

**LEGISLATIVE COUNCIL**

Thursday, October 3, 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:

Arbitration Act Amendment,  
Impounding Act Amendment.

**QUESTIONS****FLEURIEU PENINSULA**

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. R. C. DeGARIS: Yesterday, in reply to a question from the Hon. Mr. Chatterton, the Minister said, among other things:

The department has not desecrated the area, because that is not its policy, it being a conservation department.

Following that reply, I asked the following question of the Minister:

Will the Minister say whether the department called tenders for the clearing of any native scrub on Fleurieu Peninsula?

The Minister replied:

The department has about 400 ha of land in the area referred to by the Leader; about 120 ha has been selected for planting pines, and the remainder will be left in its natural state. About 40 ha has at present been planted to pines. The area in which the forest was planted was formerly agricultural land that had been cleared many years ago by agriculturists, and it does not have growing on it anything like the area's natural vegetation. Although there was much rubbish on the land, the department was willing to develop this rough country because it was suitable for the growing of pines. Tenders were called to prepare about 21 ha for the planting of forests this year. However, no tenders were received, the due date for tenders having passed some time ago.

I then interjected and said, "Do you still intend to clear it?" and the Minister replied, "No, the country is Clear . . .". I direct the Minister's attention to the *Government Gazette* of September 12 which, under the heading "Woods and Forests Department", states:

Tenders will be received at the office of the Conservator of Forests . . . up until 12 noon on September 23, 1974, for land preparation on approximately 364 hectares at Second Valley, Cudlee Creek and Wirrabara Forest Reserves. Tender forms may be obtained from the office of the Conservator of Forests . . .

Tenders for the clearing of this land state that the location is in sections 48 and 50, hundred of Waitpinga, involving the chaining, dozing, heaping and burning of natural scrub. Tenders closed on September 23. A map of the sections shows areas of 79.9 ha and 50.7 ha. The tender form dealing with the Second Valley forest reserve states that 60.7 ha, as defined by the supervising officer, has to be completed by April 30, 1975, and that the remaining area of about 74.9 ha has to be completed by November 14, 1975. I therefore ask the Minister of Agriculture whether he is satisfied that the reply he gave yesterday was accurate.

The Hon. T. M. CASEY: I point out to the Leader that it was the Woods and Forests Department's policy this year to plant only about 21 ha of pines. I agree that what the Leader has said about the calling of tenders is correct, and

if I have misled the Council in any way I ask members to accept my apologies. However, the fact remains that the land to be cleared, for which tenders were being called, was previously agricultural land. I have even gone to the trouble of studying aerial photographs this morning, and these confirm that fact: it was agricultural land many years ago, the area having been cleared for the purpose of intensive agricultural production. It has never been the Woods and Forests Department's intention to clear-fell areas comprising pockets of natural scrub. In fact, I can take honourable members to any forestry area in the State, where they will find pockets of scrub left in their natural state. This has always been the department's policy on conservation. Nevertheless, the Minister of Environment and Conservation and I met this morning to try to clear up this whole matter, and I am sure that the statement to be released shortly will satisfy all the people who have been concerned about this matter. I am certain that the decision we reached this morning will be the right one.

**PETITION**

The Hon. A. M. WHYTE: Mr. President, it seems that I was somewhat less agile in getting to my feet than was the Hon. Mr. DeGaris. I have a petition to present, but I am not sure whether petitions have to be presented before questions are asked or whether they can be presented during Question Time. However, I ask for your ruling, Sir.

The PRESIDENT: The position is that I call, first, for petitions, then for notices of motion and questions. Petitions are usually presented and checked. I had nothing before me to indicate that there was a petition, nor anything to indicate that a petition had been checked by the Clerk. That information should have been before me. I do not know whether the effect of the petition would be destroyed if the honourable member were to present it on the next day of sitting.

The Hon. C. R. STORY: On a point of order, Sir, would it assist you and the Council if a motion were moved enabling the petition to be presented at a time not usual for the presentation of a petition so that the matter could be put before the Council?

The PRESIDENT: I do not know how important it is to the individual. I am still without the necessary papers before me but, if it is considered urgent, and if the Council so decides, I will accept that without any responsibility on my part.

The Hon. A. M. WHYTE: I doubt whether the urgency of the matter would necessitate a motion of the Council. I am quite willing to leave the presentation of this petition until Tuesday next.

**WHEAT QUOTAS**

The Hon. J. C. BURDETT: My question is directed to the Minister of Agriculture. Prior to my asking a question yesterday concerning a letter written by the Minister to Mr. Max Saint, of United Farmers and Graziers of South Australia Incorporated, had the Minister received any information that the matter was likely to be raised?

The Hon. T. M. CASEY: I do not think that has any bearing on the subject, and I refuse to answer the question.

**SCHOOL BUILDINGS**

The Hon. R. A. GEDDES: I wish to direct a question to the Minister of Agriculture, representing the Minister of Works in another place, and I seek leave to make a short statement.

Leave granted.

The Hon. R. A. GEDDES: A firm of building contractors trading under the name of Wells and Schminke had a contract to build four schools for the Public Buildings Department. On November 2, 1972, that department terminated the contract with the company, at which stage about \$64 000 worth of work was outstanding to the company. As a direct result of the department's action and its failure to pay any portion of the \$64 000, Messrs. Wells and Schminke and one subcontractor to the building company have since been declared bankrupt. First, for what reason and on what grounds were the contracts terminated; secondly, was the Public Buildings Department able to complete the four schools for \$64 000 less than the original estimate because of this action?

The Hon. T. M. CASEY: I shall refer the question to my colleague and bring down a reply.

### BUILDING SOCIETIES

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Chief Secretary, as Leader of the Government in this Chamber.

Leave granted.

The Hon. C. M. HILL: I refer to newspaper reports published yesterday to the effect that rumours had been circulating regarding the financial situation of the Hindmarsh Building Society, and also to reports that people had been forming queues to obtain their investments from that institution. I understand that the forming of queues has continued this morning and that the Premier has made some statement of assurance to South Australians on the matter. If that is so, I commend the Premier for his action. Has the Chief Secretary, as Leader of the Government in this Chamber, any statement to give the Council in which he can assure the people of South Australia that their investments in the building societies in this State, and in particular in the Hindmarsh Building Society, are not at risk?

The Hon. A. F. KNEEBONE: I shall be happy to do that. I was present with the Premier when the reports on this matter were made to him. I believe inquiries have been made but, apparently, there was no need for an inquiry in regard to the situation of the Hindmarsh Building Society. It is quite sound; its finances are quite sound. The fact that the Commonwealth Government has made a statement (which has appeared in the *Financial Review* and in the press this morning) should reassure anyone who is worried about the safety of his money in the Hindmarsh Building Society or any other of the recognised building societies in South Australia. There was no need for this run that has occurred. In fact, I was told that an employee of the Government had spoken to people in the queue and had pointed this out to them, but it made very little difference to the size of the queue at the doors of the Hindmarsh Building Society.

Everything possible is being done to stop the panic from spreading. Although I myself have not heard the Premier's statement on the matter, I know very well that it was his desire, as soon as he heard of the run, to endeavour to reassure people that there was no need to worry about their money; he had every confidence in the society.

