSES

The Hon. M. B. CAMERON: I seek leave to make a short statement prior to asking a question of the Chief Secretary.

Leave granted.

The Hon. M. B. CAMERON: A newspaper report today indicates that nurses in Government hospitals in South Australia voted against a pay offer made by the Government. Can the Chief Secretary say whether that is the case, what is the present situation, and will the matter be reviewed again by the Public Service Board?

The Hon. A. J. SHARD: I was not aware of any such decision. What the honourable member tells me is completely fresh information. At the moment I cannot help him at all.

MINING LEASES

The Hon. A. M. WHYTE: I seek leave to make a short statement prior to asking a question of the Minister representing the Minister of Mines.

Leave granted.

The Hon. A. M. WHYTE: On March 7 and again on March 16, I asked questions of the Minister about the eviction of certain miners from the Penryn field, south of Coober Pedy. It appears that the Commonwealth police, under the direction of the Weapons Research Establishment people at Woomera, have the right to evict those miners for their own safety. That is the answer that has been given but it appears to me that a compromise of some sort could be negotiated, allowing the miners who had registered mines with the South Australian Mines Department the right to complete their investigations into those shafts that they had registered with the department. Can the Minister say whether such a negotiation has been commenced by the South Australian Government, and if it has not been commenced, will he pursue this matter from the angle of allowing those with registered claims the right to complete their investigations, even on an intermittent pattern, so that they could be allowed to remain there for one or two months and then vacate the place for a week or so? Will the Minister refer this matter to the appropriate Commonwealth Minister and give me a reply?

The Hon. T. M. CASEY: I will refer the question to my colleague and obtain a reply when one is available.

SITONA WEEVIL

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: Over the last year or two an insect known as the sitona weevil has caused havoc to pastures in the State, and the incidence of this insect seems to be increasing each year. In the main, the weevil attacks clover pastures, and also lucerne, and it has been estimated that the loss as a result of the insects' attacks runs into millions of dollars each year. The problem is becoming so serious that the insect could entirely wipe out the clover plants in some areas. As the Minister is no doubt aware of the presence of this insect, can he say whether his department is carrying out investigations on how this pest can be eradicated? Will he also state the nature of the work, if any, being carried out by his department?

The Hon. T. M. CASEY: During the course of this Parliament I have referred to the sitona weevil several times. The latest information I have (and which I gave in reply to a question by the Hon. Mr. Kemp, I think, some weeks ago) is that the department considers the sitona weevil as probably one of the worst pests South Australia has ever had

as far as agriculture is concerned. As the honourable member has said, clover and lucerne are being attacked severely by the weevil. I raised this matter at the Agricultural Council recently and I hope that the Commonwealth Scientific and Industrial Research Organization will come to South Australia's aid in this problem, because the Government just cannot cope with the weevil with its own resources. I hope that the C.S.I.R.O. will study this problem and provide us with the help we so urgently need now. I am still awaiting a reply from the Commonwealth Government along those lines.

ARTIFICIAL INSEMINATION

The Hon. M. B. CAMERON: Has the Minister of Agriculture a reply to my question of March 22 about artificial insemination?

The Hon. T. M. CASEY: The results quoted by the honourable member are exceptional and do not reflect the overall results achieved in the Mount Gambier district, which compare favourably with those obtained in other parts of the State and throughout Australia. In fact, some farmers in that area have reported more than 90 per cent conception rates in their herds. The low rates achieved in some herds may be the result of a number of causes, one of which could be low fertility in a certain batch of semen. More commonly, it is the result of some health or nutritional factor in the herd itself. This is supported by the fact that other herds in the same area, using the same semen, get satisfactory results. In some herds, management factors such as the failure to recognize oestrus are important contributors to poor results. The Agriculture Department would welcome reports of specific cases of low-conception rates in order that investigations could be carried out on the spot at the time. The Artificial Breeding Board will also be directing its attention to these special cases during the coming breeding season, but the onus is on owners to report the most serious cases of poor conception rates.

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

Leave granted.

The Hon. M. B. CAMERON: I appreciate the information the Minister has given in his reply, and I will certainly pass it on to the people involved. I gather that it is in the early stage of the season that the low conception rates occur. I am interested to know that there is some possibility of low fertility in batches of semen causing the problem. Where such cases are proven, does the department give a free return of service?

The Hon. T. M. CASEY: I would think so, but it would have to be proved in the first place. Nevertheless, I will draw the honourable member's question to the attention of the Director who is, of course, quite an expert on artificial insemination; as a matter of fact he is one of the best authorities in Australia. It seems to me that anyone who strikes a faulty batch of anything, no matter what commodity, should be entitled at least to a refund of some description. If the semen in this case was proved to be not up to standard I would think farmers would be entitled to some sort of refund.

GRASSHOPPERS

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

Leave granted.

The Hon. A. M. WHYTE: Grasshoppers of adult stage have been prevalent over the last two years during the months of February, March and April, over a wide area of South Australia. This year the concentrations have built up to considerable numbers, and although there is no problem at present it is thought by some officers of the Minister's department that there could be a large-scale outbreak in the spring. Can the Minister say whether his department is giving consideration to counter measures to be taken at that time? A very large area of the State is involved.

The Hon. T. M. CASEY: I agree with the honourable member that the grasshopper situation has been causing some concern over the past three months, more especially in New South Wales and Queensland rather than in South Australia. Unfortunately, they have been hatching out in New South Wales around the Broken Hill area and further north in the Channel country in Queensland, then migrating to South Australia. Action has been taken already against the hoppers in the Far North-East of the State. Spraying has been carried out over quite large areas, but the stage has been reached where the swarms are scattering, and it is not possible to concentrate the killing. Nevertheless, my officers are following up these swarms where practicable. The latest information I received was to the effect that officers of C.S.I.R.O. will look after the Queensland situation, but they have lost contact with the swarms in that area and simply do not know where the hoppers have gone. I know of one swarm which passed through

Mutooroo Station in South Australia, coming from Broken Hill, and taking about four hours to pass a given point on quite a wide front. Even this swarm has disappeared and no-one knows exactly where it has gone. However, if climatic conditions are favourable in the later months of this year we could be faced with quite a serious outbreak. I have already given permission for insecticide to be purchased from New South Wales so that we can build up a stock in case a plague eventuates.

The Hon. A. M. WHYTE: Can the Minister say what pesticide is at present being used to eradicate the grasshoppers and what its residual properties are?

The Hon. T. M. CASEY: At present malathion is being used, and it is giving quite good results against locusts in the Far North-East. However, I do not know what the honourable member is driving at in connection with residual properties.

The Hon. H. K. Kemp: For how many days do its properties last?

The Hon. T. M. CASEY: The residual properties of malathion last for several days. However, I cannot say whether its kill is as effective on the third day as on the first day. I should not think that its kill on later days was as effective as on the first day, because my experience has been that the first application is the most effective and, as the days go by, the residue left behind becomes less effective.

WATERWORKS REGULATIONS

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

(For wording of motion, see page 4095.)

(Continued from March 29. Page 4391.)

The Hon. H. K. KEMP (Southern): I ask leave to strike out "the By-laws" and insert "By-law No. 55". I do this because I wish to leave intact most of the by-laws that have been introduced and simply disallow by-law No. 55, which is the one to which objection has been taken. That by-law provides:

> No person shall construct or commence the construction of any dam or other obstruction so as to confine, check, restrict or divert the full and free flow of water or any part thereof in any stream or watercourse within a watershed without a written permit so to do from the Minister.

In the Minister's statement in defence of the by-laws much information was given. In fact, his statement was full of completely irrelevant information. It is fair enough that the Government should have power, within reason, to make full use of the water that becomes available in the watershed, but we must remember that there are established industries in the area concerned that depend on the water.

By-law No. 55 provides that not the slightest diversion, not the slightest saving of water, and not the slightest use of water can be made without a written permit from the Minister. This is the point at issue that should be cleared up. I do not doubt that there is a need to regulate the construction of some dams. I realize that some dams in the Hills are becoming very big, and it is proper that they should be regulated.

The regulations should, I think, state clearly what size dam can be used to store water in the Adelaide Hills without a written permit having to be obtained. This Council cannot amend the regulations, although it would be reasonable if a lower limit was applied. If these regulations are promulgated, it would not be possible for one to build even a fish pond without a permit.

The PRESIDENT: The honourable member has asked leave to strike out "the By-laws" and insert "By-law No. 55". The question is that leave be granted.

The Hon. T. M. Casey: No.

The PRESIDENT: Leave having been refused by a dissentient voice, I put the motion as it appears on the Notice Paper. The question is that the motion be agreed to.

Motion negatived.

BUILDERS LICENSING REGULATIONS

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

(For wording of motion, see page 860.)

(Continued from March 29. Page 4393.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This motion, which has been before the Council for a considerable time, has attracted much debate, during which I have presented to the Chief Secretary suggestions regarding amendments to the regulations. Many complaints have been made to honourable members about certain things that have occurred. The Chief Secretary made a speech covering two Wednesdays, on the first of which he replied to certain matters raised by honourable members regarding the regulations. Those of us who inspected various buildings where brickmakers were under certain pressures in relation to the standard of their bricks (which every honourable member of this Council would agree is a difficult situation) were interested to hear the Chief Secretary's reply to the matters raised in debate. Some information was also given on a licence that

had been withdrawn. I do not wish to comment on those matters, except to say that, if honourable members know the full facts regarding the cessation of building operations in relation to the standard of bricks, they would realize that this matter is of grave concern.

I turn now to the second part of the Chief Secretary's speech regarding the various suggestions made for amendments to the regulations. As has been stated previously, it is not possible to amend the regulations, and I do not think it is possible in this case to strike out certain parts of them. Therefore, we are faced with the problem of either deleting all the regulations or seeking the Government's co-operation to amend them soon. The Chief Secretary said:

I turn now to the matter of suggested amendments to the regulations. The Builders Licensing Board has reported to the Minister of Development and Mines on the suggestions, and the Government sees no objection to increasing the period allowed for notification of changes of director, changes of address or adoption of a business name from 14 days to one month. Agreement can therefore be given to the first three requests to amend regulations 11, 12 and 13.

I accept the fact that the Government will bring down alterations to those regulations. However, on the other suggestions made the Government has remained adamant. Whilst I appreciate the co-operation in respect of regulations 11, 12 and 13, I also ask that the Government reconsider its attitude to some of the other regulations. The whole of the building industry, including building suppliers, builders, subcontractors and everybody involved (some 13 or 14 organizations), is now unanimous in its approach to these regulations, and it would appreciate some change in the Government's attitude to them.

However, I do not intend to ask for a disallowance of them. I shall be seeking in a moment to withdraw my motion but, before I do that, I ask the Chief Secretary and the Government whether they would be prepared to sit down around a table with the representatives of the various building organizations to consider alterations to the other regulations that I have mentioned in this debate. If that was done, I am certain a better feeling would be engendered between the board, the Government and the various people involved in the building industry in South Australia. I appreciate the Chief Secretary's co-operation in at least getting this far, where the Government has agreed to amend—

The Hon. A. J. Shard: It is the Minister of Lands that is concerned in this matter.

The Hon. R. C. DeGARIS: I am sorry. The Minister is away on urgent business in Sydney so I will direct these remarks to the Chief Secretary, who can pass them on to him. I appreciate the Government's co-operation in agreeing to amend regulations 11, 12 and 13 but I do urge that the door be not shut at this stage by the Government on the other suggestions we have made. I firmly believe that some of the other provisions, if the Government will settle down and look at them again in a spirit of co-operation, can be reviewed and this will bring much more ease to the industry. With those few remarks, I move that this Order of the Day be now discharged.

Order of the Day discharged.

EXPLOSIVES ACT AMENDMENT BILL

The Hon. T. M. CASEY (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Explosives Act, 1936-1968. Read a first time.

The Hon. T. M. CASEY: I move:

That this Bill be now read a second time.

This short Bill makes certain necessary metric conversions to the principal Act, the Explosives Act, 1936-1968. There are nine references in the principal Act to "twenty-five pounds of gunpowder" and "five pounds of other explosives". The rough metric equivalent of these amounts is twelve and one-half kilograms and two and one-half kilograms respectively. It seems that these figures could well be rounded off to 15 kg and 3 kg respectively without detriment to public safety, and the Government's advisers in this matter have recommended accordingly. The enactment of this Bill will assist in the conversion to metric systems of measurements of the regulations under the principal Act.

The Hon. R. A. GEDDES (Northern): I have looked at this short Bill, which amends five sections of the principal Act. As the Minister has pointed out, its purpose is to convert measurements of weight to metric measure and at the same time, as the second reading explanation shows, it alters the weight of 251b. of gunpowder to 15 kg. I appreciate the wisdom of this Bill being hurried through the Council, not because of the urgency of the day but because of the manufacturers and people who pack explosives, who will have to make these conversions in industry. No doubt, youngsters of the future will be able to understand the variations of the metric system of weights and measures more easily than the

older and more staid people, who will probably have difficulty in coping with products branded in metric measurement. For the time being, industry will suffer some inconvenience by this variation in weights, not only in the names but also in the alteration of 251b. to the new and slightly larger figure of 15 kg. I have pleasure in supporting the second reading.

Bill read a second time and taken through its remaining stages.

Later, returned from the House of Assembly without amendment.

MURRAY NEW TOWN (LAND ACQUISITION) BILL

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

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

That this Bill be now read a second time.

Australia is one of the world's most highly urbanized countries and our major cities continue to grow larger. Few matters therefore can be of greater social significance than the quality of living in our cities of the future. As populations grow and urban areas spread, long-term planning is essential to ensure that everyone can live and work in healthy, convenient and pleasant surroundings. The Government is determined that the future city dwellers of this State should not be condemned to living in a metropolitan area characterized by congestion, noise, and smog, with the tiring long journeys to and from work and those other evils that are so readily apparent in large cities throughout the world.

Adelaide is still a pleasant place to live in, but what of the future? Present predictions are more than a little disturbing. We have only to go back to the forecasts contained in the 1962 Metropolitan Development Plan to see how urgent the problem will become in a very short time. Adelaide's present population is about 810.000. In 1962, the planner predicted that by 1981 our numbers would go beyond 1,000,000. Today I would not regard that as any particular sort of achievement. Not so many years ago, it would have been, but things are very different now. People are more conscious of the pollution problem brought about, almost automatically, by population pressures. By the year 1991, the prediction is for an Adelaide of 1,384,000 people. This was based on an annual growth rate of 3 per cent, so one sees how the figures can mount up. By the turn of the century we should have reached 1,500,000, that is, if we just sit by and do nothing about it.

This sort of situation was brought home to South Australians when the implications of the Metropolitan Adelaide Transport Study plan became apparent. The authorities then realized how they would have to cater for this tremendous increase on the roads. They were not prepared to accept the effect on their environment of the proposed massive structures of concrete and steel, said to be needed to cope with the increased car volume. There will be not only twice as many cars but twice as many factories polluting the air and twice as many people crowding our parks, beaches, and sports grounds. This is not a particularly beguiling prospect. Of course, Melbourne and Sydney, both nearing 5,000,000, will be much worse off. It surely follows from what I have said (and I could have painted a much blacker picture very easily) that we must now take steps to ensure a more even distribution of population throughout the country. Otherwise, our metropolitan living area will become unmanageable. We know that the Commonwealth Government is presently reassessing the immigration programme. Investigations are being made into desirable future population levels for Australia, and, most important, into how the nation's people should be distributed between the cities and other areas.

