LEGISLATIVE COUNCIL

Tuesday, September 10, 1974

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Motor Vehicles Act Amendment,
Pay-roll Tax Act Amendment.

PETITIONS: LOCAL GOVERNMENT

The Hon. R. C. DeGARIS presented a petition signed by 370 ratepayers and residents of the District Council of Lacepede alleging that the proposed amalgamation of the Lacepede and Robe councils could be of no practical or economic advantage to either council and requesting that the boundaries of the Lacepede local government area remain unchanged.

The Hon. C. R. STORY presented a petition signed by 578 residents of the Angle Vale and Virginia districts objecting to the proposal that their land be included within the boundaries of the cities of Salisbury and Elizabeth and alleging that such a change would not be in the best interests of the residents; as the area had been classified Rural B, they considered it should be included within an area controlled by a rural local government administration, and prayed that this Council would legislate to have the rural district included within the boundaries of the District Council of Mallala.

Petitions received and read.

QUESTIONS

INTEREST RATES

The Hon. R. A. GEDDES: I seek leave to make a short statement before directing a question to the Minister representing the Premier.

Leave granted.

The Hon. R. A. GEDDES: It has come to my notice that some house-owners who have borrowed money from banks or lending societies have been embarrassed by the recent sharp increase in interest rates, to such an extent that it may be necessary for them to sell their houses because of their inability to cope with these increased rates of interest. Will the Premier consider approaching these lending institutions to ask them whether, when hardship can be proved, the payment of that percentage of the interest increase that has recently occurred can be transferred to the repayment of the principal of the loan and also whether the period of the repayment of principal and interest can be extended, so as to alleviate this problem?

The Hon. A. F. KNEEBONE: I will convey the honourable member's request to the Premier and bring down a reply as soon as it is available.

SUGAR

The Hon. V. G. SPRINGETT: Bearing in mind the world-wide shortage of sugar, can the Minister of Agriculture tell us whether there is an adequate supply of sugar in South Australia?

The Hon. T. M. CASEY: I understand that the present sugar crop in Queensland is very good; I see no reason why we should not have sufficient supplies for South Australia. I have never previously heard of a shortage in South Australia and do not expect one this year. However, I will check the matter for the honourable member and bring down a reply.

PARLIAMENT HOUSE

The Hon. JESSIE COOPER: Has the Minister of Agriculture received from the Minister of Works a reply to the question I asked on August 13 regarding the refurnishing and upgrading of the Premier's suite in Parliament House?

The Hon. T. M. CASEY: The Minister of Works reports that, independently from major renovations currently being undertaken, the Minister of Works approved the redecoration and refurnishing of the Premier's office in Parliament House.

CATTLE DEATHS

The Hon. C. R. STORY: On August 15 I asked the Minister of Agriculture a question about cattle deaths at Padthaway. Has he a reply?

The Hon. T. M. CASEY; Detailed inquiries were undertaken following reports of the deaths of cattle on a property at Padthaway, and laboratory tests are still in progress in efforts to determine the actual cause of death. The Acting Director of Agriculture states that an intensive investigation has been carried out by the manufacturer of the chemical (Cyanamid Australia Limited), the marketers of the product (Cooper Australia Limited), and the Agriculture Department. Numerous tests have been performed by the Institute of Medical and Veterinary Science and the Chemistry Department.

The chemical concerned, famphur, is considered safe and, while several million cattle have been treated without incident in Australia, many more millions have been treated world-wide. Within an 80 kilometre radius of the Padthaway district where the problem occurred it is estimated that 80 000 head of cattle have been treated so far this year. During the course of the investigation the product used has been thoroughly tested by the manufacturer and found to be completely normal in all respects.

Chemical remaining in the can from the affected farm has been used to treat seven adult cattle and 12 calves on a neighbouring property without ill effect. Examination of the property for poison plants and other likely causes of toxicity, analysis of tissues, herbicides used, and pasture samples for insecticides as well as post-mortem and microscopic examination of organs have failed to clarify the cause of death. While investigations continue and the exact cause of the deaths remains unknown, it seems unlikely that famphur alone would have been the prime cause.

The companies concerned have offered the assistance of the senior toxicologists from their parent companies in the United Kingdom and America, and further investigation may help to elucidate the actual cause of death or to determine whether any toxicity or disease would precipitate a reaction to pour-on insecticides. In the light of present knowledge, it is not considered necessary to remove the product concerned from sale. I also have with me the detailed technical report by the Chief Veterinary Officer of the Agriculture Department (Dr. P. R. Harvey) from which the foregoing summary of the position was taken, and I shall be pleased to make available to the honourable member a copy of that report if he so desires.

AGRICULTURAL EDUCATION

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

Leave granted.

The Hon. M. B. DAWKINS: My question relates to agricultural education. Although it may be necessary for the Minister of Agriculture to refer it to the Minister of

Education, I believe the Minister of Agriculture would have some knowledge regarding the matter because of his previous association with agricultural colleges and with the committee of inquiry into agricultural education. In the Eastern States there are two levels of agricultural education: the older established agricultural colleges have been constituted as colleges of advanced education and are proceeding to advanced diploma and degree courses; and, in addition, at least in New South Wales and Victoria, newer farm management colleges have been established. In Queensland there are two strata of education within the one college, the Queensland Agricultural College, and there is also a Pastoral College at Longreach. Some time ago the committee inquiring into agricultural education in this State recommended that at least one such college should be set up in South Australia in due course. Can the Minister say whether the Government has any long-term plan to set up a second agricultural college in South Australia with some emphasis perhaps on farm management rather than extension courses; if the Government does not have such a plan, can the Minister inform the Council whether there will be two strata of education at the existing Roseworthy Agricultural College?

The Hon. T. M. CASEY: The Government has no immediate plans to build a college along the lines that the honourable member has indicated. I believe that a two-strata scheme could be undertaken at Roseworthy College. I have already asked the Minister of Education to examine whether this could be incorporated in the college. The matter is in the initial stages, but I hope that we will soon be able to make a decision on it.

MONARTO

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

Leave granted.

The Hon. J. C. BURDETT: On March 14 I asked whether the Government would consider amending the Wheat Delivery Quotas Act to enable dispossessed Monarto landholders to transfer their wheat quotas to land purchased by them. I raised the same matter in my speech on the Public Purposes Loan Bill, but I have not yet received a reply. The landholders have informed me that they were told that they would at least be able to transfer the amount, if any, by which their wheat quotas on Monarto land exceeded the wheat quotas on the new land that they purchased. However, they have now received letters written last month requesting them to transfer their quotas to the Monarto Development Commission. Enclosed with the letters was the standard form of transfer bearing the standard notation that prosecutions would follow if an offence was committed, and fines would be imposed if the transfer was not effected within a month. First, does the Agriculture Department intend that Monarto landholders who do not transfer their quotas to the commission will be prosecuted; secondly, in considering this question will the Minister of Agriculture, if necessary, confer with the Minister of Development and Mines; thirdly, does the commission intend to grow wheat on the acquired land at Monarto in the 1974-75 season; fourthly, for how long does the commission intend to grow wheat on the acquired land; and, fifthly, what area of land does the commission intend to sow to wheat?

The Hon. T. M. CASEY: In answer to the honourable member's statement that he has not received a reply to the question he asked about amending the wheat quotas legislation, I assure the honourable member that I drafted a letter to him yesterday, and I am very sorry that he has not yet received it. When I first considered the position confronting the people whose land was acquired at Monarto, I viewed sympathetically the problems that they could encounter in moving to another part of the State. However, when discussing the matter with the Land Board and people connected with land acquisition, I was informed that all these matters were considered prior to the purchase of the land; that is a perfectly normal commercial undertaking which happens quite a few times a year. When a farmer with a wheat quota sells to another farmer, automatically the purchaser takes over the wheat quotas; that is part of the business transaction. The same thing would apply here.

The Hon. C. M. Hill: But this is a compulsory acquisition.

The Hon. T. M. CASEY: Honourable members can belly-ache for as long as they like, but the fact remains that it is a business transaction.