### LAND AND BUSINESS AGENTS ACT

The Hon. C. M. HILL: Has the Chief Secretary a reply to a question I asked recently about the Land and Business Agents Act?

The Hon. A. F. KNEEBONE: In the circumstances outlined in the honourable member's question, the land broker is prohibited from preparing the document by section 61 (2) of the Land and Business Agents Act.

### PARLIAMENTARY LIBRARY

The Hon. R. C. DeGARIS: I direct my question to the Chief Secretary, as Leader of the Government in this Council. As the Parliamentary Library is the repository of all written information on a great variety of subjects affecting Parliament and politics (newspapers, magazines, pamphlets, etc.) and the information there is freely available to all members of Parliament, does the Government intend making available to the library all tapes recorded by its newly established monitoring unit? If not, will the Chief Secretary raise the matter with Cabinet, because such a record would be invaluable as a means of reference for members of Parliament?

The Hon. A. F. KNEEBONE: The matter raised by the honourable member has not been considered, but I undertake to refer his request to Cabinet and bring him a reply as soon as it is available.

### CRASH REPAIRS

The Hon. C. M. HILL: I understand the Minister of Health has a reply to a question I asked him on September 29 about crash repairs.

The Hon. D. H. L. BANFIELD: My colleague reports that the matter is currently subject to the consideration of the Minister of Labour and Industry.

### HOUSING TRUST

The Hon. C. M. HILL: Can the Minister representing the Minister in charge of housing say how many single-unit dwellings the Housing Trust completed in the year 1973-74, and how many single-unit dwellings have been completed so far in this current year?

The Hon. A. F. KNEEBONE: I shall be happy to get for the honourable member the information he seeks.

### BOATING BILL

Third reading.

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

That Standing Order 314 be suspended to enable the Bill to be read a third time without the Chairman certifying a fair print of the Bill.

A schedule of the amendments made by the Legislative Council has been printed, and this is all that is required in another place.

Motion carried.

The Hon. T. M. CASEY moved:

*That this Bill be now read a third time.*

The Hon. J. C. BURDETT (Southern): In speaking to the third reading, it is worth pointing out the history of the Bill. There have been many boating accidents in South Australia and even more boats lost at sea in the Gulf and extensive searches conducted. The Government probably considered therefore that something ought to be done to provide safety in boating, to ensure that boats were registered and identifiable so that it could be known which boats did not comply with the laws and regulations, and that something should be done to ensure that proper safety equipment was carried on boats. That is the background to the introduction of the Bill.

During the debate on the Bill various objections were raised that the controls (after all, the Bill was originally called a Bill to control boating) went too far and, indeed, further than necessary for this purpose. The Council therefore appointed a Select Committee and, as a result,

the Bill eventually went into Committee in this Chamber and passed that stage with a number of amendments having been made to it.

In my opinion the Bill that is now before members is a reasonable compromise, on the one hand, between the controls that are necessary to ensure that accidents do not occur and that boats do not go to sea without proper equipment and, on the other hand, that boat owners are not subjected to unnecessary controls. I support the third reading.

The Hon. R. C. DeGARIS (Leader of the Opposition): I, too, support the third reading. I want briefly to congratulate the Select Committee on the job it did on the Bill. When the Bill was introduced, Government Ministers were opposed to the referral of the Bill to a Select Committee. It is indeed interesting to examine the history of the matter and what was said. In this respect, I refer, first, to page 2687 of *Hansard* of March 26, 1974, when the Minister in charge of the Bill (Hon. T. M. Casey) said:

First, I will deal briefly with the Hon. Mr. Story's contribution to this Bill. He did not say anything that I did not expect him to say. It is common knowledge that his Party has the ability to do many things regarding legislation. It is because it is in the fortunate position of having the numbers in this Council that the Opposition can do strange things to Government legislation.

Later on in the debate, in reply to the second reading and, indeed, in reply to an interjection by the Hon. Sir Arthur Rymill, the Minister said:

Why not debate the Bill on its merits and, if it needs amending, why not amend it? Why say, "Let's have a Council Select Committee deal with the matter, which will be constituted so that the Opposition will be in a majority against the Government"? This would show once again (and we must come back to this matter eventually) the power the Council has in the South Australian Legislature. ... It seems to me, in the interests of good legislation, that the Council has once again overstepped its mark. I believe that, if poor legislation is introduced, it can be amended. However, if good legislation is introduced, it should be accepted as such. On many occasions legislation that has come to us has been thrown out or torn in halves just to satisfy the whims of certain people . . . outside in the community who have much sway with Opposition members. There is no doubt about that. I will leave it at that and see what eventuates.

The Council then divided on whether the Bill should be referred to a Select Committee, the result being 12 Ayes and 6 Noes. I commend the Select Committee, which comprised an equal number of Government members and Opposition members. The Bill has been returned to the Council with between 25 and 30 amendments, which have been unanimously accepted by the Council. I believe that the Council is not doing its job if it merely passes legislation without making a thorough examination of the position.

This Bill, which deals with a totally new matter in South Australia, was introduced to this Council during the closing hours of the last session of Parliament, and I commend the Council for having the courage, despite all the pressure applied by the Government, to refer this Bill to a Select Committee for investigation, and I congratulate the committee on the research it has done on the Bill. I commend the third reading to the Council.

The Hon. T. M. CASEY (Minister of Agriculture): I was amazed by the remarks of the Leader—

The Hon. R. C. DeGARIS: They're all yours.

The Hon. T. M. CASEY: —in so far as he is trying to make political capital out of something that I do not believe he is justified in doing in the circumstances; for

example, before the establishment of this Select Committee, there was always a majority of Opposition members comprising a Select Committee. I raised this matter with the Leader and, when he agreed with me about equal numbers, I was more than satisfied. I raised the matter because neither I nor any other Government member can be persuaded that, when a committee is appointed comprising three Opposition members and two Government members, the committee is not loaded.

The Hon. R. C. DeGARIS: You voted against reference to a Select Committee even after we agreed on six members comprising the committee.

The Hon. T. M. CASEY: I do not think that was the case. The fact remains that, when we agreed upon a committee comprising six members, we went along with that and, in fact, I insisted on that point. Moreover, I insisted on that same point in respect to the appointment of another Select Committee that was to be established, and I believe that is how the matter should be handled. When there are equal numbers from both sides of the Council on a committee, members work more harmoniously and do not feel they are being outvoted or are being out-talked on matters before the committee. I assure the Leader that there were many amendments that the committee did make to the Bill that could have been made in Committee in this Chamber. The fact remains that the Opposition did not want to debate the Bill; it had no intention of doing so, because it just wanted to have a Select Committee established without even discussing the matter in the Council. I have nothing against the way the committee worked, and I made that point yesterday, but the fact remains that much work could be done in the Committee stages in this Council which would eliminate the need for Select Committees.

The Hon. R. C. DeGARIS: What time did we have to do that when there were 13 complex Bills put before us on the last day of the last session?

The Hon. T. M. CASEY: Circumstances alter the procedure; I will grant the Leader that. The fact remains that many things can be cleared up in the Committee stage if honourable members put their minds to it. In the Senate, Select Committees are being set up today on six or seven measures. The Council has the power to set up Select Committees, and there is nothing that the Government can do about it. However, I believe that in some cases setting up Select Committees can be avoided; it only prolongs the passage of legislation, the deliberations, and the drafting of the Bill. Of course, there may be occasions when such a procedure is justified. I am happy to say that the final result in connection with this Bill is good.