Australia urgently needs a plan for the distribution of its population. Such a plan would be useless without the backing of adequate legislation and finance. There is a growing awareness at Commonwealth level that action will have to be taken soon in response to the mounting groundswell of public opinion demanding action on urban problems. The Commonwealth-State Officials Committee on Decentralization, first set up following the Premiers' Conference in 1964, is expected to submit its report shortly. The content of this report will undoubtedly have a major influence on future Commonwealth Government policy, whichever Party is in power. There is widespread acceptance of the view throughout the country that new growth centres should be established at selected points in an effort to lessen the growth rate of the major metropolitan areas. Such centres should be capable of being expanded reasonably quickly to cities of 100,000 or even 250,000, so that their inhabitants can enjoy all the social and economic advantages commonly found in cities of that size.

Mr. E. G. Whitlam, Q.C., M.P. (Leader of the Opposition in the Commonwealth Parliament), addressing the Centenary Convention of the Royal Australian Institute of Architects

in May, 1971, said that he foresaw "that by the year 2000 we will see at least five more Canberras fully developed, and perhaps as many more in various intermediate phases of growth". Adelaide's Metropolitan Development Plan covers the period up to 1991, now a relatively short period in terms of city development. The State Planning Authority set out some of the alternative forms for growth for Adelaide and the implications of each in its pamphlet *Adelaide* 2000—*The Alternatives,* first issued in October, 1969. Councils, Government departments, professional bodies and other interested organizations were consulted and public debate took place. The authority has analysed carefully the comment received and has concluded that the pattern of growth embodied in the Metropolitan Development Plan is valid up to 1991 with some modifications, but the concept of continued growth on the Adelaide Plains must be seriously questioned in the longer term.

Subsequently, the Government decided that steps should be taken to study the implications of establishing a major new town in South Australia. A small specialist committee of senior public servants, under the chairmanship of the Minister Assisting the Premier, was formed to make a preliminary assessment. It soon became clear that the considerable investigations needed for a project of this magnitude could not proceed under the cloak of secrecy necessary to prevent speculation in land. The committee therefore confined its efforts to a broad assessment of where action to establish a new town would be most assured of success. After a careful analysis of the many factors involved, the committee concluded that a new town established near Murray Bridge was most likely to succeed. It was also essential that a site be secured in public ownership.

Little further work could proceed on investigating a precise site for the town without involving large numbers of specialist advisers. It was necessary to ensure that any site finally selected could be purchased by the Government at a reasonable price. Having taken the steps to secure a site, the detailed planning of the town and setting up the appropriate constructing authority would follow. The Bill before the House represents the first step—securing the site. At this stage, the Government has made no decision regarding the developing authority or other matters relating to the construction of the town. These matters must be the subject of subsequent legislation.

I will deal now with the factors that led to the selection of Murray Bridge as the site for the new town. In this State water supply is of paramount importance and proximity to the Murray River ensures an adequate supply. High ground to the west affords ample elevation for sufficient head to reticulate water through gravity mains and no abnormal problems are expected. Any problems of quantity or quality that may arise in future would apply also to Adelaide's supply. Treatment of sewage effluent would be possible by normal methods and treated effluent could possibly be used for irrigation purposes. Surface drainage will be dependent on the site finally selected, and gas and electricity supplies present no difficulties.

Murray Bridge is located 52 road miles east of Adelaide on the main highway to Melbourne. The new freeway from Adelaide is expected to be constructed to the outskirts of Murray Bridge by 1977, when the present time of travel will be drastically reduced. The main railway line linking Adelaide to Melbourne passes through Murray Bridge. A major new airfield could probably be established near Murray Bridge without undue difficulty. The climate is pleasant, with warm summers and cool winters. The proximity of the Murray River, the sea, and the Mount Lofty Ranges affords a variety of scenery and opportunities for recreation. The productive river flats and nearby irrigation areas assure a ready source of garden and dairy produce. Sources of suitable building materials are readily available, and the building of a new town in the locality would not impair any large area of outstanding scenic beauty. The reasonable proximity of the locality to Adelaide is one of the main reasons why the Government considers that at this stage in the State's development establishing a new town at Murray Bridge can be achieved despite all the major obstacles to be overcome.

The population that will have to be attracted to the new town to live, to work and to bring up their families will be largely the children presently growing up in Adelaide. There will be family ties, and desires to visit at weekends and to make major shopping expeditions. Such social reasons can tip the scales between success and failure of such a project. In addition, manufacturing industries, tertiary education institutions and Government departments that eventually may be located in the new town will have close links with Adelaide. Selecting a site further removed from Adelaide would only increase the major difficulties to be faced in

securing adequate employment opportunities in the town.

A further major reason for selecting Murray Bridge is the nature of the intervening country between Murray Bridge and the Adelaide metropolitan area. A new town must maintain its own identity and not link up eventually with the metropolitan are. Consequently, there must be a significant break of open country between the two. The hilly nature of the Mount Lofty Ranges and the controls existing on metropolitan watersheds will ensure that such a fusion of the two urban areas could not take place. The Government proposes at this stage that a site should be secured sufficient to house 100,000 persons. Such a population requires 10 000 ha of land.

Before dealing with the Bill in detail I want to assure all members of the Council that the Government sees this measure as only one of the steps necessary towards achieving a more even distribution of population throughout the State. There are many country towns throughout South Australia where new development should take place. The Government will continue its endeavours to encourage and promote development in the most appropriate location. Even with the success of the venture we are now beginning, and even if we do manage to go according to plan and sift off 150,000 people from Adelaide's expected over-spill, there are still an extra 400,000 or 500,000 people from Adelaide to be accommodated somewhere.

Plainly this Murray New Town is only one prong of our attack on the population problem. I can assure people in other parts of South Australia who are anxious to get more people and more industry that this proposal does not mean an end to their hopes. All areas with potential will be considered. The Government is asking this Council to support one of the most important and far-reaching decisions made in this State since the founding of Elizabeth. The occasion is supremely appropriate to recall the inspiring words of Daniel H. Burnham. In 1907, when preparing the plan of Chicago, he said:

> Make no little plans; they have no magic to stir men's blood and probably will not be realized. Make big plans; aim high in hope and work, remembering that a noble, logical diagram once recorded will never die, but long after we are gone will be a living thing, asserting itself with evergrowing insistency.

I will now deal with the Bill in some detail. Clause 1 provides for a short title, and here I indicate that the adoption of the description Murray New Town in the short title should not be taken to indicate that this will be the name finally adopted for the town. For the present at least the short title is intended only to indicate the general area in which the town will be established. Clause 2 sets out the definitions necessary for the purposes of the measure, and these definitions are, I consider, reasonably self-explanatory. Clause 3 provides for the actual designation of the site for the new town, and clause 4 formally provides for the acquisition of the necessary land within the designated site. Clause 5 extends the general power of approval or refusal of approval of plans of subdivision vested in the Director of Planning under Part VI of the Planning and Development Act, by giving the Director power to refuse his approval to a plan of subdivision within the establishment area if in his opinion that plan of subdivision would prejudice the establishment of a new town. This decision of the Director is, of course, subject to appeal under the Planning and Development Act.

Clause 6 provides that on and from the day on which the boundaries of the designated site are established all changes of use of land and all improvements to buildings on land within the designated site must be approved by the State Planning Authority if they are to attract compensation on acquisition. Improvements that an owner is by law obliged to carry out will be regarded as being approved by the authority for the purposes of this section. Clause 7 provides for immediate acquisition of land in case of hardship and is based on a comparable provision in the Highways Act. Clause 8 is perhaps the most novel provision in the Bill and has been drafted to cover a situation that the Government considers should be covered but has found extraordinarily difficult in practice to provide for. Briefly, it represents an attempt to ensure that, on acquisition of the land, the owners receive compensation based on comparable values of similar land elsewhere. In short, if over the 10-year land acquisition period land values rise generally, it is considered this should be recognized in fixing compensation for individual holdings when acquisition occurs. As honourable members will be aware when assessing compensation for land regard is paid, amongst other things, (*a*) to the price paid at any previous sale of that land; and (*b*) to the price paid at sales of comparable land elsewhere.

By and large this provision does not affect the aspect referred to in paragraph (*a*) above

since certain modifications of the Land Acquisition Act have been suggested to cover this aspect. The amendment will, however, enable attributed prices to be placed on sales of comparable land in the establishment area on the basis that these attributed prices will reflect the general movement of land values as they would be if the new town was not established in the area. For this reason, the attributed price may be higher or lower than the actual price. By this means it is hoped that owners will receive the advantage of having general movements in land values over the next 10 years reflected in their acquisition compensation. Clause 9 modifies the Land Acquisition Act in the two following important aspects:

(*a*) It provides that all dealings in land subject to acquisition under this Act that occur after March 29, 1972 (the day this measure was introduced into Parliament) will have to be proved to have been undertaken *bona fide,* that is, not merely for the purpose of enhancing the value of land for acquisition purposes. This is the situation that presently obtains under the Land Acquisition Act after the notice of intention to acquire land has been served on the owner. This modification in effect proposes, in one sense at least, that the fixing of the designated site by proclamation under this measure will have effect as a notice of intention to acquire land within the designated site.

(*b*) It provides that improvements and changes of use carried out within the periods set out in paragraph (*b*) of the clause will be recognized in fixing compensation.

Clause 10 confers a formal right of entry on land to certain persons for the purposes of the Act. Clause 11 merely incorporates certain financial provisions of the Planning and Development Act. Clause 12 provides for the expiration of the Act on March 1. 1982. In short, no further acquisition under this Act in its present form can take place after that day without further Parliamentary intervention.

The Hon. R. A. GEDDES secured the adjournment of the debate.

SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY BILL

Adjourned debate on second reading.

(Continued from April 4. Page 4490.)

The Hon. M. B. DAWKINS (Midland): I support the Bill, which updates the machinery for the operation of the South Australian Institute of Technology, which in recent years has been going through the process of becoming a full tertiary institution. Many valuable courses have been conducted at the institute, and some courses at technician level are now being transferred to the Education Department. As the Minister said in his second reading explanation, the Institute of Technology had its origin in the South Australian School of Mines and Industries, which was established about 80 years ago. That institution was given considerable autonomy shortly after its establishment. Also, that institution was connected with the Adelaide University in providing teaching for students in some fields.

Over many years the institution awarded diplomas to successful students, and there are in South Australia today many people of considerable standing who have the letters F.S.A.S.M. or A.S.A.S.M. after their names, indicating a fellowship or an associateship of the school. I well remember that when I was a secondary student I was taught physics and chemistry by a gentleman (whom I honour today) who had after his name the letters A.S.A.S.M. In other words, he had secured his training at the School of Mines and Industries. Being of the rather rude or foolish type that secondary boys often are at an immature stage, some boys considered that the letters after that gentleman's name stood for "Always silly and sometimes mad"—not "Associate of the South Australian School of Mines". However, as we grow older we realize the value of people to whom we have sometimes been rather rude in our earlier years. I know that that gentleman was very highly respected in his sphere and that other people with the qualification A.S.A.S.M. have ability that is beyond question.

The Minister said that the connection between the School of Mines and Industries (as it then was) and the university was brought more into line about 15 years ago, when the school offered courses leading to the award of degrees of the university in applied science, technology and pharmacy. The situation today is somewhat anomalous in that there are students at the institute (as it now is) completing courses that they started prior to 1969 in the three fields I have referred to. Those students, on completion of their courses, will be awarded degrees in technology, applied science or pharmacy. However, students who started identical courses at a later stage will no longer get those degrees awarded by the university. Instead, they will be awarded a diploma in

technology unless the provisions of this Bill are implemented.

We are all aware that the status of many diplomas is quite good, but we are also aware of the enhanced value of a degree. It is therefore unfair that people who are doing the identical courses will be awarded only a diploma, simply because they happened to start those courses in, say, 1970, whereas people who started the courses earlier will get a degree. Therefore it is desirable that the institute should be given the power to award degrees in some cases.

The Bill deals with the institute's becoming fully tertiary, and with the machinery of the management of the institute. It alters the set-up of the council, which at present consists of 19 members, including members of the academic staff, the Director, an officer of the department and 15 members appointed by the Governor in Executive Council. This is being altered by the Bill to provide for a council of 21 members, five of whom will be members of the academic staff, plus the Director and one who will be a member of the ancillary staff elected by that staff. I wonder whether the latter step is entirely necessary.

Admittedly, today the trend is to include on such bodies the members of the staff, of the assistant staff and of the students. Under the Bill, one member of the ancillary staff will be a member of the council, and two members will be students of the institute. The Bill therefore provides for the first time membership from the ancillary staff and the student body. I query whether this is absolutely necessary, although I do not wish to make an issue of this matter because I realize that this is the trend today. Also, 12 additional persons will be appointed to the council on the nomination of the Minister.

The Hon. T. M. Casey: In other words, it will be fully representative.

The Hon. M. B. DAWKINS: That is so. I raise this query, although I do not make an issue of the composition of the council as provided in the Bill. I refer briefly to clause 13, which is a regular clause that is to be expected. It empowers the council to confer fellowships, degrees and diplomas. In the past, the old School of Mines conferred fellowships, associate diplomas and certificates for many years. This clause alters the situation by including the word "degrees", so that it will be possible in future for the council to award degrees. As I said earlier, this is a necessary provision. It is also empowered to confer awards *ad eundem gradum* on persons deemed deserving of them by reason of their attainments. I support this provision.

I wonder, however, what is the situation regarding the institute. Clause 15 (3) provides that the Minister may acquire, under the Land Acquisition Act, land for the purposes of the institute. This may well be necessary. At present, the institute is in what I consider to be a disadvantageous situation in relation to its original home on North Terrace. It now has the excellent new facilities available at The Levels as well as branch sections at Whyalla, and, perhaps, in some other parts of the State. I accept the fact that country branches, probably at South Australia's major country cities, are to be desired. However, I wonder whether the situation would be better resolved in the future (when one considers that the Minister may acquire land) by the institute's having its headquarters at The Levels and its North Terrace site being transferred to the University of Adelaide.

All honourable members realize that the University of Adelaide has the least amount of land of any university in Australia. It has no area for its ancillary colleges, all of which are situated in various parts of the city. I therefore wonder whether in the future The Leve's site and those in country cities should be developed further, and the original site, which must hold many memories for those who were associated with the School of Mines, should eventually pass to the University of Adelaide to enable it further to develop in an already crowded area.

I believe that this Bill is necessary and that the facilities for the South Australian Institute of Technology need upgrading. The institute has a splendid record, and I have no reason to doubt that it will continue to advance even further in the future. I support the Bill.

Later:

The Hon. G. J. GILFILLAN (Northern): I support this Bill. Most of the remarks I made on the South Australian Board of Advanced Education Bill apply to this Bill. It is desired by all those people connected with the Institute of Technology. It will be a great advantage to those students who will qualify there. The institute's courses, such as engineering and pharmacy, have in the past been awarded degrees through the University of Adelaide, but a move has been made over the last few years to make those courses that are to a large extent practical a part of the curriculum of the Institute of Technology and the other courses that tend to be academic

part of the university's curriculum. So we shall have two distinct types of graduate from these two institutions—one in the main academic (although some courses may be difficult to classify in one category or another) and the other, from the Institute of Technology, practical, with a degree which, I believe, could become highly valued by prospective employers when interviewing applicants for work. The very fact that there is to be some uniformity of standards throughout Australia will give confidence to employers in other States, and even beyond Australia. With those few brief remarks, I have much pleasure in supporting a Bill much sought after by the institute.

The Hon. C. R. STORY (Midland) moved:
That this debate be now adjourned.

The Hon. H. K. KEMP (Southern): I second the motion. Copies of the Bill have not yet been distributed.

The Hon. A. J. Shard: They have.

Motion carried.

NATIONAL PARKS AND WILDLIFE BILL

Adjourned debate on second reading.

