LEGISLATIVE COUNCIL

Tuesday, November 26, 1974

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

PETITION: FUEL TAX

The Hon. C. R. STORY presented a petition signed by 4 498 persons alleging that the proposed fuel tax would severely disadvantage all rural people in this State and praying that the tax be not levied.

Petition received and read.

QUESTIONS

LAND TAX

The Hon. R. C. DeGARIS: Has the Chief Secretary a reply to my recent question about land tax?

The Hon. A. F. KNEEBONE: This question is best answered by quoting the following statement made by the Premier in another place:

I also told the deputation that the Government intended to apply to land tax, as from July 1 next year, the same equalisation procedure as we were adopting in relation to water and sewerage rates. That will apply as from July 1 next year. In the case of any alleged anomalies or unrealistic valuations, we would have an immediate reassessment of the valuation concerned. However, if the valuations are realistic, land tax must be paid at the existing rate. That is the position and, if land tax is not paid in accordance with proper assessment, the normal procedure for enforcement of the land tax will be taken.

The Hon. C. M. HILL: Following a letter that I recently received from the Gumeracha District Council, under the hand of its Clerk, Mr. J. T. Grosvenor, I asked the Minister of Health, representing the Minister of Transport, a question about land tax. Has the Minister a reply?

The Hon. D. H. L. BANFIELD: The Government is aware of the difficulties of local government in raising adequate finance and is currently examining the situation.

CIVIL DEFENCE

The Hon. C. M. HILL: I seek leave to make a short explanation prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. C. M. HILL: I refer to the State Emergency Service, which I understand is the new name for what was previously the civil defence organisation. I understand, too, that this area is now a Commonwealth matter under the general heading involving national disasters, and that the Chief Secretary is the State Minister in charge of the organisation under that umbrella in this State. I have been informed that, at a meeting of the volunteers of this service a few nights ago, the volunteers were informed (and some of them learned for the first time) that compensation for injury in the course of voluntary work would be limited to a period of 26 weeks. I am told that this has gravely concerned the people involved. I have been asked to raise the matter and to ask the Chief Secretary, first, to look into this question to see whether compensation is to be limited to 26 weeks; if so, would he also investigate the possibility of extending this term if circumstances were such that, as a result of injuries, volunteers were incapacitated for a period of more than 26 weeks?

The Hon. A. F. KNEEBONE: I shall look into the matter and bring down a reply. As the Government wishes, if possible, to conclude this part of the session on Thursday next, if the reply is not available by the end of the week I shall post it to the honourable member.

RUST IN WHEAT

The Hon. G. J. GILFILLAN: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. G. J. GILFILLAN: From reports I have received and from my own observations, it would appear that disease and rust in wheat crops are widespread, and that the seriousness of the situation has become noticeable only comparatively recently. We all know from previous experience that widespread rust and disease in wheat crops can cause a large volume of off-grade wheat. If the reports of the Minister's officers indicate that this is a serious problem throughout the State this season, will the Minister check with Co-operative Bulk Handling Limited to ensure that storage is available for off-grade wheat; secondly, will he consider approaching the Commonwealth Government to obtain a higher first advance on wheat because of the lesser amount of money needed if the crop is smaller than was expected? Naturally, with the same amount of money to be released from the Reserve Bank, a higher payment could be made on a lesser volume of wheat.

The Hon. T. M. CASEY: In reply to the first part of the question, I shall attempt to get from the officers of the Agriculture Department an up-to-date picture of the extent of rust throughout the State. No doubt departmental officers have a fair idea at this stage how serious the problem is. Unfortunately, as the honourable member has said, it has reared its ugly head to this extent only in the past couple of weeks. So it will be a difficult assessment to make even at this stage, because many of the crops are still green. Nevertheless, I will try to get an answer for the honourable member. As regards the storages of Co-operative Bulk Handling, I shall be only too happy to take the matter up with the General Manager and see exactly what the situation is with respect to off-grade wheat. As the honourable member has raised the matter, I will certainly write to Senator Wriedt and ask him, in view of the seriousness of rust in this State (and that will depend on the report I get from the departmental officers on the extent of it), whether consideration could be given to the Commonwealth's increasing the first payment on wheat. I shall be delighted to do that.

SUPERPHOSPHATE

The Hon. B. A. CHATTERTON: I saw a recent press report of the Minister of Agriculture's submission to the Australian Government for a limited form of superphosphate subsidy being given. Is there any further report on the superphosphate subsidy?

The Hon. T. M. CASEY: I was disappointed when I learned that the Commonwealth could not accept some form of subsidy on the lines I suggested, namely, that the first 20 or 30 tonnes be subsidised. However, Senator Wriedt has assured me that, if certain regions are in trouble, they can take their case along to the Industries Assistance Commission and present it there, and it will be heard according to the information they can supply to the commission.

ASBESTOS

The Hon. V. G. SPRINGETT: I seek leave to make a short statement before directing a question to the Minister of Health.

Leave granted.

The Hon. V. G. SPRINGETT: An industrial disease of some consequence was the subject of a television programme a few nights ago. There was a discussion in which the possible dangers of working with asbestos were made

clear. Can the Minister say whether there are any known cases of asbestosis in South Australia and how far preventive measures have gone in combating that disease? Also, is there any known case of byssinosis in South Australia?

The Hon. D. H. L. BANFIELD: I will get a report for the honourable member.

SILO CAPACITIES

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

Leave granted.

The Hon. M. B. DAWKINS: I was interested to read that the Minister had made an announcement that South Australia's silo capacity was to be increased and that there were to be new silos at Thevenard, Ardrossan and Port Giles. I understand that the State's silo capacity is to be increased by about 81 000 tonnes. Will the Minister say whether the new silos at these three places are to be similar in size (that is, about 27 000 t each) and design, and whether they are of the desirable vertical type?

The Hon. T. M. CASEY: The answer is "Yes."

RIVERLAND PROPERTY AMALGAMATION

The Hon. B. A. CHATTERTON: Has the Minister of Lands a reply to my recent question regarding the amalgamation of properties in the Riverland area?

The Hon. A. F. KNEEBONE: There are no statutory limitations to the size of holdings in Government irrigation areas. However, difficulties encountered by intending purchasers in obtaining finance would be the limiting factor in the amalgamation of holdings. Assistance is available to eligible growers under the farm build-up provisions of the Rural Industry Assistance (Special Provisions) Act. The purpose of the farm build-up provisions is to assist a farmer, with a property too small to be economic, to purchase additional land to build up his property to at least economic size. Tests of eligibility are set out in the agreement between the Commonwealth and the State and include the following:

(*a*) The owner of the property to be purchased wishes to sell or accepts that he is obliged to sell.

(*b*) The purchaser is unable to obtain the finance applied for from any other source.

(*c*) The rural industry assistance authority is satisfied that the built-up property will be of sufficient size to offer sound prospects of long-term commercial viability.

I will arrange for a statement to the media to dispel any doubts on this matter and also to further publicise assistance that may be available under the rural reconstruction scheme.

WHEAT QUOTAS

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

Leave granted.

The Hon. J. C. BURDETT: I refer to a report headed "Minister says quota worry 'over now' " in today's issue of *The Bridge Observer,* part of which is as follows:

Farmers who have been displaced by acquisition of their land at Monarto by the City Commission should have no difficulty in producing and selling wheat from their new properties this year, or in the foreseeable future, the Minister of Agriculture (Mr. Casey) said yesterday. Mr. Casey said in a special statement for the *Observer* that, because of a growing demand for wheat, he had taken steps to allow all wheat grown in South Australia this season to be delivered, and to be paid for by the Australian Wheat Board.

As for the future, agreement had been reached between the States that wheat quotas would be suspended for the 'foreseeable future' as from the end of the 1975-76 wheatgrowing year. "This should be very good news for farmers from the Monarto area who have purchased a cereal growing property without a wheat quota," Mr. Casey said.

My questions are: first, as "foreseeable" means "able to be foreseen", how many years will it be after the 1975-76 season before the Minister foresees that quotas will be reintroduced and, secondly, if quotas are not to be reintroduced in the foreseeable future, why does the Minister oppose dispossessed Monarto landowners being able to transfer their quotas to new land acquired?

The Hon. T. M. CASEY: The honourable member never gives up. I suppose "foreseeable" could be interpreted in many ways. However, I am not going to look into a crystal ball, if that is what the honourable member wants me to do, and say when quotas will be reintroduced. I thought the word "foreseeable" aptly fitted the picture as I saw it. If the honourable member does not like that type of word, perhaps he can suggest something else. I sincerely hope that it will be many years before quotas are reintroduced in this country, as that would be detrimental to the wheat industry generally. As we have to plan ahead in respect of the increased world population, I believe that grain will be a most eagerly sought after commodity. It is a most nutritious form of food for people in underdeveloped countries, more so than other foodstuffs, such as meat. The dietary habits of people in underdeveloped countries are such that they are used to the consumption of foods made from grain rather that those made from meat. I am pleased that the honourable member has raised this point because, since I announced that all non-quota wheat would be accepted and paid for by the Australian Wheat Board this year, many farmers have come to the Wheat Quota Advisory Committee office to fill out the required form in respect of the delivery of such wheat. I expect a large amount of wheat to be delivered to, and accepted at, the silos this year.

The Hon. J. C. BURDETT: As the Minister of Agriculture says, I never give up. Will the Minister answer the second question that I asked: if quotas are not to be reintroduced in the foreseeable future, why does the Government oppose the suggestion that dispossessed Monarto landowners be able to transfer their quotas to new land acquired?

The Hon. T. M. CASEY: I am sorry that I did not answer the honourable member's second question. It is difficult to follow him because he asks many questions within the one question. There is now no significance in having a quota, because quotas do not exist.

The Hon. J. C. Burdett: Yes they do.

The Hon. T. M. CASEY: The honourable member has had his say, and he must now let me have my say. If quotas are reintroduced in the future, the whole system will be reviewed in relation to people who have grown wheat during the suspension of quotas. There will be a new formula and a new organisation. At present quotas have no significance.

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

Leave granted.

The Hon. C. R. STORY: Would the Minister like to check his facts on the subject? My recollection of the wheat quota legislation is that it is permanently in operation until repealed, and that has not yet been done. My clear recollection is that every year it would be necessary to go through the same procedure and for each year to be declared a non-quota year. The action of removing quotas

at this stage does not mean that that goes on *ad infinitum*: it would go on for only 12 months. Will the Minister check to see whether my recollections are correct?

The Hon. T. M. CASEY: I shall be happy to do that.

ABORIGINAL FARMING

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

Leave granted.

The Hon. M. B. DAWKINS: In referring to the Aboriginal Lands Trust Act in this Council last week I stated that I believed that the administration of the Point Pearce farming programme under the Act was to be changed. If this system is to be changed, will the Chief Secretary indicate how the new system of farm management at Point Pearce will be carried out? If the Chief Secretary cannot give me that information now, I will be grateful if he will obtain a reply and let me have it.

The Hon. A. F. KNEEBONE: All I know is that there is to be a change in this matter in the next few weeks. I assure the honourable member that I will get a reply for him from the Minister concerned and I will bring it down as soon as possible. If I cannot provide the reply in the Council, I will correspond with the honourable member.

PETROL

The Hon. R. A. GEDDES: On behalf of the Hon. M. B. Cameron, I ask whether the Chief Secretary has a reply to his question on petrol.

The Hon. A. F. KNEEBONE: No complaints relating to the supply of standard-grade petrol in lieu of premium-grade petrol have been received by the Commissioner for Prices and Consumer Affairs this year. On the very few occasions on which allegations of this nature have been made in past years, investigation by the Commissioner for Prices and Consumer Affairs has resulted in only one such claim having been substantiated and, in this particular case, the petrol was only slightly below the correct octane rating of 98. In the light of this experience, it is possible that rumours to the effect that standard-grade petrol is being sold from premium-grade pumps may have little substance. No Government department is currently responsible for the routine checking of the octane rating of petrol sold through retail outlets.

GAWLER BY-PASS

The Hon. C. W. CREEDON: I seek leave to make a brief explanation prior to asking a question of the Minister representing the Minister of Transport.

Leave granted.

The Hon. C. W. CREEDON: My question relates to the Gawler by-pass and its intersection with the Main North Road south of Evanston. At this intersection "give way" signs are plainly exhibited, but little notice is taken of these signs by drivers entering the Main North Road from the by-pass road. About 10 days ago an accident occurred at this intersection when a driver leaving the by-pass failed to give way to traffic on the Main North Road. On being questioned after the accident, the lady concerned stated that she thought the signs applied to traffic travelling on the Main North Road. Is the Minister aware of this problem? What action can be taken to make this intersection safer?

The Hon. D. H. L. BANFIELD: I will refer the honourable member's question to my colleague and bring down a report.

DAIRY BLEND

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

Leave granted.

The Hon. C. R. STORY: My question relates to the proposed new product "dairy spread" or "dairy blend", whichever it may be called. When the Minister was debating the Dairy Industry Act Amendment Bill and the Dairy Produce Act Amendment Bill I understood that he said he had been granted a patent for the product. When the legislation, which has recently been amended, is assented to, will the industry be able to proceed immediately with the production of the product? Further, is there any substance in the assertion that a difficulty has arisen with the patents office because of a similar product registered by a Swedish firm under the name of "butterine"?

The Hon. T. M. CASEY: As far as I am aware, and this is the legal opinion given to me, there are no problems in connection with the patent taken out, with me as the co-partner in the patent. I do not expect any problems in connection with the Swedish product butterine. The spread will be known in South Australia as dairy blend. We had hoped to call it dairy spread, but a small manufacturer in Victoria patented that name early last year or late the year before, thereby preventing us from adopting it. We must therefore adopt the name "dairy blend".

RENMARK-WENTWORTH ROAD

The Hon. A. M. WHYTE: Has the Minister of Health a reply to my recent question about the Renmark-Wentworth Road?

The Hon. D. H. L. BANFIELD: The Highways Department maintains the Renmark-Wentworth Road from Renmark to the border between New South Wales and South Australia. It is known that the condition of the unsealed section of this road is poor but, as a rural arterial road, it has a low priority, and funds will not be available to up-grade it for several years. However, maintenance on this road will be continued.

PARTS AVAILABILITY

The Hon. R. A. GEDDES: On behalf of the Hon. Mr. Cameron, I ask the Minister of Health whether he has a reply to a question recently asked by the honourable member about parts availability.

The Hon. D. H. L. BANFIELD: The manufacturers' warranties legislation currently before Parliament will, when in operation, require the manufacturer (or, in the case of imported goods, the importer) to warrant that spare parts will be available for a reasonable period after the date of manufacture. The manufacturer may not avoid his liability unless he has given notice at the time of delivery that parts will not be available. In the particular case referred to, the Commissioner for Prices and Consumer Affairs has reported that the part in question is now available from the distributors.

BANK CONTRIBUTIONS

The Hon. G. J. GILFILLAN: I recently asked whether, in view of the Commonwealth Government's proposal to reduce company tax, the South Australian Government would consider reducing the tax recently imposed on the State Bank and the Savings Bank of South Australia. Has the Chief Secretary a reply?

The Hon. A. F. KNEEBONE: The Government does not intend to vary the contributions to be made to revenue by the Savings Bank of South Australia and the State Bank of South Australia following reductions in company tax recently announced by the Australian Government.

WEEDS

The Hon. Sir ARTHUR RYMILL: Has the Minister of Agriculture a reply to my recent question about weeds?

The Hon. T. M. CASEY: Weeds officers of the Agriculture Department recently inspected the outbreak of salvation jane on an abandoned Engineering and Water Supply Department camp at Nairne and treated the area to control the weed. Investigations revealed that the District Council of Mount Barker had made earlier attempts to control this weed but could not complete the treatment because of boggy conditions. I understand that an infested area adjacent to this site will also be treated by the council when ownership has been determined.

GLEN OSMOND CROSSING

The Hon. Sir ARTHUR RYMILL: Has the Minister of Health a reply to the question I asked recently regarding the Glen Osmond Road crossing?

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

Only about 70 vehicles turn right in the evening peak hour from Glen Osmond Road into Kenilworth Road. Banning the right-turn movement would lead to a slight reduction in delays at this intersection, but could give a corresponding increased delay at other sites to which the right-hand turns were transferred. In addition, transfer of the right-turn movement to other streets not protected by traffic lights would increase the accident hazards. In the circumstances, it is not proposed to ban the right-turn movement at this site at the present time.

MONARTO

The Hon. J. C. BURDETT: I seek leave to make a brief explanation prior to directing a question to the Chief Secretary, representing the Minister of Development and Mines.

Leave granted.

The Hon. J. C. BURDETT: Some time ago the Murray Valley Development League and Mr. Yeomans made representations to the Monarto Commission to the effect that it would be desirable for the commission to implement in the new city of Monarto the city forest concept. I understand that officers of the Engineering and Water Supply Department and of the Agriculture Department criticised the representations and that further representations were then made refuting that criticism. Will the Minister ask his colleague whether he intends to implement the city forest scheme?

The Hon. A. F. KNEEBONE: As the honourable member has said, this matter is in the hands of the Minister of Development and Mines. I shall refer the question to my colleague and bring down a reply when it is available.

BEEF PRICES

The Hon. R. A. GEDDES: The Hon. M. B. Cameron recently directed a question to the Minister of Agriculture regarding beef prices. If the Minister has a favourable reply, will he please give it?

The Hon. T. M. CASEY: I hope the honourable member is being favourably looked on by his colleagues. The Minister of Prices and Consumer Affairs states that, although meat is not subject to price control, wholesale and retail margins have been examined and the following has been established:

(*a*) Wholesale margins are dictated by competition and an investigation of the trading results of major wholesalers for the 1972-73 and 1973-74 financial years revealed that profitability in this area was very poor.

(*b*) In regard to retail margins, a survey of 69 butcher shops in the metropolitan area was conducted late in October and a comparison made of the prices of selected cuts of beef with those of February, 1974.

The survey revealed that, during this period, the price of rump steak has fallen by about 24¢ for .454 kg, while rolled rib and stewing steak have been reduced by 13¢ and 18c respectively. The average retail price over all cuts has been reduced by almost 11¢ for .454 kg while average wholesale prices have fallen by 15¢ for .454 kg. The investigation also revealed that butchers' profit margins have been increased but indications are that higher wages and overhead costs have forced butchers to apply higher margins particularly on their better selling cuts of meat.

