

LEGISLATIVE COUNCIL

Tuesday, February 3, 1976

The PRESIDENT (Hon. F. J. Potter) took the Chair at 2.15 p.m. and read prayers.

ASSENT TO BILLS

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

Aboriginal Lands Trust Act Amendment,
Acts Interpretation Act Amendment,
Adelaide Festival Theatre Act Amendment,
Administration and Probate Act Amendment,
Architects Act Amendment,
Coast Protection Act Amendment,
Community Welfare Act Amendment,
Family Relationships,
Fisheries Act Amendment,
Guardianship of Infants Act Amendment,
Industrial Conciliation and Arbitration Act Amendment (Moratorium),
Lottery and Gaming Act Amendment,
Monarto Development Commission (Additional Powers),
Municipal Tramways Trust Act Amendment,
National Trust of South Australia Act Amendment,
Prisons Act Amendment,
Public Finance Act Amendment,
Public Service Act Amendment,
Sex Discrimination,
South Australian Railways Commissioner's Act Amendment,
Statute Law Revision (Hospitals),
Surveyors,
Wrongs Act Amendment.

**CONSTITUTION ACT AMENDMENT BILL
(COMMISSION)**

The PRESIDENT: The Governor informs the Legislative Council that Royal Assent was proclaimed regarding the following Bill on January 22, 1976:

An Act to amend the Constitution Act, 1934, as amended.

DEATH OF FORMER MEMBERS

The Hon. D. H. L. BANFIELD (Minister of Health): It is with profound regret that I draw the attention of honourable members to the lamented death, since the last sitting, of Messrs. James Rankin Ferguson and Horace Cox Hogben, two former members of the House of Assembly. The late Mr. James Ferguson represented the House of Assembly electorates of Yorke Peninsula from 1963 to 1970 and Goyder from 1970 to 1973 and was highly respected by all members of this Parliament. He represented the South Australian Branch of the Commonwealth Parliamentary Association at a conference in Wellington, New Zealand, in 1971, and was captain of the Parliamentary Bowling Club from 1968 to 1973. He was a successful farmer on Yorke Peninsula and capably represented that area in the Parliament.

The late Mr. Horace Cox Hogben represented the House of Assembly electorate of Sturt from 1933 to 1938 and played an important part in the inauguration of the South Australian Housing Trust. He was highly respected in the business community of South Australia and was a successful accountant.

It is appropriate that we place on record the Council's appreciation of the outstanding public service of these

deceased gentlemen and extend to their relatives the sincere sympathy of honourable members. I ask honourable members to stand in silence in their places as a mark of respect to their memory after which the sitting will be suspended until the ringing of the bells.

Honourable members stood in their places in silence.

[Sitting suspended from 2.20 to 2.30 p.m.]

QUESTIONS**PAY-ROLL TAX**

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

Leave granted.

The Hon. R. C. DeGARIS: When the Pay-roll Tax Act Amendment Bill was considered in this Council last year it was generally understood that concessions would be available to employers in relation to the payment of pay-roll tax. However, the information I have available to me is that the Government will be increasing the revenue it derives from the application of the new pay-roll tax rates. Will the Chief Secretary take up this matter with the Premier? How much increase in revenue will this Government obtain as a result of the recent amendments to the Pay-roll Tax Act?

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

MODULOCK

The Hon. C. M. HILL: I have several questions to ask of the Minister of Agriculture and Forests concerning the recent announcement by the Government of its plan to enter into an agreement to construct 300 houses with Modulock (N.Z.) Limited. First, can the Minister say who are the directors of Modulock (N.Z.) Limited?

The Hon. B. A. CHATTERTON: The Managing Director of Modulock (N.Z.) Limited is Mr. Terry Calkin, and the two directors of that company are Mr. Frank Carter and Mr. David King.

The Hon. C. M. HILL: Secondly, can the Minister say what financial consideration was paid by the State for the sole Australian rights to the patent designs held by the New Zealand company?

The Hon. B. A. CHATTERTON: Modulock (Australia) Limited is a joint venture between the South Australian Woods and Forests Department and Modulock (N.Z.) Limited. This is a 50/50 joint venture, and the point raised by the honourable member is included in the contribution that is to be made by the New Zealand company. The capital structure of the new company is about \$400 000.