The Hon. C. R. Story: But the Government's policy on these matters has not always been good.

The Hon. T. M. CASEY: If I remember correctly, the Government accepted practically all the amendments made in another place.

The Hon. C. R. Story: I have a file that is full of them.

The Hon. T. M. CASEY: I do not know whether all the amendments moved in another place have been incorporated in this Bill. If the honourable member can give examples of what he is referring to, I shall be happy to examine them. There are times when I honestly believe that the Council itself can correct any anomalies in a Bill. After all, that is what we are here for. Neither the Government nor the Opposition is infallible. The whole purpose of introducing Bills is to do the best we can in connection with the subject matter of the Bills. There are times when

a Bill can best be dealt with in Committee, and in that case there is no need for a Select Committee. I am happy that the amendments have been accepted in the spirit in which they were introduced.

Bill read a third time and passed.

#### **EVIDENCE ACT AMENDMENT BILL**

Read a third time and passed.

#### **OCCUPATIONAL THERAPISTS BILL**

Read a third time and passed.

#### **APPROPRIATION BILL (No. 2)**

Adjourned debate on second reading.

(Continued from October 2, Page 1238.)

The Hon. V. G. SPRINGETT (Southern): I am sure honourable members will recall that Micawber, a well-known Dickens character, once said that if you have £1 and spend £1.06, you are in trouble, whereas if you spend only 19s. 6d. you are happier and safer. That principle applies to us all in dealing with our own finances and, not least, the State's finances and the country's finances. The Treasurer has told us that there will be a deficit of \$12 000 000 in connection with the original proposals. However, since then, as has been pointed out, three points have been added to the Budget statement made in another place.

First, there was the Commonwealth Government's failure to make available \$6 000 000 which the State Government had expected. Secondly, there was an alteration in the basis for calculating assistance grants, which were to be escalated not by 20 per cent, as the Government had expected, but by 25 per cent. Thirdly, for July and August there was a State deficit of \$19 000 000. These three little points contain a tremendous amount of important and disturbing information. As a result, we have been told that further taxation will be needed in South Australia because of the Commonwealth Government's failure to honour its word.

It is a sad criticism when our State Socialist Government is let down by its centralist partner, a partner of the same political persuasion. It is particularly strange because we were told when the Commonwealth Labor Government came to power that we had the ideal set-up—a State Socialist Government and a central Socialist Government, which would work together for the good of all. So far, it has not worked out. Legislation based upon the alleged goodwill sounds very attractive but so far, instead of being attractive and fruitful, it has been very disturbing and frightening.

The front page of today's *News* emphasises the tension and fear that many people have in relation to the Government today. One of the big problems in connection with the State Socialist Government is that so much of its legislation (and I am not belittling its value) is unable to contribute to the nation's stability and well-being. In other words, it is what we call social legislation, which gives help and pleasure to people but does not in itself bring in one cent in revenue. It is non-productive legislation. I believe in social legislation. Having worked for all my life as a doctor, I have come into contact with the need for it, and I believe completely in that need. But I do not believe that those who bring in money actively and positively should be accused and attacked by the Government as if guilty of a crime. Governments with these socialistic tendencies or of that political persuasion become much more incensed when a person works hard and saves money than when a person squanders it away and has to seek social help.

To have included, as we were told, \$6 000 000 or \$8 000 000 of anticipated revenue was all very well if one could trust the source from which the money was to come. Obviously, the State Government cannot and should not trust its central partner. South Australia, the pilot State, the pace-setter, the path-finder, the forerunner (call it what you will), obviously carries no privileged position or such status in Canberra. Perhaps it would be more correct to talk about the guinea-pig State. In the laboratory, this experimental creature is used until it can offer nothing more and then it is discarded as useless, having served its purpose. Is South Australia now to be proven to be just a guinea-pig State? It is small consolation to know you have set the pace for someone else if you are a worker in a factory and found redundant because of the industrial situation.

The present situation is reflected in the numbers of migrants at present entering Australia. It is something like the position that prevailed in the late 1960's. At that time migrants could come to most parts of Australia, except South Australia, and find prosperity. Today there is a tendency for them to avoid much (or most) of Australia. Today's paper contains figures indicating that the migrant target for this year has been reached, when only nine months of the year have gone. Only a few families will be allowed in for the rest of the year, and that will include 2 000 refugees from Chile and Cyprus. There is not enough work for those who are here and, wisely, we are not allowing any more to come here, except skilled workers, until things improve.

At the end of the 1960's and the beginning of the 1970's, South Australia could have been called an island of stagnation in a sea of prosperity. Today it can be said that Australia, including South Australia, is not an island of anything; perhaps it would be more appropriate to say that we are a herd of creatures rushed headlong over the cliff to self-destruction, and in this South Australia is still one of the pace-makers. That, of course, is a scriptural reference.

I turn now to one or two comments on the Appropriation Bill. Before dealing with hospitals, I should like to make one or two references to art treasures. I am not against art treasures being bought and being exhibited in our galleries. They should be. However, we are also in the middle of a debate in this Chamber on the value of the Art Gallery as a place of education or a place for the connoisseur; if it is not a place for education, I think it is missing its purpose altogether. I repeat that I am not against art treasures being bought and being shown on exhibition, but we have heard in the past few weeks of the need to set an example in these stringent times when finance has gone haywire. What about the Art Gallery setting an example—the Government ceasing to put up the money for various works of art? What about an example being set for the people by leaving some of these idealistic things until financial matters are straight again? Perhaps it is because jewellery and works of art are considered hedges against inflation, and perhaps the State and the country are seeking to protect themselves against inflation by buying works of art.

Hospitals come up for review in the Budget, and it seems to me that there is a great danger, with the rising cost of medicine and of services in hospitals, that they will be priced out of existence. It is impossible for some people, not only in private enterprise countries but also in State-controlled countries, to keep up with the costs of things. Sweden is finding great difficulty, and the United Kingdom does not know which way to turn. In Sweden,

the stage has been reached of there being one doctor for every 400 people; it will soon be one to a family! We are thinking in terms of increasing the Modbury Hospital by 86 beds, the Queen Elizabeth Hospital by 24 beds, and expanding domiciliary care and mental health services. Flinders itself is a concept to train more doctors. I am in favour of all these things, which I think are essential, but I am worried lest some of these essential things lose their place in the queue to more idealistic measures that surely should not come first in times such as those in which we are living.

I would pay a tribute to the excellent school dental services carried on in this State for some few years. It is good to know that the school of dental therapy and the new technicians clinic are to be opened and that the intake will be increased from 16 to 48 to take care of the increase in the number of children in the south-western suburbs. I wonder what the position will be at the end of the financial year. Will our sanguinary fears be realised? I hope time will prove me wrong, and I am sure other honourable members hope so, too. Time, based on sound economy and not political manipulation, is our only hope. In conclusion, I should like to refer to an article published on August 14, 1974, by a well-known economist on the other side of the world. It states:

Only three months have passed since the Australian electorate returned Gough Whitlam's Labor Government with a small but working majority in the Representatives and a sufficient majority in both Houses to force through previously rejected legislation at the joint sitting. But much has happened in that period and little of it has been to the advantage of the Government or the Australian people. The notions that Australia's economic problems were imported, that inflation was an inescapable companion of growth, and not too difficult to live with anyway, had a decisive effect on the middle-class outer suburban electorates in Sydney and Melbourne, that put Whitlam back into power.