(Continued from April 4. Page 4495.)

The Hon. C. R. STORY (Midland): I rise to discuss this Bill, which is, I believe, forward looking. I hoped in the past that I would remain in office long enough to be able to see what is now happening. I have only one complaint: that the legislation has not gone all the way, as there are still areas in which people are reluctant to give up that which has been established and which some departments have had for a long time. I am sorry that all of this State's national parks (if one can use that term loosely) do not come under the one Minister, one administration and one director. That is the only way that real success will be achieved in the conservation of both fauna and flora in this State.

A noticeable omission from the category of game reserves is Woolenook Bend. When the new category of game reserves was created following the passage of the former legislation, the first reserve to be declared was that at Woolenook Bend. With a bunch of terrific enthusiasts and conservationists as well as sporting gunmen, they have gone ahead and done quite good work. With the assistance of the department they have placed nesting boxes in the reserves and have attempted, with some success, to provide proper food for ducks and other wild fowl. They have been excluded, as far as I can see, from the provisions of this Bill, because they come under a forestry reserve.

I have clear recollections of the situation of the forests, especially in regard to pines and other trees. I think everything must be done to see that the Woods and Forests Department is in no way inhibited from doing its proper work. Most of the areas of the Murray River are reserves of long standing. Very little has been done to rehabilitate the river red gum in those areas, although a forester has been appointed recently for the Upper Murray. It is a great pity that game reserves such as those have not been included in the schedule, because apparently the Minister of Forests is not able or willing to surrender his rights over that part of the land. On the other hand, native plants that have been administered for many years by the Woods and Forests Department have been brought into the provisions of this Bill. That I agree with entirely.

The national parks, the national pleasure resorts, the fauna and flora reserves and the fauna conservation and native plants protection measures have all been grouped. While there are a few bodies left outside under another Minister, that seems a little absurd. I do not think it will please people who have supported the establishment of game reserves in the Upper Murray. I only hope that the Government will look again at this situation and that the Minister of Forests may see his way clear to have Woolenook Bend particularly and the sanctuaries adjacent to it included in the Act in the same way as Katarapko has been included in the Cobdogla-Weigall subdivision adjacent to Berri on one side and Loxton on the other, where the most amazing arbitrary line was drawn by surveyors, making one portion a national park and the other portion a game reserve. Obviously, what has happened is that people with some authority have had a close look at this and have put it into the one category.

It was my experience when I administered some portion of these Acts that many areas throughout the State were created sanctuaries with no thought being given to their worthiness for such a classification. Consequently, instead of their being useful places as sanctuaries, really they are playing the part of the Trespassing on Land Act in keeping people away from other people's properties. Where we have tea tree, mallee, natural soaks, pools and billabongs (and those are places that people who are keen on conservation are prepared to declare), those are the ones that the department should declare but, as for seeing how many millions

of acres we can put under sanctuary, that is just a plain waste of effort.

I can think of large tracts of land in South Australia that build up our total area to some 8,642,000 acres in the schedules appearing at the end of the Bill, which would not be of great use from the point of view of the conservationist. However, they would be excellent places for the breeding of foxes and rabbits. They cannot be properly policed or fenced and adequate water cannot be provided in many of those areas. It was my great pleasure to spend a little time in California and in America generally and to see what can be done when people embark on a planned programme under a properly administered set-up—in the Smoky Mountains reserves, for instance, in the Gethsemane National Park in California, in the Muir Forest, the great redwood reserves—to see just how much of our heritage we can preserve if we plan properly. I know the personnel concerned with this Bill, which is a great advantage. This Government has not been notorious for nominating the people who will fill certain positions before Bills are discussed. It is a good thing that we know who the permanent head of the department will be and who the director will be—and also, for that matter, who the Minister is at present.

Looking at the Bill generally, it is almost impossible for a lay person to comprehend the many clauses and their ramifications in a measure as far reaching as this one. Conservation can be a highly emotional matter; it can affect people who are normally quite reasonable citizens. When we introduce a Bill like this, we have the widest divergence of opinion on whether or not, for instance, we should allow the wedge-tailed eagle to be shot or protected. I was nearly run out of the State once because I had the temerity to protect the Adelaide rosella and the goshawk. I do not think I had done anything very terrible before that. I brought down the wrath of practically every friend I had in the Adelaide Hills because I protected the Adelaide rosella and the goshawk, which are two native birds.

The most important matter with which we are concerned as Legislators (because we must rely largely on the administrators in these matters) is the establishment of the advisory council. The council shall comprise the permanent head, who shall be a member *ex officio,* one member shall be the director, also *ex officio,* and 15 persons who are, in the opinion of the Governor, qualified by knowledge and experience to be members. The members shall in each year appoint one of their number to be chairman. A person so appointed shall hold office as chairman for a term determined by the council but not exceeding 18 months. At the expiration of his term in office, such member shall be eligible for reappointment. Neither the permanent head nor the director shall be eligible for appointment as chairman.

I think the crux of the legislation is contained in clause 14 of Division II, the National Park and Wild Life Advisory Council, because I consider that on that clause a great deal will depend for the success and future of all forms of conservation in the State. We have rather tended to think of national parks as the one at Belair, but this is not the way I foresee them. In future, I hope that the advisory council, the permanent head and the director will throw open to the public, under proper supervision, some of the extremely good and interesting areas we have acquired in the last five to seven years, when some valuable parts of the State came into the possession of the public. There is no use in locking the parks and keeping them so that people cannot enjoy them, except where they are being used to breed certain types of animal or to protect a species peculiar to a certain locality. The way not to approach national parks is to take huge areas of country, fence them and say, "We want to leave this country exactly as it is. We don't want anyone to walk on it or to look at it."

When one studies what has happened in national parks in the United States of America, particularly Yosemite, where the black bear and other animals are found, one will realize that thousands of people live in the park each week, and great care is taken to preserve its natural habitat. Log cabins that blend into the landscape have been built, and there is nothing ugly about the park; one does not see galvanized iron roofs. This is what we should be providing in our national parks from a conservation and protection point of view. I shall mention foreshadowed amendments so that the Minister—

The Hon. A. J. Shard: You will need to do that, because the Minister in charge is not present.

The Hon. C. R. STORY: I am using "the Minister" as a figure of speech, but no doubt his colleague will answer for him. Note should be made of certain amendments or suggestions that will be put forward so that

when the amendments, when drafted, come before the Committee we will have some idea of what is happening, and we will not be chasing around and having drafting done at the last minute.

This is an important Bill to me. Consideration must be given to clause 15, which deals with the advisory council. Clauses 15 and 16 require examination, because the present provision states that only six obligatory meetings a year will be necessary. This would mean that it would be possible for a council member to attend only one meeting a year without being asked to resign. I consider that such a member should not hold a seat on the council. The clause should be reworded. Regarding subclause (1) of clause 16, "ten" members should be substituted for "eight" members. The council will comprise 17 members, and a quorum of eight implies that regular attendance is not expected. I do not think that that is a desirable thing.

The Hon. R. C. DeGaris: You wouldn't think less than half, anyway.

The Hon. C. R. STORY: No. Promotion of research and investigation for new reserves and extension services are not clearly provided for in the Bill. The Bill deals largely with the reserves, management, control of shooting and conservation of wild life. Wild life should have a broader base than it has, even in this detailed legislation. This could be done by introducing a new Part based on Part II of the Community Welfare Bill.

I shall not weary honourable members by going through all these matters. It would be better if my colleagues and I conferred with the responsible Minister in an attempt to get him to include some of these matters in the Bill. I think that a new clause 25 is necessary. I think that Part III of the Bill requires closer study, with the exception of Belair and Para Wirra, and I think we definitely need to define more clearly what is meant by a game reserve. I do not think the definition of "game reserve" is as clear as it should be. Clause 27 also needs to be looked at. Probably 30 or 40 amendments could be passed to strengthen the legislation without removing in any way the powers which are so necessary to the director, the permanent head, and the officers who have to work under this legislation.

By and large, I support the legislation. It is most desirable that we bring most of the matters dealt with in the Bill under one Minister, one permanent head, and one director. My only regret (and I direct this remark to the Minister of Forests) is that the only portion of Crown land which does not appear to have been included, but which has been dedicated previously as a reserve, is the Woolenook Bend game reserve and adjoining sanctuaries. Because they are forest reserves, there is a reluctance on the part of the Minister or someone else to allow them to be included in the list of game reserves. No doubt the Minister will reply with genuine fidelity. I am pleased to see the legislation before the Council. I will be moving a number of amendments which I consider will strengthen the legislation, and not weaken it in any way.

The Hon. R. C. DeGARIS (Leader of the Opposition): I am sorry that a Bill of this length and complexity is coming before the Council at this very late stage of the session.

The Hon. L. R. Hart: The printed Bill is not yet before us.

The Hon. R. C. DeGARIS: The reprint of the Bill is not in the Chamber. If the Minister looks at the second reading explanation, he will find it is in line with the original House of Assembly Bill, but it does not describe things as they are at present, under the Bill as reprinted. Added to that, we have a Bill of some 80 clauses bringing together in a single Act provisions relating to the conservation of flora and fauna and the management of reserves in South Australia. This is a matter that every honourable member would support. There would be no opposition to this taking place and to these matters being brought under one Act of Parliament. However, I tender a fairly strong protest to the Government that a Bill of such importance to the community should come before us at this late stage. I daresay that right through tonight and tomorrow morning approaches will be made to the Council regarding amendments to the legislation. This is not a matter of great urgency, and we should be allowed time to understand the Bill thoroughly, and to understand the representations that may be made to us, so that we can produce legislation that has been thoroughly scrutinized and understood by members of this Council.

It is a great shame that a Bill of such importance is thrown into our laps at this stage. As the Hon. Mr. Hart said by interjection, we have not as yet a Bill before us. With those opening remarks, I support entirely the comments of the Hon. Mr. Story. He is in a similar position to my own in not, at this stage, thoroughly understanding the Bill. We have not got the Bill yet to study. It is

rather important that the Government gets this message.

In the second reading explanation, the Minister said that the provisions of the various Acts covered by the legislation are being generally updated in line with current conservation thinking. I see it as an amalgamation of the Acts mentioned. I do not entirely agree with the contention that this is updating current conservation thinking. In some ways the Bill is years behind in many of the matters it contains. One of the Bills in which I took a very keen interest some years ago was the Fauna Conservation Bill of 1964. It was introduced to Parliament by the then Minister (Hon. David Brookman) and, when it came to this Council, it was strongly debated. The Bill was fairly heavily amended in this Chamber and was returned to the House of Assembly, where 32 of the 33 amendments were agreed to.

We produced in South Australia eight years ago one of the most forward and far-sighted fauna conservation Acts then in existence in Australia. One could say that it was one of the most progressive pieces of legislation on this score. In this Bill, however, we see very little change from what went forward in 1964, including the amendments made by this Council. If there is any change, it is probably to bring it back to where it was in 1964. Certain matters have been dropped from this measure, and I shall want a very good explanation from the Government of why this has happened and why it has been necessary to make alterations which I consider might not be in the best interests of conservation.

Eight years ago, after the amendments made by this Council, we had a most progressive piece of conservation legislation. A tremendous amount of work was done by members in this place over many days and nights, during which we discussed the Bill with interested people in the community. From memory, we worked on the Bill for a period of two or three weeks, but now we have a much larger Bill and we have to get through it in a matter of hours. I have already lodged my protest on that, but I draw it to the attention of the Council once again. I did not think at the time that that Bill went through that anyone gave any credit to the Legislative Council for its work on that legislation, and now I thank the people who came to us with advice and information which allowed us to use our judgment in moving amendments to that Bill, which, with some alterations, has been taken into this Bill. The Hon. Mr. Story referred to some points that he believed should be raised during the Committee stage. I shall speak only in a general vein at this stage on my concept of conservation and on what legislation is desirable in connection with the environment, wildlife protection and game reserves. Clause 5 defines "protected animal" as follows:

> "protected animal" means any mammal, bird or reptile indigenous to Australia and includes any animal declared by regulation to be a protected animal but does not include the animals of the species referred to in the ninth schedule to this Act, or any animals declared by regulation to be unprotected.

In 1964 we included in the Fauna Conservation Act a definition of "protected animal" that covered birds that may migrate to Australia, but the portion of the definition dealing with those birds has been deleted in transferring the Fauna Conservation Act to this Bill. I believe that any reference in the legislation to animals or birds native to Australia should be deemed to include a reference to birds that periodically migrate to Australia. I believe we should go back to the concept used in 1964, when migratory birds were covered in the definition, and I should like the Minister to explain why the concept has been deleted from the Bill.

I agree with the Hon. Mr. Story that clause 16, dealing with the advisory council, needs re-examining. The honourable member said that the clause required only six obligatory council meetings a year; this means that it would be possible for a council member, without having to ask leave of the council, to attend only one meeting a year. I believe that such a member should not hold a seat on the council. The clause therefore needs strengthening. Further, the clause provides for a council of 17 members, with eight members constituting a quorum. However, I believe that more than half the members of the council, should be required to constitute a quorum. I support the views of the Hon. Mr. Story on promotion and research, the investigation of new reserves, and extension services. Further, I support the honourable member's views on clauses 25 to 33, dealing with national parks, conservation parks, game reserves, and recreation parks. In Division III of Part V, dealing with animals of rare, prohibited and controlled species, clause 54 provides:

> (1) A person shall not, without a permit granted by the Minister, have in his possession or under his control an animal of a rare species, or the carcass or eggs of an animal of a rare species.
>
> Penalty: One thousand dollars.

(2) Where the Minister is satisfied—
(*a*) that it is in the interests of scientific research;
or
(*b*) that it is desirable for the sake of conserving animals of a rare species,
to grant a permit under this section to any person, he may grant such a permit to that person.

There is a number of rare birds and animals in Australia—for example, the princess parrot and the scarlet-chested parrot, which breed profusely in captivity. They are aviary birds, but they are rare in their native state. Can the Minister say how clause 54 affects birds of that type? They are classified as rare, yet they are not rare as aviary birds: they are rare only in their native state. What will happen if a person has birds of this type in an aviary? The clause does not in any way take into account the types of bird to which I have referred. I am concerned about Division IV of Part V, dealing with prohibitions and restrictions on the keeping of protected animals and dealings in protected animals. We also have in the Bill a concept related to controlled species and prohibited species, and these prohibitions and restrictions on the keeping of protected animals apply also to prohibited species. So, I believe that the provision should be reconsidered with a view to striking out the word "protected" so that the provision applies to other categories of bird and animal in the same way as it applies to protected birds and animals. This matter will be raised in the Committee stage. Clause 59 (2), dealing with the illegal possession of animals, provides:

In any proceedings under this section, an allegation in a complaint that an animal, carcass or egg was taken in this State, or imported into this State in contravention of this Act shall be accepted as proved in the absence of proof to the contrary.

I can remember having a deep argument on this matter eight years ago and being beaten on a division by nine votes to eight votes, when I lost the support of the present Government. Although I have not thoroughly examined them, many things in schedules concern me. The Hon. Mr. Story referred to certain game reserves, particularly that at Katarapko. Under the fifth schedule, certain lands, including Bool Lagoon and the Coorong, are declared game reserves, and the section numbers are stated alongside the names of the game reserves therein. Amongst these game reserves many existing national parks are included.

At the beginning of the Bill, national parks are given a certain tenure. Indeed, they cannot be resumed unless a motion comes before Parliament. The same applies to conservation areas. However, the same protection and tenure do not exist in relation to game reserves and recreation parks. I am therefore suspicious that the inclusion of some of the game reserves in the fifth schedule is taking away through the back door part of the tenure of national parks. This may be a mistake by the Government. Bucks Lake, which is, I think, at present a national park, is constituted a game reserve in the fifth schedule. Under the Bill, it will immediately lose its tenure as a national park, an aspect about which I am concerned.