The Hon. C. M. HILL: Thirdly, did the Government in its efforts to market radiata pine from the South-East consider asking South Australian architects and building designers to submit plans for intended modular housing? Does the Government fully appreciate that skilled South Australian workers in this field are currently facing serious unemployment?

The Hon. B. A. CHATTERTON: Before entering into this joint venture the Woods and Forests Department took a thorough study of all the modular housing systems available and it selected this one as being the most suitable. I hasten to point out that not all timber from the department's mills in the South-East will be used in this venture: only a small proportion of the output will be used, and there will be plenty of opportunities for private

designers and builders to continue working in the housing industry. Only a small proportion of the total amount of timber produced by the State-owned sawmills will be going through this new factory.

The Hon. C. M. HILL: Fourthly, does the Minister really believe that in light of the Australian public's rejection of socialism in the Commonwealth election of December 13, 1975, this move to enter the house building industry in South Australia will be either welcomed or profitable?

The Hon. B. A. CHATTERTON: I am convinced that it will be welcomed and profitable. It is a misunderstanding of the situation to say that the department is entering into a house building venture, anyway. The new factory will be producing components, which will be sold to the building industry for erection as housing. It is not a transportable home factory or anything of that type that is being planned at Mount Gambier: it is an industrialised system of housing components for use in the building industry.

The Hon. C. M. HILL: My last question is: is there any political motive in the Government's plan to choose Mount Gambier as the site for the factory for the \$1 000 000 manufacturing plant for this project?

Members interjecting:

The PRESIDENT: Order!

The Hon. B. A. CHATTERTON: The reason for choosing Mount Gambier as the site for the factory is two-fold: first, it is very useful in terms of decentralisation of employment within the State, which has long been the policy of this Government; and, secondly, it is an obvious choice because of the economies that will be produced by having a fully integrated timber complex. I should explain to the honourable member how this works. The by-products, the waste products, from the factory can be utilised within the timber industry in Mount Gambier. This has already happened with the finishing processes undertaken by the State Government sawmill in Mount Gambier. The waste products—sawdust, off-cuts, shavings, etc.—are used for panelboard manufacture and for making into paper. This factory is a continuation of that process, and certainly it will make great economies in the manufacturing of similar products within the Mount Gambier area.

The Hon. R. A. GEDDES: Can the Minister of Agriculture say whether, when the Modulock company is in operation, the Housing Trust will be directly involved in its operations or will the Housing Trust, if it wishes to construct such houses, have to purchase them from the company?

The Hon. B. A. CHATTERTON: The Housing Trust will be involved in the venture in two ways: first, as the builder of the factory and in the leasing of it to Modulock (Australia), just as it does in many other commercial ventures; secondly, the Housing Trust will be a purchaser, as the honourable member pointed out, of the modular housing components. There will be other purchasers, too, and they will purchase on the open market in the same way as members of the public will.

POLICE PENSIONS

The Hon. J. C. BURDETT: I seek leave to make a statement prior to directing a question to the Chief Secretary.

Leave granted.

The Hon. J. C. BURDETT: On September 16 of last year (at page 733 of *Hansard*) I directed to the Chief Secretary a question relating to the Police Pensions Act Amendment Bill and asked when it could be expected to be introduced. The Chief Secretary told me on that occasion

in the Council that he hoped the Bill would be introduced during the present session of Parliament. Is it expected that the Bill will be introduced during this session? My reason for asking the question is that, as I explained at that time, many police officers had asked me when it would be introduced. Some of them were due to retire and were worried about when the police pensions scheme would be changed and what their position would be. Since then, I have had many similar queries. Is it expected now that the Bill will be introduced during this session of Parliament?

The Hon. D. H. L. BANFIELD: I am not in the habit of going back on my word. As to whether or not the Bill will be introduced in this session of Parliament, I understand that notice will be given in another place today for the introduction of the Bill. I look forward to the Bill coming into this Council and hope that, with the assistance of the honourable member, it will have a speedy passage.

FISHING BOATS

The Hon. J. A. CARNIE: I seek leave to make a brief statement before directing a question to the Minister of Agriculture.

Leave granted.