The financial accounts of butchers for the 1974 financial year have been called up by the Prices and Consumer Affairs Branch and, although only a small number have been received as yet, these show that net profits are at a relatively low level. Butchers are having to contend with heavy increases in operating costs which have led to some increase in gross margins. It is considered, however, that there is adequate competition between the various outlets that sell meat to ensure that excessive profits are not made.

LAMB PRICES

The Hon. Sir ARTHUR RYMILL: I seek leave to make a brief statement prior to asking a question of the Minister of Agriculture.

Leave granted.

The Hon. Sir ARTHUR RYMILL: The reply sought by the Hon. Mr. Geddes on behalf of his colleague in the adjacent seat related in the main to beef prices. I should like to ask a supplementary question about the prices of sheep meat. In the *Sunday Mail* of November 10, an authority in the butcher industry (he is not named) is quoted as having stated:

You are getting into what is a pretty complex area. Here is an example. The butcher was once paying $10 for the price of a lamb. While the price was high he was able to sell the hide for $4 so the carcass actually cost him $6. Today, the butcher is buying the same lamb for, $8, but he is only getting $2 for the hide, so the cost of the carcass—the hide—is still costing him $6.

I am a fat lamb breeder and last year, for every lamb I bred (which was verging on 700), I averaged $16.10. This year, the lambs I have sold up to date have brought about $7, yet this so-called authority states that last year the price was $10 (when actually it was $16) and that this year it is $8 (to justify his cause) when top lambs are bringing only $7, and probably less than that. Can the Minister look at the price of sheep meat? I am not necessarily pointing the finger of scorn at the butchers or anyone else, but if beef is being investigated I think sheep meat should be, too.

The Hon. T. M. CASEY: I shall do as the honourable member asks.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (REGISTRATION)

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

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That this Bill be now read a second time.

Honourable members may recall that section 133 of the Industrial Conciliation and Arbitration Act, 1972, was intended to deal, at least temporarily, with the problems arising from the judgment of the Commonwealth Industrial Court in *Moore* v. *Doyle* (15 FLR at page 59). In fact, this section provided a two-year period of protection for associations against actions arising from this decision of the court.

There is now legislation in contemplation, which must necessarily be complementary as between the Commonwealth and the States, to dispose of the question. In fact, the preparation of this legislation has taken rather longer than was expected and it was only late last month that the Commonwealth Parliament enacted its amendments to the Conciliation and Arbitration Act of the Commonwealth. It is hoped that the complementary legislation necessary from this State's point of view will be placed before the Council early in 1975. However, before Parliament resumes after the Christmas break, the period adverted to above will expire, the expiry day being January 4, 1975. For these reasons, this Bill at clause 2 proposes the extension of the period by one year, that is, until January 4, 1976, which should provide ample time for this Council to consider the complementary legislation.

The Hon. F. J. POTTER (Central No. 2): I support the second reading of this short Bill, which clearly does no more than give honourable members an extra year to think about the problem that arises in respect of the judgment of the Commonwealth Industrial Court in the case of *Moore v. Doyle.* That decision had some constitutional aspects. Indeed, the Constitutional Convention was examining one or two aspects of this matter.

The Hon. R. C. DeGaris: Would you like to expand on that case for us?

The Hon. F. J. POTTER: I would not, because, not having read it for a long time, I have only a vague idea of what it is about. Section 133 of the Act allows two years for the matter to be determined and some sort of legislation worked out between the various States and the Commonwealth. That time will expire on January 4. All honourable members hope that they will not be present in this place debating issues then. The Bill strikes out "second" and inserts "third", so that we have a third year to think about the problem. I support the Bill.

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

MARGARINE ACT AMENDMENT BILL

The following recommendations of the conference were reported to the Council:

1. That the House of Assembly amend the alternative amendment of the Legislative Council by leaving out the word "July" and inserting in lieu thereof the word "January"; and

2. That the House of Assembly make the following consequential amendment to the Bill: after clause 4, page 1, insert the following new clause:

4a. Section 20 of the principal Act is amended by striking out subsection (8) and inserting in lieu thereof the following subsection:

(8) The Minister shall not, by any notice made under this section—

(*a*) expressed to have effect in relation to the year ending on the thirty-first day of December, 1974, permit to be manufactured in that year a greater quantity of table margarine than seven hundred and twelve tonnes; and

(*b*) expressed to have effect in relation to the year ending on the thirty-first day of December, 1975, permit to be manufactured in that year a greater quantity of table margarine than one thousand seven hundred and fifty-three tonnes.

and that the Legislative Council agree thereto.

Later:

The House of Assembly intimated that it had agreed to the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

I was pleased at the way in which the managers from both Houses resolved this vexed question of margarine, margarine quotas, abolition of quotas, and all the rest of it. It was not an easy matter, particularly as the South Australian Government was prepared to lift the lid off margarine quotas. However, this Council did not want to go as far as that, so naturally the matter had to go to a conference. I am pleased to say that I am satisfied with what came out of the conference in the circumstances, and I hope this Council will accept the recommendations of the managers.

The simplest way of putting it is that the House of Assembly has amended the alternative amendment made by the Legislative Council by substituting "January" for "July". That means specifically that quotas will finish in January, 1976, instead of July, 1976. The House of Assembly also made a consequential amendment. The present quota in South Australia is 712 tonnes. As a result of the conference, we can produce 712 t up until March 31, and then the quotas will be increased from April 1 to the end of December to a total of 2 100 t. That will give us a figure comparable with the average per capita rate of consumption in the other States.

It was also agreed that, if there was any movement in Agricultural Council for an increase in quotas, we would be at liberty to take advantage of the increase in quotas laid down by Agricultural Council. That would possibly be in February of next year. Also, the Government is giving an undertaking that next year it will introduce a Bill to rewrite the Margarine Act, when labelling and all matters under the Food and Drugs Act will be considered. That undertaking was given at the conference, and I am sure that that will be done as expeditiously as possible next year. I thank the managers from this Council for the way in which they sought the alterations and the way in which they discussed these matters with the managers from the other place. Once again, it proves that these things can be resolved with a little common sense.

The Hon. C. R. STORY (Midland): I am pleased at the outcome of the conference. The whole thing has been a worthwhile exercise, as it has given people an opportunity to ventilate several points of view that would not have been possible if no debate had taken place. Also, I am pleased that time has been spent in getting the legislation in order, as the Minister has given an undertaking that the Government will introduce legislation in the next session or some time during 1975. That is important because, as has been pointed out before, this legislation is not in good order in this State and I think we should look at the various things I have mentioned in other speeches.

The second point is that it is important for people in the industry. I do not confine my remarks here to the margarine industry, because there are several other facets to it: there are the edible tallow side of margarine production, the oilseed side of production, and the butter combination that is about to come on to the market soon in the form of dairy spread. There are also various other facets with which the Minister is well acquainted about the production of margarine in butter factories, which at present are running down because of lack of raw materials here. So that people are not thrown out of work in this State, careful consideration should be given to using butter factories to produce a blend of butter and margarine provided for under this legislation. Also, it would help many of our butter factories operating in this State. I am pleased with the compromise reached. It will help not only the State but also the whole of Australia. People will know where they are going.

The Hon. B. A. CHATTERTON (Midland): I am pleased to support the compromise reached at the conference, but I should like to comment on something that the Minister said, for I think it needs a little further explanation. I refer to the way in which the figure of 1 753t is arrived at. It was agreed that margarine quotas had to be lifted substantially before the total abolition of quotas on January 1, 1976, and the figure of 2 100t was calculated on the basis of average per capita rate of consumption throughout Australia. The Minister previously gave an undertaking that dairy blend should have a reasonable period in which to become established on the market. It was therefore decided that, in the first quarter of 1975, quotas should remain at 712t. The total 1974-75 figure was arrived at by taking one quarter at 712t a year, the remaining three quarters being based on an annual rate of 2 100t. When one makes that calculation, one sees that the total quota for the year will be 1 753t.

The Hon. R. C. DeGARIS (Leader of the Opposition): I congratulate the Council's managers on the case they put to the conference, and particularly I thank the Minister for the way in which he lent his strong support to the Council's point of view. This has been a difficult question to resolve and, although I do not say that I am completely pleased with the result, it is nevertheless a happy compromise between the opposing points of view. The Government has undertaken to introduce a new Margarine Act to cater for all the matters that have been talked about in the Council in the past few weeks. Together with all sections of the industry, I am pleased that the Government intends to take this action and, indeed, that a happy compromise between the views of all concerned has been reached.

Motion carried.

BEVERAGE CONTAINER BILL

The Hon. A. F. KNEEBONE (Chief Secretary) moved:

That the time for bringing up the report of the Select Committee on the Bill be extended until February 25, 1975.

Motion carried.

NATURAL GAS PIPELINES AUTHORITY ACT AMENDMENT BILL

The Hon. A. F. KNEEBONE (Chief Secretary) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

The Hon. A. F. KNEEBONE moved:

That the Bill be recommitted to the Committee of the whole Council on the next day of sitting.

Motion carried.

ADELAIDE FESTIVAL THEATRE ACT AMENDMENT BILL

Second reading.

The Hon. A. F. KNEEBONE (Chief Secretary): I move:

That this Bill be now read a second time.

This short Bill, which amends the Adelaide Festival Theatre Act, is a further measure intended to relieve the Corporation of the City of Adelaide of certain of its liabilities and follows from discussions with the corporation as to its general financial position.

This Bill at clause 2 proposes—

(*a*) that the council will be under no further liability to reimburse the Treasurer in respect of certain expenditure incurred by the Treasurer by way of payments for the construction of the Festival Theatre. The relief afforded the council here will be of the order of $2 261 per annum;

and

(*b*) that the Treasurer will be authorised to reimburse the council in respect of payments required to meet repayment of borrowings by the council for the purposes of carrying out of the original works. At the present time this will involve payments of the order of $158 529 a year until such time as the first of the borrowings is discharged; thereafter the liability of the Treasurer will reduce as loans are repaid.

However, the liability of the council to reimburse the Treasurer out of any recovery against the Carclew property (as to which see section 6(4) of the principal Act) is still kept current. This Bill is a hybrid Bill and has been considered by a Select Committee of another House.

The Hon. Sir ARTHUR RYMILL (Central No. 2): As usual, many over-long speeches have been made this session. Asked to lead on this Bill, I find it consequential and logical, and recommend its support.

The Hon. R. C. DeGARIS (Leader of the Opposition): I concur.

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

NURSES' MEMORIAL CENTRE OF SOUTH AUSTRALIA, INCORPORATED (GUARANTEE) ACT AMENDMENT BILL

Second reading.

The Hon. D. H. L. BANFIELD (Minister of Health): I move:

That this Bill be now read a second time.

This short Bill, which amends the principal Act, the Nurses' Memorial Centre of South Australia, Incorporated (Guarantee) Act, 1973, has a single object: to increase the amount of $548 000 guaranteed by the Treasurer in the principal Act to $663 000. The need for this increase arises from the escalation in building costs. This Bill has been considered and approved by a Select Committee in another place.

The Hon. V. G. SPRINGETT (Southern): This Bill puts into clear focus the economic situation that this State faces. The purpose of the Bill is to amend the principal Act to increase from $548 000 to $663 000 the amount guaranteed by the Treasurer to cover the increased cost of the project in connection with the Nurses' Memorial Centre, a memorial to nurses who served in the Second World War; it is a conference centre and a focal centre of the kind that many capital cities throughout the world have for nurses. In view of the rate of inflation, an approach will be made for another increase in the guarantee if the project is not completed quickly. I support the Bill.

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

STAMP DUTIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 19. Page 2012.)

The Hon. C. R. STORY (Midland): In rising to speak on this vexed subject, I want to make one or two points regarding the effect of increased stamp duties on ordinary people, because it is the ordinary people who will be affected by this change. We are not talking about tall poppies.

The Hon. Sir Arthur Rymill: Couldn't we sometimes talk about tall poppies?

The Hon. C. R. STORY: True, and I intend to talk about a tall poppy in a few moments, but I hope to cut him down. This Bill, dealing with stamp duties, conforms with Government policy over the past few months: after one has been belted for a time, when the belting stops one feels the difference but, as one is a bit stunned, one does not take much notice. The same situation applies in respect of the people of South Australia. They have been so used to having some new impost introduced every few days while Parliament has been sitting that I believe they are reacting in a peculiar way.

If this measure, or similar measures, had been put to the public a few years ago, when the public seemed to be rather more independent in mind than it now is. I am sure that these imposts would have resulted in great repercussions against any Government that attempted to do what this Government has done. I am amazed that the Government is not in the slightest bit abashed by what is happening. In the middle of the financial crisis facing Australia (a crisis affecting everyone in the community), the Premier and Treasurer of South Australia (the person who is supposed to be our leader and model) talks about additions to art galleries, museums, performing arts centres in country centres, and similar projects.

I am sure the Minister of Health would be greatly relieved if the Treasurer had said that the Government was forced to increase taxation to do something about the terrible situation existing at Glenside or at the Northfield Hospital, where people are working in primitive conditions. It must be remembered that the old catch cry of this Government is that the Liberal Party was in office for a long time. I remind the Government that, except for two years, the Labor Party has been in office since 1965.

The Hon. D. H. L. Banfield: And we have spent more in 10 years on those hospitals than your Government spent in the previous 30 years.

The Hon. C. R. STORY: That is a long time and, if the Minister looks at the population of South Australia 20 years ago and compares it with the current population, he will see that he should be spending much more money.

The Hon. D. H. L. Banfield: We spend much more a head of population.

The Hon. C. R. STORY: Those hospitals have served their purpose well, but one cannot eat only the icing from the cake. We are not getting down to the cake—we are merely nibbling around the sweet stuff on top. For the Minister to defend his Leader and Treasurer is commendable, but that does not help the patients in those hospitals or the people who must work in those bad conditions. I believe there is a lack of appreciation about the difficulty faced by South Australian people through the imposition of increased land tax, water rates, gift duties, stamp duties, petrol taxes, cigarette taxes and other imposts, while not one iota is being done to improve the situation. We go gaily on talking about the Christmas tree for next year, but we have not even got the tree for this year yet. We have talked about next year and what is going to be done.

The Hon. A. F. Kneebone: I don't think the Premier said "next year".

The Hon. C. R. STORY: I am talking figuratively. So much of this is window dressing, I know, but there is a section of the community, including one morning daily newspaper which, in its leading article, commends the Treasurer's weekend announcement about the projects to be undertaken. It is suggested by this article that anyone who speaks as I do is being churlish when a man of vision such as the Treasurer is criticised, but I believe we are being taken along with a good-sized ring through the nose.

I refer to stamp duties in respect of life assurance. Life assurance is for the people, and it is a co-operative affair. It belongs to all people who are prudent, who have taken action at some time during their lives to protect themselves, their estates, their children and their wives, and to give themselves, in the short term, the opportunity to have some spending money to supplement their savings, or to supplement their superannuation. South Australia is increasing its stamp duty on life assurance from 1 per cent to 1½ per cent. When the duty was increased to 1 per cent it was a high figure by Australian standards, and the duty has been increased from ½ per cent in 1970 to 1½ per cent now. I draw the attention of the Council to what the Treasurer stated in his second reading explanation in 1970, as follows:

> . . . the proposal now made to double the rate of duty to be applied to life assurance premiums will probably mean that the proposed rate will be rather more severe in South Australia than in the other States in the immediate future. However, it is known that some of the other States are actively reviewing their rates.

That is what the Treasurer stated in 1970. Other States have not increased their rate, and Western Australia still does not charge any duty at all. Queensland, New South Wales, Victoria and Tasmania all have similar scales, and these States impose a much smaller charge than the present South Australian licence fee. With a 50 per cent increase now intended for South Australia, we will become way out of line with the other States. Once again, this appears to be in conformity with the policy of this Government. When this Government came to office the first thing its Treasurer said was that we would come into line with other States. We had been living fairly well up to that stage, but our rates did not remain at the same level as those in other States: we got way out in front. And the Government is now imposing further duties. With the 50 per cent increase now proposed for South Australia, we will be way out of line with other States. The difference will be so great that life offices will have to consider giving effect to this additional cost through either higher premiums or lower bonus rates for South Australian policy-holders.

This is a tax on people who are prudent. It is difficult to relate the level of duty in South Australia to that of the Eastern States. However, a comparison can be made by considering a typical life assurance policy; for example, one with a sum assured of $10 000, a very ordinary sum that would apply to most prudent people. The duty in the Eastern States is payable once only, at the outset, and it is based on the sum assured. The rate there is slightly less than $1 for each $1 000, and the duty on the policy in question is about $9. The premium on a $10 000 policy would depend on its nature and on the age of the policy-holder. Typically, it would be between $200 and $300 a year. At the new rates, South Australian duty would be $3 to $4, but this amount would be payable every year that the policy remained in force, and this might be for 30 years or more.

I cannot with any confidence give a comparison between the duty now payable by a typical life office on its South Australian business and that which would be payable if the basis used in the Eastern States was applied. It would appear that, when this legislation passes, South Australian policy-holders will be at a disadvantage, because our duty will be four to five times as great as that applicable in the Eastern States. The situation is much worse if we use Western Australia as the basis of our comparison. Western Australia, like South Australia, is a claimant State. It has developed its resources and at all times it has been keen to progress. Even with the dead hand of the Commonwealth Government upon it in regard to minerals and

oversea monetary policies, that State is still going ahead. It has protected its people by not imposing a duty on life assurance. It is a great pity that South Australia has not followed the example of Western Australia.

On two or three occasions we have considered a Bill seeking to give a franchise to the State Government Insurance Commission to enter the life assurance field. In this connection we should bear in mind the sums that that commission is losing at present. If we did not have mutual societies, the Government would not be able to levy stamp duties in this way. As I understand it, there must be a profit before a Government can tax it. It does not appear that the State Government Insurance Commission will make a profit for a very long time.

I oppose this Bill in every way, because it tampers with the people's savings. I therefore have no use for the Bill. In common with other legislation put forward to filch money from the public without a proper explanation in a mini Budget, it is entirely wrong, but I can do nothing about it. The Government has got itself into a serious financial position and we will have to put up with it. I hope that one does not have to continue to remind South Australians that there will be an election, at the latest, in March, 1976.