Under the fifth schedule, Bool Lagoon, comprising sections 223, 224, 249 and 356 of the hundred of Robertson, is constituted a game reserve. Section 249 is part of Hack Swamp, which is the breeding ground for ibis and which is, I think, at present a national park. Suddenly, it is to become a game reserve, and its tenure as a national park will be lost. Indeed, as a game reserve it can be altered by any Government as it sees fit to do so in the future. Perhaps the game reserves and recreation parks provision should be amended to provide that the same conditions will apply regarding tenure as apply to a national park. This would overcome my objection.

I have also examined the seventh schedule, which relates to protected native plants. I hope to be able to remove this list completely and insert a new one to enable the Government to get a correct list. In the eighth schedule, which deals with protected birds and animals, I notice that two birds that were included in the rare species schedule eight years ago as a result of an amendment moved by the Hon. Mr. Kemp have now lost their place in the list. The plain robin was one that the Hon. Mr. Kemp inserted by amendment; the other is the Cape Barren goose. I was surprised that the Minister did not refer to this in his second reading explanation. Indeed, I was concerned that this species had disappeared from the schedule of rare species without the Minister having mentioned it.

The Hon. R. A. Geddes: Does this mean that, because they are not in the schedule, they are not protected?

The Hon. R. C. DeGARIS: No, they are no longer a rare species. I would not mind about the removal of the Cape Barren goose from the list of rare species if there was a

reason for this. However, if one compares the Bill with the list of rare species contained in the Fauna Conservation Act, one will see that it has merely been omitted from the new schedule. I am concerned that this removal was not referred to in the second reading explanation.

The Hon. C. R. Story: I do not think there is any doubt about its being in danger now, but it should have been mentioned.

The Hon. R. C. DeGARlS: True, it is probably not in any danger. I agree that the Cape Barren goose needs special protection where it is breeding. However, I think it is being bred virtually in captivity now. Also, the naming of many animals in the rare species list is now well out of date. Having taken advice on this matter, I hope to produce for the Government a list containing the correct names of many species. In the fourth schedule, under which certain lands are constituted conservation parks, is an unnamed conservation park north out of hundreds, section 50. I assume that is the park south of the North-West Reserve; perhaps it can be named as the Bill is debated. I am pleased to see that it has been included in the fourth schedule and that it is not being taken over for another purpose.

Although there are many other matters on which I could comment, I will not do so now. I hope the Government will bear with honourable members on this important Bill, to which many amendments should be moved in Committee to make it more effective. If the Council were given time to debate this Bill (say, until July), honourable members could do an excellent job on it with the knowledge they have gained of this type of legislation over the years in which they have been involved with it. I support the second reading.

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

SUPREME COURT ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from April 4. Page 4496.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which is a fairly short measure. Apart from the removal of the restrictions on the number of puisne judges of the Supreme Court, it is somewhat formal. Clause 4 deals with the charging of interest in connection with a claim. This is not really new, because interest has always been allowed to be charged on a judgment debt. The Bill allows interest to be back-dated to the commencement of proceedings. It is hoped that, because of this, some litigants may be alerted to the need for getting on with the action.

The Hon. D. H. L. Banfield: As in the case of probate.

The Hon. F. J. POTTER: Yes, much the same, because it costs a person money for interest if he slips over the six months period in the granting of probate in the State. If he has not cleaned up the succession duties aspect within six months, the estate will bear interest. Somewhat the same procedure is introduced here. I have no objection to these matters. The principal clause in the Bill is clause 3, which removes the restriction on the number of puisne judges. I suppose that, to be consistent with the Local and District Criminal Courts Act, we must remove this restriction, although one always gets a little suspicious when an attempt is made to change something that has been in operation for many years. Although this will bring the position into line with that operating under the Local and District Criminal Courts Act, so that the Government will be able to appoint additional judges from time to time as the need arises, I do not know that the old system of coming to this Parliament and asking for an increase in the number had anything very wrong with it. Can the Government say whether it has any immediate plans to appoint another judge straightaway? That is a matter that would focus the attention of honourable members on the immediate problem. My own feeling is that the appointment of another judge to the Supreme Court is not at present required.

The Hon. A. J. Shard: There is no intention of doing that.

The Hon. F. J. POTTER: If the Chief Secretary can assure us that this Bill has not been introduced so that an immediate appointment can be made, I shall be satisfied. Perhaps it will take care of the position in the future when the appointment of another judge becomes necessary. I pointed out to the Council some years ago, when we were discussing the matter of additional judges, that there seemed to be a rough sort of formula that we needed a new Supreme Court judge every time the population increased by about 200,000; but now the position has changed entirely.

The Hon. A. J. Shard: That has been broken down by the new structure.

The Hon. F. J. POTTER: It has. Under the new structure, so much work has been taken away from the Supreme Court that new

appointments are probably some little distance away. Anyway, if this Bill passes, it will not now be a matter for the Legislature to concern itself with. I have not had time to check the position in the other States. I do not know whether the Chief Secretary can tell the Council what the position is there. It would be useful if we had that information. Perhaps the Parliamentary Counsel will know the situation. I have pleasure in supporting the Bill.

The Hon. Sir ARTHUR RYMILL (Central No. 2): I, too, support the Bill and the words of my colleague. As the honourable member has said, interest has been recoverable for many years, but it was not recoverable prior to a certain date unless it was recoverable by law or by contract. The only words that cause me any concern are to be found in clause 4 (2), which provides:

> The interest—(*b*) shall be calculated (i) where the judgment is given upon an unliquidated claim . . . or (ii) where the judgment is given upon a liquidated claim—from the date upon which the liability to pay the amount of the claim fell due to the date of the judgment, or in respect of such other period as may be fixed by the court.

Those seem to be very wide words, which really leave the total discretion to the court. I suppose that is a satisfactory way to legislate; I do not like it as a rule, however. I should like a further explanation from the Chief Secretary on clause 3, where it is proposed that the number of judges capable of being appointed to the Supreme Court bench is to be unlimited. Throughout the history of the State, as I understand it, there has always been a limitation on the number of judges. For instance, when I first joined the legal profession, I think there were only three judges. The number was then raised to four, and so on. Each time it was raised, a short Bill was introduced for the purpose of empowering the Government to appoint another judge, which seemed to work satisfactorily. I should like to know why, in view of that, it is now proposed that any Government, not just the present Government, shall be empowered, of its own will and without any reference to Parliament, to appoint another judge.

I think the second reading explanation merely states that the Bill gives the Government power to appoint an unlimited number of judges. The Chief Secretary, by interjection, has indicated that the Government does not intend at present to appoint an additional Supreme Court judge. I wonder why, if the Government does not at present intend to appoint another judge, it is suddenly at this stage widening a clause in a Bill that deals with a totally unrelated matter, although it relates to the same Act. That concerns me, and I hope the Chief Secretary can give me some information on that.

The Hon. A. J. SHARD (Chief Secretary): To the best of my knowledge, there is no suggestion that another puisne judge is to be appointed in the near future. As far as I know, this has not been discussed in Cabinet. I have asked the Parliamentary Counsel to look at the Bill and he assures me that there is no intention of appointing another puisne judge in the near future.

The Hon. Sir Arthur Rymill: Then why amend the Act?

The Hon. A. J. SHARD: I cannot take it any further than that. I also discussed with the Parliamentary Counsel the reasoning behind it (I cannot find it in my docket), and he said it was the opinion of the Attorney-General that there should not be any limitation on the number of judges. To the best of my knowledge, this brings South Australia into line with the other States. That is all I can say on that.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Judges of the Supreme Court."

The Hon. Sir ARTHUR RYMILL: I cannot help feeling that there is always a reason for amending an Act. I cannot help feeling that there is some purpose in this amendment, which is unrelated to the rest of the legislation, which has a definite theme, but it should be included in the Bill now. Perhaps time will reveal what the position is.

The Hon. A. J. SHARD (Chief Secretary): The main purpose is to bring the legislation into line with local court legislation.

Clause passed.

Clauses 4 and 5 and title passed.

Bill read a third time and passed.

INHERITANCE (FAMILY PROVISION) BILL

The House of Assembly intimated that it did not insist on its disagreement to the Legislative Council's amendments.

LICENSING ACT AMENDMENT BILL (GENERAL)

The House of Assembly intimated that it had agreed to the Legislative Council's amendments.

LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from April 5. Page 4497.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which is a somewhat longer measure than the Supreme Court Act Amendment Bill, with which we have just dealt. As most of the matters in this Bill are of a somewhat formal nature, I do not think that the measure need occupy our attention for long. The Bill deals with provisions similar to those we have just been discussing in the Supreme Court Act Amendment Biil. The Bill also allows the Local Court to pronounce a declaratory judgment, which seems to me to be eminently sensible. The Bill also empowers the court to pronounce declaratory judgments for negligence proceedings and to make interim awards for damages.

Honourable members will recall that the matter of declaratory judgments and interim awards was debated at considerable length some years ago. The Government of the day said that it would be of great assistance to litigants in this field and that it was pioneering legislation of the best type. Although we had some disagreement about the actual wording and eventually had to amend the measures substantially, it is strange how events have shown that what is considered to be progressive legislation is not often considered by the public to be so.

It is a matter of some mystery to the legal profession that the declaratory judgments and interim awards for negligence actions have been coolly received by people who apparently seek final damages in these circumstances. Indeed, the Law Society has tried to ascertain why these provisions have not had the appeal it was originally thought they would have. That is an interesting comment on this procedure, which the Bill now gives to the Local Court.

The remainder of the Bill deals with the amendments to many sections in the Act to eliminate the designation of the judge sitting as a "recorder". I can remember that when this legislation was introduced it was stipulated that this ancient office (which is peculiar to England) would give great prestige to the new court and how judges in criminal jurisdictions would be known as recorders. Apparently, this change has not taken on.

It reminds me of an analogous situation when we changed our currency; it was announced that we would have the royal, which no-one liked, and we eventually settled for the wellknown dollar. It seems to me that something similar has happened here: we took the old venerable office of recorder from the English courts, but it has not taken on; we think it is much better to use the familiar term of judge. Many of the clauses of the Bill have the effect of removing the word "recorder" and substituting "judge". The Bill has my support.

Bill read a second time and taken through its remaining stages.

CROWN PROCEEDINGS BILL

Adjourned debate on second reading.

(Continued from April 4. Page 4498.)

The Hon. Sir ARTHUR RYMILL (Central No. 2): I find this an extremely interesting Bill, one that is perhaps overdue, and one that is welcome. It sets out almost totally to modernize the procedures in legal proceedings against the Crown by substituting the more modern forms and methods for some forms which are clothed in antiquity. I have no objection to any part of the Bill. Perhaps the only criticism I could offer is that there might have been one or two things contained in the Bill on which it is silent.

Clause 3 sets out the way in which the Act is arranged. Part II deals with proceedings by and against the Crown, while Part III deals with the amendment of the Supreme Court Act, 1935-1971. Under the provisions of the Bill, section 79a of the Supreme Court Act is transposed into Part VII of the new Act. Part II contains the modernization and reinsertion of various things omitted from the Supreme Court Act by the repeal of Part V, which mainly relates to the old form of proceedings against the Crown of petition of right.

One of my reasons for welcoming this Bill is that I believe it should, for discerning people, recapture in the minds of the South Australian public some of the confidence many people lost through the disaster of the zone 5 settlers. The disastrous handling of that matter aroused fear in many people that perhaps one could not rely as much on the promises or undertakings of a Government as any citizen should feel absolutely his right to demand. I know this happened in the business world, which has become extremely uneasy over the matter. The Bill goes a distance towards allaying that fear. I particularly welcome this because, if there is any feeling among people in a democracy that they cannot trust a Government to fulfil its promises, it is a bad state of affairs.

I am not criticizing the present Government for this. Let me make it perfectly clear that I am criticizing Governments in general. However, the matter of the zone 5 settlers has been solved in a manner satisfactory to most people concerned, and thank heaven that that unhappy chapter is closed. The Bill comes in its wake, and I think it is doubly welcome for that reason. Clause 8 (1), relating to the enforcement of judgments against the Crown, provides:

> No execution, attachment or similar process shall be issued out of any court against the Crown or any property of the Crown.

That provision merely repeats a provision that is repealed by the general repeal of Part V of the principal Act: it is a proper provision. Clause 8 (4) repeats, but in stronger and more definite language, the provision authorizing and requiring the Treasurer or instrumentality of the Crown directed to satisfy the judgment—

> to pay out of the general revenue of the State, or the funds of that instrumentality, as the case may require, any moneys to be paid by the Crown in pursuance of the judgment.

The key word is "requiring", and that is why I say that the provision is strengthened. The Bill seems to be very well thought out. Clause 12 relates to the right of the Attorney-General to appear on behalf of the Crown. Here again this clause recovers a piece of legislation that goes with the general repeal of Part V of the principal Act, but it is done in different language. The old clause provided that the Attorney-General of this State could appear for the Crown in like manner as the Attorney-General of England. That clause has been in existence since 1866 or earlier, and I imagine that the Government or the Parliamentary Counsel believes it is now an historical matter. So, there is nothing new here, except for the modernization of the language. I support the Bill in its entirety, but I believe that it is rather tardy. On March 8, 1967, I introduced a private member's Bill relating to Supreme Court costs.

I intended then to insert in the Supreme Court Act the following provision:

> In any action or proceeding by or against any person to which the Crown or an agent or instrumentality thereof is a party, costs shall not be awarded to the Crown or agent or instrumentality thereof unless the court certify that the bringing or opposing the action or proceeding, as the case may be, by such person had no substantial merit.

As I explained in 1967, that provision was not aimed at making the Crown pay an individual's own costs, but it was aimed at stopping the court from requiring the individual to pay the Crown's costs. I had two reasons for proposing the new provision, the first being that actions against the Crown are terribly expensive and should be facilitated and that people should not be penalized for bringing a reasonable action against the Crown. I said that I thought it was only fair and just that the Crown should bear its own costs. The second reason for my proposing the new provision was that the Crown had its own permanent officers, and thus it had to appropriate revenue for their upkeep. Consequently, there was no reason why the Crown should be reimbursed for an action that was reasonably brought. The Bill was read a second time on March 8, 1967, and on March 15, the next private member's day, the Hon. A. J. Shard (the then Chief Secretary) said:

> I suggest, with the concurrence of the Attorney-General, that the Bill be deferred for the time being. It is pointed out that this Bill deals with only one aspect of proceedings by or against the Crown. A draft Bill to deal with the whole matter is currently being considered by Their Honours the judges and the Law Society and it is not considered desirable to proceed with a Bill that deals with only one aspect of the larger question. It is the Government's intention to introduce a Bill dealing with the whole matter and, in the circumstances, it is considered that Sir Arthur Rymill's Bill should be deferred until the next session of Parliament, by which time it is hoped that the Government will be in a position to introduce its comprehensive Bill.

I assume that the Bill now before us is the Bill that was referred to by the Chief Secretary five years ago.

The Hon. A. J. Shard: We had a couple of years in the wilderness, you know.

The Hon. Sir ARTHUR RYMILL: Yes, and you had a couple of years in office, too. So, I suggest that the Bill has taken a long time to come along. However, when it does come along, unfortunately there is no reference at all in it to the magnificent piece of legislation that I conceived in 1967. So, perhaps it is just as well that we are in the dying throes of the session, because I would hate to ask that the Committee of this Council be instructed to consider the provision that I earlier proposed! However, I shall have an opportunity later to introduce another Bill. Perhaps I shall be able to improve the legislation as a result of the passage of this Bill. I have therefore decided not to complicate the situation any further by asking for an instruction at this stage. However, I give notice that I have not forgotten my Bill, which, I think, is a highly desirable piece of legislation and about which, next session, honourable members may hear

more. In the meantime, I support this Bill in its entirety.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Interpretation."