The Hon. J. A. CARNIE: The Minister will be aware that it is the recommendation of the Prawn Advisory Committee that the most economical size of prawn trawler, from the point of view of both the fishery and the boat owner, is a 55ft. vessel. The Minister will also be aware that vessels in the industry at the moment range from 45ft. to 85ft. The position is that, when an owner wishes to replace his boat (if it is, say, 65ft. long), he can replace it only with a 55-footer. However, the committee also states that if a boat is less than 55ft. it can be replaced only with one no larger. In other words, if the owner of a 45ft. trawler wishes to replace it, he can replace it only with a 45-footer. This is an anomalous situation wherein present owners of larger vessels will remain owners of larger vessels and so will have an advantage over others in the same industry. In a controlled fishery, it seems to me that everyone who is granted a licence should be granted it on equal terms. How is it that such a situation was allowed to occur, and will the Minister take steps to correct it?

The Hon. B. A. CHATTERTON: The situation as outlined by the honourable member is correct. The policy of the Prawn Advisory Committee is that the size of the larger boats should be reduced to 55ft. as the result of the survey shows that this has been proved the most economical size of boat to operate in terms of the relationship between the catch and the cost of catching it. If all boats were allowed to go to the maximum size, the committee would be disturbed in case the increased amount of effort resulting from the increase of the smaller boats to the larger size would increase the catch beyond what could be sustained by the fishery. That is why the smaller boats have been required to remain as smaller boats, while the larger boats come down to 55ft. The concern is that allowing the boats to become larger would increase the catch beyond what the fishery could sustain. That is the recommendation put to me by the Prawn Advisory Committee.

CAVEATS

The Hon. R. C. DeGARIS: I seek leave to make a brief statement before directing a question to the Chief Secretary.

Leave granted.

The Hon. R. C. DeGARIS: I hesitate to raise this matter in the Chamber, because for some time I have been working on the request with the department concerned. In Kingston, in the South-East, a house was purchased some years ago for the use of a doctor. The doctor left the house many

years ago, but a caveat remains on the title. The house is unoccupied and has been so for a long time, but no-one can do anything about it. I believe the matter has been thoroughly investigated by the Attorney-General's Department and that all that is required is that a hybrid Bill should be introduced (I can assure the Chief Secretary that it would receive a quick passage through this Council) to remove the caveat on the title so that a wasting asset can be sold and the money used for health purposes in the Kingston area. Will the Chief Secretary take up this matter to see whether such a Bill can be introduced during this session as a matter of urgency in relation to the sale of the house to prevent a further deterioration of the asset existing in this house at Kingston?

The Hon. D. H. L. BANFIELD: This matter has been discussed in Cabinet and, while we see the wisdom of the point raised, we are not sure that we will be able to get a Bill through during this session of Parliament. However, the matter is being looked at.

The Hon. R. C. DeGaris: It will not take very long, I can assure you.

The Hon. D. H. L. BANFIELD: It is a matter of the drawing up of the Bill, and so on. I will see what can be done.

The Hon. N. K. FOSTER: I take it that the question of the Hon. Mr. DeGaris related to one specific property. I ask whether the operation of caveats generally should not be looked at by the appropriate department, because they can impose considerable hardship on innocent people in the community.

The Hon. D. H. L. BANFIELD: That would be another question, although the principle may be the same. However, I shall take up the matter.

EDUCATION

The Hon. JESSIE COOPER: I direct my question to the Chief Secretary. In view of the considerable criticism that has been expressed in the press and in public discussion of the end result of our primary and secondary education system, in view of the job-hunting dilemma with which our school leavers now find themselves and, further, in view of the Government's evident concern and expressed resolution to spend money on supplementary education to enable school leavers, after at least nine years of compulsory education, to qualify for quite simple jobs in the community, I ask the Chief Secretary whether the Government will consider setting up a special investigatory committee that will make recommendations to the Education Department for urgent action so that our school-children will in future be trained in such a way that they may enjoy a satisfactory and happy life in South Australia.

The Hon. D. H. L. BANFIELD: As this is a matter for the Minister of Education, I will refer the honourable member's question to him.

NURIOOTPA SCHOOLS

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

Leave granted.

The Hon. M. B. DAWKINS: Honourable members will be aware of my interest over a number of years in the very necessary replacement of the schools that have existed for some time in Nuriootpa, the high school and the primary school having been totally inadequate. I noticed with pleasure only yesterday that the new primary school is in an advanced stage of construction, which is a great achievement for the area. Although work on the high

school is not quite so advanced, some buildings are being replaced on the present excellent site. There is, however, a great need for a music suite for the music teachers in the area. Will the Minister of Agriculture ascertain from his colleague the answers to two questions: first, when does he expect the new primary school will be occupied and, secondly, what progress has been made in the acquisition of a Demac music suite for the high school to replace the present inadequate and antiquated facilities in use there?