The Hon. C. M. Hill: It's an unwilling seller.

The Hon. T. M. CASEY: If the honourable member wants to ask a question, he can ask it later, but he should not interrupt. This matter was considered when the land was acquired. In many circumstances the Land Board was very kind to the people selling the land. In these circumstances, it is only right and proper that the purchaser should retain the wheat quota. I believe that some of the properties already acquired by the commission have been leased back; if that is the situation, the quota can be transferred to the lessees.

The Hon. J. C. BURDETT: Has the Minister of Agriculture a reply to the second, third, fourth, and fifth questions I asked relating to areas of land to be sown to wheat by the Monarto commission?

The Hon. T. M. CASEY: I ask the honourable member to put those questions on notice.

DRIVING LIGHTS

The Hon. G. J. GILFILLAN: Has the Minister of Health a reply to my recent question concerning driving lights on motor vehicles?

The Hon. D. H. L. BANFIELD: My colleague states:

Section 122 of the Road Traffic Act, 1961-1971, requires that the driver of a vehicle shall dip his headlights, during the period between sunset and sunrise and during periods of low visibility, when his vehicle is within 200 metres of another vehicle approaching from the opposite direction. The Act provides for a penalty of $50 for non-compliance. Regulation 5.01 (*d*) requires that no more than four lights exceeding seven watts shall be alight on the front of the vehicle at any one time. Regulation 5.01 (4) requires all vehicles registered after 1940 to be fitted with dipping devices and any other vehicle not fitted with such a device to have its lights permanently deflected downwards. The current legislation is therefore considered adequate, and the enforcement of these provisions is the responsibility of the Police Department.

BUS SERVICES

The Hon. C. M. HILL: Has the Minister of Health a reply to the question I asked on August 21 concerning any present or future interstate bus services being operated by the Municipal Tramways Trust?

The Hon. D. H. L. BANFIELD: My colleague states:

The Municipal Tramways Trust does not operate any regular or scheduled interstate bus services. However, interstate charter and tourist services of a kind formerly provided by the private bus organisations recently acquired by the trust are being maintained on much the same basis as before.

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Health, representing the Minister of Transport.

Leave granted.

The Hon. C. M. HILL: Some weeks ago I asked a question concerning the possibility of improving the cross-suburban road passenger services in metropolitan Adelaide. I also asked whether some of the present terminal points of suburban bus services operated by the Municipal Tramways Trust could be linked under a general loop system for the betterment of the public transport system. As I recall the reply I received, one of the reasons given for the delay in improving the cross-suburban services was that there were insufficient buses. The reply I have received today indicates that some of the private bus operators whose services have been taken over by the Government are having their buses used for interstate passenger services. I believe that the people of this State are well served for interstate transport by way of the traditional road services operated by national companies, and by rail services and air services. Is it not possible for some of the buses now controlled by the M.T.T. which run to other States to be used to improve the cross-suburban transport system much sooner than would be the case if the M.T.T. continued its interstate services?

The Hon. D. H. L. BANFIELD: I will refer the question to my colleague and bring down a reply.

DRUG AVAILABILITY

The Hon. V. G. SPRINGETT: Has the Minister of Health a reply to the question I asked on August 22 concerning the drug carbidopa and its non-availability in South Australia?

The Hon. D. H. L. BANFIELD: Carbidopa has been approved by the Australian Drug Evaluation Committee for clinical trials. No clinical trials have been planned in South Australia. There is no information available as to whether any are proposed. The non-availability in South Australia is due to these medical-clinical reasons. The delay in the release of the drug for general use in Australia is because the Australian Drug Evaluation Committee requires, with all new drugs, clear evidence of their efficacy. This work is apparently not completed.

FLOOD RELIEF

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

Leave granted.

The Hon. C. R. STORY: Before asking my question, I would like to say how pleased I am to see the Minister back in his place in this Council, and I am sure I express the views of all other honourable members. Because of the impending flood which is expected to reach 1931 levels, or even higher levels, I seek clarification about how the flood mitigation programme will be managed. Reports to date appear to have come from the office of the Minister of Works but, from my recollection of the previous floods, in 1956 the district officers of the Lands Department were responsible in the irrigated areas, possibly because the Minister was charged with the responsibility of keeping irrigation available and therefore it was essential that he should have control. Will the Minister consider making available information on the Government's plans on the administrative side? This will be needed by people in all areas from the border to the lakes, and it will be helpful to them to know what to except by way of assistance.

The Hon. A. F. KNEEBONE: I intend to make a Ministerial statement on this matter. I have had discussions with the Minister of Works, because this matter will be one of co-operation between the two departments. I have asked for a Ministerial statement to be prepared, and I expect to make it tomorrow.

RURAL FINANCE

The Hon. R. C. DeGARIS: Has the Minister of Lands a reply to a question I directed some time ago to the Acting Minister of Lands regarding rural finance? Also, I support the remarks of the Hon. Mr. Story in welcoming the Minister back to South Australia to take his place once more in this Chamber.

The Hon. A. F. KNEEBONE: I was remiss in not telling the Hon. Mr. Story that I appreciated his remarks; I also appreciate those of the Leader. I am happy to be back in my place. The farther one goes, the better Australia looks, especially South Australia. The administration of the Rural Advances Guarantee Act is not the immediate concern of the Lands Department, although the Land Board has certain duties ascribed to it. If a lender under mortgage guaranteed by the Treasurer refers a particular case to the Treasurer, it is usual for a report to be sought from the board as to an appropriate course of action. From time to time, such reports have been provided upon situations which have involved differing circumstances and, to date, no reference has been made in which increased interest rates are involved.

REGISTRAR OF MOTOR VEHICLES

The Hon. C. M. HILL: Has the Minister of Health a reply to my recent question regarding the Registrar of Motor Vehicles and whether or not that officer gives warnings to drivers disqualified under the points demerit scheme that offenders face gaol sentences if they again break the law during a period of disqualification?

The Hon. D. H. L. BANFIELD: The notice of suspension issued by the Registrar of Motor Vehicles under the points demerit scheme was prepared after consultation with the Crown Solicitor. The notice gives a clear explanation of section 91 of the Motor Vehicles Act, which provides that a person shall not drive a motor vehicle on a road whilst he is disqualified. The recipient must obviously conclude from this that a penalty will result from contravention of this law. The explanation of the penalty is irrelevant, and the fact remains that a person must not drive and must suffer any appropriate penalty which may be awarded by the court. It is not the Government's policy to offer a warning in this regard which, on the one hand, may be interpreted as predicting what the court may do and, on the other hand, may be interpreted as a threat. It is interesting to note that the press report states that the person under disqualification claimed that she was not aware of the penalty for driving whilst disqualified. The press report also states that Mr. Elliott, S.M., stated in court that people who were disqualified were always warned. This being so, the person concerned and against whom a disqualification was imposed in the Glenelg court on May 22, 1973, for a speeding offence should have known the maximum penalty.

MODBURY HOSPITAL

The Hon. M. B. DAWKINS: Has the Minister of Health a reply to the question I asked on August 21 regarding the capacity and daily averages of Modbury Hospital?

The Hon. D. H. L. BANFIELD: Modbury Hospital has been constructed and furnished to provide in-patient facilities for 224 beds. As at this date medical facilities and staffing are provided for 210 beds. The beds not opened are the remaining six beds for post-natal patients and the eight beds in the intensive care ward. The daily average occupancy of in-patient beds over the past three months has been as follows:

May, 1974	120
June, 1974	153
July, 1974	161

As the hospital also provides out-patient and emergency (casualty) services, it is of interest to provide also the following figures:

	May 1974	June 1974	July 1974
Out-patient clinical attendances	1 278	1 154	1 273
Emergency (casualty) attendances	2 688	2 883	3 083

METRICATION

The Hon. R. A. GEDDES: Six weeks ago, on July 24, I asked the Minister of Health, representing the Minister of Transport, a question relating to conversion of motor car speedometers to metric measurement. Has the Minister a reply?