Today, however, people have become belatedly aware that the factors which contributed most to inflation abroad last year were the energy crisis and the multiple increases in the price of oil. Australia, largely self-sufficient in oil and gas, was not affected by these increases. Moreover she had already cushioned herself against any price rises in imported goods by the elimination of tariffs and by Draconian revaluations of the Australian dollar to the point where three American dollars are now equal to two Australian. In a word, Australia's inflation is caused by greed . . .

In many ways the great Australian money grab of 1974 is reminiscent of the great mining boom of the early 1970's. Both were prompted by the same motives. But whereas the first merely destroyed Australia's credibility, the second is dealing hammer blows at the entire economy . . .

The demands have become insatiable and continuous. Economists warn that the country is on the way up now from 15 per cent inflation to 20 per cent and beyond. Among the hardest-hit are those who put Whitlam back . . .

But it is truly no exaggeration to say that Australia now faces the worst economic crisis since the thirties—and that this has been self-induced. The first Whitlam Government eroded business confidence and brought about a dangerous reduction in oil and mineral exploration. The second has seen the dissipation of life savings, collapse of the stock market and a grave threat to many industries. Bankruptcy and unemployment are waiting in the wings. The Lucky Country has not only run out of luck—it has run out of political leadership.

I support the Bill.

The Hon. C. W. CREEDON (Midland): In rising to support this Bill, I think I should begin by condemning the attitude and the gloomy picture painted by honourable members opposite, if the glum faces they present, their defeatist attitude, and their decrying generally of the efforts being made by this Government to upgrade the position of the people of South Australia are to continue.

One can hardly blame the people and the news media, which transmit the sensational before the factual, if the people come to accept the rubbish that is perpetually hammered within these walls. It is a great pity that more attention could not be paid to the facts of life and a realisation of the truth that the problems that confront us are brought about by outside influences. Opposition members see inconsistencies where they do not exist. The news media and Opposition politicians try to induce this point of view, but the Australian Labor Party in times when the country is in trouble uses flexibility in Government (as any sensible business operators, or even ordinary people, at times must appear to change their minds from day to day) in order to allay any troubles or dangers that confront us in these troubled and inflationary times. If only the Liberal and Country League would try to be constructive instead of destructive; if only its members would remember that times have changed and they are no longer in Government; and if only they would consider that the constricted practices that are deeply embedded in their minds are no longer applicable. The business world, which so many honourable members represent in the Parliaments of Australia, does not adopt the attitude that members opposite still espouse. The working man when in money trouble does one of two things: either he adjusts his household budget so that he may exist within his income, or he fights for higher wages in order to pay his way.

The business proprietor and the manufacturer with their logical approach to the world about them raise their prices when they think the occasions demands. Generally, they do not wait for the yearly balance to find out whether they have made a profit or whether they should seek to have a receiver appointed. It is easy to find evidence of constant and rapid upward price changes. One has only to ask any housewife, and she can assure one about the week to week price spiral in the supermarkets. Instead of looking for their names in the headlines on the front pages of the newspapers, members opposite should look at the small print on the back pages, where we can read from time to time of the companies appearing before the Prices Justification Tribunal, some of which have sought price increases more than once during the past 12 months. Most of these applications are granted, although they do not always get the full increase that they seek.

Locally, our own Prices and Consumer Affairs Branch officers have granted increases, which always make the headlines. If we need an example, what better example than the bread industry, which has had three increases this year and which admits to having applied for another increase? The bread industry, as with other industries, is not waiting to go broke and deprive its employees of their jobs or its shareholders of their capital and dividends. We have had one unfortunate case in the past few days of a large financial institution that has been placed in the hands of an official receiver. I wonder whether this could have been avoided. Surely it was not only in the past few days that this body was aware that it would have to meet a large interest bill. While talking about sensationalism, I could well refer to an article appearing in this morning's press in relation to the Hindmarsh Building Society, mentioned by the Hon. Mr. Hill and replied to by the Hon. Mr. Kneebone. I see in this afternoon's newspaper that the Premier has made an attempt to allay the fears of the people who have been making a run on this institution. I believe the newspapers have a duty to report to the people, and the people should know the facts as they may affect them. I think the article in this morning's newspaper was rather sensational and that newspapers in these circumstances should wait until further facts are presented to them.

so that any reports made available from the Government can be made known to the people to enable them to get a true picture of the position at the time.

The Government has become aware that, in the short time since the introduction of the Bill in the House of Assembly, big problems will confront it in the next 12 months unless some immediate action is taken. One must commend the Government for not allowing itself to sink into a financial morass. This Government has always fought the cause of this State. It has the confidence of the people but, if it shows itself to be a dilly-dallying sort of Government and a Government not prepared to accept responsibility, it will not have the confidence of the people for long. Consequently, it must make tax adjustments where necessary.

None of us likes paying taxes. That can be reasonably instanced by the recent action of the Burnside ratepayers, but we know we must pay taxes if we want the State to advance. However, over a period of five years, those ratepayers who now object to paying these rates will come to realise that they must pay them and will accept that fact over a period of time. Taxes can be adjusted so that they become reasonable, and the people will go on paying them. What people do not want is a sudden huge increase in taxation. After the first year, the initial shock is over, but it is not fair that they should be hit suddenly. We can sympathise with those people. It may be the turn of Gawler or some other district next year. In my opinion, the payment of these rates should be spread out over a period of time so that people are not affected to any great extent in one hit. In matters of money, particularly, this Government applies it where it is of most benefit to the people and the State. In this Bill, the large sum of \$174 000 000 has been set aside for education. This is a large increase on last year and, of course, to this must be added the amount paid by the Australian Government to the universities and other tertiary institutions.

The Hon. R. C. DeGaris: What was it last year?

The Hon. C. W. CREEDON: It was \$137 000 000. This saving to the State has not been taken from the education budget but is being used with the \$37 000 000 increase to give greater benefit to those who seek to avail themselves of this necessary amenity.

At this point, I turn to the matter of deaf children, of which I have some knowledge, and the efforts being made by the Education Department in primary and secondary schools to educate them. Before getting on to that, I should like to read from the *News* of September 9, 1974, an article written by Mr. John D. Fraser, the Secretary of the South Australian Adult Deaf Society. The article, headed "Deaf people should be getting much more aid", states:

Of all the handicaps the flesh is heir to, it is possible that deafness and especially profound deafness is the least understood by the average hearing person. This is a sober fact that thousands of hearing-impaired people throughout Australia have to live with. While the broad, clinical aspects of deafness are fairly generally known, there is little appreciation by the hearing people of what it is like to be a deaf man, woman or child, living in a world where all except they share a boon—the precious sense of hearing.