The Hon. A. F. KNEEBONE (Chief Secretary): I do not intend to reply individually to each speech that has been made on this Bill. Generally, honourable members have criticised the Government's expenditure, although they were not specific in saying where savings could be made, except in one or two areas. One area mentioned by several speakers was in regard to the monitoring service. However, this did not stop the Leader from asking that the monitoring service be made available to Opposition members, and the Government has agreed to do that. The capital cost of the equipment was about $7 000. The closing down of that service would not result in any saving in salaries, as my Press Secretary is carrying out the monitoring duties as well as secretarial duties for me.

Much greater savings could be made if Opposition members, including the Leader of the Opposition in another place, would spend more time reading annual reports laid on the table of Parliament and other papers. Many questions asked in another place entail an enormous amount of work in Government departments. It would be interesting to consider the cost to the Government of the many questions asked during this session. I am not referring to honourable members of this Council in this respect, because I believe the questions asked here by honourable members are worth while and responsible; however, I cannot say that of questions asked by Opposition members in another place.

It is the prerogative of members to ask questions, and I would be strongly opposed to any restriction on them. However, if the Opposition is interested in reducing expenditure, it should be a little more reasonable in this respect. Opposition members in this Council did not come out into the open, as did the Leader in another place, and indicate what action they were really thinking of in recommending a reduction in Government expenditure. The Leader is reported as saying that the Government should do as people in the private sector are doing—retrench heavily.

The Leader of the Opposition in this Council has indicated that he intends to vote against the provision that increases the stamp duties on conveyances. If that provision is defeated, it will mean a loss of anticipated revenue to the Government in this financial year of $950 000 and a loss in a full year of $1 600 000. This would achieve just such a result as Dr. Eastick desires, and such as is apparently desired also by some honourable members in this Chamber. I heard this morning, when listening to the radio, that Mr. Malcolm Fraser, the Commonwealth Liberal shadow Minister for Labor, was reported as having stated that he knew many employers in the private sector were going to sack employees before Christmas and re-employ others in their places after the slack period of January and February.

The Hon. Sir Arthur Rymill: Did you hear that yourself?

The Hon. A. F. KNEEBONE: Yes.

The Hon. Sir Arthur Rymill: I thought it might have been heard on the monitoring system.

The Hon. A. F. KNEEBONE: It was probably recorded on the monitoring system, but I heard it. In this way employers no doubt would save a great deal of immediate cost in holiday pay and loadings. Not all awards contain provisions for *pro rata* holiday pay in relation to annual leave. Future savings for those employers who are doing these things will result from the break in the continuity of service to qualify for long service leave. No doubt now we will hear Dr. Eastick saying we should also follow the lead of the private sector in this regard. It would not be the first time that such action had been taken in South Australia. I well remember when I was Secretary of the printers union in this State some years ago that just such action was taken by the then Liberal and Country League Government. It was reported to me that employees at the Government Printing Office were required to serve two years in continuous employment before being classified as permanent employees and being eligible to come under the provisions of the Public Service Act. Many had the experience of being laid off before Christmas and re-employed after a month or so.

Again, I have heard of the continuity of employment being broken on the transfer of a Government employee from one department to another. That happened in those days; people were stood down for two or three days before being re-employed in another department. In that way the continuity of their service was broken. During our period in Government we have had placed before us applications for *ex gratia* payments to employees who have been affected in that way. The Government considered it an absolute injustice because, although the employee had had some years service, that service had been broken. The Government believed that the employees concerned should be entitled to long service leave, and it was paid by way of an *ex gratia* payment. I know that this occurred. I know, too, that some people were never classified as permanent employees and never came under the provisions of the Public Service Act because they had broken their service. One of my sisters, who spent all her working life in the Public Service, was always classified as a temporary officer and was never reclassified as a permanent officer.

We are accused of being irresponsible in our attitude towards expenditure. We have been told by the Opposition that we have supported unions in unreasonable demands, and we were criticised severely by sections of the press, employer organisations, and by the the Opposition for not taking some action to arrest the escalation of wages and salaries which, in any case, have not kept up with rises in prices. Although Opposition members have said this to us, most of them campaigned strongly against the recent referendum to provide powers for a brake on prices and salaries. Yet we hear today, when we make an attempt in regard to an award, that we are criticised by the Opposition for taking such action. Certainly, the matter has not been raised in this Chamber, but the Leader of the Opposition in another place asked the Government to intervene in an endeavour to reverse the decision

of the Public Service Board regarding an appeal against an award by Commissioner Johns. How inconsistent can one be? Certainly, the Opposition is being most inconsistent in regard to the matter of expenditure by the Government.

The Hon. C. R. Story: Is that the Opposition in another place?

The Hon. A. F. KNEEBONE: Both here and in another place. This Bill is in regard to Government expenditure, and I think I have said enough to indicate the inconsistencies expressed in that regard.

The Hon. R. C. DeGaris: Can you tell us something about the Premier's statement that, once Mr. Whitlam gained power in Canberra, we would be in a better position in South Australia with two Governments of like philosophy?

The Hon. A. F. KNEEBONE: That was not a statement that I made.

The Hon. R. C. DeGaris: Your Premier made that statement.

The Hon. A. F. KNEEBONE: I do not remember that the Premier ever expressed that view. However, if the honourable member can point it out to me I may have some comment on it. We are not receiving the assistance we thought we may receive; put it that way. The Hon. Mr. Hill asked me some questions regarding the affixing of an adhesive stamp on a document rather than having an impressed stamp; I believe he has foreshadowed an amendment in this connection. My information is that the Commissioner of Taxes believes it is far preferable to provide for an impressed stamp, not an adhesive stamp, in the case of the discharge of a mortgage. Where there is a formal discharge of a mortgage, it is normally in the case of a document where that discharge of mortgage will be registered; that is, where we can be certain of getting the tax paid is in the case where the document will go for registration. There are, as honourable members would know, some cases where documents are signed but merely remain on deposit. They are never registered; they are called equitable. They have not taken effect under the Real Property Act, and we are by no means certain of getting the stamp duty paid on them at the time. It is not always possible to ensure collection of due taxes where a document does not have to be produced publicly. The only hindrance that really exists to the people concerned in relation to the document is that they could not produce it in a public court in evidence without its being stamped. Normally, if an undertaking is given that it will be stamped, that does not seem to be much hindrance to its acceptance in evidence, anyway. The documents where we are certain of getting the cash are those produced for registration at the Lands Titles Office. If they are produced for registration there, it is not difficult to produce them at the Stamp Duties Office on the way. That is standard procedure.

There is no saving to be made on adhesive stamps in this business by not producing the documents for assessment at the Stamp Duties Office, simply because our experience in other areas with adhesive stamps is that people constantly put the wrong stamp valuation on documents. Such documents are thrown out by the Lands Titles Office if there appears to be a wrong stamp valuation put on by adhesive stamps. It is not a saving for documents to be thrown back from the Lands Titles Office and requiring them to be represented, because they must be taken back to the Lands Titles Office for reassessment and they must be taken out to get them restamped. We will not save on administrative costs if we operate on the adhesive stamp principle. It would be more simple to get them stamped in the Stamp Duties Office, then take them on to the Lands Titles Office. That is the view of the Commissioner of Taxes, and one that is fully approved.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Amendment of second schedule of principal Act."

The Hon. R. C. DeGARIS (Leader of the Opposition): I wish to move two amendments to this clause which have not yet reached my desk. However, I can deal with my objection to this clause, which has two parts. Paragraph (*a*) raises the annual licence on premiums payable in respect of life assurance policies from $1 to $1.50, and paragraph (*b*) raises the annual licence on premiums collected for general insurance from $5 to $6. I oppose both these increases. I will deal first with life assurance. In every State, stamp duty is payable on the amount of cover taken out by a person, and that varies from 10¢ to 20¢ for every $100 of cover taken out. That is the one payment, but in South Australia we have an annual licence based on the amount of premium collected each year. It was $1 for every $100 of premium but this Bill raises it by 50¢ to $1.50. The amount of stamp duty to be collected in this State from the stamp duty payable on premiums paid on both life and general insurance is much above what is collected in the other States.

What will happen with this further increase, especially with life assurance, is that the life assurance companies will adjust their bonuses declared because of the increase in South Australian stamp duty. It is unfair for policyholders in other States of Australia to carry the burden in the declared bonuses of the increase in stamp duty in this State. I could put the matter this way to the Committee so that it will understand what I am getting at. If there was no stamp duty on premiums collected for life assurance, the declared bonuses would be 30¢ in the $1 higher in South Australia than they are at present if the total duty was payable in South Australia and the bonuses were declared in that way.

Life assurance should be encouraged, for it is a protection for the family. If this grabbing of money from premiums paid on life assurance policies continues, life assurance will become less and less attractive to people as an investment and as a cover for their families. It will be a tragedy if that happens. I remember when I first went to work I was sent out by my father to sell life assurance and he said, "You never make a mistake by selling life assurance." That is true. Every person should be encouraged to carry enough life assurance to cover his family, should any accident occur to him. If we go on dragging money out of premiums being paid (which are virtually the savings of the people concerned), those people will turn away from life assurance as a cover and protection for their families. In this State, if no stamp duty was payable on premiums collected and that saving was reflected in bonuses on policies taken out, the bonuses would increase by 30c in the $1. For that reason, I could not vote for clause 6(*a*) although my amendments are not yet on file. I do not know whether the Chief Secretary would like me to ask that progress be reported until my amendments arrive. I intend putting them in two sections—the deletion of clause 6(*a*) and the deletion of clause 6(*b*) and, if both amendments are carried, it will mean the rejection of the whole clause.

The Hon. A. F. KNEEBONE (Chief Secretary): I am happy to report progress if the Leader wishes it that way.

The Hon. R. C. DeGARIS: I think it would be desirable. I have an amendment to clause 9, too.

Progress reported; Committee to sit again.

NARCOTIC AND PSYCHOTROPIC DRUGS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 2165.)

The Hon. V. G. SPRINGETT (Southern): I rise to speak to this Bill for an Act to amend the Narcotic and Psychotropic Drugs Act. These drugs, like all drugs, are good servants but bad masters. Narcotics, unfortunately, form the hard core of what we call the drug traffic. Unfortunately, the drug traffic is extending its reach and is embracing more and more people, especially the young folk. Ease of access to drugs is increasing these days; in fact, drug taking is not restricted to one group of people, as it used to be: it is common to all classes of society, to all groups of people everywhere.

When this Act was amended two years ago, reference was made to the fact that the drug problem in this State was small compared with that in the Eastern States, but unfortunately we are catching up fairly quickly. We are growing drugs as well as importing them. The greatest tragedy in the whole affair is the way in which young people are affected and how children get hooked. Unfortunately, children usually have no money, so they cannot buy drugs; therefore, they get their supplies by getting new customers. The links between the growers and the consumers, the peddlers and the pushers, are the vital connection in this evil, anti-social trade.

We talk about soft drugs and hard drugs. Some people debate whether soft drugs should be allowed to be taken, with no evil consequences. Bearing in mind that one is so often the stepping stone to the other, to me, the uncontrolled use of any drug is bad. This is being increasingly emphasised to all medical practitioners and people who deal officially in medicines. They are recognising that few drugs that we use, even the common aspirin, do not have side effects. They damage the kidneys and the liver, and disturb the blood system. Since that is the case with well-controlled and well-organised drugs, how much more harmful are the powerful substances that we know have permanent and increasing effects in the hands of unscrupulous drug traffickers who provide them to weak-willed addicts, thereby ruining the lives of their victims? Psychotropic drugs are a group of drugs that change the mental processes from what can be considered normal to hallucinogenic states. LSD (lysergic acid diethylamide) is one of these drugs.

Although short, this is an important Bill, which is aimed at the distribution and use by individual addicts and their colleagues who collaborate together. It is also aimed at the growth of prohibited plants and, in addition, it prohibits advertising that helps spread information regarding sources of supply. However, there are certain exceptions at this point.

I now refer to clause 2, which deals with Indian hemp *(Cannabis Indica),* which comes from the dried flowering or fruiting tops of the plant *Cannabis sativa L,* from which the resin has been removed. To date, the Act has applied essentially to *Cannabis sativa L.* This Bill amends the Act by including any specimen of the *Cannabis* plant. It may impress honourable members, if they do not know already, that hashish has its origin in this drug. It is not dissimilar to the hallucinogenic states of LSD. It gives a pleasurable sensation of mild intoxication, which can come on half an hour to three hours after taking it. It may produce a happy and joyous man or woman, who is pleased with anything and everything. The victim will laugh or smile at the slightest provocation, and will experience visual hallucinations. Time and space seem to be prolonged so that minutes appear to be days. Naturally, with the passing of time, bigger and bigger doses are required to get the same effect. This ultimately leads to a complete disintegration of the taker's personality.

Clause 3 creates a new offence. It will be an offence not only to smoke, consume or administer a prohibited drug to oneself but also to aid another person to obtain and take the drug. It also hits at the person who cultivates and tries to grow a prohibited plant. One has only to refer to last weekend's *Sunday Mail* to have this point brought home clearly. *Cannabis* was grown on a person's property without his being aware of it.

Clause 4 amends section 14 of the Act by striking out subsection (la) and inserting a new subsection (la). By means of this alteration, the court may confiscate and forfeit to the Crown any money, substances or articles used or received by the person in connection with the offence. This means, and will include, payment in cash or kind, injection material, items used for its preparation, and premises kept for the purpose.

Under clause 5, advertisements that in any way promote or encourage the use of any drug to which the Act applies are forbidden, as is anything which suggests that a person is entitled, willing or able to supply any of these drugs. Professional journals dealing with the medical, veterinary or dental professions are exempted from the restraint of this new provision. One thing that disturbs many folk is the use of penalties far below those that have been set by Acts of Parliament for various crimes.

Bearing in mind the enormous return reaped by those involved in the higher echelons of this trafficking, it seems to me that they need to be hit hard, either financially or by long stretches in gaol, if they are ever to be made to feel that the game is not worth the candle. Six months imprisonment for being found with opium worth, at the time, £28 000 (sterling) seems to be insufficient. One must remember that there is no such thing as a minimal dose: addiction is always a progressive disease. That should be weighed up against a six-month sentence. One should also consider that young people are taking to drugs almost as easily as their elders took to drink. There is a world-wide increase in the trafficking of drugs amongst countries whose figures are known. Russian and Chinese figures are not available.

Although the Bill is not the optimum in dealing with the subject, I hope it will make it just that bit harder for those who prey on a weaker section of the community to carry on their nefarious trade. I support the Bill and can see no reason why it should not pass.

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

MINING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 2176.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This short Bill makes alterations that have been recommended by Mr. Ludovici, who is undertaking the consolidation of the Statutes. It makes an alteration to the titles in the principal Act relating to the Mines Department and the Minister of Mines. I have been trying to check exactly what the alterations mean, but one of the people from whom I am seeking information is not available at this stage. However, I am willing to support the second reading, as I know that the Hon. Mr. Whyte will seek to secure the

adjournment of this debate. If there is any additional contribution I should make, I will do so during the Committee stage. At this time, I see no reason why the Bill should not be supported, although I remember that there were specific and cogent reasons why the present position existed in the Statute. Those reasons may no longer be applicable because of changes to the Mining Act, but I should like the opportunity to check this thoroughly. As I know that the Hon. Mr. Whyte intends moving amendments in the Committee stage, I support the second reading.

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

PARLIAMENTARY SALARIES AND ALLOWANCES ACT AMENDMENT BILL

A message was received from the House of Assembly agreeing to a conference to be held in the Legislative Council conference room at 9.30 a.m. on Wednesday, November 27.

The Hon. A. F. KNEEBONE (Chief Secretary) moved:

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

Motion carried.

LICENSING ACT AMENDMENT BILL (HOURS)

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

LISTENING DEVICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 2168.)

The Hon. R. C. DeGARIS (Leader of the Opposition): This Bill is an extension of the original Bill, which was introduced into this Council in 1972. At that time several honourable members contributed to the debate. The debate on that Bill had much to do with the recent debate in this Council concerning privacy. I refer to page 2674 of 1972 *Hansard* and to my speech dealing with this matter then, as follows:

In Australia, the question has been under discussion for seven or eight years at meetings of Attorneys-General.

That is in relation to the legislation controlling listening devices. The report of my speech continued:

However, to my knowledge that learned body has not been able to achieve unanimity on the legislation that is necessary to control such devices and to provide effectively for the protection of the rights of individuals to privacy. Some people contend that before the Legislature can deal with such a question it is necessary to define in the Statutes what we mean by the right to privacy.

The Hon. A. J. Shard: That would be difficult.

The Hon. R. C. DeGARIS: I am coming to that. I am not a legal expert, and I would not hope to give an opinion on this matter, but I do not agree that there is any need for long and involved legislation to define the individual's right to privacy. On this point my legal colleagues in this Council may be able to assist me. I believe that this right to privacy exists now, and it exists in the common law. What we are setting out to do in this Bill is to provide statutory penalties for some infringements of the right to privacy that exists at present.

It is interesting that, when the original Bill was being debated in 1972, the Hon. A. J. Shard agreed with my contention that it was extremely difficult to try to interpret exactly what was a person's right to privacy. I contended in the debate on the Privacy Bill, and I do so again now, that it is better to look at our Statutes and extend them to prevent an invasion of an individual's privacy than it is to tackle the problem in other ways.

When we are dealing with new legislation, such as this was in 1972, and still is as technological change occurs, we always find mistakes. We should continue to examine the Statutes to extend them to prevent these continuing invasions of a citizen's right to privacy. We probably made some mistakes in the 1972 Act. That was new legislation and certain matters were overlooked. We must be continually examining Acts and bringing them up to date to protect the individual's right of privacy.

I know that honourable members have done much work, not only on this Bill but on the original 1972 Bill. I agree that mistakes in that legislation should be corrected, and this Bill attempts to correct one of those anomalies relating to the confiscation and destruction of equipment that has been used illegally listening to people and recording them without their permission. I support the second reading, but I hope that other contributions will be made in respect of the point I raised that we must continually keep under surveillance and under a watchful eye existing legislation, and extend the provision of that legislation to cope with the gathering pressure of the invasion of the privacy of individuals.