The Hon. A. J. SHARD (Chief Secretary): I move to insert the following new paragraph:

(*ba*) any instrumentality or agency of the Crown in right of this State;

The amendment merely makes it clear that any agency or instrumentality of the Crown (for example, the South Australian Gas Company or the Electricity Trust) may be sued in accordance with the procedure provided by the Bill.

The Hon. Sir ARTHUR RYMILL: I support the amendment, but I doubt whether the Gas Company is a Government instrumentality.

The Hon. A. J. Shard: It must obtain Government approval to increase gas prices.

The Hon. Sir ARTHUR RYMILL: I agree. The amendment is in line with the rest of the Bill. There are certain Crown instrumentalities such as the Electricity Trust, the Housing Trust and the Botanic Gardens Board.

Amendment carried; clause as amended passed.

Clauses 5 to 11 passed.

Clause 12—"Right of Attorney-General to appear on behalf of the Crown."

The Hon. A. J. SHARD: I move:

To strike out "or in which the validity of any Act, regulation, rule or by-law, or any executive act of the Crown, is in question".

His Honour the Chief Justice foresees possible procedural difficulties if the Crown is allowed to intervene in proceedings in which the validity of any Act, regulation, etc., is in question. Accordingly, the amendment removes this phrase.

The Hon. Sir ARTHUR RYMILL: I support the amendment, although I think the Attorney-General should have this power to exercise at his discretion. The amendment could possibly restrict the interpretation. Words can be inserted into clauses legally which tend to reflect the general wording of the rest of the clause, but that does not apply in this case.

Amendment carried; clause as amended passed.

Clauses 13 and 14 passed.

Clause 15—"Application of Act."

The Hon. A. J. SHARD: I move:

To strike out paragraph (*b*) and insert the following new paragraph:

(*b*) any law, custom or procedure under which the Attorney-General is entitled or liable to sue, or be sued, or to intervene in any proceedings on behalf of the Crown, on the relation, or on behalf of, any other person or persons or in any other capacity or for any other purposes whatsoever;

This amendment merely expresses clause 15 in a more comprehensive form. The purpose of paragraph (*b*), inserted by the amendment, is to make it clear that no right of the Attorney-General to sue or be sued either on behalf of the Crown, or any other person, is affected by the Bill.

The Hon. Sir ARTHUR RYMILL: As the amendment improves the Bill, I support it.

Amendment carried; clause as amended passed.

Remaining clauses (16 to 18) and title passed.

Bill read a third time and passed.

COMMUNITY WELFARE BILL

Adjourned debate on second reading.

(Continued from April 4. Page 4475.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I make the same comments on this Bill as I did on the National Parks and Wildlife Bill. I am concerned that a Bill of such size, containing so many clauses, should be dropped on this Council at this late stage of the session. I realize that some honourable members have already done a considerable amount of work on the Bill. Given time and the opportunity to talk to the people who will be directly affected, I think this Council would be able to produce an excellent piece of legislation. Certain matters contained in the Bill have concerned many organizations in the community.

I do not think one can quarrel with the purpose of the Bill. This matter has been considered for some time not only by the present Government but also by former Governments in this State. The purpose of the Bill is to provide a framework for implementing a policy in relation to community welfare, based on the principle that people in the State, as members of the community, are obliged to support each other in their problems and difficulties. Anyone who has lived for the whole of his life in a small country district will realize that this happens at present, anyway. In practically every small country town there is tremendous community support for various people in the community.

This Bill repeals several Acts and combines their provisions in it. It repeals the Aboriginal

Affairs Act and its various amending Acts, the Children's Protection Act and its amending Acts, and the Maintenance Act and its various amending Acts. I do not intend to go into much detail at this stage, because I have not been able fully to go through the Bill. However, I should like to make one or two comments on it. It appears that the Government is recognizing that participation by volunteers in the community in assisting community welfare programmes is desirable. I do not know that this Bill will achieve exactly what the Government is aiming for. Nevertheless, the concept is a correct one at this stage. Many extremely difficult problems may be experienced in the teething stages of this legislation. In clause 6, the following definition appears:

> "Preliminary expenses" in respect of the confinement of a woman, means the expenses of the maintenance of the woman during the period of three months immediately preceding the confinement, the reasonable medical, surgical, hospital and nursing expenses attendant upon the confinement, and the expense of the maintenance of the woman and the child or children born to the woman for three months after the birth of the child or children.

We are taking the provisions from present legislation and bringing them under the one umbrella of this Bill. Since the original legislation was passed, changes have occurred that have not been introduced into this new concept. Clause 104 (1) provides:

> Where a court of summary jurisdiction, upon complaint made by or on behalf of a woman, is satisfied—
>
> (*a*) that she is pregnant by the defendant (not being her husband) or has been delivered of a child or a stillborn child of whom the defendant (not being her husband) is the father;
>
> and
>
> (*b*) that he has not made adequate provision for the payment of the preliminary expenses in respect of the confinement, the court may order the defendant to pay the Director-General such amount as it thinks reasonable for or towards those preliminary expenses.

The laws of this Slate have changed since the previous Act was passed. We now have on our Statute Book legislation dealing with the termination of pregnancies. I wonder why a provision regarding the payment of expenses in relation to the termination of a pregnancy is not included in clause 104. This seems to be one aspect that the Government has overlooked: that changes have occurred in the laws of this State in relation to the termination of pregnancies. Realizing the attitude of Government members to the abortion legislation that came before this Council previously, I should like to hear their views on this point. I believe the court should be able to make an order regarding expenses involved in the termination of a pregnancy.

I make two comments on community welfare advisory committees, dealt with in clauses 13 to 15. In South Australia we seem to be lacking regarding the services of a comprehensive committee, a standing committee on community welfare, that can act as an advisory committee to other Government departments. We have just had announced the development of a new town on the Murray and, no doubt, the planners will take advice from engineers and other experts. Experts on community welfare are available, and their advice should be taken in relation to the development of Whyalla or of new towns that will develop, including that on the Murray and perhaps others around the gulf. Wallaroo may have an expansion programme (we do not know), but this comprehensive committee dealing with community welfare should be an expert committee that knows the intimate details of any Act and can act in an advisory capacity to the planners of the developments. I have not had time yet to study this Bill, but this matter seems to warrant attention.

We should consider dovetailing the various community welfare advisory committees with regional conferences and consultative councils, for somehow there appears to be no provision for dovetailing the work of this series of committees that will be working in this field. Perhaps the Minister when he replies to the debate will be able to tell us that the Government is envisaging this or that it sees some merit in the suggestion. That is a matter that the Government should attend to in this Bill.

I turn now to clause 80, which is a rather antiquated provision that has been carried through from the old legislation into this so-called updated Bill. I am not criticizing the concepts of the Bill, but some of its provisions are rather anachronistic. Clause 80 provides:

> Any person who sells, lends, or gives, or offers to sell, lend, or give, to any child under the age of 16 years any tobacco, cigar or cigarette shall be guilty of an offence and liable to a penalty not exceeding $20.

This provision, which has been in the Act for years and years, has not been policed, and, what is more, it will not be policed in the future. Because of this, it should be removed, as it brings the law into disrepute.

The Hon. D. H. L. Banfield: What about parents asking a storekeeper not to sell tobacco

to their child, and the storekeeper continues to do so: some complaints could arise from that, couldn't they?

The Hon. R. C. DeGARIS: Maybe so, but how many honourable members in this Chamber, when they were under the age of 16, did not walk into a shop and buy a packet of cigarettes at some time or other? Most of us have done that.

The Hon. A. J. Shard: I did not; I have never smoked.

The Hon. R. C. DeGARIS: That is probably so; that accounts for the Chief Secretary's magnificent stature, but I believe the clause could well be forgotten.

The Hon. F. J. Potter: Many children go into a shop to buy tobacco or cigarettes for their parents.

The Hon. R. C. DeGARIS: True. A child will walk into a shop and say, "I want a packet of cigarettes for dad." If the shopkeeper says, "I cannot sell them to you", he probably loses a good customer. This provision is completely anachronistic and should not have found its way through into a so-called updated Bill.

Clause 84, which deals with the establishment of Aboriginal reserves, provides:

(1) The Governor may, by proclamation—
(*a*) declare any Crown lands to be an Aboriginal reserve;
(*b*) with the consent of the owner of any land, declare that land to be an Aboriginal reserve; or
(*c*) add to, or vary, the provisions of a proclamation under this section, or the corresponding provision of the repealed Aboriginal Affairs Act.

There should be some safeguard here. At the time of the passing of the Aboriginal Lands Trust Bill, we built in a control for Parliament in respect of changes in Aboriginal Lands Trust lands. Here, too, we should have Parliamentary control in relation to any alterations in this area. I see no reason why a provision for the consent of both Houses of Parliament should not be built into this clause, as it has been built into the Aboriginal Lands Trust legislation. Clause 85 deals with the management of Aboriginal reserves. The only people who can benefit are the Aboriginals themselves, and not their spouses. The spouse of an Aboriginal may well be a white woman. The Government should have a second look at the restrictions here.

Clause 125 deals with the variation and discharge of an order. It provides:

(1) Any court of summary jurisdiction constituted of a special magistrate may, on the due application of a married woman or of her husband, and upon cause being shown upon fresh evidence to the satisfaction of the court, at any time alter, vary or discharge any order under this Division, and may, upon any such application, increase or diminish the amount of any payment ordered.

(2) If any married woman upon whose application an order has been made under this Division voluntarily resumes cohabitation with her husband, or commits adultery, the order shall, upon application and proof, be discharged.

That may be going a little too far in these days of a permissive society. It is probably a little hard on the woman, if she falls once in a casual sort of way, to be in a position where the order "shall, upon application and proof, be discharged". If a *de facto* relationship is established the court should, on application and proof, discharge the order. But it is taking it too far in the case of a woman who falls once in a casual way to provide that, on application and proof, the order can be discharged.

As I read clause 238, the Director-General can bring proceedings where a person asks him to bring those proceedings. If the Director-General has to act for an infant of three years of age, how will the infant request him to act? That appears to be an anomaly. I have been unable to go through the Bill completely, because it contains more than 200 clauses. No doubt, the Chief Secretary will agree with me that it is difficult to understand it fully in the time available. In Committee, I will raise further matters, and the Minister may care to study what I have said in order that he can answer my queries. I support the second reading.

The Hon. M. B. CAMERON (Southern): I support the second reading. As the Hon. Mr. DeGaris has said, this is a long Bill and it is difficult in the short time available to understand it fully. In his second reading explanation the Minister said:

This policy is based on the principle that citizens of the State, as members of a single community, owe to one another the obligation of concern and support in the other's problems and difficulties.

The Minister also said that this was the Government's policy. However, it is not only the Government's policy but it is also the principle on which everyone in the community reacts to his fellow man. A Bill based on this policy would surely have the full support of all members of the community. The second reading explanation states that attention was drawn to the unevenness of services in different localities and the inadequate range and quality

of services available to some sections of the community.

This situation exists in those areas outside the metropolitan area that have not been served in any way by social services in the past. No doubt facilities are available, but one often finds that they are difficult to obtain, because in many cases people cannot get to the office to apply. I remember being approached in the Millicent police station by a woman who did not have the bus fare to go to Mount Gambier to make a proper application. She was in difficult circumstances: her husband had been taken to gaol, and she was left with four children and without a cent in the bank. It will be a good thing if these people can apply to a local authority for assistance. It is good to see that the basis of the Bill is the Government's desire to make these services available to all people. This provision has my support and that of most members of the community.

The Bill also provides for the department's services to be made available to voluntary agencies. No-one can say that good work has not been done by voluntary agencies over the years, and it will be a great service to them to have the training facilities and those of the department generally made available to them. I think the department will gain from having the close co-operation of these people, because many people are prepared to give their time without cost to the community. Whilst they may not be trained social workers, they have practical experience of the problems people in the community face. The Bill is centred around what is known as the original family and the family circle. This is a good concept in this day and age with the general trend toward not recognizing the family as being so important. I believe that the family could be given greater emphasis, because the family unit is an important part of society and, if we do not maintain it, we will see a gradual breakdown of society.

The idea of having local consultative councils is an excellent conception, because often local people have a much better knowledge of what people in the community need. In a small community most of the needy people would be known to members of the consultative council, who would better understand the conditions under which family problems had arisen. Also in his second reading explanation the Minister said that the facilities of the department would be available to voluntary groups when needed and that departmental social workers would put people in touch with local agencies where that was the appropriate course. In many cases this would be an excellent way of solving people's problems, and the department's facilities would no doubt be appreciated by voluntary groups. I am sure that in such a co-operative atmosphere the people will receive much better attention.

The Hon. Mr. Potter pointed out that local government would be brought into the welfare system. Local government has a vital role to play, particularly in the initial stages. As the Hon. Mr. Potter pointed out, great expense could be involved in providing community welfare centres, whereas local government has the facilities and quarters available for the initial establishment of these centres. One provision that causes me concern (and no doubt many honourable members have been approached by various groups) is that dealing with foster parents. I realize that the thoughts of the Government and the department must be based on the original family. Nevertheless, difficulties often arise with the foster family, which often has a feeling of insecurity. The department and the Government will have a difficult problem in deciding what is the best way to give the family some security. Many approaches have been made by people who fear the presence of a social worker. It is not because they are frightened of the social worker or that they think the social worker might be there for any purpose other than the good of the child, but they form a great attachment to the child over the years and each time someone appears they wonder whether this could be the day the child is to be taken away, or whether notice is to be given of the intended removal of the child from the family.

Perhaps the department could give notification when the welfare worker is to visit foster parents. This seems a reasonable request. No doubt there are circumstances in which a visit must be made without notice, in cases where there may be some doubt about the ability of the foster family to provide for the child, but perhaps there could be some addition to the Bill to provide that in special circumstances some written notice could be given. I am informed that the appearance of a social worker without notice has a very unsettling effect on the family. Perhaps the Minister would say whether notification of impending visits could be given.

I gather that there has been a gradual build-up of distrust in some cases between

foster parents and social workers. This is a pity, because a spirit of co-operation is needed and only in that way can the best interests of the child be served. The child has as much right within the family circle as members of the original family. I have been told that, until they reach 15 years of age, children are not consulted about their wish either to return to the original family or to stay in the atmosphere in which they have been brought up for some years. It may be difficult for a child to understand the circumstances in which he is placed, but even at 10 or 11 years of age a child must have some idea of what he wants to do, and some credence should be given to his views. Perhaps the Minister could inform me whether he has any definite policy or whether he would consider any change in the matter.

My main purpose in speaking on this part of the Bill is that I believe a greater spirit of co-operation should be built up between the department and the foster parent. It would be easy for the foster parent to become a sort of half-way house, not an important part of the upbringing of the child. The foster parents may be the only parents the child will have.

It is good that the welfare counselling services have been brought together, because people become confused and distressed if it is necessary to deal with a great variety of agencies. It must be confusing to be traipsing from one part of a department to another, building up distrust, and wondering where on earth it will all finish. All politicians have seen people almost at the stage of complete frustration in trying to find an answer to their problems.

The Bill as a whole is a good one, and I give it my support. I was interested to hear the points brought forward by the Hon. Mr. DeGaris, particularly the fact that where a woman commits adultery she loses certain rights. It is unfortunate if it is not a permanent relationship, but nowadays there is a tendency for a much freer attitude towards sex, and I do not believe it is necessarily a good thing to penalize a woman in these circumstances. I support the Bill, and I commend the Government for its work.