The Hon. D. H. L. BANFIELD: Section 23 of the Second-hand Motor Vehicles Act requires a dealer to insert in certain notices under the Act the reading on the odometer of the vehicle to which such notices relate. Section 35 of the Act provides a penalty for any alteration in the reading of the odometer of a vehicle made wilfully and with intent to enhance the value of that vehicle. These provisions will continue to apply. The possibility that such readings could be comprised partly of miles and partly of kilometres would not nullify these provisions, but could make the facts more difficult to establish. The warranty provisions of the Act, set out in section 24, are specifically related to time (either two or three months, depending on price paid) or distance travelled (either 3 000 or 5 000 kilometres), as recorded on the odometer.

A vehicle already fitted with an odometer recording in kilometres when sold by a dealer presents no problems; neither, in the normal course, does one fitted with an odometer recording in miles, as the purchaser's warranty is simply related to the mileage equivalent of 3 000 or 5 000 km, whichever is applicable. The only foreseeable difficulty relating to the warranty provisions is the one that could arise if an alleged defect occurred within the warranty and the purchaser himself had had a converter fitted within the warranty period. This could give rise to a dispute as to what proportion of the odometer reading during that period was in miles and what was in kilometres.

It is not considered practical or necessary, however, to legislate for these situations, particularly as there is not existing legislation under which either a speedometer or an odometer is required to be fitted to a motor vehicle. Few disputes are considered likely to arise. Any that do will be handled by the Prices and Consumer Affairs Branch on a commonsense basis, and it is not expected that the problems likely to be encountered will be numerous or unduly difficult.

LAND AND VALUATION COURT

The Hon. F. J. POTTER: Has the Minister of Agriculture a reply to the question I asked on August 27 regarding sittings of the Land and Valuation Court?

The Hon. T. M. CASEY: My colleague, the Attorney-General, has conferred on this matter with the Hon. Mr. Justice Wells, the Land and Valuation Court Judge, who has stated:

There are no delays in this court, inordinate or otherwise. I hereby formally, and with the full approval of the Acting Chief Justice, give an open invitation to every member of Parliament and the Ombudsman to visit my chambers at any time and make such inquiries with respect to the land and valuation list as he thinks fit. I should be particularly interested in any such inquiry if the inquirer is prepared to vouchsafe the name of the complainant. In the case of every one of the four or five complaints that have been brought to my notice during the period that I have been Land and Valuation Judge, it has been found that I, as judge, was not even seized of the matter; in other words, the case had not even become a disputed claim. I also invite honourable members at any time to come and sit in on the call-over of my list which occurs near the beginning of every month on a day published in advance in the daily cause list.

UNEMPLOYMENT

The Hon. V. G. SPRINGETT: Has the Minister of Health a reply to my recent question about the retraining of unemployed persons?

The Hon. D. H. L. BANFIELD: Since the present Australian Government was elected to office in December, 1972, the Australian Minister for Labour and Immigration has given particular attention to the development of an integrated and active manpower policy in which training will play a significant role. As part of this policy, the Australian Government proposes to introduce a labour market training scheme under which training and retraining facilities can be made available to people who are retrenched or become redundant. I understand it will provide for the payment of living allowances to support trainees while they are learning new work skills. In view of the action being taken by the Australian Government to assist in the training of unemployed and redundant workers, the State Government does not propose to duplicate the organisation of such a training scheme, although it is expected that some of the training facilities of the Further Education Department will be used. It is proposed that the training schemes to be sponsored by the State Government through the Labour and Industry Department will concentrate on developing in-plant training arrangements to enable employers to give more adequate training to their own employees.

REDCLIFF PROJECT

The Hon. R. A. GEDDES: Has the Minister of Agriculture a reply to my question of August 7 about emissions and discharges from the proposed Redcliff petro-chemical complex?

The Hon. T. M. CASEY: The Minister of Environment and Conservation states:

About 150 cubic metres an hour of treated petro-chemical waste water will be discharged from the Redcliff plant. This effluent arises from the contact of aqueous streams with process hydrocarbon streams in the various plants. The waste water will contain small concentrations of oil and other organic materials such as E.D.C. Prior to discharge, the stream will be given primary treatment to remove oil and suspended solids in an oil-water separator. The discharge from the separator will be given biological oxidation and subsequent treatment as necessary to result in an effluent related to the dissolved oxygen content of the gulf waters at the discharge point. The length of time the effluent will be held before being discharged cannot be finalised at this stage until further plant design is completed. However, the effluent standards will be as approved by the Environment and Conservation Department to ensure that no detrimental degradation of the ecology of the gulf waters occurs.

The Hon. R. A. GEDDES: On August 7 I asked the Minister of Agriculture, representing the Minister of Environment and Conservation, a question regarding the emissions and discharges from the proposed Redcliff petro-chemical complex. The Minister's reply was not related to the matter I raised in that question. Has the Minister now a reply to that question?

The Hon. T. M. CASEY: The Minister of Environment and Conservation has confirmed that emission and discharge studies will form a part of normal plant design planning. It is unlikely that Lake Torrens brine will be used at the Redcliff petro-chemical plant; instead, salt will be obtained from a solar salt field. The impurities in the salt will therefore be those naturally occurring in the sea. The use of Cooper Basin gas is advantageous since it is naturally low in sulphur. The Redcliff petro-chemical plant will be specifically designed to take account of its particular characteristics.

The Hon. R. A. GEDDES: On August 14, I asked the Minister of Health a question regarding the possible need for extra hospital accommodation at Port Augusta as a result of the large work force associated with the proposed Redcliff petro-chemical industry. Has he a reply?

The Hon. D. H. L. BANFIELD: In December, 1973, the Director-General of Medical Services and the Hospital Planning Consultant, Hospitals Department, visited Port Augusta and met the Port Augusta Hospital Board of Management, together with a liaison officer of the Redcliff project, to discuss the likely effects of the project on hospital accommodation at Port Augusta. This was followed also in December, 1973, with a further meeting at Port Augusta to discuss the establishment of a domiciliary care service in the area, which would enable further supporting services to be given to the area in the event of major extensions of population caused by the Redcliff project. In April this year, the Hospital Planning Consultant prepared a report for the information of a community facilities committee set-up by the State Planning Authority to examine Flinders Range and Mid-Northern planning areas as affected by the Redcliff project and, on the basis of that report, the Director, Public Buildings Department, has been asked to prepare a report on the feasibility of expanding the Port Augusta Hospital facilities.

The Hospitals Department is working within the limits of the information available to it regarding the extent of building and timing necessary to meet the impact of demand for health care services that could arise from the Redcliff project, to ensure that the means by which those needs should be met are examined without delay. The Public Health Department has made a detailed assessment of the possible impact of the proposed petro-chemical complex at Red ClifT Point on the public health services at Port Augusta and surrounding areas. Although the local board of health is responsible for the administration of the sanitary provisions of the Health Act within the area of Port Augusta, the Central Board of Health and the Public Health Department have joint responsibility with the. local board in this area and a direct responsibility in areas outside of local government.

The assessment of the needs of the area resulting from the impact of the proposed petro-chemical complex indicates that additional staff will be needed to be located in the area to meet the increasing demands on the services provided by the Public Health Department. These will include an engineer to deal with problems of air pollution in the iron triangle, additional health inspectors, community health nurses and dental personnel. Discussions have been held with representatives of the consortium on the provision of occupational health and general practitioner services for workers living on-site. It is intended to keep this matter under constant review to ensure that the health and well-being of all people in the area is preserved to the greatest extent possible.

MARGARINE

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

Leave granted.

The Hon. C. R. STORY: Immediately prior to the Minister's leaving for the Agricultural Council meeting last Friday week, I asked a question in this Council about the lifting of quotas on table margarine, and the Minister replied that he did not intend to lift the quotas at this stage. As I had previously understood the position, all quotas were to be lifted in quantity. I was interested to know that, on the Saturday following the Agricultural Council meeting on the Friday, the Minister was reported as saying that he intended to abandon quotas completely for South Australia, and that would come into operation, I think, early in January of next year. First, what changed the Minister's mind, in a matter of 24 hours or so, from an attitude of increasing the existing quotas; what happened to cause him to abandon the quota system? Secondly, has the Minister seen a report stating that soon dairy produce may be sold as poly-unsaturated produce as a result of new methods developed by the Commonwealth Scientific and Industrial Research Organisation?