Those who are unable to hear and, as a result, frequently have speech difficulties, are grateful when hearing people attempt to make and maintain contact with them. Pity is not sought, but any move towards understanding of the severe restrictions placed on those who live in a silent world and a demonstrated desire to include them in the social scene is appreciated.

By its nature, the condition of deafness is exclusive and precious little is done officially to make the deaf feel at

home and wanted in the community. They are still required by law to pay the full fee for T.V. licences although clearly unable to enjoy its full benefits.

However, the Commonwealth Government has acted on this matter in its recent Budget, and these fees are no longer payable. The report continues:

Very few T.V. programmes make any attempt to cater for deaf viewers with subtitles or other visible explanations, even though the T.V. screen represents the finest "window on the world" for the hearing impaired. Almost no bright deaf student can look, as he can in many other countries, for the provision of secondary or tertiary education, or expect to be provided with an interpreter to assist him through studies and examinations for apprenticeships or studies at higher levels.

At transport terminals, no provision is made for those who cannot hear broadcast announcements, and very few public institutions employ an interpreter to assist profoundly deaf persons who must, or desire to, use the services provided. In all States, the deaf societies are constantly striving to redress situations which place the deaf at disadvantage.

Classes are run to instruct hearing people in the manual methods of communication used by profoundly deaf people, and instruction is offered to post-school deaf students who wish to improve their knowledge and use of the English language—an area where much important work is done. A great deal more is needed, however, and the deaf among us who are generally responsible citizens, excellent employees, good parents, and taxpayers like everyone else cannot be blamed if they feel that they, of all the handicapped, get the least understanding and help.

Not many people are born deaf. With the inception of modern medical treatment for diseases, the drugs that are used can impair a person's hearing, and leave babies and children to face a lifetime of deafness. As I said earlier, the Education Department has made great strides over the past few years to help deaf children through primary and secondary schools. Unfortunately, few deaf people go on to tertiary education, because they do not have a sufficient command of the English language: They speak in a shorthand fashion, and one has to become used to them before one can understand them.

In secondary schools, deaf children are placed in classes that have special teachers to enable them to get the best training. However, for craft subjects they are usually placed in classes with children with normal hearing. This is good, as the deaf children get to know the other children, having, as they do, a chance to mix with them in the classes and the schoolgrounds. However, they do suffer a disadvantage in that the school books are printed for hearing children. It is indeed difficult to explain to deaf children many words of the English language, and this is an aspect that the Education Department could well examine. Although we do not want deaf children to be separated from children with normal hearing, there must be a way of explaining to them what the English language is all about.

Another problem facing deaf people is apprenticeships. When deaf children leave secondary schools, they must fend for themselves, and it is difficult for them to find jobs. Indeed, their parents experience much difficulty in this respect and must find a sympathetic employer. If such an employer has previously employed a deaf person, he is usually willing thereafter to accept a second or a third deaf person for employment. Many people have not had experience of deaf children and, consequently, are unwilling to take the risk involved. They do not have the facilities and do not know how to approach deaf people or to communicate with them.

Usually, deaf people have much trouble obtaining employment, and are able to obtain only menial types of job. These children are usually fairly bright, however,

and could easily do an apprenticeship. Indeed, with the help of a sympathetic employer, some manage to get through their apprenticeships with good credits. Great efforts must be made for deaf people in our colleges of advanced education, in which there are no teachers for deaf people. At such colleges deaf persons must attend classes and be instructed by teachers who are used to teaching children with normal hearing. Some effort must be made to use an interpreter system so that the children can occasionally (say, once a fortnight or every three weeks) meet in the classroom and have their craft books and manuals explained to them by qualified teachers of the deaf.

If we are successfully to employ these people who want to be employed and to be useful citizens in the community, this is necessary. Deaf people certainly need more equipment. Indeed, they need much more expensive equipment than is provided in ordinary schools. Their facilities are continually being upgraded and, as more equipment and material are becoming available, more money is being spent on them.

I refer now to further education, which is proving to be of much value to those who for various reasons want to do something more positive with their lives, who want to enter fields of employment that give them greater satisfaction. Further education is one field in which they can do it, as those who leave school at an early age because they did not like school or were not successful at it can, with the aid of further education, improve their outlook on life and gain further qualifications that will give them a greater range of activities to pursue and employment to undertake.

I now point out one thing that seems to me to be peculiar in relation to further education (and this may apply to other sections of education as well). The State Budget is usually debated in about September each year. However, every further education unit must prepare its budget in January or February so that it can be presented to the department and, in due course, to the Government so that provision can be made for it in the Budget. Such allocations are usually made available from the beginning of each financial year. However, for colleges of advanced education, the year begins in February. Their classes start at that time, and, although a certain sum of money is allotted to them, they do not know whether they will receive what they expect to receive, as a result of which some could find themselves in great difficulties. I would like to see the money that is allotted to them in the Budget applying not from the beginning of the financial year but from the following February so that they will know exactly how much money they will have for the whole school year.

I refer now to the Royal Commission on Local Government Areas. This exercise should have been carried out years ago. The Commission's first report caused much complaint and probably now for the first time many people are aware of the existence of local government. Many petitions complaining about the suggested redistribution of council boundaries have been presented to the Parliament, and some honourable members opposite have indicated their opposition to this redistribution.

The Hon. R. C. DeGaris: When?

The Hon. C. W. CREEDON: In questions that have been asked.

The Hon. R. C. DeGaris: What questions?

The Hon. C. W. CREEDON: In the past few days the Hon. Mr. Hill has stated that he is opposed to the redistribution. He did not think it was necessary.

The Hon. C. M. Hill: I queried the expense.

The Hon. C. W. CREEDON: He was speaking about the sum of \$30 000 spent by the Commission to complete its first report. I see that another \$25 000 has been allocated to the Commission for its future requirements. Honourable members opposite and members of some councils, as well as residents of some councils, do not support the recommendations in the report, but I think the matter is questionable. I now refer to a survey undertaken by Mr. John Robbins, of the Politics Department, University of Adelaide. At page 12 of this report he states:

There is a world-wide movement to reorganise local government areas which, by and large, were set up in an age of poor communication and a lower level of service than holds now. South Australia has not escaped this trend, and a gradual process of amalgamation is being hastened by the operations of a Royal Commission. Despite the fact that existing councillors have some vested interest in the continuation of the present arrangements, almost two-thirds wish to see boundaries redrawn, and almost as many see a need for amalgamation.

He then gives percentages concerning those in favour of the redrawing of local government boundaries, 63 per cent of those questioned being in favour and 25.7 per cent not being in favour. Concerning the amalgamation of local councils, 60 per cent agreed to that recommendation, with only 27 per cent disagreeing. I do not say that there are not some councils that should not have their boundaries redrawn, but it is generally recognised that during the past 40 years, since the boundaries were last redrawn, things have changed so much that a change is not only advisable but also acceptable to most councils.

Certainly, we have heard much from those people who disagree with the recommendations, especially those people, associated with about 20 councils, who are discontent with the recommendations, but other councils and people associated with them are happy to accept the recommended changes and are pleased to have something being done at last to allow them to operate as a viable group within the community. The petitions that have been presented to Parliament are questionable.

The Hon. R. C. DeGaris: Why are they questionable?

The Hon. C. W. CREEDON: Local government is government for and on behalf of ratepayers, and this is expressed and repeated throughout the principal Act.