The Hon. JESSIE COOPER (Central No. 2): Although I support this Bill, in the light of our further experience since the original Act was passed in 1972, I find that section 7 of the principal Act is objectionable to my sense of justice and safety. As during the debate on the Privacy Bill many honourable members have shown their awareness of the dangers of recording information and the dissemination of that information, it must be obvious that section 7 of the Listening Devices Act will be equally objectionable to them. If the Privacy Bill had been passed in the form in which it was originally presented to this Council, the courts would have had a difficult task in assessing the rights and wrongs of any case dealing with the abuse of privacy with section 7 of this Act in existence. Section 4, the heart of the principal Act, provides:

Except as is provided in this Act a person shall not intentionally use any listening device to overhear, record, monitor or listen to any private conversation, whether or not he is a party thereto, without the consent, express or implied, of the parties to that conversation.

Honourable members will note that the words "without the consent of the parties" is the vital thought. Section 7(1) provides:

Section 4 of this Act does not apply to or in relation to the use of a listening device by a person (including a member of the Police Force) where that listening device is used—

(*a*) to overhear, record, monitor or listen to any private conversation to which that person is a party;

and

(*b*) in the course of duty of that person, in the public interest or for the protection of the lawful interests of that person.

This covers a multitude of situations; for example, it makes it legal for a conversation to be recorded without the person being recorded being aware that it is being done in any public servant's office, in any Minister's office, in any taxation authority's office, all of which I consider would be secret recording for tricky purposes. Further, it permits recordings of business or professional conversations to be made, unknown to the party being recorded, the only proviso being that the recording party considers that the recording protects his interests. These recordings may be brought to light and used later in the alleged public interest or for the protection of the lawful interests of an individual. This produces a situation that makes it too dangerous, or even impossible, to hold exploratory conversations on business matters, to make explanations of procedures or, indeed, to hold what may be hoped to be private conversations with members of Parliament or Ministers. This aspect is particularly important now that listening and recording devices are so small; they can often be carried,

as can a packet of cigarettes, in a vest pocket or otherwise concealed on the person or on an office desk.

I can see no reason why a person making a recording should not give others who are parties to its contents a simple legal right of knowing that it exists. This section permits the Watergate-type recordings that we have been pretending are so abhorrent. Even the Commonwealth law provides that no listening devices shall be used in association with telephonic conversations; there is a special signal that indicates that a recording is being made. We have all heard the beeps during talk-back sessions on the radio. There seems to be no good reason why the general principle should not be extended to the State of South Australia. I can see no reason why, in the light of our further experience since 1972, section 7 should not be completely removed from the principal Act. I support the second reading.

Bill read a second time.

The Hon. JESSIE COOPER moved:

That Standing Orders be so far suspended as to enable an instruction to be moved without notice.

Motion carried.

The Hon. JESSIE COOPER moved:

That it be an instruction to the Committee of the whole Council on the Bill that it have power to consider an amendment to repeal section 7 of the principal Act relating to the lawful use of a listening device by a party to a private conversation.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Title passed.

Bill recommitted.

New clause la.

The Hon. JESSIE COOPER: I move to insert the following new clause:

Section 7 of the principal Act is repealed.

My reason for doing this is that mentioned a few moments ago in the second reading debate; that is, that under section 7 of the principal Act many abuses can arise. It would be possible under that section to overhear, record, monitor or listen to any private conversation to which a person was a party, in the course of duty of that person, in the public interest, of for the protection of the lawful interests of that person. In those circumstances, a person, including a member of the Police Force, can use a listening device. This can be done in the course of the recorder's duty, in the public interest, or for the protection of his (the recorder's) own lawful interests.

This covers all sorts of situation. It makes it quite legal for a conversation to be recorded without the person recorded being aware that it has ever happened. This makes it quite impossible for anyone to be sure that he can have an interview in the office of a public servant or of a Minister, or in a taxation office, that is not recorded. One can think of any number of things, all of which I consider an abuse of privacy. Section 7 permits recording of business and professional conversations, unknown to everyone except to the person making the recording, the only proviso being, as stated in section 7, that the party considers that the recording protects his own interests. I ask honourable members, in the light of these things, to consider the repeal of section 7.

The Hon. F. J. POTTER: When I spoke in the second reading debate, I drew attention to the apparent difficulties in interpreting section 4 as opposed to section 7. There may be some reasons that have entirely escaped my attention and that of honourable members for the existence of section 7, but when I spoke on Thursday last I had only looked at the Bill and had not had time to do any research into the matter; nor have I looked at it since then. It appeared that there was some degree of strangeness about section 7, having regard to the provisions of section 4. I shall be interested to hear what the Minister has to say about the reason for their insertion in the first place.

The Hon. A. F. KNEEBONE: So that I can consider the matter more closely and get advice, I ask that progress be reported.

Progress reported; Committee to sit again.

Later:

The Hon. A. F. KNEEBONE (Chief Secretary): Some honourable members now support the view embodied in the amendment; I say "now" because I find it difficult to follow their reasoning. Section 7 of the principal Act merely recognises that some people have a lawful and proper interest in recording conversations in which they take part. It recognises that their conduct will be quite lawful so long as they fall within the parameters of section 7(1)(*b*). To take a homely example, Mr. Smith may have had a number of conversations with Mr. Jones, and he has quite falsely represented those conversations to a third party, perhaps in the course of business. Mr. Jones then determines that he will record any further conversations with Mr. Smith in order that an accurate record will be available. As long as Mr. Jones's interest in the matter falls within section 7(1)(*b*), his conduct is quite lawful. It is difficult to see how honourable members can object to the section now, having passed it as recently as 1972, particularly as any parties to a conversation are, within the bounds of ordinary law, quite free to set down on paper their recollections of a conversation immediately after it has happened. Indeed, some people with remarkable memories can set down an accurate record, but never so accurate as one on a tape. I therefore ask honourable members to oppose the amendment.

The Hon. Sir ARTHUR RYMILL: I was present during the debate on the legislation in 1972, but at that time I was recovering from a severe illness, and I do not think I was able to take the interest in the matter that I believe I should have taken had I been well enough to do so. The Hon. Mrs. Cooper made it clear that she had moved her amendment in the light of further experience of recording devices. She did not attempt to say other than that we had passed the original legislation as recently as 1972. Actually, we passed it in November, 1972. So, two years has elapsed since the passing of the original legislation; in my estimation, that is a considerable time ago. In the intervening period we have all had a great deal of experience of recording devices. We know that in that time, as the Hon. Mrs. Cooper said, listening devices have become smaller and smaller until they can be concealed quite successfully. In the meantime probably most of us have had the unpleasant experience of being secretly recorded. It is not that one does not want people to remember what one says, but it is an underhand thing to record a person without telling him that he is being recorded, although I know it goes on in high circles. It puts at a great disadvantage a person who has not recorded his own utterances but has had them recorded by someone else.

During the debate on the Privacy Bill recently, I thought this matter might be specifically dealt with by a law on privacy to provide that no-one should be recorded, under any circumstances, without his knowledge. I know particular circumstances are involved in this, but I think it is perfectly proper that people should be warned that they

are being recorded. Warnings have to be given by law in certain circumstances. We know the familiar example of a person being questioned for a criminal offence and being warned that he need not answer questions but that, if he does, the answers may be taken down and used in evidence against him.

This Bill makes it lawful that people could be recorded without any such warning. Perhaps the deletion of the whole section would be going too far. I have not had time to study the matter, as it was presented to me only this afternoon and we have been through a good many Bills since then and attended to other matters. I suggest the new clause should be further investigated, and perhaps the Chief Secretary would care to report progress so that we can look further at the matter.

The Hon. F. J. POTTER: I should make my position clear in case the Minister thought I was supporting the deletion of section 7. During the second reading debate the apparent inconsistencies between section 4 and section 7 of the principal Act became obvious to me. When the amendment was moved by the Hon. Mrs. Cooper this afternoon, I was seeking from the Minister some explanation as to why section 7 appeared in its existing form. Having heard his explanation, it seems that it is there to deal with unusual circumstances, such as the case he mentioned dealing with misrepresentation by a person of what has been said by him to someone else. In the practice of the law, if one had a difficult client from whom it was almost impossible to get specific instructions, and if there was some danger that the client would take the line that his instructions were not being carried out, it might be useful to have recorded the conversation in which the instructions were given.

The Hon. J. C. Burdett: Put them in writing.

The Hon. F. J. POTTER: One could put them in writing and get a signature. Perhaps there are ways around it and it is not necessary to have section 7 in its existing form. I am not sure that we have had time to think of all the implications. I am not against the amendment, but I am a little unhappy that there may be one or two other matters in connection with section 7 that we have not thought of. I, too, think we could do with a little extra time, perhaps only another day.

The Hon. A. F. KNEEBONE: Before I accede to the requests of two honourable members, and for the benefit of other members who have not had a chance to look at section 7, I point out that the marginal note refers to the lawful use of listening devices by a party to a private conversation. Section 7(1) provides that section 4 of the Act does not apply in certain circumstances, while section 4 states:

> Except as is provided in this Act a person shall not intentionally use any listening device to overhear, record, monitor or listen to any private conversation, whether or not he is a party thereto, without the consent, express or implied, of the parties to that conversation.
> Penalty: Two thousand dollars or imprisonment for six months or both.

Section 7 provides, in part, as follows:

> (1) Section 4 of this Act does not apply to or in relation to the use of a listening device by a person (including a member of the Police Force) where that listening device is used—
>
> (*a*) to overhear, record, monitor or listen to any private conversation to which that person is a party;
>
> and
>
> (*b*) in the course of duty of that person, in the public interest or for the protection of the lawful interests of that person.

The person who is contemplated is the person who is a party to the discussion.

The Hon. F. J. Potter: And the person making the recording.

The Hon. A. F. KNEEBONE: A party to the conversation, yes.

The Hon. J. C. Burdett: Shouldn't the other party be warned?

The Hon. A. F. KNEEBONE; Not necessarily. I can think of many cases—

The Hon. J. C. Burdett: He should be warned that he is being recorded.

The Hon. A. F. KNEEBONE: Subsection (2) provides:

> A person referred to in subsection (1) of this section shall not otherwise than in the course of his duty, in the public interest or for the protection of his lawful interests, communicate or publish any information or material derived from the use of a listening device under that subsection.

A penalty of $2 000 is provided in this case. I ask honourable members to think about that when considering the matter.

Progress reported; Committee to sit again.

ADELAIDE TO CRYSTAL BROOK STANDARD GAUGE RAILWAY AGREEMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 2167.)

The Hon. C. M. HILL (Central No. 2): I have been waiting for years for this Bill to come into this Chamber. In my view, this delay reflects Government inefficiency of the very worst kind; but, even more serious, we see a difference of about $33 500 000 in the estimates of the cost of this vast public project between the figure that the experts thought the project would cost if it had commenced in 1970 as compared to the estimate of $81 000 000 given by the Minister in his second reading explanation as the cost today.

The Hon. C. R. Story: Who were these experts?

The Hon. C. M. HILL: The experts who reported in 1970 were the experts who reported today.

The Hon. M. B. Dawkins: But this Government did not believe in those experts.

The Hon. C. M. HILL: It did not. It played politics, politics, and more politics. It would not go on with this project unless spur lines were built to the industries of metropolitan Adelaide. Where are the spur lines now? They are not there. Even the spur line for which the previous Government fought, the one to Elizabeth, is not there now.

I want to know the differences between the plan approved in 1970 and the plan to be ratified by this Bill. I know there is one difference but, in my view, it is not one that affects the cost. In the main, these two plans are the same, and because this Government has played politics on the matter at the expense of the public of South Australia, and in fact of the whole of Australia, we will see a waste of about $33 500 000 on the project. I doubt whether, in the history of South Australia, there has been another political scandal of this kind.

The Hon. M. B. Dawkins: It is nearly as much as the estimated deficit.

The Hon. C. M. HILL: Yes. I come back to the matter of Government inefficiency, to which I have referred. I want to expand on that. I make the claim because, back in July, 1971, the Government's programme for the forthcoming year was outlined in the Governor's Speech as follows:

> Agreement has now been reached with the Commonwealth Government for the connection of Adelaide to the Sydney-Perth standard gauge rail system, and my Government intends introducing a Bill to ratify the agreement.

A period of 12 months went by and we did not hear any more, but in the Government's programme announced in July, 1972, in the Governor's Speech, the matter was again referred to as follows:

South Australian Railways officers, together with a group of consulting engineers, are preparing a master plan for the new standard gauge railway to link Adelaide and its major industries with the existing Australia-wide standard gauge network. Estimates for the project are expected to be completed by August this year.

Again, another 12 months went by with no action at all, and again the Government referred to the matter in its policy, through the Governor's Speech, in 1973, as follows:

My Government expects that finality will be reached in negotiations with the Commonwealth Government relating to an agreement for the construction of a standard gauge railway line to Adelaide. Once agreement is reached appropriate enabling legislation will be placed before you.

Again, another 12 months went by with no action. On July 23 of this year the Government referred to the programme, again in the Governor's, Speech, as follows:

Agreements have already been entered into between my Government and the Australian Government for the construction of a standard gauge rail link between Adelaide and Crystal Brook and the construction of the Tarcoola to Alice Springs line. Legislation to ratify these agreements will be placed before you, and in the meantime the necessary planning of the projects is proceeding.

So, year after year since that change of Government in 1970, this matter has been referred to, but it has taken 4½ years for the stage to be reached of the Bill entering this Council. The Bill makes the present position quite clear. In 1970 the Liberal Government was prepared to accept the Maunsell plan with one extra requirement—a spur line into Elizabeth. That was the only issue that prevented agreement being reached in 1970. But that one issue, I point out, has not been included in the current plan. The job was to start in 1970 and be completed in 1974, this year; and the experts estimated the cost, including an escalation figure, at $47 500 000.

Then the Labor Government came to office and it proclaimed that it would never agree to the plan unless all industry was served with spur lines—and, by "all industry", I mean the major industries in metropolitan Adelaide. At that time, I gave my reasons why I thought the inclusion of spur lines was impracticable and unwise, but the Government of the day simply played politics with the matter and now, 4½ years later, the same plan in essence is estimated to cost $81 000 000, and escalation is not mentioned. It may have been included in that figure; it was mentioned in the figure for the Tarcoola to Alice Springs line, which was involved in another Bill, but it was not included in the $81 000 000, although I am prepared to believe that it is included in that figure.

Not only 4½ years of time precious to the industries of South Australia gone by but it is the cause of further delay which will result, when the whole project is finalised, in the difference between these two costs being $33 500 000. I repeat the matter that the Minister said would be included in the project. In his second reading explanation, he said:

The principal items of the project examined by Maunsell and Partners, and subsequently included in this Bill, are as follows:

A new independent standard gauge railway from Crystal Brook to Adelaide;

standard gauge lines from Dry Creek to Islington and Gillman yard;

standard gauge connections to the Mile End yard;

standard gauge facilities at Islington and Dry Creek, including facilities for inwards and outwards freight, vehicle servicing, bogie exchange and standard gauge access to Pooraka and Islington workshops;

standard gauge facilities at Adelaide passenger terminal;

standard gauge connection to Wallaroo by conversion of the line between Snowtown and Kadina from broad gauge to standard gauge and the construction of a new standard gauge line between Kadina and Wallaroo; and

standard gauge rolling stock, new and converted, based upon expected traffic at the end of the first year of full standard gauge operation.

So the plan, according to the Minister, should have limited working in four years time and should be completed in five years time. He said that the South Australian Railways would be the constructing authority and that the $81 000 000 would be Commonwealth funded but the State would repay 30 per cent over a 50-year period, with interest. I do not quibble about that financial arrangement, which is the usual one in regard to the standardisation of railway lines in agreements between the Commonwealth and the States.

I briefly stress, as I have from time to time in the past 4½ years, the tremendous benefits that this line will bring to South Australia. There will be greater efficiency in all railway operations and a lowering of transport costs, which is important to South Australian industry. An ideal passenger service will be provided and Adelaide will then be linked to the other major cities by standard gauge.

Considerable help will be provided for Wallaroo and the Yorke Peninsula area generally. The Minister explained those benefits, and I support what he said, but one cannot overlook this tremendous financial loss which Australia and this State will suffer because this project was not started years ago.

I lay the blame for this squarely at the doorstep of the present Government. The original estimate of $47 500 000, which included rolling stock, was dealt with in some detail at page 110 of *Hansard* of July 21, 1970. Briefly, I will give the details of how the experts, Maunsell and Partners, estimated how this total would be split up. At that time I said:

Grade separations are proposed at all major crossings. The approximate costs estimated in the Maunsell report for construction are $30 400 000, being $14 500 000 in the country and $15 900 000 in the metropolitan area; grade separation costs are $1 800 000; locomotives and rolling stock, $7 900 000; and engineering costs, $2 400 000—making a total of $42 500 000. To this, an estimated escalation figure of about $5 000 000 has been added, making a grand total of about $47 500 000.

I go back for a moment to the history of this whole matter; I want to expand on comments I made a few moments ago. When the Government in this State changed in 1970, the Maunsell plan was complete. Maunsell had presented the plan to the then State Government, which agreed to it subject to one condition only—that a spur line be provided to Elizabeth. In our negotiations at that time with the Commonwealth Government, we found that that Government favoured the plan but would not include the spur line we desired.

The estimated cost of that spur line, although it was a rough estimate then, was an additional $900 000. To be fair, I should add that there were major estimates based on a realignment of the main line, which might have sent the spur line cost higher than that figure. Before that one point alone could be ironed out, the 1970 election came and Labor took office. The time estimated by Maunsell in 1970 for completion of the job was 1974, this year. On July 21, 1970, I referred to some of the features of the Maunsell plan. I stress them again because honourable members may think that the plan which has now been accepted by the Government is a different scheme altogether. I said that major through goods trains would travel all the way from New South Wales on the new line and that it would

be a line of world standard. I said that it would, generally speaking, run parallel to the old line, with some deviations to improve curvature.

I also said that the Snowtown-Kadina line was to be converted and that a new standard gauge line between Kadina and Wallaroo was to be built. I said also that the proposed line, as it nears Adelaide, travelling south, leaves the present alignment of the existing railway somewhere near Two Wells, and passes west of existing residential developments until Dry Creek is reached.