The Hon. T. M. CASEY: It is a wonder the honourable member did not complete his first question by stating what I specifically said before I went to the Agricultural Council meeting. I assure him that I have never believed in quotas at any stage, nor has the Government; but we have gone along with the situation in the interests of the dairying industry. However, the stage has now been reached where it is another farce as far as the dairying industry is concerned. It has been used as a scapegoat for far too long. The position has now been reached where the margarine people are fighting amongst themselves. The real reason why I took the action mentioned by the honourable member was that there was an agenda item at the Agricultural Council meeting to discuss margarine quotas. There was also a very fine and important document from the National Health and Medical Research Council on labelling. The other Ministers refused to discuss margarine, which left me no alternative. I was all in favour of phasing out quotas, incidentally, and I put that case in the latter part of the debate (if we can call it a debate): the Ministers spent nearly two hours debating whether they would debate the matter, and it was an utter farce. I took the only course open to me (and I think it was a sensible course) and said that quotas would be lifted in the New Year on the release of dairy spread.

. The second matter referred to by the honourable member (poly-unsaturated dairy produce) I have known about for some time. It was developed by the C.S.IR.O. Briefly, if we feed the animal a certain type of feed, it will produce a poly-unsaturated product. It has to be done in feed lots, and I imagine the cost would be so exorbitant that I doubt whether it would be a commercial venture at this stage. However, with technology improving as the years go by, I dare say the time will come when this can be a viable operation.

ROADWORKS

The Hon. R. C. DeGARIS: Has the Minister of Health a reply to my recent question about roadworks?

The Hon. D. H. L. BANFIELD: The answer is "No".

WARDANG ISLAND

The Hon. C. M. HILL: Can the Minister of Lands say whether his department administers the lease, or any conditions of the lease (which apparently the Government purchased for $115 000), of the land known as Wardang Island? If it does, is any inquiry being undertaken to find out whether the conditions of that lease (which must be a Crown lease) have been breached? If the matter does not come within the Lands Department, could the Minister, as Leader of the Government in this Chamber, say whether the Government intends to carry out any investigations into the report in today's *Advertiser* of the apparent collapse of this tourist venture on Wardang Island, which project has been under the control of the Aboriginal Lands Trust?

The Hon. A. F. KNEEBONE: I should like to refresh my memory regarding the details of the take-over of the lease from the previous lessee of the island, as this happened some years ago. As I have not got the full details with me, and as they are not fresh in my mind, I will seek from my department the information that the honourable member has requested and bring down a reply as soon as it is available.

PSYCHOLOGICAL PRACTICES ACT

The Hon. R. C. DeGARIS: Has the Minister of Health a reply to my recent question regarding the Psychological Practices Act?

The Hon. D. H. L. BANFIELD: The Psychological Practices Act provides for the setting up of the South Australian Psychological Board. The selection of board members is currently receiving consideration and, when these appointments have been finalised, the Act will be brought into operation.

The Hon. R. C. DeGARIS: Will the Minister of Health ascertain from the Attorney-General the reasons for the delay in the appointment of a board under the Psychological Practices Act? I point out that this legislation was passed some time ago.

The Hon. D. H. L. BANFIELD: I, too, am associated with the establishment of this board. We have been conferring with various people for some time, and I assure the Leader that discussions have nearly been completed. Indeed, the Government now has a panel of names from which to choose the board members.

The Hon. R. C. DeGaris: Is it under you?

The Hon. D. H. L. BANFIELD: It is, and it should not be long before the board is established.

LIFE SAVING ASSOCIATION

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

Leave granted.

The Hon. C. M. HILL: There have been reports in recent days regarding the problems being encountered by the Life Saving Association in South Australia. The Premier was also reported as having said that he and his Government would give support, and indeed in some cases full support, in relation to those problems and the need to maintain a satisfactory service of this kind along South Australian beaches. One officer from the association maintained that the only truly satisfactory way of implementing the service was by using a helicopter to save people in difficulties offshore. Will the Minister therefore say whether there is any possibility of a helicopter service being provided in South Australia for the use of the Life Saving Association?

The Hon. A. F. KNEEBONE: I know that helicopters do not come cheap; the Government was examining the possibility of using them to assist people on the Birdsville and Strzelecki tracks. However, I will convey the honourable member's question to the Premier and bring down a reply as soon as possible.

RURAL SAFETY

The Hon. C. M. HILL: Has the Minister of Health a reply from the Minister of Labour and Industry to my recent question about whether the Government intends to introduce regulations or legislation covering rural safety?

The Hon. D. H. L. BANFIELD: The Minister of Labour and Industry has informed me that he has referred to the Industrial Safety, Health and Welfare Board, constituted under the Industrial Safety, Health and Welfare Act, proposals for regulations in respect of machine safety in rural industries. It is intended that the regulations be made pursuant to the Industrial Safety, Health and Welfare Act, which authorises the making of regulations concerning the safety of persons employed in any industry, including the rural industry. The proposed regulations will have application only to workers as defined in that Act.

UNDERGROUND WATERS COMMITTEE

The Hon. C. R. STORY: Will the Chief Secretary ask the Minister of Development and Mines who is the local government nominee on the Underground Waters Preservation Act Appeals Committee?

The Hon. A. F. KNEEBONE: I will refer the honourable member's question to my colleague and bring down a reply when it is available.

FISHERIES

The Hon. C. R. STORY (on notice):

1. Is it a fact that the position of Director of Fisheries created on November 23, 1972, has not been filled?
2. If the answer is "Yes", what is the reason? If the answer is "No", what has occasioned the delay?
3. On how many occasions have applications been called for the position?
4. How many applications were received on each occasion?
5. Was an application received from any previous Director of Fisheries and Fauna Conservation?
6. For what period has the Director of Fisheries Research acted as Director of Fisheries?
7. Has the departmental research programme suffered as a result?
8. Is the position of Principal Research Officer vacant?
9. Is it a fact that the Commonwealth Government's fishing regulations were amended recently, so increasing the minimum carapace length of rock lobster to 100 millimetres?
10. Is it a fact that the South Australian regulations provide for a minimum carapace measurement of 98.5 millimetres?
11. Was South Australia represented when the decision was made to amend the Commonwealth regulations to increase the length to 100 millimetres?
12. Who was South Australia's representative?
13. How many permits are currently issued to fishermen to catch rock lobster by the South Australian Fisheries Department?

14. Does this figure represent an increase or a decrease on the previous two seasons?

15. Has the catch of rock lobster increased or decreased this season in each of the southern, central and western fisheries, and, if so, by how much?

16. How many licensed prawn fishermen are currently operating in South Australia?

17. How many new prawn licences have been issued in the past 12 months?

18. When was the last occasion that a departmental inquiry was held into the operations of the Fisheries Department?

The Hon. T. M. CASEY: The replies are as follows:

1. Yes.

2. (*a*) No suitable applicant has applied.

(*b*) The Public Service Board is currently reviewing the situation of the Fisheries Department.

3. On three occasions, being respectively during July, 1973, November, 1973, and May, 1974.

4. On the first occasion, 10 applications were received. On the second occasion, eight applications were received, and one prior application was resubmitted. On the third occasion, nine applications were received, and three prior applications were resubmitted.

5. Yes.

6. Since July 12, 1973.

7. There has not been sufficient time available for the Director of Fisheries Research to devote to the research division as well as be responsible for the work of the permanent head. However, all research programmes, those being continued and the new ones being initiated as new biologists join the staff of the department, are being carried on with a minimum of supervision.

8. Yes.

9. Yes.

10. Yes.

11 and 12. The meeting at which final discussions on rock lobster sizes took place was not attended by the South Australian representative because of prior commitments. The representative on this committee is the Director of Fisheries.