The Hon. R. C. DeGaris: Why are the petitions questionable?

The Hon. C. W. CREEDON: Because people whose names do not appear on local government rolls have signed the petitions. Why do people who take no part in local government sign such petitions? Voting should be compulsory for local government if these people sign petitions in this way. Honourable members opposite argue on this matter when it suits them, but I ask whether people who play no part in local government should be able to sign such petitions when their names are not on the local roll. They have no say in local government, they have never sought a say in it, yet when it suits honourable members opposite they say that these people should have a say.

The Hon. R. C. DeGaris: That is entirely wrong—

The Hon. C. W. CREEDON: I do not see why that position should exist. I would like to see the redistribution of council boundaries, and the majority of councils would like to see it, too.

The Hon. J. C. Burdett: Not according to the letters I've got.

The Hon. C. W. CREEDON: True, the honourable member has a few letters and a few petitions, but I have seen petitions containing the names of people living in certain council areas, while at the same time I have received a letter from those councils saying that they are glad to accept the report and the recommendations of the Royal Commission.

The Hon. R. C. DeGaris: Are you denying their right to petition Parliament?

The Hon. C. W. CREEDON: I am not doing that.

The Hon. R. C. DeGaris: Why do you say petitions are questionable?

The Hon. C. W. CREEDON: I say that such petitions concerning local government are questionable when they are signed by people who do not have a right to vote in local government elections. That is what we are talking about. Petitions should be signed by people involved with the matter with which the petition deals. The Minister of Local Government is aware of the furore that has been created. I believe that with a little assistance from honourable members opposite a reasonable solution will be obtained and that local government will benefit from the recommended amalgamations. There have been some hurried signs of amalgamation since the recommendations of the Royal Commission were made. Several councils which showed no sign of getting together have now indicated their intention to amalgamate. It is not fair to say that they are seeking to save their own hides. I want to be kind to those councils and say that they are doing the right thing for their area, and the people living within those areas. I support the Bill.

The Hon. JESSIE COOPER secured the adjournment of the debate.

#### POTATO MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 2. Page 1240.)

The Hon. A. M. WHYTE (Northern): I have examined the Bill and have conferred with leaders of the potato industry, and I have found that there is no reason why this Bill should not be proceeded with. The principal Act, the Potato Marketing Act, introduced in 1948, provides for the control of the washing of potatoes, and this Bill reflects the necessity to license those people who now pack potatoes. It is interesting to note that, as a result of the packaging and washing of potatoes, housewives now pay about 7c for .5 kg for this service. The Bill also provides that potatogrowers can wash and package potatoes and, in these times when primary producers are finding themselves sorely taxed to make ends meet, this provision allows producers to do everything within their own physical means to supply the market's needs.

I am surprised that the Housewives Association has not expressed more loudly its resentment at the high charge for packaging and washing potatoes. Perhaps the Australian Potato Board would consider the possibility of licensing a voluntary group to package and wash potatoes. I support the Bill, which is not opposed by the industry.

The Hon. JESSIE COOPER secured the adjournment of the debate.

#### SWINE COMPENSATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 2. Page 1240.)

The Hon. M. B. DAWKINS (Midland): Like the Hon. Mr. Story, I certainly support the Bill in principle, even if not in every detail. The Swine Compensation Fund

has been very valuable to the pig industry over the years; it provides assistance where the destruction of swine becomes necessary. The amount in the fund is now more than \$700 000, and members of the industry are seeking further financial support for the research and investigation undertaken at Northfield by the Pig Industry Research Unit. The Bill strikes out section 12 (3) of the principal Act and inserts new subsection (3), which provides that the fund shall be applied, first, toward meeting the costs of the administration of the legislation; that is logical. Also, the fund will be used for payment of claims for compensation under the legislation; that is fundamental. Thirdly, the fund will be applied—

in any amount not exceeding in the aggregate twenty-five thousand dollars in any financial year, towards the costs of research and investigation . . .

That provision means that the amount for that purpose is being increased from \$10 000 to a maximum of \$25 000 a year, and I have no quarrel with that. I have been informed (and I have no reason to believe that the information is unreliable) that the fund now attracts interest totalling approximately \$15 000 a year. If that is so, the interest would cover the increase sought in the amount that could be used for research at Northfield. If these figures are correct, the Treasury is being very generous to the extent of about 2 per cent! On the other hand, if the fund became insolvent, the Treasury would charge it about 10 per cent for any money overdrawn (if one can take the Cattle Compensation Fund as a guide). So, there is inconsistency here. I am concerned about new section 12 (3) (d), as follows:

(d) in any amount not exceeding the aggregate of the surplus amounts for the time being declared by the Minister and for the time being unexpended, for any purpose that, in the opinion of the Minister, is for the benefit of the pig industry or any part thereof.

That provision is governed by new section (3a), as follows:

(3a) Where in respect of any financial year the amount paid into the fund during that year exceeds the aggregate of the amount applied from the fund pursuant to paragraph (a), (b) or (c) of subsection (3) of this section and an amount reasonably sufficient to provide for a proper reserve, the Minister may on the advice of the Auditor-General by notice in the *Gazette* declare an amount not exceeding that excess to be the surplus amount (in this section referred to as "the excess amount") in respect of the financial year next succeeding the financial year in respect of which that excess occurred.

That provision really means that the Minister is empowered to provide some surplus money for the benefit of the pig industry. The Cattle Compensation Fund was once equally as buoyant as this fund; at that time members of that industry suggested that payments into the fund could be reduced and payments out of the fund could be increased, with the result that the fund is no longer solvent. I suggest that the Minister and the pig industry should ensure that that kind of situation does not occur in connection with the Swine Compensation Fund. Clause 5 provides:

Section 14 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:

(2) On and after the commencement of the Swine Compensation Act Amendment Act, 1974, for every ten dollars or part of ten dollars—

(a) of the amount of purchase money in respect of one pig or one carcass sold singly;

or

(b) of the total amount of the purchase money in respect of any number of pigs or any number of carcasses sold in one lot,

there shall be payable stamp duty of an amount, not exceeding five cents, as is prescribed but the stamp duty in respect of the amount of purchase money of any one



pig or any one carcass, as the case may be, whether sold singly or as part of a lot shall not in any case exceed twenty-one cents.

The words "not exceeding" are probably the saving grace of that provision. The Minister's second reading explanation states that the maximum payment in respect of any one pig is being reduced from 35c to 21c. However, I query whether the provision relating to an amount "not exceeding 5c" will mean that members of the industry may have to make a higher payment for cheaper swine than is occurring at present. I have not overlooked the words "not exceeding". In principle, I support the Bill. I believe that the industry is having another look at it to ensure that it is exactly what the industry wants. At this stage I support the second reading, but I reserve my right to consider any necessary amendments in Committee.