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

SOUTH AUSTRALIAN BOARD OF ADVANCED EDUCATION BILL

Adjourned debate on second reading.

(Continued from April 4. Page 4489.)

The Hon. M. B. DAWKINS (Midland): I rise to support this Bill, which seeks to implement some of the recommendations of the Karmel report, at least in some measure. I have not overlooked the fact that in the Bill there are some variations from the report itself, but in general terms it may be said that it is the Government's intention to implement some portions of the report. The purpose of the Bill is to establish a board of advanced education. It is intended to co-ordinate the various colleges of advanced education under the general oversight of the board. As the Minister said, the Bill is a step in releasing teachers colleges from departmental control of the Education Department, and it also seeks to take the Roseworthy Agricultural College from its present small separate department and bring it under the general oversight of the board. Other places to come within the orbit of the board will be the Institute of Technology and also the School of Arts, as well as one or two projected colleges.

The Minister said that most other States have found it desirable to establish similar bodies. As I read the report, I know this is true in some measure. Naturally there is some variation in the types of body established in other States to control these activities. Western Australia has a board which has some connection with general oversight of universities as well as colleges of advanced education. Clause 4 clearly spells out the various types of advanced education, and clause 6 deals with the constitution of the board. Clause 7 deals with the appointment of the Chairman of the board, who will be a full-time member and the chief executive officer. So, perhaps the word "Chairman" is a misnomer, because it does not convey the idea that the Chairman is also the chief executive officer. The other board members will be part-time members. The Bill also provides for a small secretariat to assist the Chairman in the work of the board. In his second reading explanation the Minister said:

> Clause 8 provides that the board will consist of 15 members drawn from the Education Department, the two universities, the South Australian Institute of Technology, the colleges themselves, secondary education, and from persons not engaged directly in education.

Two members of the board are the Director-General of Education or his nominee and the Director of Further Education or his nominee. Further, the Vice-Chancellor of the Adelaide University and the Vice-Chancellor of the Flinders University of South Australia are to be members of the board. It would appear that, although the board does not have any oversight over the two universities, representatives of those universities will sit, as it

were, in judgment on the colleges of advanced education. I do not know whether that is a good thing. The Director of the South Australian Institute of Technology or his nominee will also be a member of the board, as will two principals of colleges of advanced education other than the Institute of Technology. The Bill also provides that the board shall include two persons elected from their own membership by the full-time academic staff of the colleges of advanced education, of whom one shall be elected by the academic staff of the South Australian Institute of Technology and the Roseworthy Agricultural College, and one shall be elected by the academic staff of the other colleges of advanced education. In dealing with this clause the Minister said that in his opinion a membership of 15 was large enough. In normal circumstances I would agree with the Minister, but he said:

As honourable members will note from the functions and duties required, the board will act as an independent body making recommendations in some areas and implementing decisions in other areas.

Admittedly, the Minister may request the board to do something and ask for its opinion but, as far as I can see, he does not have the opportunity to control the board and tell it what to do. Therefore, what the Minister has said is correct: the board is an independent body. That is a great improvement on what we have come to expect of late. The Minister also said:

It has not been conceived as a forum in which each college or particular interest is represented for the purpose of pressing for its own particular programmes. Under these circumstances it is not desirable for every college or area of interest to have separate and direct representation. Such a board would become unwieldy and ineffective.

In general, I agree with that, but I still believe that there is one shortcoming in the clause, because Roseworthy Agricultural College is left out on a limb. I know that it can be said that the number of students at the college is rather small, compared with the number of students at other colleges. However, clause 8 (1) (*g*) provides that the board shall have:

two principals of colleges of advanced education (other than the South Australian Institute of Technology) elected by the principals of those colleges.

I suggest that four or five of the other colleges of advanced education have considerable affinity with each other, but the Roseworthy College is a special case. Clause 8 (1) (*h*) (i) provides that one board member shall be elected by the academic staff of the South Australian Institute of Technology and the Roseworthy Agricultural College. Again, I believe that the chances of the college getting any representation would be fairly remote. In general, I agree with the Minister's statement that the board has not been conceived as a forum in which each college or particular interest is represented for the purpose of pressing for its own particular programmes. However, I believe that in this case, since most of the other colleges are metropolitan colleges or teachers colleges, Roseworthy Agricultural College is a special case. It has made a remarkable contribution to the advancement of primary production in South Australia over many years. The college provides three unique diplomas so far as South Australia is concerned. It provides the normal diploma in agriculture over a three-year period. It also provides the Roseworthy diploma in oenology which, if one commences with the basic entrance qualification, involves at least four years, comprising the first two years of the normal agriculture course and two years for the winemaking course.

The third is the Diploma in Agricultural Technology, which is a four-year course and which corresponds more nearly, so I am reliably informed, to the broader-based Degree in Agricultural Science of former years than do today's specialized courses. Sitting opposite me in this Chamber is the Hon. Mr. Kemp, an honors graduate in Agricultural Science and a graduate of the Roseworthy Agricultural College; he could no doubt give honourable members more information about this matter than I can.

I believe Roseworthy Agricultural College has made a unique contribution in its field. It has three specialist types of qualification to give to people who are going to work in various forms of primary production and in extension work. It would, therefore, be appropriate if the college had a chance to have a representative on the board. At present I believe it has virtually no chance: in that case, I believe an increase from 15 members to 16 members on the board could well be considered by the Minister. However, I will raise this matter later.

The other clauses of the Bill are unexceptional. Clause 13 relates to a matter with which the Council dealt yesterday. It provides that a member of the board shall be entitled to receive such allowances and expenses as may be determined by the Min-

ister. I wonder whether that provision is necessary, and whether the words "allowance and" should remain in the provision. The words "such out-of-pocket expenses", inserted in another Bill yesterday, would be reasonable in this respect. Whether it is necessary for the members of all these boards to have allowances or remuneration paid to them, I very much question. Clause 15 (2) provides as follows:

> The board shall, of its own motion, or at the request—

and I note the word "request"—

> of the Minister or the governing body of a college of advanced education, make an investigation into any proposed extension of a college of advanced education, the amalgamation of colleges of advanced education, the division or subdivision of a college of advanced education, or into the feasibility of establishing further colleges of advanced education.

The words "make an investigation" in that provision are all right. I would not like to see this board placed in the position in which it could make snap decisions or recommendations to the Minister over the heads of the colleges, which will be particularly qualified in their own sphere. That provision is all right, so long as it does not provide overriding powers of an objectionable nature.

Clause 16 provides for the accreditation of courses. This is a good arrangement, in which various diplomas will be recognized not only in South Australia (as was the diploma of the School of Mines to which I referred earlier) but also throughout the Commonwealth. In his second reading explanation the Minister said:

> It is hoped by this means to develop accepted standards and common nomenclature for degrees and diplomas which will establish the college awards in the community, and ensure their recognition. . . .

I commend that objective, which is something to be desired. Clause 17 (1) (*d*) provides that the board shall receive and review representations from the colleges of advanced education upon the conditions of appointment of, and the salaries to be paid to, the staff of colleges of advanced education declared by proclamation to be colleges to which the provision applies. I believe the conditions and salaries for the staffs of these colleges may well exceed what they have been in the past, in that they may conform to the recommendations of the Sweeney report rather than to those of the Public Service Board.

Representations have been made to me by members of these faculties. They have asked whether they will still be in a position of manoeuvrability regarding the change to being under autonomous colleges, as they will become, from being as at present under the Public Service Board. I understand there will be some limitation on exchange. The exchange from an autonomous college to the Public Service will not be as easy as it has been in the past. On the other hand, members of the staffs of these colleges may be in such a position that their salaries may deter them from seeking to move back into the Public Service.

However, I believe some provisions in this regard will be necessary when the Government introduces a Bill to apply to the Roseworthy Agricultural College and to other colleges of advanced education, and I hope the Government will take due note of this and ensure (as it should) that the employees of these autonomous colleges will not suffer from any lack of manoeuvrability in moving from one job to another. I also notice that the board has no power to make appointments to college staffs or to determine the salary or employment of any individual staff member. I agree with this, as I believe these are matters for the attention of governing councils of individual colleges. Again, this is a matter on which I express my approval. I support the Bill.

The Hon. G. J. GILFILLAN (Northern): I support the Bill. To a large degree it somewhat parallels another Bill at present on the Notice Paper, the South Australian Institute of Technology Bill. The Board of Advanced Education is to be set up under the Australian Commission of Advanced Education with the idea of standardizing degrees, diplomas, and certificates awarded by such institutions as the South Australian Institute of Technology, teachers colleges, and other tertiary education institutions.

In his second reading explanation, the Minister said there was uniformity with the other States, but we see some deviation from this theme. Western Australia has adopted what, to me, appears the best scheme in forming a college of advanced education which includes all forms of tertiary education. By excluding the universities in South Australia we could be creating some anomalies where we have students taking tertiary courses in the Institute of Technology and the university, in separate streams as far as degrees are concerned. I find it peculiar that, in the case of a student wishing to further his studies to a higher degree in our universities, degrees of universities in other States are acceptable, but a degree from

the Institute of Technology is acceptable only if some special provision is made in individual cases.

To function properly, the college of advanced education should have overall control, because the field in which it works would not interfere with the autonomy of government within the university or within the Institute of Technology, but would be rather a more general role. The college of advanced education degrees, awarded under supervision, should be recognized by universities, and some effort should be made to avoid this separate stream in education.

The matter has been ably covered by the Hon. Mr. Dawkins, but we have reason to be proud of our tertiary institutions and the standard of the students they turn out. The Hon. Mr. Dawkins mentioned Roseworthy Agricultural College, and although it is a comparatively small institution in numbers of students it is setting a very high standard, and is going from strength to strength with the addition of more facilities and a general upgrading of courses. The degrees conferred by the Institute of Technology will be more valuable and more sought after by employers once their worth is established—perhaps even more so in certain forms of employment than purely academic degrees. I do not want to see such institutions in any way adversely compared with any other.

Clause 17 deals with finance and allows the board to make certain recommendations for the apportionment or allocation of money available to the Government. This clause, from my investigations, has not really got teeth, because the final allocation will depend on the Treasurer as to moneys allocated from the Treasury to be divided amongst the institutions concerned.

The Hon. T. M. Casey: Also from the Commonwealth.

The Hon. G. J. GILFILLAN: I thank the Minister for his interjection. The Institute of Technology has the same financial Commonwealth-State ratio with the State as far as costs are concerned as have the universities. Can the Minister say whether the teachers colleges and other institutions will come into this field with the passing of this Bill?

The Hon. T. M. Casey: Yes, they will.

The Hon. G. J. GILFILLAN: I suspected that that was the case, and it was an added incentive to include within the college of advanced education these other seats of learning.

The Hon. H. K. KEMP (Southern): I think there is a degree of misunderstanding of this Bill and the needs that lie behind it. It is terribly important in South Australia, particularly in agriculture, where more and more the university degrees have become specialized, more specialized, and more detailed until the man who comes from the university today is of very little immediate practical use in the industry for which he has been trained. He is tremendously well trained as a research man to go into the Commonwealth Scientific and Industrial Research Organization and the universities themselves, but to serve an industry, to serve agriculture, he is completely out of touch by the time he has faced the tremendously intensive education, the pressure cooking, that goes into a university degree today.

There is real need, and it stretches right across the whole technology field, for a board of this nature to keep a commonsense view and a continuing review of the needs of the industry, of the community, and of the capabilities of the people coming forward, to do what this board is asked to do, to review completely and continuously, and to have the power to make the necessary changes. There is no doubt that there is a very great wisdom behind this Bill, wisdom which should be appreciated.

The Hon. Mr. Dawkins referred to the sectarian interest at Roseworthy Agricultural College. Technically, the college is one of the smaller areas. When we come to the huge technical colleges growing up around Adelaide and those growing up around Whyalla, with 10 times the community of students (I think they are called convocations of students), they must tremendously outvote, in the number of students served, the small community which must be trained for agriculture today.

Roseworthy will have the privilege of putting before the board its needs and its specialist requirements in the same way as any other sector of the whole field of education at tertiary level. The Hon. Mr. Gilfillan said that the universities were being excluded, but I point out that they have direct representation on the board. I am sure that this is one of the most forward-looking pieces of legislation concerned with education that we have had before us for many years. I strongly commend it to honourable members because it will get us past some of the horrible things that have been occurring in the training of youngsters in this State. Previously, students have been led into sterile corners because there has not been sufficient co-ordination of their training. I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Membership of the board."

The Hon. M. B. DAWKINS: I move:

In subclause (1) (*h*) to strike out "two" and insert "three"; in subparagraph (i) to strike out "and the Roseworthy Agricultural College"; and to insert the following new subparagraph:

(ia) one shall be elected by the academic staff of the Roseworthy Agricultural College;

During the second reading debate I stated why I thought this amendment was necessary. Even though the Bill provides that two principals of colleges of advanced education shall be members of the board, I submit that the Roseworthy Agricultural College is a special case. Under clause 8 as it stands the college has a very remote chance of getting any representation. I am aware of the Hon. Mr. Kemp's viewpoint that the number of students at the college is relatively small.

The Hon. Sir Arthur Rymill: They are important, though.

The Hon. M. B. DAWKINS: Yes. Earlier today I stressed the importance of the college and the importance of the people it serves.

The Hon. Sir ARTHUR RYMILL: I support the amendment largely on the basis of the interjection I made. The members of the board will be dedicated people. Although the sector of the population served by the Roseworthy Agricultural College is relatively small, it is a very important sector.

The Hon. T. M. CASEY (Minister of Agriculture): I suppose I can sympathize with the Hon. Mr. Dawkins and the Hon. Sir Arthur Rymill. I realize the importance of the Roseworthy Agricultural College, but honourable members must look at the overall situation. If we had accepted the Ramsay report on agricultural education, the Roseworthy Agricultural College would have become part of the Institute of Technology, and the college would have had no representation. However, that part of the report was rejected by the Government, and the college is to become a college of advanced education. The Bill already provides that the Roseworthy Agricultural College will not be overlooked. I stress that the college cannot be considered in isolation. I realize to what extent agriculture contributes to our export income, but we must look at the overall situation and realize that, if we make special provision for one college, later the School of Art, say, will want special provision made for it. Then, other colleges that have more students than the Roseworthy Agricultural College has will have an equal right to voice their claims in connection with representation on the board. The Bill already provides for a board of 15 members, a sizeable membership. We do not want a board that is unwieldy. Under paragraph (*g*), two principals of colleges of advanced education (other than the South Australian Institute of Technology) are to be elected by the principals of those colleges. Therefore, there is one chance of the principal of Roseworthy getting on to the board.

The Hon. M. B. Dawkins: Buckley's chance.

The Hon. T. M. CASEY: One never knows. Appointments are for two years and even though, according to the Bill, the person elected is eligible for re election, it would be advantageous to have a different member appointed each two years so that different ideas could be put forward before the board.

The Hon. M. B. Dawkins: That is not stipulated.

The Hon. T. M. CASEY: No, but these things cannot be laid down. There is another chance, as one member is to be elected by the academic staff of the Institute of Technology and the Roseworthy Agricultural College. Therefore, the whole provision is loaded in favour of the Roseworthy Agricultural College, because it is being singled out.

The Hon. Sir Arthur Rymill: That part will be struck out by the amendment.

The Hon. T. M. CASEY: But it will be reinserted as new subparagraph (ia). As the Bill stands, there will be two opportunities for a person from the Roseworthy Agricultural College to get onto the board. I repeat what I said in the second reading explanation, that the board is not conceived as a forum for the benefit of all interested parties. It is an executive board and its members must operate independently. It has been pointed out that some teachers colleges, which may be attended by about 5,000 students, will come under the legislation, and that that should be compared with the Roseworthy Agricultural College, with its 200 students, or with the college at Whyalla, with 350 students. It has been stated that country representation is necessary, but if these amendments are carried other sections will want similar treatment.