13. There are 383 authorities currently issued to rock lobster fishermen.

14. This figure is a decrease of eight on those issued for the previous two years.

15. The catches for rock lobster in zones N and S for the following years are:

	N kg	S kg	Total kg
1972-73	757 069	2 203 099	2 960168
1973-74 (estimated)	not available	not available	2 383 500

It is not possible to show catches for southern, central and western areas as requested because figures are not kept.

16. 45 authorised prawn fishermen operate from South Australian ports.

17. None, but eight additional authorities to fish for prawns have been approved for issue from September 1, 1974.

18. There has been no major inquiry into the operations of the Fisheries Department. Routine staffing investigations into the research, licensing and general administrative functions of the department have taken place from time to time.

AUDITOR-GENERAL'S REPORT

The PRESIDENT laid on the table the Auditor-General's Report for the financial year ended June 30, 1974.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 29. Page 754.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which, as the Minister said in his second reading explanation, is substantially the same as the Bill that this Council considered last session. On that occasion the main clause that excited honourable members' attention was clause 7, dealing with ordinary meetings of councils. Honourable members will recall that, after the matter had been debated at great length, amendments were submitted to another place. At the end of the session, because we had heard nothing more from the other place, the matter lapsed. I am pleased to see that, in the Bill now before the Council, the amendments to clause 8 that I inserted in the previous measure have been retained. Those important amendments, dealing with the portability of long service leave rights, were sought by the Local Government Officers Association and the Local Government Association. I imagine that, when the present Bill is being considered by honourable members, the main subject again will be clause 7, which deals with the meetings of councils; I believe the remainder of the Bill is non-controversial in every way. Indeed, every provision is desirable and will have my support.

Clause 7 deals with the vexed question of meetings of councils, and it comes to us in a slightly different form from that presented in an earlier Bill. It provides that ordinary meetings of councils must commence after 6 p.m.; that is to say, meetings must be held in the evening. However, a subclause provides that at least two-thirds of the total number of members of the council at the meeting can decide that the meeting should commence at some earlier time. Obviously, this is a compromise between what was submitted to this Council in the last Bill and the amendments that were made and carried here. This present clause represents almost a balancing of the two opposing views that can be taken on this matter. Without committing myself on this matter, I think that I would, in the first instance, be willing to accept the compromise now put forward.

The Hon. M. B. Dawkins: This new subclause means that, in a council of eight, 5½ members will have to agree.

The Hon. F. J. POTTER: True, it may cause some difficulties in certain instances. It is also true that one can always find some difficult or hard cases that do not always fit in with the general acceptance of a new law. However, it seems that some effort has been made by the Government at least to meet honourable members half way in respect of their different points of view. Therefore, subject to what I may hear from other members, and reserving my final decision, my first approach to this Bill is that it is reasonable, although it will not please everyone. I do not believe it will present any great difficulty to metropolitan councils, especially as only one council is involved in this matter anyway. The matter touched on by this clause primarily involves country councils.

Of course, many honourable members have had long experience as members of councils in rural areas and I expect that, as the debate proceeds, those members will express their views about new clause 7. I will not go further into the Bill, because we had a long debate on it previously and, as I have already stated, the other clauses are not really provocative of any great debate, because they are technical and deal with non-controversial matters.

The Hon. M. B. Dawkins: What do you think about the retrospectivity provided by clause 8?

The Hon. F. J. POTTER.: Clause 8 relates to the amendment I moved in respect of the long service leave rights. The matter of the liability and the length of liability is governed by the provisions of the Long Service Leave Act. Although I have not recently checked this, I think that January 1, 1966, is the relevant date for the commencement of the long service leave provisions. There is some pro rata availability on a 20-year service basis before 1966, if no long service leave of any kind had been taken prior to that date. That is my best recollection, but I will find out exactly what the position is before the Bill reaches the Committee stage. It seems that the maximum period likely in respect of retrospectivity is from 1966, although there is a provision for any council to obtain the leave record of any prospective employee to see exactly what may be its liability.

The whole purpose of this clause is to provide that the council with which the service has been given will make a pro rata payment to the new employing council for the long service leave liability that has been accrued. At least there should be no concern about any council that is called on to make a pro rata contribution being called on to make a contribution for service before 1966. From 1966 until 1972, when the new Act was introduced, a different period of pro rata entitlement applies. That does not seem to me to create a great difficulty, because each council must know exactly what is its liability for long service. Each council must know this from year to year, so it will not be suddenly surprised about the debt that it has accrued. Indeed, each council should make provision in its accounts from year to year for this increasing liability.

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

SUPERANNUATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 29. Page 763).

The Hon. R. C. DeGARIS (Leader of the Opposition): We have before us two Bills dealing with corrections to the Superannuation Act, with which we dealt in the last session. The two Bills before us are the Bill now under discussion and the Superannuation (Transitional Provisions) Act Amendment Bill. I refer first to clause 2 of this Bill, which provides that the Bill will take effect, when assented to, from July I, 1974. Honourable members have always taken the view that retrospective legislation should be agreed to only with absolute care. In this case, because changes were made to the principal Act, because that Act came into force on July 1, 1974, and because certain mistakes and oversights were made, it is reasonable that the provisions of this Bill should be retrospective to July 1, 1974. Therefore, I consider that the retrospective provision in this case is quite reasonable. Clauses 3, 4, 5, and 6 make legal a practice that has been in operation for the past 50 years. It appears that elections to the board have been made in a certain way over many years, and that is not quite covered in the Statute. The amendments in those clauses correct this anomaly.

Clauses 7, 8, and 9 also have a common element. Clause 7 provides for the payment of deputies of members of the board, meaning that, if a board member is unable to attend, a deputy can be appointed, and there is an arrangement for payment of the deputy. Clause 8 provides for the appointment of a deputy to act in the place of a trustee, and clause 9 deals with the payment of deputies and trustees. However, I should like to ask one question of the Minister in relation to those three clauses, and it concerns the payment of deputies, whether deputies of trustees or deputies of members of the board: will this be an extra payment over and above that being made to the existing board member or existing trustees, or will there be some reduction in the payment of the person for whom the deputy is standing in? On reading the legislation, I am unable to determine the position in this regard. I hope the Minister in charge of the Bill will get me a reply to that question.

I turn now to what appears to me to be the most important part of the Bill. Although I have done a great deal of work on it I am still not quite clear about it. I am sure the Minister will get answers for me on this matter. It deals with clause 10, and the second reading explanation states:

> Clause 10 amends section 49 of the principal Act and is intended to ensure that in the attribution of contribution months to a contributor there will be some consistency. Members will recall that it was provided in the principal Act for months of service to be attributed to contributors to attract into Government employment certain officers of somewhat advanced years who would otherwise find entry into the scheme of superannuation so expensive as to be economically unattractive. The amendment merely provides that all proposed attributions will be the subject of a report by the board, so as to ensure consistency in the application of the policy.

The general provisions covering this question of attribution are in sections 45 to 51 of the principal Act. These sections provide that, where a new contributor is over the age of 30 years, a purchase may be made of one or more contribution months by a lump-sum payment or a fortnightly contribution. When the contributor has made this election, one way or the other, the Public Actuary then shall determine, under the lump-sum payment or the fortnightly contribution, the pension benefit for the person in the scheme. That is covered in sections 45 to 48, and section 49 provides that the Minister may, upon the recommendation of the employing authority of a contributor, by notice in writing to that contributor attribute one or more contribution months to that contributor. I know the whole question is somewhat complex but, as I understand the position, the provision covers the situation so that a person who may be over the age of 30 years and who comes into the State Public Service has a right to take up units by a lump-sum payment or by a fortnightly contribution that allows him to get some pension rights. Clause 10 changes section 49 so that that section, as amended, would read:

> The Minister may, upon the recommendation of the employing authority of a contributor, and upon receipt by him of a report of the board on such a recommendation, by notice in writing to that contributor attribute one or more contribution months to that contributor.