I also stated that the new freight terminal for both gauges was proposed at Islington; also, new marshalling yards were proposed at Dry Creek, as well as a spur line to Gillman to serve the Port Adelaide area. That line was to have access to certain key industries on the eastern side of the river. Also, a spur line was proposed to the abattoirs and saleyards at Pooraka. A spur line was also intended to be built into the northern end of the Islington railway workshops. Access was also proposed to the standard gauge line to enter the passenger terminal at the Adelaide railway station.

Throughout 1970 and 1971, after the change of Government, the Premier and Minister of Transport proclaimed that they would never agree to another plan which did not include spur lines into principal industrial centres of metropolitan Adelaide. They even went to industry in those areas and obtained support for that proposal. Of course, it is only natural that industries, not expecting to be asked to contribute to the cost of those spur lines, will acclaim such an idea.

The former Liberal and Country League Government was criticised for proceeding without such additions to the plans. The Labor Government had the political football out and, year after year, it kicked that football from one end of the State to the other, claiming that the former Liberal Government was willing to sell out industry, that it was wrong in wanting an agreement, and that it should get on with the job.

I was criticised in this Council at the time for trying to rush the matter. I think all honourable members know that pitiful history. Now, the proof of the pudding is in the eating, and it has taken this time, with the resultant increase in costs, for this to be realised. On July 21, 1970, I referred to a conference that I had had with the Senior Railways Engineer from Maunsell and Partners and a Commonwealth officer. A full discussion took place on the plan submitted by Maunsell and Partners in 1970. I then said:

> We discussed in full the question of the spur lines, and I pointed out to both officers that the question of spur lines was one that was causing our Government considerable concern. Maunsell's engineer stressed the high cost of construction and maintenance of spur lines, and also indicated the trend today for factories to have their products forwarded to common freight yards by forwarding agents for loading at such freight yards. Some industries would need products loaded on both broad and standard gauges.

Therefore, at that stage we could not have made the position any clearer than we did. Our position was well understood. We agreed with the plan and wanted, if possible, to get a line to Elizabeth. Apart from that, we wanted to get on with the job, as we realised the great benefits that this State deserved and, although we certainly could not have guessed that escalation would have reached the figure it has reached, it was nevertheless an aspect that raised fear at that time. On July 14, 1971, when he was a back-bench member of the Council, the Hon. Mr. Banfield said of the Labor Government:

This Government is to be congratulated on not adopting the report received by the Hall Government. I refer, of course, to the Maunsell report, the adoption of which was canvassed strongly by the former Minister of Roads and Transport. The Railways Commissioner and his officers, together with the present far-sighted Minister, could see that, if the consultants' report was adopted as suggested by the previous Government, it would be a very expensive operation, with some of the State's most important customers receiving very little advantage. I do not know why the former Minister could not see the disadvantage of his decision, and I do not know why he was so anxious to rush to have the report adopted; perhaps he will tell us why.

I am trying to tell the Minister now. I have had to wait for a few years to be able to do so. However, now we have the proof. We have the Government not wanting to go on with this spur line and faced with an escalation of about $33 500 000. Despite this, we have, in essence, the same plan as we had previously. I have stated year after year in Address in Reply debates that the Government should stop playing cheap politics and get on with the job.

To substantiate that, I stress the point that I hoped progress could be made if only the Government would get down to the business of its responsibilities on this vast project. On July 15, 1971, I said in this Council:

> My second point concerns the standardisation of the railway gauge between Adelaide and the northern standard line running from Port Pirie to Broken Hill, the line that goes from Perth to Sydney. Yesterday, I was taken to task by the Hon. Mr. Banfield, who said from time to time that, when I was Minister—

The Hon. Mr. Banfield then interjected, saying, "I did not mention any names." I then continued:

> —of Roads and Transport, I panicked (I think that was the word he used) and rushed in and agreed to all sorts of plans provided within the Maunsell report, and that I had been prepared to accept that report as it was when it was placed on my desk. I think that is what he meant, although it is not easy to follow the honourable member's speech at relatively short notice. I shall understand it more when I take it quietly.

The truth of the whole matter (I made this point 12 months ago and I am forced to stress it again) is that again only this year, on June 30, the Premier said (and it was printed on the front page of the *Advertiser* of that day) that the former Government accepted the Maunsell report, or words to that effect. The exact quotation is as follows:

> The Government, soon after it came into office last June, told the Commonwealth that the plan agreed to by the previous Government was unacceptable as it did not connect the State's heavy industries directly to the standard gauge.

The plan was never agreed to by the previous Government; that Government agreed to the plan subject to the spur line being connected from the new north-south line into the Elizabeth industrial complex. The Commonwealth Government refused to agree to that condition laid down by the previous State Government, so no agreement was reached. In reply to a question I asked in 1972 I was shocked to receive the answer that the Chrysler plant at Tonsley Park was not to be included in the Government's plan. It became evident to me then that the Government was continuing to try to get out of the political fix it had got itself into in respect of spur lines. Quietly, one by one, it dropped spur lines from its scheme. This is all very well, but costs have continued to increase all the time, and we have now reached the fateful period when the total of $33 500 000 excess costs must be faced.

As I said, as time passed, the matter of spur lines was played down. Now, not even the Elizabeth spur line is included in the plan before the Council. It is little wonder that this Bill was introduced last week, on November 21, in another place at 3.30 a.m. It is little wonder that it was introduced on that occasion as the last item on the agenda before another place rose at 4.5 a.m. It is little wonder that we are waiting here, in the last three days of this

current sitting of Parliament, for this Bill to be approved ratifying an agreement, which the Minister said in his second reading explanation was arrived at in May this year between the Commonwealth and State Governments.

The difference that I see between this plan and the original plan deals with the provision of a facility at Mile End. If the Minister could tell me what the difference is between those plans except for the Mile End facility, I would certainly like to hear it. The matter boils down, I believe, to nothing short of a political catastrophe, the result of which is that South Australia has a Government which is willing to play politics to this extent. Year by year since 1970 we have seen this day approaching. Year by year we have been waiting for action and we have been fearful, not only of that loss of time to the State, but also of the huge expense involved.

It has been said that this sum will be provided by the Commonwealth Government, but it is still the people's money (people from the whole of Australia). Some of the money will come from South Australian people through their taxation contributions. On top of that, South Australia must provide 30 per cent of the cost, and this amounts to about $10 000 000. How the people accept this situation I do not know. The Government deserves the strongest possible condemnation for the method by which it has handled this matter. Of course, it is in keeping with the political approach we have seen applied to major transport matters throughout the whole period that the present Government has been in office. I do not want to go through all the examples of that game of politics this Government has played; true, that policy might have got it votes, and I am willing to admit that, but there is more than just getting votes in the management of State affairs.

If the Government had taken a responsible attitude we would have seen different action taken. I criticise this Government as much as I can for this whole situation, and I highlight my belief that the amount of approximately $33 500 000 could have been saved and not wasted if the Government had acted in a responsible manner and got on with its job of proceeding with this most important line, which will ultimately be of great benefit to both South Australia and the nation.

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

FAIR CREDIT REPORTS BILL

In Committee.

(Continued from November 21. Page 2166.)

Clause 4—"Interpretation."

The Hon. R. C. DeGARIS (Leader of the Opposition): I move:

In the definition of "reporting agency" to strike out "or (*b*) upon a regular co-operative basis".

This dragnet Bill catches all people, irrespective of what they do. When one examines legislation applying in other parts of the world, one sees that the normal retail trade, working on a co-operative basis, is excluded. Including the retail trade in the provision would make the legislation so top-heavy that it would be impossible to operate. A retail trader may telephone a competitor and ask, regarding a man who wants to open an account, "How do you get on with him?" The reply may be, "He has been a slow payer." That is as far as it goes. Under the Bill, the Commissioner for Prices and Consumer Affairs has wide powers to examine many kinds of record. Paragraph (*b*) is over-bearing and unnecessary, but the Bill is necessary in connection with controlling reporting agencies, and I intend to move further amendments that will enlarge the scope of the consumer's rights in relation to his file.

The Hon. A. F. KNEEBONE (Chief Secretary): I oppose the amendment, which limits the operation of the Bill. A body of traders could set up a co-operative in such a way that they could be free from the provisions of the Bill. Because the amendment creates a loophole through which one could drive a horse and cart, I oppose it.

The Hon. R. C. DeGARIS: If a group of traders formed a co-operative it would be a reporting agency.

The Hon. A. F. Kneebone: It has to be for fee or reward.

The Hon. R. C. DeGARIS: That is correct.

The Hon. A. F. Kneebone: What if there are no fees?

The Hon. R. C. DeGARIS: It will not occur. If a group of people got together to form a co-operative to provide a service free of charge, we could then look at the matter. I believe that paragraph (*b*) will complicate the whole procedure and create higher costs. Clause 11 gives the Commissioner very wide powers to examine records, irrespective of what they are; the records are not restricted to those relating to creditworthiness. I can see no reason why the practice of businesses talking to one another should be restricted. Reports on American legislation are against this type of restriction.

The Hon. J. C. BURDETT: I support the amendment. The Hon. Mr. DeGaris is trying to exempt the situation where John Martin's, on being asked for credit by a customer, telephones Myer's.

The Hon. A. F. Kneebone: The Hon. Mr. DeGaris has made it wider than that.

The Hon. J. C. BURDETT: I do not think so. The Hon. Mr. DeGaris is trying to exclude that practice from the definition of reporting agency, and I think it should be excluded. Clause 8 provides:

(1) Subject to subsection (2) of this section, a reporting agency shall, on the written application of a person in relation to whom the agency has recorded information, disclose, without charge—

(*a*) all information in its files relating to that person at the time of the request;

(*b*) the sources of information;

(*c*) the names and addresses of any persons to whom a consumer report relating to that person has been furnished within one year preceding the date of the request;

and

(*d*) copies of any consumer report made to any such person, or where the report was made orally, particulars of the contents of that report.

I am informed that, where John Martin's makes a telephone call seeking information, the information is not all in the one place. It is impracticable to include in the definition of reporting agency the harmless practice of retailers reporting to other retailers on what they know about their customers.

The Hon. C. M. HILL: I support the amendment. The Bill should be associated with professional reporting agencies. Those bodies should work to high standards of ethics and business practice, and those are the firms to which this Bill should relate. As I read the amendment, it would ensure that that was the case. If the situation contemplated by the Minister should arise and a group of retailers, for instance, should join together in some kind of co-operative organisation, deciding to pool all their information—

The Hon. R. C. DeGaris: It would be an impossibility.

The Hon. C. M. HILL: Yes, unless it was in fact a reporting agency. I would never accept that information would be given out to the members of that co-operative without fee or reward. We would have the inevitable situation in which one firm would make more inquiries of the co-operative than others. How would costs of distribution and total overhead be considered? It would have to be

done on a principle of fee or reward. Such a provision, in my view, should be in the Bill. While I am not opposed to the firms I have mentioned coming under the control of the Bill, the normal practice of small business, as mentioned by the Hon. Mr. Burdett, of one retailer ringing another for a quick credit check before opening an account while the customer waits at the counter—

The Hon. A. F. Kneebone: The Bill does not stop that. It says only "on a regular basis".

The Hon. C. M. HILL: Large retail stores are ringing each other daily. There is nothing in writing and no confidential information that could be damaging to the customer. A ledger card is looked at in a flash, and all the information given out is the total amount of credit used and whether or not the customer pays regularly. It is given in two minutes, and satisfactory business results because of such a reference. If we are to allow the customer to demand in writing the source of the information, with all the procedures and red tape involved, we are imposing on the business community further work and expense which are not justified. That is why I support the amendment.

The Committee divided on the amendment:

Ayes (11)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, and A. M. Whyte.

Noes (7)—The Hons. D. H. L. Banfield, B. A. Chatterton, T. M. Casey, C. W. Creedon, A. F. Kneebone (teller), A. J. Shard, and C. R. Story.

Majority of 4 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 5 passed.

Clause 6—"Procedures of agencies."

The Hon. R. C. DeGARIS: I move:

To strike out subclause (3).

I do this with some diffidence, but I believe the restriction involved in this clause is not wholly justified. I know what the Government is getting at but, when one seeks a report on a certain person (perhaps for employment), religious or political beliefs may be important. For instance, a secretary may be required at the Trades Hall. A person like myself would not be wanted for that position. Therefore, I think political belief would be something in relation to that business that needed to be known. Again, a person may not want to employ people of a certain religious sect.

The Hon. A. F. Kneebone: This is a consumer report.

The Hon. R. C. DeGARIS: This Bill is so wide-ranging that it covers more than a consumer report. It talks about employment. It also talks about a person who is seeking information from a reporting agency about the employment of another person, about insurance and about a whole range of subjects. The Bill is all-embracing and deals with employment, insurance and health records, and things like that, and it may be that information of a person's religious or political beliefs is important to the person employing him or insuring him. I ask the Committee to vote against inclusion of the subclause.

The Hon. A. F. KNEEBONE: The only thing that the Leader has mentioned is the political beliefs or the affiliation of a certain person; yet he asks us to agree in relation to other reports.

The Hon. R. C. DeGaris: In clause 4 "consumer report" means a communication of credit information or personal information (or both).

The Hon. A. F. KNEEBONE: The Leader objects only to reports on political beliefs, yet he is asking us to delete this subclause and allow information about colour, race or religion to go into a consumer report. A person seeking credit at Myers, or one of the other big stores, may deal with a person there who is opposed to granting credit to a person of a certain race, colour or religion.

The Hon. R. C. DeGaris: He would not hold his job long if he did that.

The Hon. A. F. KNEEBONE: I think it is getting rather close to the bone to have race, colour, religious or political beliefs or affiliations recorded. I strongly oppose the deletion of this clause.

The Hon. J. C. BURDETT: I support the amendment. In the case of credit reports, I do not suppose this sort of thing is recorded anyway. I do not think there is any need to prevent something that has not been an abuse in the past.

The Hon. A. F. Kneebone: You only think that.

The Hon. J. C. BURDETT: I should like to be convinced to the contrary if the Chief Secretary wants this subclause supported. He said that the only thing that the Hon. Mr. DeGaris mentioned was political beliefs. He did not—he also mentioned religious beliefs, which could be of some importance. Supposing a person was seeking to employ someone in a church school. There are many such employees, and surely it would be of significance to know their religious beliefs and it would be legitimate to have an agency report on that.

The Hon. Jessie Cooper: Or they may have no religion.

The Hon. J. C. BURDETT: Yes. These things could be important. Even if a private employer wants to favour people of his own religious or political views, I see no harm in that. However, as the Hon. Mr. DeGaris has said, there are certainly cases where it can be most pertinent to know the political or religious beliefs of a potential employee. I support the amendment.

The Hon. A. F. Kneebone: What about race and colour?

The Hon. J. C. BURDETT: I do not see that race or colour are likely to have much bearing, anyway. I do not know of any case where, for ordinary credit rating, race and colour are recorded, so why prohibit that information from being recorded?

The Hon. R. A. GEDDES: I cannot support the amendment on the arguments put in favour of it. It would be better if words were added that a reporting agency should not include this information unless requested by the trader.

The Hon. R. C. DeGaris: That is exactly what he does. If he called for a credit rating, he would get it. If he called for a report on a person's political or religious beliefs, he would get that report. He does not get a full-scale report containing all the information.

The Hon. R. A. GEDDES: Yes, but a reporting agency can be fairly ruthless if a man's credit rating is not good, and it could throw in for good measure such other information as race, colour, or political or religious beliefs, which can be damaging. The reputation of reporting agencies in other countries is not to their credit. If we are to have this type of control by legislation, I will support the words in the Bill as it stands.

Amendment negatived; clause passed.

Clause 7—"Duty of trader to inform consumers of their use of adverse information."

The Hon. R. C. DeGARIS: This clause provides that, where any trader denies a prescribed benefit or grants a prescribed benefit but not on terms as favourable as those on which he grants similar benefits to other persons, and he has, or has had during the preceding six months, in his possession a consumer report made by a reporting agency in relation to that person, the trader must notify the person to whom the report relates of the fact that he is, or has been, in possession of the report, and of his rights under this section. Subclause (2) provides:

A trader shall, at the request of any person who has obtained, or has sought to obtain, a prescribed benefit from him (whether or not that person has received, or is entitled to, notification under subsection (1) of this section) disclose—

(*a*) the substance of any information contained in a consumer report made by a reporting agency in relation to that person which is, or has been within the period of six months preceding the date of the request, in the possession of the trader . . .

I therefore move:

In subclause (1) to strike out "as soon as practicable, notify the person to whom the report relates" and insert ", at the request of the person to whom the report relates, notify him".

I intend to move an amendment to strike out subclause (2). This will mean that responsibility will rest on the trader only when he is asked by a consumer who has been refused a certain benefit, "Have you a report on me?" Then, the trader must tell him where he obtained the report. By striking out the words "on a co-operative basis", the responsibility should rest on the trader only when the consumer asks him whether or not he has a report on him. A further amendment will allow the consumer direct access to the files relating to him in a reporting agency. This is, I believe, the core of the whole matter.

As the Bill stands, a consumer would not know, until he was refused credit, that a reporting agency had a bad report on him. That is too late. With all the wide dragnet coverage of this Bill, it would not be as effective as it would be as a result of the amendment I intend to move later. A consumer will have the right to go to a reporting agency and see what is recorded on his file, and to ask that it be corrected if it is incorrect. If it is not corrected, he will have recourse through the tribunal or the Commissioner. That would be a better way of correcting an inaccurate report than the method suggested in the Bill, which places a tremendous responsibility on the trader and will increase costs. I wish to remove the responsibility from the trader, except where he is asked by the consumer about a credit report. However, I intend to add a further right for the consumer, enabling him at any time, even before an adverse report is given, to check his file at a reporting agency.

The Hon. A. F. KNEEBONE: I do not see how the amendment will help the consumer, as the Leader is taking away from the consumer the right to ask, "Who gave you the report?"

The Hon. R. C. DeGaris: No, he will have that right under the amendment.

The Hon. A. F. KNEEBONE: He must make a request.

The Hon. R. C. DeGaris: That is so.

The Hon. F. J. Potter: He means under this Act, not under this clause.