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

### ART GALLERY ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 2. Page 1241.)

The Hon. A. M. WHYTE (Northern): I oppose this Bill. I can see no reason at all why we should be transferring the responsibility for the Art Gallery from the Minister of Education to the Premier. The Hon. Sir Arthur Rymill gave a good reason for this opinion yesterday in pointing out quite clearly that the Art Gallery was established as one of our centres of education. I do not think anyone could dispute that. It has always been administered by the Minister of Education and the Act states quite clearly in section 3 that "the Minister" means "the Minister of Education". I believe that is where the authority should remain. The effect of the provisions of this Bill will be to replace section 3 of the principal Act with section 4 of the Acts Interpretation Act, which provides:

"Minister" means the Minister of the Crown in whom the administration of the Act or enactment in which the term is used is for the time being vested, or to whom the administration of the Act or enactment is for the time being committed by the Governor, and includes—

(a) any Minister of the Crown for the time being discharging the duties of the office of that Minister; . . .

I do not believe we should agree to delete section 3 of the principal Act. We know the Premier considers himself (and perhaps is considered by others) a connoisseur of art. We see in the Commonwealth sphere that our Prime Minister holds himself out as a connoisseur of fine art.

The Hon. G. J. Gilfillan: He is very generous with other people's money, too.

The Hon. A. F. Kneebone: Those purchases in the Commonwealth sphere are made on the recommendation of—

The Hon. R. C. DeGaris: —the Prime Minister.

The Hon. A. F. Kneebone: —the Art Gallery Board, the same as in South Australia. The Prime Minister buys pictures on the recommendation of the board.

The Hon. R. C. DeGaris: That is not what the Prime Minister said.

The Hon. A. M. WHYTE: I am pleased to see that the Chief Secretary has taken some of the load off the Prime Minister, because we have heard some of the comments about the purchase of *Blue Poles*. I am sure the Prime Minister would be pleased if the Chief Secretary could find some let-out for him.

The Hon. A. F. Kneebone: It is a capital gain. That painting is increasing in value all the time.

The Hon. A. M. WHYTE: The Minister knows what happens to people who spend too much time looking at *Blue Poles*; it costs money to look after them, too. As a taxpayer, I do not want to get mixed up in a competition between the Premier and the Prime Minister. We have acquired for South Australia a notable painting by Mr. de Kooning. That acquisition was not done by the Premier, but once again if we read some of the comments made about this painting—and I have seen neither *Blue Poles* nor *Woman V*—

The Hon. D. H. L. Banfield: Then how can you judge them?

The Hon. A. M. WHYTE: If the Minister will be patient, I shall tell him. Has the Minister seen them?

The Hon. D. H. L. Banfield: They are magnificent.

The Hon. A. M. WHYTE: I have not seen either of the paintings and I can only draw my own conclusions from the various reports.

The Hon. T. M. Casey: How do you know the reports are factual?

The Hon. A. M. WHYTE: I can only draw my own conclusions. I am not too sure that everything the Minister tells me is factual, either; I have to draw my own conclusions. I would imagine one would see a woman more to his liking perhaps on the front page of *Man* magazine than on some of de Kooning's paintings. The control of the Art Gallery is a role that belongs to education and should be administered by that department under the control of the Minister. No good reason is given anywhere in the second reading explanation as to why this transfer of powers is necessary. One would almost imagine that the Minister of Education could have said, "I'll bet you the Art Gallery against three months on the Riviera that Glenelg will win the football final", or something like that. There is no indication of the necessity for this transfer.

I have been told that, since 1939, the Act has been administered by the Education Department, and I would agree with those who know more about the Art Gallery than I. I have been through the gallery and, although by no means a connoisseur, I recognise it as a splendid gallery. It is a centre we can be proud of and it has a wonderful role to play in the education of artists, who can compare the various works of different artists. We do not all agree with what the various artists do, but there is always someone in the community who appreciates their work. Because of its role, I believe most firmly that the power should remain with the Minister of Education. The South Australian Government (and all credit to it) has formed the Arts Grants Advisory Committee, to which artists can apply for assistance. I do not begrudge that sort of expenditure whereby artists can gain some monetary assistance. I believe, however, that is quite different from filling our Art Gallery with high-priced pieces from other countries. I suggest to the Council that no reason whatever has been shown for the transfer of the power from the Minister of Education to the Premier. I oppose the Bill.

The Hon. F. J. POTTER (Central No. 2): I have listened with interest to the speeches of honourable members on this matter, some of them no doubt very sincere and one or two remarks this afternoon rather amusing. However, when we look at the subject matter of the Bill and the Minister's explanation of it, it is easy to see that the Government, as a matter of administration, wishes to make

a change from one Minister to another. The point is that if the Government, as a matter of administration, wants to do that, I think that is something entirely within its rights to ask this Council to agree to. If one looks back over the years, one finds it has become very common not to assign in legislation the administration of a certain Act to a certain Minister. If we go back about 30 years, we find that that was quite common, but lately it has not been done, and the assigning of a particular Act is a matter the Government is left to sort out for itself. We have seen plenty of examples of that recently, where Acts have been transferred from one Minister to another. We have had two examples only this session, one where we were talking about the classification of films. The control of that legislation was moved from the Attorney-General to the Premier, for reasons best known to the Government. I do not think that that change makes any real difference to the way in which that Act is administered. For the life of me, I cannot see how the change from the Minister of Education to the Premier will really make any difference to how the Art Gallery is conducted or how its educational functions are carried out.

I see that, in expectation, probably, of this measure being passed, the Government has already transferred the Art Gallery to the Premier in the Estimates. I looked at the expenditure set out there and cannot see anything that startles me, anything to produce any basic change in policy. True, we shall spend another \$10 000 on purchases of works of art over what was spent last year, but I hardly think that that is very nation-rocking in these days.

The Hon. C. M. Hill: It would be merely a deposit on the Dobell.

The Hon. F. J. POTTER: I hope the honourable member is giving that appeal plenty of support.

The Hon. C. M. Hill: I already have contributed.

The Hon. F. J. POTTER: In the Estimates, there is an increase of only some \$20 000 or so, and that will be for increases in salaries, etc., for the Director, Assistant Director, etc., on the administrative side. So, where the possibility of large sums of money being spent by the Premier on this department comes from I cannot see. Certainly, there is no provision for it in the Estimates. Unless the money is to be taken out of the moneys available by Governor's Warrant, which I doubt, I cannot see it forthcoming. Although I, like other honourable members, perhaps would have liked to hear some background, if there is any, to the decision by the Government to change its administration (and perhaps we shall get some further information on that), for the present I am inclined to support the Bill because I think it is entirely a matter for the Government to decide how it will conduct its own affairs.

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

#### **BUILDERS LICENSING ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from October 1. Page 1198.)

The Hon. C. M. HILL (Central No. 2): On Tuesday last I dealt with the various provisions of the Bill that I thought would interest honourable members, and gave my views on some of its general aspects. When I sought leave to conclude my remarks, I was saying that I thought the builders licensing legislation was not effective consumer protection legislation, and I explained then that it was not truly that kind of legislation because it did not help the person who found, through the bad workmanship and possibly the consequent insolvency of his builder, that he,

as an individual, could obtain no financial recompense for the loss occasioned by that inability of the licensed builder to perform the work or carry out the contract in every respect.

Efforts should be made to provide a fund from which such a person could obtain reasonable and just compensation. It is no great benefit to such a person who finds, when his builder becomes bankrupt, that the builder cannot give any financial assistance at all; the person who in most instances has been battling to buy his block of land and acquire the necessary deposit cannot turn to anyone for any further financial assistance. That is the person whom, I think, Parliament should endeavour to assist if it is genuine in wanting to provide consumer protection legislation in the whole area of building.