The change is that the board now must examine the recommendation and shall report to the Minister thereupon. This is done to ensure that there is some consistency in the attributions that will be made in relation to an authority (say, for instance, the Education Department or any other authority mentioned in the principal Act); where the authority decides upon a situation the board can now report on it.

However, in this category the Minister may make some arrangements with the authority or with the contributor for a certain payment for a certain pension. I know this is a complex matter, but my query is this: why is section 49 necessary? Section 50 appears to cover the whole question of the attribution a person over the age of 30 years may

have when he comes into the scheme. It appears to me that section 49 of the principal Act does allow political manipulation in relation to a person over the age of 30 years coming into the employment of the Public Service. The Government believes that, by allowing the board to report, it may overcome any inconsistency between various authorities. The only thing the board can do is to make a report, and the Minister appears able to make the final decision.

I think some explanation is required, and I believe that section 49 of the principal Act should be tied to section 50; in other words, section 50 at least should provide for the maximum amount that any new contributor can draw from the fund. Although I have not looked thoroughly into the Act, I have spent a great deal of time on it today in trying to ascertain the new position. It is complex, because we have the definition of an employee, the definition of an employing authority, and the definition of a new contributor. Section 6 contains a definition of an employee as in section 5, and then deals with the extended meaning of the word "employee". The provision 6d seems to be very wide. Tying that in with section 49 of the principal Act, even though this amendment in clause 10 allows the board to report, I believe that in this whole matter it is probably necessary to tie sections 49 and 50 together so that at least there will be a maximum amount of superannuation payable to any person who enters the Public Service. I should like the Government to look at that matter. I may not have explained it clearly, but it is rather complex. I have spent much time trying to get to the bottom of it. If the Government looks at it, it will see the sense of my suggestion that there should be some tying in between sections 49 and 50.

The other provisions are normal changes except for the last one, to which I will speak when I come soon to deal with another Bill dealing with transitional provisions. This provides for a change in the mathematical formula. When the Bill went through, I remember asking for an explanation of N-5 from the Minister, who asked the Hon. Mr. Chatterton to explain what it meant; but I see that, after all that, the formula N-5 is not valid, because it could be a negative amount, which would throw out the whole formula for superannuation. It is interesting to note that the formula being changed is the one questioned by this Council when the Bill went through. With those few remarks, I support the second reading. I should like further clarification from the Government of the matters I have raised.

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

SUPERANNUATION (TRANSITIONAL PROVISIONS) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 29. Page 763.)

The Hon. R. C. DeGARIS (Leader of the Opposition): There is no need for me to speak at any length on this Bill, which has been covered by the remarks I made on the Bill we have just dealt with. This Bill deals with transitional provisions and the formula N-5, which appears in the principal Act. The difficulty with this formula is that it could be a negative amount, which would upset the whole formula for computing superannuation. With the formula N-5, if a person had not been in the Public Service for more than five years, a negative amount would result. There is no together with the Superannuation Act Amendment Bill, because they are tied together. I support the second reading.

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

METROPOLITAN TAXI-CAB ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 29. Page 763.)

The Hon. C. M. HILL (Central No. 2): This short Bill simply converts the distance that taxi-cabs can operate from the General Post Office in Adelaide without having to come under the provisions of the Road and Railway Transport Act. Under the existing legislation, the radius from the G.P.O. is 25 miles, but this Bill converts that to 40 kilometres. When the Minister explained the Bill, he said that the exact distance for 25 miles should be 40.234 km, but we have taken 40 km as a round figure. The only point I raise, therefore, is that the distance is a little shorter than the previous distance that a taxi-cab could travel. I have tried to find out whether any disadvantages may accrue because of this very slight change in distance. The only town I know of that may be disadvantaged is Gawler, because, as we know, Gawler is roughly 25 miles from the G.P.O.

The Hon. C. R. Story: What is the object of the Bill?

The Hon. C. M. HILL: It is really only to convert the radius of 25 miles to its metric equivalent.

The Hon. C. R. Story: Would it not be a good idea if the Government had all similar legislation converted to metric measurement at the same time by a blanket Bill?

The Hon. C. M. HILL: That is a good suggestion.

The Hon. D. H. L. Banfield: What would you have done in this position—just converted to kilometres and added 234 km?

The Hon. C. M. HILL: Yes. That idea has much merit because, if we did that, we would be certain that no member of the public would be disadvantaged by any travel by taxi.

The Hon. D. H. L. Banfield: The odometer would not show 40.234 km.

The Hon. C. M. HILL: The Minister has had a lot to say about odometers today: he seems to be impressed by that word. I am concerned that this distance is slightly lessened and also for the people at Gawler because, if we examine this matter closely, we may find that taxis may not be able to take a fare from Adelaide to Gawler unless they have gone through this cumbersome procedure of obtaining special permits from the Transport Control Board. I am prepared to support the Bill if the Minister can assure me (and, if he cannot, perhaps he would like to confer with his backbencher, the Hon. Mr. Creedon, who, I understand, holds the high office of Mayor of Gawler) that the people at Gawler will not be disadvantaged as a result of these provisions. If the Minister can assure me that this new distance does not produce a situation in Gawler to the disadvantage of the local residents, I shall be happy to support the Bill.

The Hon. M. B. Dawkins: The Government has been generous in its conversions to metric measurement in previous measures—for instance, converting 45 m.p.h. to 80 km/h—so it may be generous here.

The Hon. C. M. HILL: In nearly all the conversions to metric measurement, the nearest round figure has been a little more than the exact measurement. Tn some cases, it has worked slightly disadvantageously—for instance, in the speed past schools. All I am concerned about here is that in Gawler, which is about 25 miles from the Adelaide General Post Office, there will be no dissatisfaction or serious disadvantage to the local people. I am sure members opposite who have some special connection with Gawler will have looked closely at the matter. If the Minister can assure me that Gawler will not be adversely affected by the radius from the G.P.O. being reduced by 256 yards, I shall be happy to support the Bill.

I am sure that the Hon. Mr. Creedon, having reviewed the measure, as no doubt we all have, or should have, will be able to help his Minister on this point. I think the Minister would agree that it would be foolish if he had taken a round figure and reduced the distance from the G.P.O. by such an amount as to cause a problem in Gawler. If there is any doubt about the matter, it should be taken to 41 km, or at least be the exact equivalent of 25 miles so that a problem will not occur in future in relation to taxi services between Adelaide and Gawler. I should like the Minister to give me some assurance on that point. Subject to that, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Saving provisions."

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

To strike out "forty kilometres" and insert "forty-five kilometres".

This should cover the point raised by the Hon. Mr. Hill. I am sure the Minister will seriously consider this amendment, particularly in view of the situation regarding the Hon. Mr. Creedon.

The Hon. D. H. L. BANFIELD (Minister of Health): I cannot accept the amendment. The Mayor of Gawler has not disagreed with this and, if the distance was extended to 45 km, it would possibly be necessary for taxi fares to Gawler to be increased. The people of Gawler would sooner walk the extra 180 m than pay the extra fare. It is the people of Gawler for whom I am concerned, and I cannot therefore accept the amendment.

The Hon. C. M. HILL: The Minister is not correct in saying that the amendment would result in increased taxi fares: it would simply mean that a taxi driver would not be able to take a fare unless he was holding a special permit. About 130 taxi drivers at present hold such a permit, which costs $4 a year and which is obtained from the Transport Control Board. In other words, a taxi could go outside the radius—

The Hon. D. H. L. Banfield: It cannot go outside of the 25-mile radius now.

The Hon. C. M. HILL: It can, if a taxi driver holds the permit to which I have referred. There would therefore be no problem regarding the Hon. Mr. Dawkins's amendment. It will be a little harder on the taxi driver, as he will have to pay the $4 a year for the licence. If he has regular customers in Gawler, he will have to take out a permit, whereas at present he may not be doing so. The Minister is therefore incorrect in saying that the rate will increase.

The Hon. D. H. L. BANFIELD: If the taxi driver was put to this added expense, it could be a good case for his seeking an increase in fares.

The Hon. M. B. Dawkins: It is only $4.