Three members of the board will be Mr. Braddock, a former member of the Commonwealth Advisory Committee on Advanced Education, Sir Ian Wark, and Mr. Huddleston, all of whom are familiar with the

work done at Roseworthy. Those three men are capable of working on the board and, indeed, they appreciate the problems that exist at Roseworthy. For those reasons, I ask the Committee to reject these amendments, which will create a precedent that will lead to many problems in the future. Although, being involved in agriculture, I am sympathetic to the honourable member's point of view, I consider this matter must be examined in its overall effect.

The Hon. M. B. DAWKINS: I thank the Minister for his reply, and I agree with some of the things he said. I am grateful for his sympathy, and I would be even more grateful if I had his support. The colleges of advanced education referred to in paragraph (*g*) include all of the teachers colleges in Adelaide, the School of Art, the Roseworthy Agricultural College and, eventually, other colleges as well. I therefore suggest that the principal of Roseworthy Agricultural College would have Buckley's chance of getting onto the board opposed to, say, four or five principals of teachers colleges that have a particular affinity with one another.

Of the two persons elected to the Advanced Education Board from the full-time academic staffs of the colleges of advanced education, one shall be elected by the academic staff of the Institute of Technology and of the Roseworthy Agricultural College. The Minister could easily tell me which of those two institutions would have the numbers. The academic staff of Roseworthy would have Buckley's chance of obtaining representation. I consider Roseworthy to be a special case, as it is different from the other colleges with which it is bracketed and it has a tremendous influence in South Australia.

The Hon. G. J. GILFILLAN: I support the amendments. I am sure the main issue is not the number of students involved but the coverage of all facets of tertiary education on the board. The Roseworthy Agricultural College covers a specialized field and would, no doubt, be able to speak for other fields of tertiary education where primary producing education and agricultural technology are being taught. This is an attempt to get a well-balanced board.

The Hon. L. R. HART: I, too, support the amendments. Everyone is jumping on the education band waggon. Indeed, from listening to many people, one would think that education was the main priority. I think we must get our priorities right within education. Although South Australia has advanced considerably in the field of secondary education, this State still depends for its economic livelihood on the rural industry. I therefore believe that rural industry should be properly represented in any scheme that involves advanced education. The Roseworthy Agricultural College, as a specialized institution in advanced education, should have adequate representation.

The Committee divided on the amendments:

Ayes (9)—The Hons. M. B. Cameron, M. B. Dawkins (teller), R. C. DeGaris, G. J. Gilfillan, L. R. Hart, F. J. Potter, Sir Arthur Rymill, C. R. Story, and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, T. M. Casey (teller), R. A. Geddes, H. K. Kemp, A. F. Kneebone, and A. J. Shard.

Majority of 3 for the Ayes.

Amendments thus carried; clause as amended passed.

Remaining clauses (9 to 25) and title passed.

Bill read a third time and passed.

[*Sitting suspended from* 6 *to* 7.45 *p.m.*]

LOTTERY AND GAMING ACT AMENDMENT BILL (T.A.B.)

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

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

That this Bill be now read a second time.

One of its principal objects is to make provision for the establishment of funds for the development of racecourses for horse-racing, trotting and dog-racing in this State. The moneys for these funds will be derived from double, treble and jackpot totalizator pools where the Totalizator Agency Board operates on or off-course. Under the principal Act as it now stands, the deduction to be made from all moneys invested with a totalizator, whether on or off-course, is 14 per cent. It is intended to increase the deduction by a further 1 per cent in respect of moneys invested on doubles, trebles and jackpots totalizators where the T.A.B. is operating. This should yield about $115,000 a year, which will be paid to a board to be known as the Racecourses Development Board. The board will consist of seven members, one of whom will be an independent chairman, two will represent horse-racing other than trotting, two will represent trotting and two will represent dog-racing. The main function of this board will be to maintain three separate funds.

The first fund will be called the Horse Racing Grounds Development Fund and will

consist of that part of the 1 per cent deduction which is derived from horse races. The portion attributable to trotting races will be paid into the Trotting Grounds Development Fund and the portion attributable to dog-racing will be paid into the Dog Racing Grounds Development Fund. For the purposes of administering each of these funds the Racecourses Development Board will be formed into three groups. It should be emphasized that the funds are to be used only for the provision and improvement of approved public facilities on any racecourse. At present, racing clubs are finding it extremely difficult to meet rising costs and almost impossible to provide or improve public facilities on racecourses. One example can be found in the out-of-date totalizator facilities which are inhibiting substantial turnover increases. The clubs make very little profit on race meetings; in fact, some clubs operate at a loss. Therefore, the present distribution from the T.A.B. is needed in some cases merely to keep the club in existence. The Government believes that by establishing the development funds the burdens on the racing clubs will be eased and the racing industry as a whole should eventually be improved. The States of Victoria, New South Wales and Queensland have a similar scheme and its operation has been most successful and beneficial in each of these States.

The Bill also contains sundry amendments to the principal Act, some of which correct minor defects and anomalies in the Act, some make metric conversions and some effect various substantial alterations to the operation of the Act. In the last category comes the proposed amendment enabling the T.A.B. to make "same day pay-outs" with respect to off-course betting, which merits some explanation at this point.

After careful consideration of the possible advantages and disadvantages of the various same day pay-out systems, the Government now firmly believes that the benefits which would flow from the system adopted in this Bill both to the racing industry as a whole and to the revenue of the State far outweigh any possible disadvantages. In some other States dividends on off-course betting are paid out after each race. However, the Government believes that this is a system which could lead to loitering in T.A.B. premises and so the idea has been discarded. The Bill provides that the T.A.B. pay out dividends on off-course betting after the conclusion of the particular race meeting and that such payment shall be made in accordance with the rules of the board.

It is envisaged that a metropolitan agency, for example, will be open between 5 p.m. and 7 p.m. or 8 p.m. on the race day and following days. The present manner in which agencies are conducted will be continued and there is no evidence from those other States that pay out under a similar system that the incidence of loitering will increase. There is ample evidence, however, to prove that, on the introduction of such a system, there is a very significant increase in betting turnover.

The Government believes that such an increase in turnover will occur in this State if this Bill becomes law. The obvious benefits that would flow therefrom are as follows:

1. An increase in State revenue.
2. An increase in revenue for the various racing bodies.
3. A reduction in the present security problem which results from the large sums of money held in agencies at the end of a race day.
4. More active competition with the licensed betting shops in Port Pirie which of course can pay out after each race.
5. Further discouragement of the activities of illegal bookmakers.

Clause 1 is formal. Clause 2 fixes the commencement of the Act on a day to be proclaimed. Clause 3 amends the arrangement of the principal Act. Clause 4 rectifies an error that was made in the proclamation fixing the date of commencement of the Lottery and Gaming Act Amendment Act (No. 2), 1966. Clauses 5 to 12 inclusive make certain metric measurement conversions. Clause 13 increases from 14 per cent to 15 per cent the deduction to be made from moneys invested with a club on any double, treble or jackpot totalizator on which the T.A.B. conducts betting.

The increased deduction of 1 per cent will operate from a day to be fixed by proclamation (called "the appointed day") and will be paid by the club to the Racecourses Development Board for credit to the various development funds in the proper proportions according to the derivation of the moneys. Clause 14 contains a consequential amendment. Clauses 15 and 16 effect metric measurement conversions. Clause 17 contains the amendment which enables the T.A.B. to pay out dividends on an event at any time after the conclusion of the race meeting at which that event was held.

Clause 18 increases from 14 per cent to 15 per cent the deduction to be made from

moneys invested with the T.A.B. on any double, treble or jackpot totalizator. Clause 19 contains consequential amendments. Clause 20 provides for the payment to the Racecourses Development Fund of the extra 1 per cent raised by virtue of clause 18 of this Bill. Clauses 21 and 22 effect metric measurement conversions.

Clause 23 amends section 38 of the principal Act which deals with the granting by the Betting Control Board of licences for bookmakers, bookmakers' agents and bookmakers' clerks. The Act places an overall condition on the granting of any of these licences that the applicant must have resided in this State for at least 12 months prior to his application. This is a somewhat stringent requirement, and, in the case of an application for a clerk's licence, has caused some hardship. As the board has an unfettered discretion in the granting or refusing of licences, it is felt that the residential qualification need only be kept in the case of bookmakers, thus enabling the board to give a licence to an interstate clerk or agent who has good references but who has not necessarily resided in this State for any fixed period prior to his application.

Clause 24 effects a metric measurement conversion. Clause 25 contains a consequential amendment and effects certain metric measurement conversions to section 42 of the principal Act, which deals with the registration of betting shops by the Betting Control Board. Paragraph (*b*) of the clause amends subsection (6) which prohibits a betting shop from opening on a day on which a race meeting is held within a radius of 10 miles of the betting shop. The definition of race meeting was amended some time ago to include horse racing, trotting and dog racing and this has meant that a betting shop cannot open for the purpose of betting on horse races on a day when a trotting meeting or dog racing meeting is to be held within that radius. This obvious error is remedied.

Clauses 26 and 27 effect metric measurement conversions and the latter clause also corrects an incorrect reference to the Trotting Control Board. Clause 28 inserts new Part IVA of the principal Act which deals with the Racecourses Development Board. New section 48d establishes the board and gives it the normal powers of a corporation. The board will consist of seven Governor-appointed members, as I have already explained. The members will be paid out of such of the three development funds and in such manner as the Minister may determine.

New section 48e provides for the establishment of the three development funds referred to earlier. Each fund will consist of the moneys paid to it in respect of its proportion of the 1 per cent deduction, income from investment, interest on loans and any other moneys it may receive. The board may invest surplus moneys with the approval of the Treasurer. New section 48f deals with the appropriation of the moneys in the various funds. After payment of its share of the administrative costs and the members' allowances, the Horse Racing Grounds Development Fund may provide, erect, improve or repair approved public facilities on grounds used for horse racing other than trotting. The Minister is given power to approve the public facilities to which moneys may be directed. The Trotting Grounds Development Fund may be used for public facilities on trotting grounds and similarly the Dog Racing Grounds Development Fund may be used for public facilities on dog racing grounds. The board may, for these purposes and with the consent of the Treasurer, provide grants, subsidies or loans to racing clubs or may pay off any debt of a racing club incurred with respect to a public facility.

New section 48g provides that the board shall sit as a whole for the disposal of general business and, for the disposal of business arising out of the administration of the funds, shall be comprised of three members, one being the chairman and the other two being those members who represent the interests relative to the particular fund the subject of the meeting. When the board sits as a whole, three members shall constitute a quorum. When the board meets for the administration of a fund, two members shall constitute a quorum. (As a result of a slight amendment in another place, when the board sits as a whole, four members shall constitute a quorum, and not three.) The chairman or his deputy must be present at every meeting of the board. New section 48h obliges the board to present an annual report to the Minister on its work during the previous financial year. New section 48i requires the board to keep proper books of account and for the Auditor-General to audit the accounts of the board annually. Clause 29 effects a metric measurement conversion.

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

OATS MARKETING BILL

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

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

That this Bill be now read a second time.

It is inevitable, in the view of the Government, that a continuation of the present restrictions on wheat deliveries will encourage cereal farmers to turn their attention increasingly to the production of other grains, including oats. In these circumstances, it was considered that the time was opportune to review the operation of the current voluntary pool system of oat marketing, under which prices fluctuate considerably from year to year. It appears to the Government desirable that this voluntary system be replaced by a system of orderly marketing for oats in South Australia similar to that operated by the Australian Barley Board in relation to barley which has functioned successfully for a number of years. Orderly marketing operates in New South Wales and Victoria, and the Government believes that the establishment of an oat marketing board in this State would enable South Australia to play its part in the national marketing of oats. A statutory body could exercise closer supervision over distribution, selection of varieties, and quality of grain; and advantages would accrue to growers from research conducted by the board. A central marketing authority would also overcome some of the problems now faced by exporters who, by purchasing small quantities of oats from individual growers, are forced to accept higher freight rates due to the small quantities being shipped overseas. By these means, an orderly marketing scheme could be expected to help to stabilize prices and create the climate of confidence necessary for farmers to increase the acreage sown to oats.

The Government has conferred with the United Farmers and Graziers of S.A. Inc., which has given an assurance of the unqualified support of the members of that organization for the setting up of an orderly marketing system for oats. The legislative scheme given effect to by this Bill is in many respects similar to that set out in the Barley Marketing Act of this State. There is, however, one important difference in that the board constituted under the Barley Marketing Act is comprised of representatives from this State and Victoria, whereas the board proposed by this Bill will be comprised of persons drawn from this State only. To consider the Bill in detail: Clauses 1 to 3 are formal. Clause 4 sets out the definitions needed for the purposes of the Bill. Clause 5 formally constitutes the South Australian Oats Board. Clause 6 provides that the board shall consist of five members, of whom three shall be elected by growers of oats. To vote at an election a person will have to have harvested for sale not less than 12 ha (that is, approximately 30 acres) of oats in the preceding season.

Clause 7 is a formal provision to ensure that members of the board do not, by the operation of any other Act, suffer financial hardship by reason of being unable to retain other fees or remuneration. Clause 8 makes the usual provision for the removal from office of members of the board. Clause 9 provides for casual vacancies and is in fairly standard form and clause 10 provides for procedure of meetings of the board and for a quorum at those meetings of three members, of whom one must be a person appointed by the Governor. Clause 11 provides for the remuneration of members of the board. This remuneration is payable out of the funds of the board.

Clause 12 provides for the Chairman to have a casting vote and for a member presiding at a meeting to exercise such a vote in the absence of the Chairman. Clause 13 guards against acts or decisions of the board being rendered ineffective by reason of a vacancy in the office of member or a latent defect in the appointment of a member. Clause 14 provides for the appointment of a secretary to the board. Clause 15 is a fairly standard provision to enable the board to make use of the services of officers of Government departments. Clause 16 provides that members of the board shall not as such be subject to the Public Service Act, 1967.

Clause 17 is intended to ensure that members of the board do not deal with matters before the board in which they have a financial interest other than such a financial interest as a grower of oats. Clause 18 provides that the board shall, under the Minister, have the administration of the Act. Clause 19 provides for the terms and conditions of appointment of officers. Clause 20 provides for the appointment of licensed receivers of oats. Clause 21 sets out the powers of the board and is in general self-explanatory. The powers conferred here are those usually conferred on marketing authorities of this nature. Clause 22 provides for the inspection of books and documents relating to oats. Clause 23 enjoins those having the care of property of the board to exercise due diligence in relation to that property. Clause 24 is a fairly standard accounts and audit provision.

Clause 25 provides for a review by the Minister of any decision or action of the board. Clause 26 is the key-stone of the measure in that it sets out the area in which the board will operate. Apart from minor drafting changes, it follows, in all but one respect, fairly closely the basic scheme of operation laid down in relation to barley. However, it provides that trading in oats between primary producers will not be subject to control by the board; this exemption is contained in subclause (3) (*d*). However, so that the board is aware of the extent and details of this trading, it will be necessary for sales of this nature to be set out in a half-yearly return to the board by the seller, and this is provided for in clause 27. Clause 28 provides that for the purposes of this Act delivery of oats to a licensed receiver will be delivery to the board, and clause 29 sets out the obligations of the licensed receiver.