The Hon. A. F. KNEEBONE: But the rest of it is being cut out. All a trader must say is, "I have a report." If asked where he got the report or what it states, the trader can say, "I am not required to tell you." How would a person be able to go to an agency and ask to be shown what was in a report if he does not know where the report came from? Under this amendment, he does not have to be told.

The Hon. R. C. DeGARIS: If there is a flaw in my amendment in that regard, I am willing to correct it, as I can see what the Chief Secretary is driving at. My amendments may have overlooked the requirement on the trader to say where a report came from. If that is so, I assure the Chief Secretary that the matter will be corrected, otherwise, the clause would have no validity.

The Hon. T. M. Casey: You would be better to leave the Bill as it is.

The Hon. R. C. DeGARIS: I have no intention of doing that. It is a hopeless Bill, and I am trying to improve it. If the Minister was to do as much homework on Bills as I must do, he would have little reason to complain.

The Hon. A. F. KNEEBONE: The Leader also wants to strike out subclause (2), yet what he has just said he will do is already contained in that subclause. Then, the consumer would have the right to go to a trader and ask, "Have you a report on me?" The trader would have to answer that question.

The Hon. J. C. BURDETT: I do not agree with the Chief Secretary that that is all subclause (2) does. Subclause (1) provides that a person who is denied a prescribed benefit or who gets less than the normal benefit has a right to be provided with the information, whether or not he requests it. However, subclause (2) goes further and provides that anyone who has sought to obtain a prescribed benefit, whether or not he has received it, is entitled to make a request to be provided with information. That goes much too far. I can see no reason why a trader who, having been asked to provide a prescribed benefit, has done so and has operated on the basis of a consumer report from a reporting agency should have to give this information. It is wrong that a person who has received a prescribed benefit should be able to compel a trader to provide him with that information.

I therefore do not agree that subsection (2) does only what the Minister has said it does. The Leader's amendment would be in order if a fairly minor amendment was made to it, although I am not even sure that this would be necessary. It may be sufficient if, say, part of line 19 was deleted and words such as "and the name of the reporting agency which provided the consumer report" were inserted. It would then read "notify the person to whom the report relates of the fact that he is or has been in possession of a report and of the name of the reporting agency that provided the consumer report". Something like that would cover the matter.

The Hon. R. C. DeGARIS: I think the Hon. Mr. Burdett's suggestion is satisfactory. If we struck out "of his rights under this section" and inserted "of the name and address of the reporting agency by which the report was made", we then would cover the whole matter.

The Hon. A. F. KNEEBONE: As we have not been able to sort out this matter, I ask that progress be reported.

Progress reported; Committee to sit again.

Later:

The Hon. R. C. DeGARIS: I now have on file further amendments which I think will overcome the objections to which the Chief Secretary drew my attention.

Amendment carried.

The Hon. R. C. DeGARIS: I move:

In subclause (1), after "he" last occurring, to insert "(the trader)".

This is a drafting amendment.

Amendment carried.

The Hon. R. C. DeGARIS: I move:

In subclause (1) to strike out "of his rights under this section" and insert "of the name and address of the reporting agency which provided the consumer report".

This is a new amendment I have on file since the Chief Secretary drew this matter to my attention.

The Hon. A. F. KNEEBONE: I understand what the Leader is doing. However, this amendment does not satisfy me completely. It satisfies my objection to the fact that, if we strike out subclause (2), there is no way in which the consumer can find out the origin of the report.

The amendment does not contain all that I would like to include, because it does not give the consumer the right to know the substance of the report, which subclause (2) does. All this does is provide that the trader must notify the consumer that he has a report.

The Hon. C. M. Hill: It would have to be a bad report.

The Hon. A. F. KNEEBONE: A trader has a right to refuse credit to anyone whether that person has a report that is good, bad or indifferent.

The Hon. C. M. Hill: But surely a trader would not inquire if he intended to refuse credit.

The Hon. A. F. KNEEBONE: He can refuse a loan on any ground at all. He does not have to have an adverse report on credit. The person could find out whether there was a report.

The Hon. R. C. DeGaris: And he must be told where that report came from.

The Hon. A. F. KNEEBONE: But he has to ask where that report came from, whereas the Bill provides that he will get that information anyway. I spoke against this amendment previously and I still do, because the person does not get the substance of the report from the trader. The Leader has other amendments on file that take away much responsibility from the trader.

The Committee divided on the amendment:

Ayes (12)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, B. A. Chatterton, T. M. Casey, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 6 for the Ayes.

Amendment thus carried.

The Hon. R. C. DeGARIS moved:

To strike out subclause (2).

The Hon. A. F. KNEEBONE: This is a most important clause, and I strongly oppose its deletion. I therefore ask the Committee to reject the amendment.

The Committee divided on the amendment:

Ayes (12)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, C. R. Story, and A. M. Whyte.

Noes (6)—The Hons. D. H. L. Banfield, B. A. Chatterton, T. M. Casey, C. W. Creedon, A. F. Kneebone (teller), and A. J. Shard.

Majority of 6 for the Ayes.

Amendment thus carried; clause as amended passed.

Clause 8—"Duty of reporting agency to disclose information."

The Hon. R. C. DeGARIS: I move:

In subclause (1) to strike out "Subject to subsection (2) of this section".

This amendment and the other amendments that I will move to clause 8 give the consumer a new power that he did not have under the Bill as drafted: he is given access at any time to any reporting agency to see his file and to correct any inaccuracies contained therein. The Bill gave such access to reporting agencies' files only subject to subclause (2). The amendment gives direct access at any time. A person will therefore be able to go to a reporting agency and ask whether any information about him is on file. If the answer is "Yes", he has a right to examine and, if necessary, correct it.

The Hon. A. J. Shard: What if the answer is "No"? What action could he take then?

The Hon. R. C. DeGARIS: Penalties are provided in the legislation for supplying false information. That could happen under the existing provision, anyway. There is nothing to prevent a trader from saying that he has not got a report. This provision forms part of the Federal Act in America, and most academics on this subject believe it is important that persons should have access to records of reporting agencies at any time. It is important, under the gathering pressure of a credit-oriented society, to give a person access to his file in a reporting agency. In any event, South Australia's largest reporting agency already offers this right to people.

The Hon. C. M. Hill: Whether or not they have been refused credit.

The Hon. R. C. DeGARIS: That is so, and the amendments will give a person the right to do this irrespective of whether he has been refused credit.

The Hon. A. F. KNEEBONE: I do not oppose the amendment because, as the Leader has said, a consumer already has the power to go to a reporting agency at any time.

Amendment carried.

The Hon. R. C. DeGARIS: I move:

To strike out subclause (1)(*b*).

In the second reading debate I referred to reporting agencies drawing their information from many sources, often from people with high standing in the community, which is given to agencies with the best of motives. Often people report on people with whom they are working all the time, and it is totally unfair that, where a person tells an agency that his credit rating or history is wrong, the person should have the name of the source given to him. If this occurs, information coming to an agency will dry up, and it is most important in a credit-orientated society that accurate information be available. If this situation arises, it will do irreparable harm to reporting agencies. If a person can show that information is inaccurate, it will be changed. If the agency refuses to change information, the person concerned can have the matter further examined by the Commissioner.

The Hon. A. F. KNEEBONE: I cannot agree with the Leader, because, if the source of the information is not revealed, the same inaccurate information may be given to other agencies. If information is proved to be incorrect, the sources should be revealed so that the consumer can correct it before further inaccurate information is passed on. I oppose the amendment because the person should be told the source of incorrect information.

The Hon. C. W. CREEDON: I am also opposed to the amendment, which is to delete one of the most important provisions in the Bill. Agencies and other bodies that dig up information and pry into the private lives of people for personal gain are not the sort of bodies I would permit at any time. If such bodies had to disclose the source of their information, they would be forced to make every reasonable effect to check it.

The Hon. R. C. DeGaris: They do that now.

The Hon. C. W. CREEDON: I disagree. I will refer to a case where this has never been done, and the people concerned have suffered for years as a result. Many bureaux have the unsavoury habit of collecting information from press reports. This was admitted by the principal of one of the biggest agencies.

The Hon. R. C. DeGaris: The source of that information could be the *Advertiser?*

The Hon. C. W. CREEDON: Yes, the *Advertiser,* the *News,* the *Truth* or any newspaper. Agencies take this information from the press and record it.

The Hon. R. C. DeGaris: Do you object to that?

The Hon. C. W. CREEDON: I certainly do. The information could be in respect of breaking the law, or bankruptcy. When such information is used against people, I totally object, and this Bill seeks to correct some of the existing anomalies. I would prefer to see such bodies banned. Information recorded on files, especially in the case of someone who breaks the law, is held and used forever against that person whenever information about that person is sought. In the case of a bankrupt, it is used for 10 years, although courts overlook bankruptcy at the end of five years. It is grossly unfair that people must pay in this way for a crime or misdemeanour. Once they have paid the penalty, they should be cleared in the name of society, and the matter forgotten. People should not be penalised for silly mistakes made once in a lifetime.

I refer to the position of a young couple with whom I have been involved in respect of a report from an agency. The couple were declared bankrupt in 1968. About 12 months ago they obtained a clearance from the court. They have no other debts and have not committed any misdemeanour in the past six years. Nevertheless, they have been constantly penalised, and they were placed in a most embarrassing situation when they sought to purchase new household appliances and a new vehicle about four years ago. The report on these people was unfair. It contained untrue information, part of which applied to another family.

The credit bureau referred to by the Leader is, I think, the same company involved in this matter. After these people made representations to the bureau concerned, one of the complaints was removed from the file. Although I went with the person concerned to the bureau, I was refused permission to see the file. We could not get it.

The Hon. R. C. DeGaris: They would not give it to you.

The Hon. C. W. CREEDON: The lady concerned was present, and she could not get it either.

The Hon. R. C. DeGaris: Which bureau was it?

The Hon. C. W. CREEDON: It was previously called the MTPA. I believe it has changed its name, but it was located in Currie Street. We were not able to scrutinise the file. I do not know what was on the card, except what was read out to us.

The Hon. R. C. DeGaris: This amendment allows you to do what you complain about not being able to do.

The Hon. C. W. CREEDON: The source of information should be disclosed. The information was incorrect and concerned another family, but it was used against them. About four years ago these people were allowed to purchase a car so long as they had a guarantor for the finance company. Since that time, despite no other charge being levelled against them, they have not been able to buy even little things unless they pay cash, or unless they buy them in another person's name and then pay the bill.

The Hon. R. C. DeGaris: That has nothing to do with the source of the information. That information can be corrected. You referred to prying.

The Hon. C. W. CREEDON: True, and I believe that the name of the person who pried and gave information should be supplied. People have a right to that information. The Hon. Sir Arthur Rymill in speaking on another Bill referred to two people having a telephone conversation, with one person using a tape recorder. Sir Arthur said how unfair this was. In this case, although the people concerned committed no offence, the finance company would not allow them to purchase another car. This trouble has caused the wife to have a nervous breakdown and it has resulted in a serious family disturbance. The reporting agency should be required to supply the source of information.

The Hon. R. C. DeGARIS: I am pleased that the honourable member has contributed to the debate, because his contribution confirms what I have thought about the debate from the beginning. The Hon. Mr. Creedon would like to ban all reporting agencies.

The Hon. C. W. Creedon: I certainly would.

The Hon. R. C. DeGARIS: The honourable member's attitude, if adopted, would result in people finding it difficult to get credit. It is important that we develop a system whereby information passes rapidly to credit providers, in the interests of the consumer. If we do not have that kind of system, credit will be more difficult to obtain and it will take longer to obtain it. The system I am suggesting is more in the interests of the consumer than of anyone else. Under the Bill, a person has the right to go to a reporting agency, check the information on his file and, if it is incorrect, correct it. It would be of no use to anyone to know the source of the information. I therefore believe that my amendment is valid.

The Hon. C. M. HILL: When the Hon. Mr. Creedon went to the agency with his constituent and sought the information, if this amendment had been in force the agency would have been bound to give the complainant all the information. If the complainant had disputed any of the information, he could immediately have told the agency of his rejection of the information on the file. Under the amendment, the reporting agency would immediately look into—

The Hon. C. W. Creedon: It is too late to look into the agency's own sources of information.

The Hon. C. M. HILL: The agency would immediately look at its own information, because it would know that it could be confronted on the following day by the Commissioner for Prices and Consumer Affairs and there would be the possibility of its being fined up to $2 000 if that information was incorrect and was not corrected; that is the effect of the amendment. There is no need to go back to ascertain the source of information: the complainant would simply say, "I dispute this point on my record card in your agency." The agency would immediately investigate that item. If the Hon. Mr. Creedon believes that there is a need to straighten up the records, he can rest assured that it will be done immediately a person goes to the agency and disputes information. The agency would hold to its information only if it was sure it could withstand an investigation by the Commissioner.

The Hon. A. F. KNEEBONE: Without knowing the source of information, the consumer has no way of preventing false information from being given to other people.

The Hon. R. C. DeGaris: How can he stop it under the Bill?

The Hon. A. F. KNEEBONE: If he is given the source of information, he can go to that source and have it corrected there.

The Hon. R. C. DeGaris: There is no power to do that.

The Hon. A. F. KNEEBONE: I am sure that, if a false report was made about me, and I knew where it had come from, I would soon do something about it.

The Hon. R. C. DeGaris: There is no power to do that.

The Hon. A. F. KNEEBONE: Any consumer would want to know the source of information. Otherwise, how could he correct it?

The Hon. R. C. DeGaris: That was answered very effectively by the Hon. Mr. Hill.

The Committee divided on the amendment:

Ayes (11)—The Hons J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, and C. R. Story.

Noes (7)—The Hons. D. H. L. Banfield, B. A. Chatterton, T. M. Casey, C. W. Creedon, A. F. Kneebone (teller), A. J. Shard, and A. M. Whyte.

Majority of 4 for the Ayes.

Amendment thus carried.

The Hon. R. C. DeGARIS moved:

To strike out subclause (2).

Amendment carried; clause as amended passed.

Clauses 9 and 10 passed.

Clause 11—"Powers of inspection."

The Hon. R. C. DeGARIS: I move:

In subclause (1) to strike out "or a trader" and "or trader" twice occurring; and in subclause (2) to strike out "or trader" twice occurring.

What we have done so far is to remove the accent on the trader and place the accent on the reporting agency. The clause deals with the powers of inspection open to the Commissioner in relation to the files of a reporting agency. The files of a trader should not be inspected by the Commissioner or one of his inspectors. This is the main complaint I have read by academics who have written on the Queensland legislation. This amendment will allow the Commissioner to examine the books or files of a reporting agency, but it will be in relation to a complaint laid in relation to a person.

The Hon. A. F. KNEEBONE: Right from the start, the Leader has tried to absolve the trader from any consequences of the Bill. The trader still has responsibilities under the Bill, even though the amendments passed have to a certain extent cut down his responsibility in most areas. The trader is still in a position to tell the consumer that he has not got a report.

The Hon. R. C. DeGaris: He can do that under the original Bill.

The Hon. A. F. KNEEBONE: The amendment will cut out any possibility of anyone examining the situation to see whether he is telling the truth. The trader could get away with a falsehood and no-one could check it.

The Hon. R. C. DeGaris: He can do that under your own Bill.

The Hon. A. F. KNEEBONE: But it provides that the Commissioner may examine the records. The amendment will stop him from doing that.

The Hon. R. C. DeGaris: You have got access to the reporting agency files at all times.

The Hon. A. F. KNEEBONE: How does the inspector get there when the consumer is told by the credit provider that he has not had a report? The Commissioner must check all the different agencies to find whether any has reported against the consumer. The amendment makes it so much harder for the Commissioner to get at the basis of the argument and to find out whether the trader is telling the truth. On that basis, I strongly oppose the amendment.

The Hon. R. C. DeGaris: Under clause 8 a person can go to a reporting agency.

The Hon. A. F. KNEEBONE: Only as a result of going to the trader and finding out that there is a report.

The Hon. R. C. DeGARIS: Under clause 8, a person can go to the reporting agency which must give the names and addresses of any persons to whom a consumer report relating to that person has been furnished within one year preceding the date of the request. The Bill provides strong penalties. If the trader said he had not received a report when the reporting agency said he had, I think the answer to the question is in clause 8.

The Hon. A. F. KNEEBONE: These types of agency will spring up as the result of our modern way of life and the amount of credit being sought. The consumer must go to each one to find out where a report has been made against him. He can go to the Commissioner and say that a trader has refused credit, saying that he did not have a report on the consumer, but having made an assessment on his own behalf. The consumer can ask the Commissioner to look at the matter. The tribunal can say it is reasonable to ask the trader whether he has a report on the person but the amendment is cutting that out.

The Hon. R. C. DeGARIS: No. I refer the Chief Secretary to the provisions of clause 12. A penalty is imposed on the trader for not supplying information to the person who asks whether or not he has received a report. He is liable to a penalty of up to $2 000.

The Hon. A. F. KNEEBONE: How is he ever going to prove that he was given wrong information unless the tribunal looks at it? If the trader is taken out of clause 11 he has not got the power to prove that wrong information has been given.

The Committee divided on the amendments:

Ayes (11)—The Hons. J. C. Burdett, Jessie Cooper, M. B. Dawkins, R. C. DeGaris (teller), R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V. G. Springett, and C. R. Story.

Noes (7)—The Hons. D. H. L. Banfield, B. A. Chatterton, T. M. Casey, C. W. Creedon, A. F. Kneebone (teller), A. J. Shard, and A. M. Whyte.

Majority of 4 for the Ayes.

Amendments thus carried; clause as amended passed.

Remaining clauses (12 to 16) and title passed.

Bill read a third time and passed.

ROAD TRAFFIC ACT AMENDMENT BILL (RADAR)

Adjourned debate on second reading.

(Continued from November 21. Page 2169.)

The Hon. M. B. DAWKINS (Midland): I support the Bill. We have certainly had amendments to the Road Traffic Act this year in dribs and drabs. As the Minister of Health said in his second reading explanation, which was quite long compared with another second reading explanation to which I referred earlier, the Police Department has suspended the use of amphometers because they do not come within the strict meaning of the term "electronic traffic speed analysers" that is used in the Act as it now stands. As the Minister said, clause 5 removes all references to the term "electronic". On examining the Bill and the principal Act, I have found that the Minister has described the Bill fairly accurately, and I have no hesitation in supporting it. The Minister has said that the Bill is urgently needed because of the death toll on the roads. We recently discussed another Bill relating to this matter, and no honourable member would minimise the very great seriousness of the problem. I agree with the Minister's statement that everything possible should be done to keep speeds down to safe limits. Clause 2 provides a definition of traffic speed analysers; it is as follows:

Section 5 of the principal Act is amended by inserting after the definition of "traffic lights" the following definition:

"traffic speed analyser" means an apparatus of a kind approved by the Governor as a traffic speed analyser.