The Hon. D. H. L. BANFIELD: True, but the taxi drivers would not want to pay it. This would react not only on the people of Gawler but also on everyone who uses a taxi, and this could be used as an excuse for obtaining increased taxi fares.

The Hon. C. M. HILL: The Minister is now saying that this would enable taxi drivers to apply for higher fares. That is, of course, a different subject from that to which he referred initially. I would be willing to agree to the Bill in its present form if the Minister assured me (and I have no doubt that he has referred to the Hon. Mr. Creedon, who knows of the problems being experienced in Gawler in this respect) that the people of Gawler, the only town on the boundary in the whole area being discussed, have been considered and that the distance of 40 km referred to in the Bill does not disadvantage those people, because they are my main concern and, I am sure, that of the Hon. Mr. Dawkins. I commend him for trying immediately to look after the interests of these people when the matter was first raised.

The Hon. D. H. L. BANFIELD: I assure the honourable member that I have received no representation from the Hon. Mr. Creedon in this respect. The only people in Gawler who would be inconvenienced would be those who live about 180 m beyond the 40 km radius. Few people would therefore be affected. Indeed, my information is that the people in this area do not use the taxi service.

The Hon. C. R. STORY: I know that the Hon. Mr. Dawkins and the Hon. Mr. Creedon, as members representing Midland District, are interested in their constituents. However, some honourable members are more interested than others, because to some members of the district that tiny pocket about which the Minister has spoken contains some real constituents.

The Hon. D. H. L. Banfield: How many are in that area?

The Hon. C. R. STORY: There would be far more than the handful of 20 or 30 people, as the Minister said. It would be more like 100 people.

The Hon. D. H. L. Banfield: What street does it involve?

The Hon. C. R. STORY: I will not pick out a street.

The Hon. D. H. L. Banfield: Why not?

The Hon. C. R. STORY: Will the Minister delineate for me the boundaries of Gawler and say where this radius cuts in and cuts out?

The Hon. D. H. L. Banfield: No!

The Hon. C. R. STORY: Then it is not up to me to give the Minister information. If the Minister had listened to what I said earlier, he would have got his answer. The Hon. Mr. Dawkins has made a reasonable request, and I cannot see what the Minister is worrying about, unless there is something more in this matter than meets the eye. It seems strange that a Bill has been introduced dealing only with metric conversion; surely it could have waited until the next batch of amendments to the principal Act was ready. If it is a matter of consolidation, I will understand, but the matter must be clarified.

The Hon. D. H. L. BANFIELD: The Government desires to introduce as many Bills as possible dealing with metric conversion so that people will think in metric terms much sooner than would otherwise be the case. The metric speed limits have been rounded off and, accordingly, the Government is suggesting that the distance in this provision be 40 km. I am therefore unwilling to accept the amendment. A distance of 25 miles was provided for in the previous legislation, and possibly some people missed out who were living at a distance of 25 miles 200 yards. In this case some people will miss out if they are at a distance slightly beyond 40 km.

The Hon. M. B. DAWKINS: The Minister assured us that the Hon. Mr. Creedon was happy about this matter and he assured us that very little of Gawler was beyond the 25-mile limit. The Minister should know that the northern end of Gawler is not very far from Gawler Belt, which is between 26 miles and 27 miles from Adelaide. I therefore submit that, far from a little pocket, a considerable portion of that area would be affected. The Minister should have done his homework more carefully before he assured us that very little of Gawler would be affected.

I suggested a distance of 45 km because it would be sure to cover the whole of the town and also the further growth of the town. I am sure that the Hon. Mr. Creedon hopes that the town will grow.

The Hon. D. H. L. BANFIELD: I am informed that the whole of Gawler comes within the provision; so there is no problem at all. Obviously, the Hon. Mr. Dawkins has not done his homework if he says that Gawler is being affected.

The Hon. C. M. Hill: Where is the boundary?

The Hon. D. H. L. BANFIELD: It is 25 miles from the General Post Office.

The Hon. M. B. Dawkins: That would not take in the whole of the town.

Amendment negatived; clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

IMPOUNDING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 29. Page 763.)

The Hon. R. A. GEDDES (Northern): It is with some concern that I rise to support this Bill. Since this session started we have had several Bills dealing with metrication—the Housing Loans Redemption Fund Act Amendment Bill, the Fire Brigades Act Amendment Bill, the Metropolitan Taxi-Cab Act Amendment Bill, and the Bill now before the Council. All these Bills are designed to effect metric conversions. As the Minister of Health has said, the Government intends to introduce as many Bills as possible in this connection. Possibly the Impounding Act and the Metropolitan Taxi-Cab Act should have been further amended, and the Hon. Mr. Potter pointed out that the Housing Loans Redemption Fund Act was out of date in connection with loans to young people.

The Government should not introduce Bills in a random fashion; it should ensure that amending Bills contain all the provisions necessary for the benefit of the people. Tn the fourth, fifth and sixth schedules to the principal Act, which was last amended in 1962, there are lists of charges that can be made for impounding stock. For up to five head of cattle, 10s. a day can be charged if the cattle are impounded in a pound or on a property; for horses, 10s. is charged; for every mare, gelding, colt, filly, foal, mule, ass, and camel, 2s. is charged; for every bull above the age of two years, 10s. is charged; for every ram, ewe, sheep, wether and lamb, 9d. is charged. I point out that we do not have an exact conversion in connection with 9d.

For every pig, 2s. is charged; for damage caused by trespass in any enclosed paddock or meadow of grass or stubble by every entire horse, mare, gelding, filly, ass, mule, bull, ox, steer, heifer, cow, calf, colt, foal, camel, and deer, 5s. is charged. For every ram, ewe, sheep, wether, and lamb, 6d. is charged. These are completely unrelated to present-day costs, as they were fixed in 1962 and therefore need amending. From the impression given by the Minister in the debate concerning the Metropolitan Taxi-Cab Act Amendment Bill, it seems that no alteration will be allowed to be made. Clause 4 (*b*) amends section 26, as follows:

by striking out from subsection (2) the passage "one shilling per mile for every mile or part of a mile" and inserting in lieu thereof the passage "ten cents for every kilometre or part of a kilometre";

No-one can run a vehicle for a shilling a mile or 10c a kilometre. The rates are completely unrelated to present economic conditions. This matter needs careful consideration. If the Government intends to introduce one Bill at a time for metrication purposes, a confrontation may arise, which the Government will not relish and from which the Opposition will get much gratification if there is justification for its amendments.

Only one Bill was required to convert the old currency into the decimal equivalent as it applied in many Acts. Because of this, the 1962 schedule of the Impounding Act has not been amended by this consolidation Bill now before us. Even though the figures in the Act are in pounds, shillings and pence, people know how to convert pounds to dollars. Why can we not have a Bill, similar to that used for the conversion of pounds to dollars, for metrication in which could be listed the names of the Acts to be amended? This process would save much time and money.

I ask the Minister to consider what is involved in bringing a Bill through all the Parliamentary procedures. It involves the Parliamentary Draftsman, the printer, the work members must do, the need for the Parliamentary Clerks to check what has been done during the Bill's passage in different places, and the fact that the Bill must be proclaimed by Executive Council and that His Excellency has the right to ask whether the Bill has passed through both Chambers and is correct, while all the Minister is having done is having the word "miles" or "yards" converted to kilometres or metres.

A much more simple procedure could be adopted, as was adopted for decimal conversion. We will lose face by this method of Parliamentary procedure if it continues for the rest of the session. True, the Government can say at the end of the session that it has introduced more Bills than ever before and also say what a great reformist it has been but, if they are all amending Bills like this, the Government will not have achieved anything other than making a mockery of itself.

The Hon. T. M. Casey: It has to be done sooner or later.

The Hon. C. M. Hill: It makes the Government's claim a hollow sham.

The Hon. T. M. Casey: It does not.