Clause 30 is intended to ensure that oats delivered "out of season" will be attributed to their current season. Clause 31 sets out in broad terms the duty of the board to market oats. Clause 32 sets out the manner in which the price paid for oats is to be determined and the manner of making payments; in all respects these provisions follow the corresponding provisions in the Barley Marketing Act. Clause 33 provides for offences against the Act. Clause 34 provides for a general regulation-making power. Clauses 35 and 36 are again of considerable importance and provide for the taking of a poll on the continuation of the scheme provided for by this Act. The provisions are self-explanatory and should serve to ensure that, if at any time a substantial proportion of the growers of oats are dissatisfied with the scheme, it will cease to operate.

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

DAIRY INDUSTRY ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

This short Bill provides for some changes of considerable importance affecting dairy farms and other establishments in this State which are licenced under the Dairy Industry Act, 1928, as amended. Briefly, it provides: (*a*) that the Agriculture Department will be the sole licensing authority (previously, this function was shared between the police and the department); (*b*) that licence fees for dairy farms will be fixed at a flat $4 (previously, these fees were based on the number of animals milked on each dairy farm) and that other licence fees will be somewhat increased; (*c*) that all licence fees and penalties will accrue to the Dairy Cattle Fund constituted under the Dairy Cattle Improvement Act, 1921, and will accordingly be available for the benefit of the industry generally; and (*d*) for additional regulating powers to ensure that standards of dairy products production will continue to rise. To consider the Bill in some detail:

Clauses 1 and 2 are formal. Clause 3 amends section 7 of the principal Act which deals with licensing generally. At paragraph (*a*) the reference to an officer in charge of a police station is struck out, since police officers will no longer be concerned in licensing activity. At paragraph (*b*) the licence fees are fixed at $4 for a dairy farm in lieu of 5c for each animal, at $10 for a factory in lieu of $8, and at $4 for a creamery, store or milk depot in lieu of $1. At paragraph (*c*) those provisions of the principal Act that are now redundant have been omitted. For the same reason at paragraph (*d*) subsection (13) has been struck out.

Clause 4 provides that the powers of inspection of an inspector may be exercised at any seaport or airport as well as in the places specified in section 11 of the principal Act. Clause 5 makes a minor drafting amendment to section 13 of the principal Act by inserting in that section a reference to "milk depot" that was previously omitted. Clause 6 provides for all fees, charges and penalties collected or paid under the Act to accrue to the Dairy Cattle Fund and hence be available for the improvement of dairy cattle and the promotion of the dairy industry generally. Clause 7 provides for additional regulation-making powers in the areas specified. In the nature of things regulations made under this head of power will be subject to the scrutiny of this Council and, in addition, this clause provides for regulations to be made requiring compliance with future variations of standards set by the Australian Standards Association as these variations become applicable.

The Hon. C. R. STORY (Midland): This short Bill will have a real impact on the industry. The present position has operated since 1928. In Committee, I will ask the Minister one or two questions about how

much the industry desires this Bill or whether it is something the department has asked for and to which the Minister has agreed. In common with several things that have happened in the last year or two, the licence fees will be increased. A flat rate of $4 for each dairy farm will be imposed, whereas in the past the fee has been based on the number of animals milked on every dairy farm.

Other licence fees will also be increased. There is no doubt from the Minister's or the department's point of view that one must always expect slight increases in fees. I only want to be assured that the industry as a whole is agreeable to paying a flat rate of $4, which is not inconsiderable when compared to the old licence fees. Under the terms of the Dairy Cattle Fund constituted under the Dairy Cattle Improvement Act, 1921, I believe that we must change with the changing times.

The Hon. T. M. Casey: The money goes into the fund, which can be used by the industry.

The Hon. C. R. STORY: The money belongs to the fund, but it is a matter of whether the imposition falls equitably on all sections of the industry. There have been instances where the dairy industry has carried the burden for a long time and has paid heavily into funds, some of which were mentioned earlier today. Outside areas have now cashed in on—

The PRESIDENT: Order! The time has arrived for the conferences to be held between this and another place. The honourable member may resume making his speech when the Council reassembles. I suggest that he seek leave to conclude his remarks.

The Hon. C. R. STORY: Mr. President, I seek leave to conclude my remarks.

Leave granted; debate adjourned.

DRIED FRUITS ACT AMENDMENT BILL

Returned from the House of Assembly without amendment.

DAIRY CATTLE IMPROVEMENT ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

The effect of this short Bill, which amends the Dairy Cattle Improvement Act, 1921, as amended, is: (*a*) to provide that the Agriculture Department will be the sole licensing authority under the Act (previously this licensing function was shared between the officers of the department and police officers; (*h*) to raise the age from which a bull must be first licensed from six months to 12 months; and (*c*) to raise the licence fee from $2 to $4. To consider the Bill in some detail:

Clauses 1 and 2 are formal. Clause 3 raises the age at which bulls must be first licensed from six months to 12 months and makes certain minor drafting amendments to section 6 of the principal Act. Clause 4, when read with the amendments proposed at clause 9, provides for an increase in licence fees from $2 to $4. Clauses 5, 6 and 7 remove references to members of the Police Force. Clause 8 amends section 22 of the principal Act and removes a special period of limitation for actions against officials, this removal being in accordance with Government policy that such special periods should not now be provided for. Clause 9 makes appropriate amendments to the scale of fees for licences in the first schedule of the principal Act.

The Hon. M. B. DAWKINS secured the adjournment of the debate.

FRUIT FLY (COMPENSATION) BILL

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

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

That this Bill be now read a second time.

This Bill, which follows closely in form and substance a number of similar measures introduced into this Council, is intended to provide for the payment of compensation to persons who suffered loss by reason of actions of departmental officers in combating three recent outbreaks of fruit fly. As honourable members will be aware, in this season there were three outbreaks, one in the Prospect area, one in the Parafield Gardens area, and one in the Morphettville area. Each of these outbreaks has been the subject of a proclamation under the Vine, Fruit and Vegetable Protection Act, 1885-1959, and those proclamations are referred to in clause 3 of the Bill. At this time an estimate of the number of claims likely to be received cannot be made with any degree of accuracy. In general, it is not thought likely that there will be a large number of claims from the Parafield Gardens area, and those from the Prospect area will be of the same order as is usual from a comparatively old well developed area. However, the quarantine area established in relation to the Morphettville outbreak did take in certain local vineyards, and steps had to be taken to minimize the amount of compensation in this area.

The Hon. C. R. STORY (Midland): I do not wish to delay this Bill, which is designed

to deal with something with which this State has been blighted for many years. We in South Australia have been fortunate that people have not been foolish enough to introduce fruit fly here.

The Hon. Sir Arthur Rymill: Perhaps we have not found it.

The Hon. C. R. STORY: That could be so. We are indeed fortunate that fruit fly has been kept out of our main producing areas: the Adelaide Hills, the Barossa Valley, the Upper Murray and the southern areas of the State.

The Hon. R. A. Geddes: And Clare.

The Hon. C. R. STORY: I agree with the honourable member. Mainly because of the vigilance of our departmental officers and the goodwill of responsible citizens who, having found fruit fly, have contacted the local branch of the department to enable necessary steps to be taken, this scourge has been kept in control. In the early days of fruit fly, an honourable member of this Chamber played a big part with the then Director of Agriculture (the late Mr. Strickland) in setting up an organization that has largely been responsible for the successful control of fruit fly. Had we adopted a negative attitude such as has been adopted in relation to African daisy and the oriental fruit moth and various other things, we would have been in equally as much trouble in the metropolitan area and in our commercial areas as are Perth, Brisbane and some northern New South Wales areas.

One must not forget that places as close to us as Mildura have been prohibited from exporting to some of our best markets in New Zealand and other countries, which will not allow into their countries fruit that comes from suspect areas. It must not be forgotten either that, although the Premier says he can make a private deal with the Japanese regarding the export of citrus, it is not possible to do so at this stage. We must support the Agriculture Department in every possible way. We must do what we can in introducing sterile males in the same way as is being attempted at the Loxton Research Station, or by introducing any other predators that will clean up the Mediterranean or Queensland fruit fly.

The Hon. T. M. Casey: You are not saying the Premier would make a private deal. Strings were attached to it, but they were not as severe as they are at present.

The Hon. C. R. STORY: As I understand the situation, the Premier made the headlines in certain papers circulating in South Australia, particularly in the Riverland area. He returned with glowing reports that he thought it would not be long before South Australian citrus would be acceptable to Japan. However, Japan has a complete ban on Australian citrus and it will continue to impose that ban. It may impress some voters at election time that the Premier is such an astute negotiator that he can sway Japanese buyers and the Japanese Government in this respect. However, I have also had experience of negotiating with these gentlemen and, although they come here, share our hospitality and drink our good Barossa Valley wines, and although they are very charming and will provide one with their best sake, they are also very astute.

I think it will be some time, though, even with his eloquence, before the Premier can convince the Japanese that they should buy South Australian fruit while the rest of Australia is blighted with fruit fly. I therefore support the Bill in the full knowledge that what we are doing is useful and that, if the rest of Australia attacked the problem with the same diligence with which we have attacked it, it would probably never have reached the proportions that it has reached in Queensland, Perth and in Western Australia generally.

The Hon. H. K. KEMP (Southern): I, too, support the Bill. The point that has been missed is that, in the control of fruit fly in South Australia, chief thanks must go not to the Agriculture Department, but to the average gardener in Adelaide who, when he has found fruit fly, has brought it to the attention of the authorities, thus enabling it to be exterminated. This Bill is indeed important, designed as it is to recompense persons for any losses they have sustained

This should be kept clearly in mind: that it is the average householder in Adelaide who has a garden that we must thank for South Australia's freedom from fruit fly. This simple measure is designed to enable not extortionate but reasonable compensation to be paid for the produce lost in the extermination of fruit fly.

The Hon. L. R. HART (Midland): In rising to support this Bill, I wish to make one or two comments. During the debate on the Appropriation Bill in March, I raised the matter of the disparity between the figures in the Estimates for the control of fruit fly and the actual cost thereof. Since then, I have, through the Minister, received from the Director of Agriculture information to the effect that the provision in the Estimates of $225,543

had been exceeded by $247,500. In other words, the cost to the State of the recent discovery of the infestation of fruit fly was $247,500 in addition to the cost of compensation for which this Bill provides.

I am concerned that from time to time an infestation of fruit fly occurs in South Australia. This is, no doubt, brought about by the introduction of infested fruit from other States. At present, Victoria prohibits the importation of capsicums from South Australia that are grown within a 50-mile radius of any area declared to be a fruit fly area. This would eliminate the export of capsicums from this State to Victoria because taking in a 50-mile radius would include all the areas where capsicums are grown. What would make the Victorian Department of Agriculture introduce this regulation? Why was it introduced? Fruit fly has not been discovered in the main areas where capsicums are grown.

I have it on good information that the regulation has been introduced because, when the Melbourne market is attractive, capsicums are virtually smuggled into South Australia from Queensland and are re-exported to Victoria. It is impossible for Queensland to export capsicums to Victoria because Queensland is a fruit fly infested State. If it is possible to get the capsicums into South Australia, it is also possible to re-export them to Victoria. It is a reasonably easy exercise to bring capsicums into this State from Queensland. They come here in mixed loads and I suggest it is probably impossible for the fruit fly blocks on the various entry ports into this State to detect capsicums in a mixed load. Perhaps one reason why we are getting fruit fly in this State is the smuggling in of fruit from fruit fly infested States for the purpose of re-export to other States. I suggest that the Minister look more closely into this matter of whether capsicums in particular are being smuggled into South Australia for the purpose of being re-exported to Victoria.

I support the Bill. People who have suffered loss by the discovery of fruit fly in their area are entitled to some form of compensation, but we must look more closely at the reasons why from time to time we are getting fruit fly infestation in South Australia. I suggest to the Minister that capsicums may be a reason for it. I also suggest that we consider whether capsicums that are grown in glasshouses could be given a certificate for their export to Victoria. The conditions under which capsicums can be grown in glasshouses make it impossible for them to be infested with fruit fly. I appreciate there are some problems about giving a certificate for this vegetable if grown in a glasshouse, but the capsicum-growers in South Australia are being placed at a great disadvantage because of this import regulation imposed by the Department of Agriculture in Victoria. This matter should be taken up closely with the Victorian authorities because capsicum-growing in South Australia is a flourishing industry, provided we can take advantage of the export markets available to us. I trust the Minister will make some investigations in this matter. I support the second reading.

The Hon. T. M. CASEY (Minister of Agriculture): I thank honourable members for their contribution to this debate. As the honourable member who has just resumed his seat has suggested, I will take up with the department the possibility of looking at this capsicum problem as it affects South Australia. I thought the honourable member was going to relate the story of a woman who went into a greengrocer's shop and ordered five capsicums—or so she thought. However, she got five packets of Capstans instead of the five capsicums!

One problem with fruit fly is that we do not know exactly what causes the outbreaks. It may be due to the capsicums coming in from Queensland or to people bringing in fruit from other States, defying the laws of this State in that respect. I could give many examples of people actually bringing in suitcases full of fruit by aircraft, where we have no check at all. It is up to the general public to assume full responsibility in this matter and ensure that they keep South Australia as free as possible from fruit fly. However, I will take up the honourable member's suggestion with the department.

Bill read a second time and taken through its remaining stages.

METROPOLITAN AREA (WOODVILLE, HENLEY AND GRANGE) DRAINAGE ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

This short Bill is intended to resolve a practical difficulty that has arisen in connection with the principal Act, the Metropolitan Area

(Woodville, Henley and Grange) Drainage Act, 1964. This Act provided for certain drainage works to be carried out in the areas of the councils involved, the details of these works being contained in a report of the Parliamentary Standing Committee on Public Works referred to in the principal Act. The cost of these works was to be borne in equal shares by the councils and the Government. However, for several reasons the works referred to in the Act were not, in terms, entirely carried out and in some cases works were substituted for the works referred to in the report. These deletions and substitutions were carried out with the agreement of the councils involved.

In section 4 (5) of the Act provision is made for the Treasurer to publish a statement that the works are completed, and this statement must be certified by the Auditor-General. The purpose of the publication of this statement is to enable the councils involved to proceed with final repayment arrangements. In view of the deletions and substitutions that have taken place, the Auditor-General, quite properly, has taken the view that he cannot certify that the works as defined in the principal Act are completed. However, he has indicated that he could give his certificate that the agreed sum has been spent on the works, this agreed sum being, in terms of section 4 (1) of the principal Act, $772,600. Accordingly, clause 2 of the Bill slightly varies the definition of the "works" for the purposes of this Act by including works substituted for the works. Clause 3 provides that the statement of the Treasurer, duly certified by the Auditor-General, may be published when the agreed sum has been spent on the works.

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

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

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

The Legislative Council granted a conference, to be held in the Legislative Council committee room at 9.30 p.m., at which it would be represented by the Hons. D. H. L. Banfield, R. C. DeGaris, R. A. Geddes, F. J. Potter, and A. J. Shard.

COMMERCIAL AND PRIVATE AGENTS BILL

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

The Legislative Council granted a conference, to be held in the Legislative Council conference room at 10 a.m. on Thursday, April 6, at which it would be represented by the Hons. D. H. L. Banfield, T. M. Casey, R. C. DeGaris, R. A. Geddes, and F. J. Potter.

COAST PROTECTION BILL

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

ADJOURNMENT

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

That Standing Orders be so far suspended as to enable conferences on the Motor Vehicles Act Amendment Bill (Licences), the Metropolitan Taxi-Cab Act Amendment Bill and the Commercial and Private Agents Bill to be held during the adjournment of the Council, and that the managers report the results thereof forthwith at the next sitting of the Council.

Motion carried.

At 9.32 p.m. the Council adjourned until Thursday, April 6, at 2.15 p.m.