The Hon. Mr. Hill queried the width of that definition. I would imagine that the definition could cover apparatus of any kind. Of course, I am subject to correction, but

I believe that "a kind" is almost equivalent to "any kind". Perhaps the Hon. Mr. Potter will tell me that I should have done a law course.

The Hon. F. J. Potter: If you are interested in that sort of thing.

The Hon. M. B. DAWKINS: And if one can manage it! The definition is very wide and is not subject to any review by Parliament, as it would be if it were subject to the making of a regulation. Clause 3 provides:

The following heading and section are enacted and inserted in the principal Act immediately after section 53 thereof:

Traffic Speed Analysers

53 a. (1) The Governor may, by notice published in the *Gazette,* approve apparatus of a specified kind as traffic speed analysers.

(2) The Governor may, by subsequent notice, vary or revoke any notice under this section.

In this connection, too, the same point applies: a very wide interpretation could be placed on the provision and I agree with the Hon. Mr. Hill's contention. Clause 4 amends section 147 of the principal Act by deferring (according to the explanation) until July, 1976, the operative provisions relating to the weight limits of vehicles as set out in subsections (4) and (5) of that section. The Minister has indicated that a mistake was made and that it should have been "July, 1975", whereas the principal Act up to the present has provided for January, 1975. I suggest that it would have been an improvement if, instead of amending the second reading explanation to conform to the Bill, the Bill had been amended to conform to the second reading explanation! If that had been done, there would have been a further year's deferment of the problems that primary producers will have in connection with the weight of their trucks. The deferral for six months of subsections (4) and (5) of section 147 of the principal Act means that primary producers will not have to concern themselves unduly about the weights carried by their trucks during this harvest. I remind the Minister of subsections (6) and (7), which provide for the necessary exemptions. Subsection (6) provides:

The board may by instrument in writing or by notice published in the *Gazette* exempt any vehicle or vehicles of any class . . .

That provides the necessary exemptions that may be used by the Road Traffic Board in providing for farmers' vehicles travelling to the nearest silo. Subsection (7) spells that out in more detail. I remind the Minister that those two subsections are in the principal Act as well as subsections (4) and (5), and primary producers are concerned that the Road Traffic Board should take due notice of them in due course. Primary producers hope that the provisions will be used in the way in which they were intended to be used for the 1975-76 and future harvest periods. I find nothing objectionable in the Bill. It is necessary, and I have pleasure in supporting it.

The Hon. D. H. L. BANFIELD (Minister of Health): I thank honourable members for the attention they have given this Bill. The Hon. Mr. Hill said, among other things, that he hoped I would give an undertaking that no apparatus other than the amphometer and radar would be used in future without Parliament's first being told. Apart from the equipment presently in use, the only other speed measuring instrument that has been considered in the speed measuring range is "Vascar" (visual average speed computer and recorder), an electronic device that measures the speed of a vehicle between two given points. However, this instrument has been rejected for the time being, and I am in a position to give an undertaking that, should any apparatus be used other than the amphometer and the equipment presently in use, Parliament will be informed. It may not be by way of a Bill, but perhaps by way of a Dorothy Dixer.

The Hon. A. M. Whyte: We may even read it in the paper.

The Hon. D. H. L. BANFIELD: I would not say that.

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

LAND TAX ACT AMENDMENT BILL

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

TARCOOLA TO ALICE SPRINGS RAILWAY AGREEMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 2174.)

The Hon. C. M. HILL (Central No. 2): Seldom does a single public work of such financial and economic magnitude come before this State Parliament for approval. The Bill ratifies the agreement reached between the State and Commonwealth Governments for the completion of the new railway line between Tarcoola and Alice Springs. The Commonwealth Railways is to act as the construction authority and the whole project is estimated to cost $145 000 000, which works out at about $175 000 a kilometre. I think honourable members can understand the expensive construction costs of a railway in such a location as this when one contemplates that figure of $175 000 a kilometre. Although it is most difficult to estimate highway construction costs today, I think it would be about three times the cost of a sealed bitumen highway.

Of the total 830 kilometres, which will be the length of the new line, about 565 km is in South Australia and 265 km in the Northern Territory. The Governor said in his Speech that it was expected that construction would take about five years. I am sorry that the Minister has not responded to the request made last Thursday by the Hon. Mr. Whyte in his splendid speech on this Bill for a map of the proposed route to be placed on the notice board in the Chamber. I do not know whether we can assume that the Minister has lost the map or whether he was not provided with one when he was given the material with which to introduce the Bill. It is a pity, and I believe that members who know that area much better than I would find it most interesting, and indeed it is important to know the intended route of the line as it travels north from Tarcoola to its destination at Alice Springs.

The Hon. A. M. Whyte: The Minister doesn't care where it goes.

The Hon. D. H. L. Banfield: That is far from the truth.

The Hon. C. M. HILL: The debate is not yet over, and perhaps, if the Minister looks in his file, he will be able to find a map, or perhaps something that looks like a map, in which case he could ask the Hon. Mr. Whyte what it was. The economic benefits of the proposal are most important to the State. A reliable transport service will be provided from Adelaide and Port Augusta to Alice Springs, bringing great benefits to the rural and pastoral industries as well as to secondary industries in South Australia serving Alice Springs and the Northern Territory.

If and when the line goes north from Alice Springs to join up with the line running south from Darwin to Birdum, even greater potential benefits will flow. Although that line is a narrow gauge line, I can remember being told (and I believe the information was correct) that, when the Commonwealth Government built the line running from Darwin south to Birdum, the best construction was used and the

sleepers were such that, if there was a need to convert the line to standard gauge, it would have been a matter only of the removal of one line, which could be relaid on the existing track and the existing sleepers. If that was so, it would mean that that conversion would not be as expensive as a complete re-laying of the line would be. I hope that future planning continues so that ultimately there will be a standard gauge rail connection between Alice Springs and Darwin.

It will also have the effect of ensuring for South Australia and South Australian industry the marketing and other economic advantages of serving the whole of the Northern Territory, which will bring a great benefit to South Australia. One reads and hears from time to time of the ambitions that Queensland and other interests on the Eastern seaboard of Australia have for ultimate connection with the Northern Territory but, with the completion of this proposed line, it would seem that in future South Australia will be the region to serve the Northern Territory. Incidentally, the distance from Mount Isa through Tennant Creek north to Darwin is greater than the distance from Alice Springs to Birdum, so from the point of view of distance alone, it would seem that the final rail link into the Northern Territory will probably in that way come to South Australia.

Also, the existing delays that one encounters at Marree and Port Pirie at present will be overcome with the completion of this new rail link. There are some important side effects of the change, especially in regard to the phasing out of the existing Marree to Alice Springs railway line. I hope the Government will give special consideration to the Oodnadatta community and other settlements which are at the moment along the line between Marree and the Northern Territory border. Those people living in these circumstances deserve special consideration from any Government. They are disadvantaged by a rail change of this kind.

Even though an undertaking exists that the standard gauge line will remain between Port Augusta and Marree as long as coal can be transhipped from Leigh Creek, I hope that, after the day of a change in that industry, the railway line to Marree will remain, because it will for all time serve the important pastoral interests in the Far North of the State.

Today, I received a letter from the Nature Conservation Society of South Australia, of which His Excellency the Governor is Patron and Dr. Peter Reeves is President. This is an important association, as I am sure the Minister would agree. Dr. Peter Reeves mentions that unfortunately his association has not had time to look completely at this matter, so I thought it would be proper for me to include in *Hansard* some paragraphs of his letter, and then ask the Minister whether some of the concern that Dr. Reeves expresses here is justified, in the Minister's opinion, and whether the Minister can say whether the Government took all environmental aspects into account when it agreed with the Commonwealth to this route. The letter, under the heading "Environmental impact", states:

> We are not aware of any studies of the environmental impact the construction and operation of this new route will have, which is surprising in view of the commitments to the principles of environmental impact statements made by both the South Australian and Australian Governments. We ask whether you can seek assurances that the environmental impact of the project is properly studied and the findings made public. Some aspects of particular significance would seem to be related to the increased accessibility to a previously remote area with consequent: (*a*) effect on flora and fauna; (*b*) effect on sites of Aboriginal significance; (*c*) possible change of human settlement patterns as a result of the new routing; (*d*) effect on natural drainage patterns with consequent changes in erosion, vegetation, etc.

Then, under the heading "Winning of materials for construction, maintenance or operation", the letter states:

> We are concerned that as worded it does not appear clear to us whether the conditions for winning of materials for construction, etc., imply exemption from the provisions of the South Australian Mining Act. Under the provisions of this Act the Minister is required to take into account the effects of mining activities on flora, fauna, historic sites, etc., in granting exploration licences (V, 30) and mining leases (VI, 34) and we would not feel happy to see a Commonwealth body automatically exempted from such provisions, so we would like to ask that you seek clarification on this point.

I know we have not had, on either side of the Council, since this letter was received and in the short time now at our disposal, enough time to look at these matters as fully as we would like to. Perhaps the Minister could comment on that letter when he replies; I would appreciate his doing so. I am sorry that clause 2(3) provides:

> The Government of the State may do or cause to be done all such acts, matters and things as are necessary to carry the agreement into operation.

I should have liked to see "shall" instead of "may" in that sentence because, once the Bill passes, the Minister of Transport's department in this State should not have the opportunity to hinder construction. In the interests of expedition and finality, it should be left, after the Bill passes, entirely in the hands of the Commonwealth Railways. However, I do not quibble about that further.

Looking at the whole matter overall, I stress the magnitude of the project and its importance to South Australia. It is indeed a major step forward in our national transportation network. It will bring great benefits not only to this State but also to the whole nation. It is evidence of our expansion and progress. I support the Bill.

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

SOUTH AUSTRALIAN MUSEUM BILL

Consideration in Committee of the House of Assembly's message.

(Continued from November 21. Page 2175.)

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

That the Legislative Council do not insist on its amendment No. 4.

The Government considers this legislation important and, indeed, in the interests of the Museum Board. Although it has accepted amendments Nos. 1 to 3 and No. 5, the House of Assembly has not accepted this amendment, as it wants to clarify the scientific and research responsibilities of the Museum Board, responsibilities which have developed since 1939 when the original Museum Act was passed. The board has rightly, and of its own initiative, accepted such responsibilities, although they are not provided for in the existing legislation. It is then necessary that the board's initiative be confirmed by the passing of this Bill. However, because of the changing and as yet not wholly clear role of museums, particularly in relation to environmental and conservation matters, it is essential that flexibility be built into the legislation. This is to ensure that the Museum Board and the Government do not find themselves constrained in using the resources of the museum to the best advantage in the future. This subclause will ensure that such flexibility will exist.

I understand that this legislation was referred to the Museum Board before it was introduced this session and that the board accepted the Bill as it stands, making no alternative recommendations or asking for it to be altered.

The board is therefore happy with the Bill as it stands. This amendment has not been requested by the board and, because museums are now involved in conservation and environmental matters, the clause should be passed as it stands. As the members of the board, who understand the present situation and who are continually handling the museum's affairs, are satisfied with the Bill, I ask the Committee not to insist on this amendment.

The Hon. JESSIE COOPER: I was interested to hear the Minister's lengthy reasons for refusing the amendment. Originally, I expressed the wish that the whole of paragraph (*g*) of clause 13(1) be deleted, as I assure the Minister that last year board members had serious doubts about that paragraph. However, in the last few days of the session last year a compromise was reached by the Hon. Mr. DeGaris moving an amendment which is now the subject of this disagreement. I now refer to a report in today's *Advertiser* headed "Art centres planned in four key regions", part of which is as follows:

> Community cultural centres are planned for key regions as part of a plan to decentralise the arts in South Australia. The centres, designed to complement the Adelaide Festival Centre, would be in Whyalla, Mount Gambier, Noarlunga and Monarto. The Premier (Mr. Dunstan) gave details of the plan at the opening of a symposium on theatre design at the Festival Centre yesterday. He also announced a major expansion of the Art Gallery of South Australia; a new museum building—

I should have thought that, if the Minister was *au fait* with the situation, this decision would have been announced in the Chamber this evening—

> the possible establishment of a school of compositional studies; and moves to encourage alternative theatre groups.

Later, the report continued:

> Mr. Dunstan said new plans for the Art Gallery and museum would create a centre unique in Australia. The Art Gallery would be expanded to include the old barracks building area and the present east and north wings of the museum. The old Legislative Council building would be restored when vacated by the Railways Institute and used to house the gallery's historical collection and parliamentary museum.
>
> The present sculpture courtyard at the gallery would be expanded to include areas on both sides of the barracks building. A new museum would be built. The Premier gave no further details.

The leading article in today's *Advertiser* explains a little further that newspaper's interpretation of the matter, which is naive to a degree. It states:

> The museum, whose educational and scientific functions have for too long been severely restricted by the physical limitations of the present building, is to be replaced. We are not told where the new museum will be, when it will be built or what it will cost, but the firm indication that it is envisaged is nevertheless welcome.

That is apposite to this Bill. The board knows everything! Does it indeed! The leader continues:

> That the Government has no intention, through providing funds, or "taking over" the arts, is made very clear by the Premier. He foresees the establishment of the same tradition of independence, notwithstanding a substantial reliance on Government finance—

and this is the key note—

> as has characterised universities.

Universities are autonomous, as are colleges of advanced education. The Council has considered a series of Bills protecting the autonomy of these institutions, gathering them all under one head; indeed, we had the performance about the school of art, which involved everyone connected with the school of art, when it was suggested that the school be incorporated in a college of advanced education. It did, it became autonomous, and it was gathered into a centre. This situation is the exact opposite. The museum is to be decentralised. It will come under direct Government control, and paragraph (*g*) provides this control. I ask the Committee not to be fooled for one moment.

The Hon. R. A. GEDDES: The Minister said that the museum lacked knowledge of conservation and the environment, and that Ministerial help was needed in this regard. The museum has been the greatest conservator of relics in South Australia. It has been a great perpetuator of the environment as it was before South Australia was settled by the white man. The art gallery, with paintings by Angas, Light, and the early pioneers, provides the only other visual display of the environment as it was when South Australia was first settled. There is no logic in the argument that it is necessary for a Minister to assist the board to promote conservation and the environment. In the second reading debate I referred to autonomy being necessary in relation to education.

On television over the weekend the Premier was seen and heard to say that the museum was the greatest education centre in South Australia. I emphasise the words "education centre". I agree with the Hon. Jessie Cooper's contention that direct Ministerial control is not wise, and control by regulation is not difficult for the Government to implement, because the museum does not operate with great haste and speed. The decisions of the board are long-term decisions, and the decisions the Minister would make if this amendment was lost would hardly make a ripple on the surface, because museums are slow collectors of the historic facts of the nation. If the Government wants to direct the board why cannot it be done by regulation?

The Hon. F. J. POTTER: I have carefully looked at the amendment and I do not really think it is a matter about which we should be greatly concerned. Nothing in the Bill except this matter interferes with the autonomy of the board. I cannot see that it makes much difference whether the board is directed by regulation or by the Minister. The Minister of Agriculture did not make out a case for leaving the matter with the Minister; the arguments could apply equally for assignment by regulation.

Looking at the situation from that side, there is not much advantage in assignment to the board by regulation. What is meant by "function"? I believe it means "activity", and the subclause really means that the board is to perform some other activity of a scientific, educational or historical significance. Whichever way it is, the board is given some additional activity. What would that be? Perhaps it is to be some artistic or conservational work. I do not believe there is anything to worry about here. Assigning an additional activity to the board does not mean the board cannot carry out that activity in its own way; the Minister cannot direct the board about how it is to carry out an activity. The board is merely assigned an activity by the Minister. Perhaps the museum will go into an activity that is not specifically scientific, educational or historical.

The Hon. C. M. Hill: The board would be bound to perform once it was assigned such a function.

The Hon. F. J. POTTER: The board can say, "Our terms of reference are expanded. We have another activity, and we can undertake it in our own way. How we choose to do so is our own business." It is like saying that there is an additional paragraph in the terms of reference of a Royal Commission. I do not know what the argument is about, because I do not believe it is important whether the control be by the Minister or by regulation, but the Minister did not make out a good case one way or the other.

The Hon. R. C. DeGARIS: I agree entirely with what the Hon. Mr. Potter has said. When the original amendment was moved to strike out paragraph (*g*), the Government become most upset and, to try to achieve a compromise, I suggested the word "regulation", which I thought would overcome the argument and the disagreement between the line taken by the Hon. Jessie Cooper and that taken by the Government. The Minister has made no case either way. I have a subtle philosophy that, when the Government opposes an amendment such as this, there must be some other reason for its being so strongly opposed to control by regulation. No explanation has been given about why the Government is so strongly opposed to the functions of the Museum Board being expanded by regulation. This place took a very strong stand on the Land Commission Bill, which set out the functions of the commission. The Bill provided that the Minister responsible—

The Hon. A. F. Kneebone: I am responsible for that legislation.

The Hon. R. C. DeGARIS: I would not have opposed it so strongly if I had known that. The Bill provided that the Minister responsible had the right to assign further functions to the commission. This place took the view that the Minister should not have the power to extend the functions of a commission that was set up by Parliament: Parliament should have a say in any extension of those functions. The Hon. Mr. Potter may be correct in saying that the Minister may assign other functions to the board, which may not have to follow the Minister's direction; nevertheless, because the Government is responsible for finance, pressure can be placed on the board to carry out the newly assigned functions. I therefore strongly support the view that this place should insist on the functions being extended only by regulation, because that is a just compromise. My absolute opinion is that Parliament should extend the board's functions only by an alteration to the principal Act. I am strengthened in my view because the Government appears to have over-reacted to our amendment.

The Hon. T. M. CASEY: When one has the numbers, one can say anything and give the impression that there is a nigger in the woodpile.