Therefore, I believe that such a fund, which might be called a home builders assistance fund, should be established. It could be established and built up by a levy being imposed on registered builders, on the basis of a relatively small sum of money (I have in mind \$5, or even a smaller amount) being charged to builders who have completed private dwellings in this State.

I mentioned on Tuesday that, on the basis of the number of such dwellings completed in the last financial year, a sum of \$76 000 would be assembled in one year. I believe that such a fund could be administered by the Builders Licensing Board and it would be to that board that application would be made for assistance. The right to decide the amount of compensation should be left to that board, but an appeal could be made to the proposed tribunal if the applicant thought that the board's decision was not fair and reasonable.

Those people building houses should be able to make such applications in instances where there was bad workmanship in the actual construction or the insolvency of the builder. In many cases, such as those I envisage, bad workmanship does occur prior to insolvency but, even where the workmanship was not queried and the question of bankruptcy alone remained, surely a strong case could be made out for the person building a house in this State to be able to turn to such a fund for some compensation.

It must be remembered that, although the client may investigate the financial status of the builder before the contract is completed, the client does heed the fact that the builder has been licensed by the licensing authority, and it is that authority's responsibility to investigate the financial standing of the builder when the licence is granted.

It is the board's responsibility also to maintain some surveillance of the builder's financial situation when applications are made for renewals of licences. I refer now to a report in today's *Advertiser* headed "Bankruptcies to increase", part of which states:

Growing unemployment and an increase in the number of bankruptcies were predicted yesterday for South Australia's architects and house builders. The predictions were made by spokesmen for both groups against a background of declining building activity and increasing project cancellations.

Later in the article, the Executive Director of the Master Builders Association (Mr. K. C. West) was reported as saying that there had been many bankruptcies in the industry this year and that more were threatening. If those gloomy forecasts come true, we will see many of what I will again call the little people in this State, through no fault of their own, losing heavily financially unless some consumer protection legislation can be implemented that will give these people some real assistance.

I am not in any way suggesting that normal breaches of contract between builder and client should enter this area of protection. Normal commercial practice should not be interfered with in that way, and a builder, who should be accountable to his client for omissions or a possible breach of contract, should have to face up to action from the client.

However, I submit again that the proposal I am advancing is truly effective consumer protection, and previously that did not exist. I repeat (because I believe it is worth stressing) that it is no satisfaction at all for a person whose house is being built to find that his builder has become insolvent. AU honourable members know the old saying that one cannot get blood out of a stone and, if such a person to whom I have referred turns to the Government and says, "You introduced legislation which should have protected me but which is not helping me in any way", I believe that legislation is not good enough and should be improved upon. Indeed, it could be improved upon by the proposal that I have in mind.

If the Government is interested in this basic consumer protection approach, it must surely consider seriously the proposal that I have outlined. I intend later in the debate to take further steps to try to improve the Bill along the lines I have suggested. Although I support the second reading, I believe there may be one or two ways in which the Bill can be improved. However, I will listen with interest to those honourable members who add their contributions to the debate.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

#### **JUDGES' PENSIONS ACT AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from September 26. Page 1154.)

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this Bill, which is designed to effect a few amendments to the Judges' Pensions Act. It is difficult to know what to say on a superannuation Bill of this kind. The proposed amendments are marginal and, in some cases, are only fair and reasonable if one has regard to the provisions of the Superannuation Act and the Parliamentary Superannuation Act.

Apart from one or two drafting amendments, the main features of the Bill import into the legislation a provision enabling a benefit to be paid to an eligible child in certain circumstances. This is similar to the provisions that exist in the other two Acts to which I have referred. Clause 5 enables a judge to retire at 60 years of age if he has the necessary qualifications. I do not think many judges would come within that category, that is, having the necessary qualifications or, perhaps more important, wanting to retire at 60 years of age. Clause 6 gives the widow or widower of a deceased judge a slightly higher pension entitlement, namely, 66½ per cent instead of the present 65 per cent of the notional pension.

The rest of the Bill comprises consequential amendments. Perhaps one unusual matter arises, as under the provisions of the former Act a pension was apparently payable to a judge's widow irrespective of whether the judge married before or after he received the pension. That is an anomalous situation because, from my understanding of the matter, it does not apply in relation to any other superannuation fund. How this ever occurred, I do not know. Perhaps it was because the conditions pertaining to judges' pensions in those days were different from what they are today. Judges did contribute for the pension then, whereas they do not do so today and, of course, the pension was at a much lower rate. Nevertheless, this provision exists, and apparently the widow of one former judge will be entitled to a pension under it.

It is therefore considered that this anomalous situation should at least be restored for the judges who retired and were receiving a pension before the new Act was promulgated. Although this kind of thing does not happen often, the Government apparently considers that this kind of legislation gave a contractual right to judges who were then contributing for their pensions. With that argument, I suppose one cannot disagree. I support the second reading.

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

#### **ROAD TRAFFIC ACT AMENDMENT BILL**

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

#### **HOSPITAL AND MEDICAL CENTRE**

Adjourned debate on motion of the Hon. D. H. L. Banfield:

That this Council resolve that the providing of a hospital and medical centre by the Government of this State on the lands comprised in certificates of title register books volume 3267 folio 73, volume 3952 folio 112, volume 3252 folio 35 and volume 4004 folio 310 or any portion or portions of such lands shall be a public purpose within the meaning of the Lands for Public Purposes Acquisition Act, 1914-1972; and that a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence therein.

(Continued from October 2. Page 1231.)

The Hon. R. C. DeGARIS (Leader of the Opposition): First, I congratulate the Minister of Health on withdrawing his original motion and substituting the motion now before the Council. I drew to the Minister's attention the fact that the original motion before the Council should have been, in my opinion, more specific. That motion has been withdrawn and this new motion has been substituted, and I congratulate the Minister for his co-operation. However, although I would like to pass this motion immediately for the Minister, I point out that I have studied the maps the Minister has had placed on the board for information for honourable members, and I have noticed that two of the blocks of land involved with this project are already owned by the Government and are under the control of the Minister of Education. Doubtless, they will be taken over by the Hospitals Department at the necessary time. However, two other blocks of land are involved, and are shown on the plans as being owned in the name of Jenkins. I have not yet been able to contact this person or persons, and I believe I should contact the owner of this land before I give my final blessing to the motion. I support the view that the Government should have the power of acquisition in order to erect a new hospital in the area if the Government or the department believes that this is the correct site. However, I should like to clear my mind about this and contact the people owning the two other blocks of land. On Tuesday, if this has been done, the motion can be passed by the Council, but at this stage I believe it should be adjourned until Tuesday, when the Council can again consider the motion.

The Hon. G. J. GILFILLAN secured the adjournment of the debate.

#### **ADMINISTRATION AND PROBATE ACT AMENDMENT BILL**

The Hon. F. J. POTTER (Central No. 2) obtained leave and introduced a Bill for an Act to amend the Administration and Probate Act, 1919-1973. Read a first time.

#### **ADJOURNMENT**

At 4.21 p.m. the Council adjourned until Tuesday, October 8, at 2.15 p.m.