The Hon. R. A. GEDDES: True, it has to be done sooner or later, as the Act is still set out in terms of 1962 standards. It will be consolidated and come out in 1975 when, because the very principle of the Bill is not working and cannot work because of the economic climate, it will have to be amended to bring it up to date and to make it workable. Is it common sense? Is this to confuse the people, or is it just the method of a *laissez faire* Government bringing in as much legislation as it can on metrication and then, when that is all finished, it will go through all the Statutes and amend them and bring them up to date?

I support the Bill, because there is nothing to it. It amends two sections, sections 15 and 26. It seeks to convert a distance of five miles to eight kilometres, fixes certain charges for the delivery by a pound keeper of certain notices, and increases the charge from one shilling a mile to 10c a kilometre. How many stock pounds are left in South Australia? To my knowledge, there are only a few. The only method the rural community has to care for straying stock is for farmers or those involved to impound the stock themselves.

The charges are unrealistic. An extremely reliable authority who has examined the problem agrees that the

charges involved should be updated. Therefore, I ask two things: first, if Acts are to be amended, they should be updated at the same time: and, secondly, I seek the introduction of one consolidating Bill for metrication changes, on a basis similar to that used for decimal conversion.

The Hon. R. C. DeGARIS (Leader of the Opposition): I support the views expressed by the Hon. Mr. Geddes. These amendments only catch up with modern times, changing pounds to dollars and making metric conversions. As the Hon. Mrs. Cooper asked recently, how are we to call the metric terms—"k'lometres", "k'lograms" or "k'lo-w'ts"? I believe that, in updating legislation and converting figures to their metric equivalents, the process could be done quickly and easily by a different method. The method used by the Government for this purpose takes up much time of this Council and the Parliament generally. Much work is involved in this process, and I strongly support the views expressed by the Hon. Mr. Geddes. The only change resulting from this Bill is the change from a shilling a mile to 10c a kilometre, which I suppose is a reasonable increase, as the figure in the Act was fixed in 1962. However, the Hon. Mr. Geddes is correct in saying that there must be a better way of upgrading the Statutes than this system of having many separate Bills, each dealing with the same matter.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Poundkeeper may charge for service of notice."

The Hon. R. A. GEDDES: Will the Government seriously consider introducing one Bill to cover the necessary metric conversion in all legislation?

The Hon. D. H. L. BANFIELD (Minister of Health): I can give an assurance that I shall draw the Government's attention to this afternoon's debate.

Clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

ARBITRATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 29. Page 764.)

The Hon. F. J. POTTER (Central No. 2): Il is with much pleasure that I support the second reading of this Bill. I have mentioned this matter in the Chamber over many years as being one the Government should look at, and the Law Society of South Australia has been asking successive State Governments to do something about it for nearly 17 years. The purpose of the Bill is to get over a problem which, for many years, has caused difficulty in the administration of the law. The case of *Scott* v. *Avery* (and all law students know this celebrated case from their textbooks) was decided by the House of Lords nearly 120 years ago. It was a decision that it was possible to have, as part of a contract, a clause stipulating that, prior to exercising one's rights to submit to court for a decision any claim arising under a contract, one had first to submit the claim or the dispute to adjudication by arbitration. The case upheld the validity of such a contractual clause. Since that time it has been the practice, particularly of companies engaged in insurance, to include in contracts clauses of this kind. On many occasions I have had reluctantly to advise people who have had insurance claims that they first must go through a lengthy and costly procedure, probably achieving a most unsatisfactory result, by means of a private arbitration before they can submit their claims to the court.

It has been my experience (and I know of other legal people who have the same opinion) that it is often the most disreputable or fly-by-night insurance companies that stick like glue to the arbitration clauses in their insurance contracts. Sometimes the more reputable companies are willing (although sometimes reluctantly) to waive the arbitration clauses. However, quite apart from insurance contracts, such clauses have caused trouble in building contracts. I am pleased that at last the Government has introduced a Bill to state quite clearly that an agreement which requires that the dispute first be submitted to arbitration as a condition precedent to court action is no longer to have any force or effect. The Victorian Government, by its Instruments Act, took this step, I think in 1957. That matter was referred to when the Bill to establish the State Government Insurance Commission was before this Council.

The Hon. R. C. DeGaris: Does the Victorian Act cover all arbitration clauses?

The Hon. F. J. POTTER: It covers all arbitration clauses except for one limited instance involving arbitration under a Commonwealth Act. That exception is of no real practical significance. We are in fact doing what I have recommended on many occasions should be done. I do not think there is much point in saying more, although I could give details of many cases where this provision has caused difficulty and hardship in the past. Nowadays, with the growing availability of legal aid, everyone should be able to take any dispute to court and get a fair and reasonably quick hearing, obtaining much cheaper justice than has been available in the past.

The Hon. R. C. DeGaris: Does the Bill prevent private arbitration?

The Hon. F. J. POTTER: No, it merely will mean that the agreement in a contract making it a condition that a dispute must first go to arbitration before going to the court will be void and unenforceable. It does not prevent the parties from coming together and saying that they will submit a dispute to arbitration, if that is what they want. The provisions of the Arbitration Act are always available to any individuals who want to use them. The contractual requirement, which has been upheld by the decision in *Scott v. Avery,* this is a procedure that must be contractually adhered to before the right to go to court can be invoked, has caused the difficulty. Private arbitrations are costly. Both sides must provide money to employ a private arbitrator nominated to hear the dispute.

The Hon. R. C. DeGaris: Would a court action be cheaper?

The Hon. F. J. POTTER: I would say court action in most cases undoubtedly would be cheaper. One might have to pay for lawyers to go to court, but one does not pay for the judge, or at least not directly (perhaps by making a contribution to State taxation one is making a payment, but that is a different matter). Also, a quicker result could probably be obtained in court, although sometimes delays occur in civil cases. Once the case is started in court, it is reasonable to look for a fairly quick judgment. A private arbitrator often will want to fit in an arbitration as a part-time job when it suits him, thus adding further to the delay.

The Hon. R. C. DeGaris: Do you think that in some small cases arbitration may be better? For example, in a housing dispute, would not arbitration be quicker than court action?

The Hon. F. J. POTTER: There may be some cases where a form of arbitration is obviously the quickest way of dealing with a matter. I am not opposed to arbitration as such.

The Hon. A. F. Kneebone: The Bill does not stop it.

The Hon. F. J. POTTER: No. As I say, I am not opposed to arbitration. In fact, we should be looking for ways and means by which we can get, through perhaps our court system, a procedure nearer to arbitration for resolving small matters more quickly than we have done so far. Some of our court procedures are too technical for the determination of very small claims. L think the easier method of arbitration, without cost to the parties, and perhaps even without their being involved in the payment of legal costs, would be an ideal system; but, of course, there may be other ways, too, of tackling this problem. For instance, small insurance claims connected with minor damage to property, perhaps involving amounts of money of between $200 and $400, could easily be dealt with by a system of quick arbitration, which might expedite proceedings in our magistrates courts. That is distinct and separate from the matter under discussion, but the Government could look at it.

The Hon. R. C. DeGaris: The question I was coming to was: if the Government provided referees in arbitration rather than a court system, would that have any practical application?

The Hon. F. J. POTTER: That is possible and is allied to what I was saying, that we need some simple system by which small claims can be determined by an arbitrator, whoever he may be. I am not saying he must be a trained legal person. He might be more qualified than a legal person in a building dispute if he was a master builder. If that type of arbitration could be made available through some sort of system, set up by the Government, which would be ancillary to our court system, we might have something worth looking at. It is not an easy matter; it must be considered carefully, but it has its merits.

I am wandering a little from what we are dealing with at the moment and what is set out in this simple Bill. It gets over the difficulty that has been encountered for many years by the insertion in contracts of clauses making arbitration compulsory prior to court proceedings. The Bill has my support and, as I said earlier, the support of the Law Society of this Stale.

The Hon. J. C. BURDETT secured the adjournment of the debate.

STATE LOTTERIES ACT AMENDMENT BILL

(Second reading debate adjourned on August 29. Page 765.)

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

ADJOURNMENT

At 4.37 p.m. the Council adjourned until Wednesday, September 11, at 2.15 p.m.