The Hon. R. C. DeGaris: You have the numbers in the House of Assembly.

The Hon. T. M. CASEY: The House of Assembly is the Government, and the Government drafts the Bill. The Leader is acting in the Government's role: he is telling the Government what it can do and what it cannot do. There is no nigger in the woodpile. The Hon. Mr. Potter has said that it does not make any difference. A matter is to be assigned to the board: no direction is to be given. The Leader has said that Parliament should know what the assignments are, but I point out to him that Ministers give many assignments to boards.

The Hon. R. C. DeGaris: Tell me one other Act under which a Minister can increase the functions of an established board.

The Hon. T. M. CASEY: Offhand, I cannot think of one.

The Hon. R. C. DeGaris: There isn't one.

The Hon. T. M. CASEY: If I liked to look at the entire situation, no doubt I could come up with one. It does not make sense to say that Parliament should know what assignments are given to the board. The Government has bent over backwards—

The Hon. F. J. Potter: More money could be involved.

The Hon. T. M. CASEY: I think there is more to this matter than has come out in the debate.

The Hon. R. C. DeGaris: I agree.

The Hon. T. M. CASEY: It makes me wonder why the Opposition is insisting on this amendment, which is not nation-rocking. I think the Government is justified in insisting on its viewpoint. I can see no skeletons in the cupboard. There could be more to the reason why the Hon. Mrs. Cooper made a plea on behalf of the board in connection with the original Bill; she said that the board did not want this. However, having been shown the Bill, the board agrees with it. It is the board members who will be closely involved in the Bill.

The Hon. R. C. DeGaris: And Parliament determines their functions.

The Hon. A. M. Whyte: And the taxpayer pays the bill.

The Hon. T. M. CASEY: If the board has a sum of money allocated to it and if more work is assigned to it, the board may not be able to do that additional work with the finance provided. It could be a scientific assignment or an environmental study.

The Hon. Jessie Cooper: It might be an order to sell precious articles.

The Hon. T. M. CASEY: That would be a direction, not an assignment.

The Hon. R. C. DeGaris: The Minister could assign to the board the right to sell things it had.

The Hon. T. M. CASEY: The Government would very much like this Bill to be passed in the form in which it was introduced, but it has accepted the amendments of this place, with one exception. The Minister reserves the right to assign functions to the board. Because the board is completely happy about this situation, I ask the Committee not to insist on its amendment.

The Hon. M. B. DAWKINS: I believe that the Committee should insist on its amendment. Clause 13 provides:

> The functions of the board are as follows: . . .
> (*g*) To perform any other functions of scientific, educational or historical significance that may be assigned to the board by the Minister.

The clause does not say that the board "may" perform functions: it says that the functions of the board "are to perform".

The Hon. F. J. Potter: I said that the board could put its own priority on the matter.

The Hon. M. B. DAWKINS: May be. The fact that the board is under the direction of the Minister in connection with financial assistance puts pressure on the board. If the assignments are moderate and reasonable and if they come before Parliament in the form of regulations, there will be no problem. I cannot see why the Government is so anxious to have these additional powers and functions assigned by the Minister without the knowledge of Parliament. This is not desirable. I support the contention of the Hon. Mrs. Cooper.

The Committee divided on the motion:

> Ayes (6)—The Hons. D. H. L. Banfield, T. M. Casey (teller), B. A. Chatterton, C. W. Creedon, A. F. Kneebone, and A. J. Shard.
>
> Noes (12)—The Hons. J. C. Burdett, Jessie Cooper (teller), M. B. Dawkins, R. C. DeGaris, R. A. Geddes, G. J. Gilfillan, C. M. Hill, F. J. Potter, Sir Arthur Rymill, V G. Springett, C. R. Story, and A. M. Whyte.
>
> Majority of 6 for the Noes.

Motion thus negatived.

PUBLIC FINANCE ACT AMENDMENT BILL

In Committee.

(Continued from November 21. Page 2171.)

Clause 2—"Grants from Commonwealth."

The Hon. R. C. DeGARIS (Leader of the Opposition): I have placed an amendment on file, but I do not intend to proceed with it. I have looked at the Bill over the

weekend and I am satisfied that, in my opinion anyway, the fears I expressed last week cannot be substantiated. The Bill used the word "expenditure", and I do not think the Government could pay money out of the fund where a verbal promise had been made by the Prime Minister to the Treasurer that certain money would be coming to South Australia and it did not eventuate. I think it must be the expenditure of money that has been approved by the Commonwealth; therefore, I think the fears expressed last week cannot be substantiated. Nevertheless, I should like the Chief Secretary to say that what I am saying is correct and that the Government has no intention of using this fund for that purpose.

The Hon. G. J. Gilfillan: How is the fund to be set up?

The Hon. R. C. DeGARIS: There is no fund to be set up. It will appear as a debit in the Treasury account where an amount has been approved by the Commonwealth. The deficit of the State may appear less, but there is always a debit in the other account where expenditure has been approved by the Commonwealth. I should like the Chief Secretary to assure me that my views are correct and that the Government does not intend to use this fund as a means of expending money or even drawing money on a verbal promise made by the Prime Minister some two or three months ago.

The Hon. A. F. KNEEBONE (Chief Secretary): I said previously that the promise of money or the availability of money would have to be certified before the money could be expended, and I believe that is true. I think that what the Leader has said is completely true and that money would not be spent on verbal promises. It would have to be something stronger than a verbal promise before the money could be expended.

The Hon. R. C. DeGARIS: The more I talk about it, the more suspicious the Chief Secretary makes me. We had a Budget document that included a revenue item of $6 000 000. It was unprecedented in the history of this State that a verbal promise made by a Prime Minister to a Treasurer (and we can only assume that that verbal promise was made; there is no substantiation for it and no written document) was included in the Budget. A person who will include a verbal promise as a revenue item in the Budget is quite capable of signing a certificate. That is the point that has worried me right through with this measure. All I want the Chief Secretary to say, quite categorically, is that the Government does not intend to use this fund as a means of drawing money and debiting that account on a verbal promise given, say, by the Prime Minister to the Treasurer. I suspect that the Treasurer could now, with a big deficit, show the public that that deficit was not nearly as great as it was by drawing from other accounts (although the debit is there) an amount of money equal to that promised by the Prime Minister to the Treasurer. I want a categorical denial from the Government that it does not intend to use that account for that purpose.

The Hon. A. F. KNEEBONE: The Treasurer would not be likely to do such a thing again, but the Leader wants me to say categorically that the Government would not use money that was promised by the Prime Minister. I do not know whether the Leader has attended Loan Council meetings or Premiers' Conferences, but he would know that money is promised to the States at those conferences. Money was promised by the Prime Minister to the State.

The Hon. R. C. DeGaris: Isn't there a signed document?

The Hon. A. F. KNEEBONE: I have not yet attended a Premiers' Conference.

The Hon. G. J. Gilfillan: I should imagine a record would be kept.

The Hon. A. F. KNEEBONE: I should think so. However, I do not want to say something and be tied to that statement. I should imagine there would be more than a mere promise. If money was promised to the State, I think we could operate on that basis, but not on a promise similar to this last one, although I understand it came out of the Premiers' Conference.

The Hon. R. C. DeGaris: But there was no documentation?

The Hon. A. F. KNEEBONE: There was not.

The Hon. R. C. DeGaris: Will that money be debited to this account?

The Hon. A. F. KNEEBONE: No. That is why we have taxation measures before us from which members opposite are endeavouring to slice cuts at the moment. The money was not available; therefore, we must provide some other type of revenue to take its place. I do not want to get into the position where I am telling the Leader that, as a result of the Premiers' Conference, money is promised to us and then we do not get it. If, as a result of the Premiers' Conference, a certificate comes forward, we can spend the money but, unless we get that certificate, we cannot spend it. We have not spent the $6 000 000, because we have not got it That is why we are introducing taxation legislation, and the Leader has amendments on file to chop out additional revenue.

Clause passed.

Title passed.

Bill read a third time and passed.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 21. Page 2171.)

The Hon. A. F. KNEEBONE (Chief Secretary): In the second reading debate, the Hon. Mr. Geddes asked me a question on clause 2, which amends section 14 of the principal Act. It provides:

Section 14 of the principal Act is amended by striking out (*c*) from subsection (2) and the word "and" immediately following that paragraph and inserting in lieu thereof the following paragraph and word:

> (*c*) the committee has reported to the Treasurer that, in its opinion, the giving of the guarantee will be in the public interest and has recommended that the guarantee be given: and.

"Public interest" is the criterion for the maintenance of employment and recognition of award rates of pay. The maintenance or the increase of employment can be regarded as one of the elements of "public interest". It was only after the Parliamentary Council had considered the matter that it was found that these words were unnecessary; that is why the clause was framed in this way, referring only to "public interest".

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Guarantees."

The Hon. R. A. GEDDES: I thank the Chief Secretary for replying to a question I asked during the second reading debate. I raised the matter because of the words "in the public interest". I thought the Industries Development Committee should have as many guidelines as possible to help it make difficult decisions. I thought a broad interpretation clause was needed. However, the Chief Secretary's explanation satisfies me.

Clause passed.

Remaining clauses (3 and 4) and title passed.

Bill read a third time and passed.

BUSINESS FRANCHISE (PETROLEUM) BILL

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

The Hon. A. F. KNEEBONE (Chief Secretary): I point out to honourable members that a minor alteration has been made to clauses 29 and 30 of the Bill to which I will draw attention during my second reading explanation.

The Hon. Sir Arthur Rymill: Have you a copy of the Bill?

The Hon. A. F. KNEEBONE: There are copies of the House of Assembly Bill in the Chamber, and I should have expected them to be distributed by now.

The Hon. Sir ARTHUR RYMILL: I rise on a point of order, Mr. President. I would have liked to follow the Bill as the Minister proceeded with his second reading explanation. However, I do not want to delay the proceedings.

The Hon. A. F. KNEEBONE: As I see that the Bill is now being distributed to honourable members, I move:

That this Bill be now read a second time.

It establishes a system of licensing for sellers of petroleum products as defined. If this measure is enacted, it will provide additional revenue of about $9 000 000 this financial year and $19 000 000 in a full financial year. Nevertheless, it is introduced into the Council with a great deal of reluctance. On previous occasions the Treasurer has spoken of the unsatisfactory Budget situation that presently confronts this Government—a situation that has developed since the Premiers' Conference last June when the Australian Government announced that the established practice of providing supplementary financial assistance, in addition to the general purpose grants made in accordance with the tax reimbursement formula, would be discontinued for the 1974-75 financial year.

As honourable members know, the Treasurer expressed in the strongest possible terms his concern at that decision. He pointed out that the State's financial resources were being strained to the utmost at a time when the State Budget was not only required to meet demands for improved social services and provide matching finance for a considerable range of important Australian Government initiatives, but also was under severe pressure from wage increases that impact heavily on the Budget even after allowing for reimbursement under the formula and the resultant increase in pay-roll tax revenues.

From subsequent discussions that the Treasurer had with the Prime Minister, he believed he had an undertaking that some additional financial assistance would be provided and, on that basis, included an amount of $6 000 000 in the 1974-75 Revenue Budget, which provided for a deficit of $12 000 000. That assistance has not eventuated. As the Treasurer pointed out earlier, the cumulative impact of larger than expected wage increases, of a down-turn in revenue from stamp duties and other forms of taxation and the difficulty of holding expenditure to Budget in the face of price rises means that the prospective deficit for 1974-75, even had an additional grant of $6 000 000 been provided, could be as high as $30 000 000. Unless we take steps now to legislate to collect an additional amount of revenue to deal with this position, our deficit will be so much more—and this the Government is not willing to contemplate.

Whilst that is the invidious situation which now faces the State, the Government is nevertheless concerned at the clear inflationary effect of this Bill and is deeply conscious of the anomalous position into which it is being forced in that it must introduce legislation of this nature at a time when all available evidence suggests that some relief from indirect taxation is one of the more important methods of stimulating the economy. In this regard the Treasurer would make it quite clear that even at this late stage his Government would not proceed with this Bill, and also a Bill to be introduced later this session to license retail tobacco sales, if Australian Government assistance is made available to the extent foreseen by these taxing measures. However, in the absence of that assistance we are left with no alternative but to proceed with these measures. Turning now to the Bill itself, there are several general comments I should like to make before considering its specific provisions.

The Bill follows closely recently enacted New South Wales legislation. It is regrettably a somewhat complex enactment but this complexity largely arises from the constitutional restraints within which this State, in common with the other States, is obliged to legislate in this field. In substance, the annual licence fee proposed under the Bill has two components (*a*) a flat fee common to all licences of a particular class, and (*b*) a fee broadly based on sales of petroleum products during a period antecedent to the period of the licence. This method of licence fee calculation has been held to be a valid exercise of the constitutional powers of the State. It is clear that until Victoria enacts legislation to the same effect regard must necessarily be had to the position of our "border areas". For this purpose, provision is made for "zoning" to ensure that by varying licence fees from zone to zone the competitive position of the traders in these areas, *vis-a-vis* their interstate competition is preserved. Finally, the scheme of legislation given effect to by this Bill envisages the preservation in full force and effect of the Motor Fuel Distribution Act, 1973-74.

Clauses 1 to 3 are formal. Clause 4 sets out definitions of expressions used in the Bill. The use of the nine classes of licence defined in this clause is dictated by constitutional considerations and the complex sales structure of petroleum products. The attention of honourable members is drawn to the provision, in the definitions of class 2, class 5 and class 8 licences, to the effect that these classes of licence are not appropriate if sales to non-licensees are less than a minimum to be prescribed in relation to a petroleum product. This is intended to ensure that an oil company, for example, has a separate licence authorising its sales of such products directly to the consumer. "Petroleum products" are defined in such a way as to include, in addition to greases derived from petroleum, any liquid wholly or partly derived from petroleum. However, petroleum bitumen, mineral pitch and mineral tar are excluded. Provision is made for the exclusion of other substances by regulation. This power will be exercised in appropriate circumstances. "Relevant period" is the period in respect of which the licence fee is assessed and is fixed as a period antecedent to the period for which the licence will be in force, again for constitutional reasons.

Clause 5 is intended to ensure that this measure does not affect the application of existing legislation applying in this area. Hence the operation of the Motor Fuel Distribution Act, 1973-74, will not be affected. Clause 6 provides that the Commissioner of Stamps shall administer the measure. Clause 7 establishes a tribunal to hear appeals relating to licences and licence fees, and Clause 8 provides for the appointment of a registrar of the tribunal. Clause 9 makes provision for the appointment of inspectors, and Clause 10 confers on inspectors appropriate powers necessary for enforcement of this measure. Clause 11 prohibits the sale of petroleum products by unlicensed persons and at subclause (2) exempts from the licensing requirement persons whose sales of petroleum products are of a prescribed class

or kind. This power of exemption by regulation should allow the flexibility necessary for administration of the measure.

Clause 12 provides for the nine classes of licence adverted to in the description of clause 4. Clause 13 provides that a licensee who sells petroleum products otherwise than as authorised by his licence commits an offence. Subclause (2) of this clause is intended to ensure that, for example, a licensee operating a petrol station does not commit an offence against subclause (1) by selling motor spirit to another petrol station operator in his role as a motorist. Clause 14 fixes the fees for the nine classes of licence and provides for assessment by the Commissioner of the amount of fee payable by applicants for licences. Subclause (1) of this clause ensures that the percentage component of the fee is payable only in respect of sales during the relevant period of petroleum products for use or consumption. It is pointed out, however, that, in order to simplify the administration of the measure by the Government and licensees, the Government intends to exercise the powers of exemption by regulation so that percentage component is payable by the first sellers in the State, the oil companies, in respect of their sales of certain petroleum products. In subclause (15) of this clause provision is made for reduction of the fee in the case of licences which will be in force for less than the full licence year.

Clause 15 empowers the Commissioner to require a person carrying on the business of selling petroleum products to furnish particulars relating to his sales, purchases or stocks of, or dealings with, petroleum products. Clause 16 provides that the Minister set the value of petroleum products on which the percentage fee is based. This is left to the discretion of the Minister and not strictly related to the prices of products for the reason that after consultation with the oil companies it is intended to set values in relation to classes of products in order to simplify administration.

Clause 17 makes provision for the reduction of fees in respect of petroleum products delivered in zones declared by the Minister. As has already been stated, this is intended to preserve the competitive position of retailers located near the borders of the State. Clause 18 provides for payment of the fees by quarterly instalments. Although the Government is aware that even a quarterly instalment of the fee may be a considerable burden for licensees, it considers that it is not advisable for constitutional reasons to increase the number of instalments by which fees may be paid.

Clause 19 makes provision for the grant of licences by the Commissioner. It should be noted that the fee, or the first instalment of the fee, is payable before applications for licences can be granted. Clause 20 provides for annual renewal of licences. Clause 21 provides that a licence ceases to be in force, if it is surrendered by the licensee or if an instalment of the fee, or an additional amount payable as a result of reassessment of the fee by the Commissioner, is unpaid. Clause 22 provides for reassessment of licence fees by the Commissioner. Clause 23 provides for the transfer of licences. Clause 24 requires persons carrying on the business of selling petroleum products to keep for five years such records relating to their business as are prescribed by regulation. Subclause (2) of this clause provides for disposal before the expiration of the five-year period of records of liquidated companies or pursuant to the permission of the Commissioner. Clauses 25, 26 and 27 provide for appeals to the tribunal against refusals of licences or transfers of licences or against assessments or reassessments of licence fees. Clause 28 is intended to ensure that information relating to the commercial affairs of licensees obtained by virtue of this measure is not improperly disclosed.

Clauses 29 and 30 were amended in another place. Clause 29 now provides that a person required to provide information pursuant to this measure commits an offence if the information is false or misleading. Clause 30 (previously clause 29) provides the usual protection for officers acting in pursuance of this measure. Clause 31 is an evidentiary provision. Clause 32 provides that offences against this measure be heard by courts of summary jurisdiction. Clause 33 is the usual provision subjecting the officers of bodies corporate convicted of offences to personal liability in certain circumstances. Clause 34 provides for service of documents and notices by post. Clause 35 empowers the making of regulations.

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

ADJOURNMENT

At 10.40 p.m. the Council adjourned until Wednesday, November 27, at 2.15 p.m.