The Hon. B. A. CHATTERTON: I will refer the honourable member's question to the Minister of Education and bring down a reply.

WAGE INDEXATION

The Hon. C. J. SUMNER: I direct my question to the Chief Secretary, representing the Minister of Labour and Industry. Has the Minister seen a report of the Federal Government's current approach to the wage indexation guidelines as laid down by the Commonwealth Industrial Commission, and particularly the policy of the Federal Government that full indexation should not be introduced at this stage? Secondly, does the Minister consider this to be in complete breach of an election undertaking given by the Prime Minister (Mr. Fraser) in December during the election campaign?

The Hon. D. H. L. BANFIELD: Although I do not wish to presume on behalf of the Minister of Labour and Industry, I assure the honourable member that the Government believes this to be in complete breach of an election promise given to the people. This promise could be one of the reasons why Mr. Fraser has become Prime Minister of Australia. The South Australian Government wonders, if the Prime Minister is already breaking promises at this early stage, how many other promises will be broken in future. However, I will check the matter with my colleague to ascertain whether his views coincide with mine.

MEDIBANK

The Hon. ANNE LEVY: I direct my question to the Minister of Health. I heard on the Australian Broadcasting Commission news yesterday a report of a meeting in Sydney of the Federal Council of the Australian Medical Association, in which it was stated that that organisation was recommending, amongst other things, that the Federal-State hospital agreements under Medibank should be modified to remove the "Commonwealth interference in State hospitals". Can the Minister tell me in what way the previous Federal Government or the present Federal Government has interfered undesirably in our State hospitals? If the Minister does not consider that there has been undesirable interference in our hospitals by the Australian Government, will he comment on the Australian Medical Association's role in fighting on his behalf battles which he does not want fought and for which he has not sought the association's help?

The Hon. D. H. L. BANFIELD: I know of no interference as far as the Commonwealth is concerned.

The Hon. R. C. DeGaris: You would be joking?

The Hon. D. H. L. BANFIELD: A very good agreement was drawn up between the Australian Government and the South Australian Government. In no way has there been any interference by the Commonwealth. In relation to the A.M.A. taking up the cudgels on my behalf, all I can say is that I do not need enemies while I have friends like the A.M.A., because if the A.M.A. enters the arena in the same way as it has in connection with its non-co-operation with Medibank generally, I can see that there will be one devil of a mess. I hope that in future, before it attempts to take up anything on my behalf, at least it will consult with me before it presumes to take over my role.

FISHING INDUSTRY

The Hon. C. M. HILL: I seek leave to make a short statement before asking a question of the Minister of Agriculture and Fisheries.

Leave granted.

The Hon. C. M. HILL: An article, headed "South Australian Fishing Industry 'in peril'", in the *News* of January 22 states that "confusion over control of off-shore fishing could wreck South Australia's multi-million dollar fishing industry, Mr. Joe Puglisi, the State President of the Australian Fishing Industry Council warned." He said the confusion followed the judgment of the Australian High Court that only the Commonwealth Parliament had control of off-shore areas. This means that South Australia could not control its own fisheries. Will the Minister state whether this is the position? What discussions has he had with the Federal Minister to ensure that fishermen licensed under South Australian law will continue to be protected from illegal operators, particularly cray, prawn and abalone fishermen? Is the Minister satisfied that existing arrangements between his department and the Commonwealth give satisfactory protection to licensees as well as ensuring that South Australia's research and management programmes can be satisfactorily fulfilled?

The Hon. B. A. CHATTERTON: The situation is somewhat unclear. I believe that the High Court decision applies only to cases that were before it at the time. I think this is the way in which the High Court of Australia operates. Therefore, the High Court has not, in fact, made a decision on the validity or otherwise of our fishing laws and, therefore, of our management policies. I am having the whole question checked out by the South Australian Solicitor-General to get an opinion and clear up the matter. If it is shown that South Australia's fishing laws and fishing management policies are not valid, I will certainly take up the matter with the Commonwealth Minister for Primary Industry to ensure that the fishing policies are maintained, because I think they are essential for the future prosperity of the industry.

RAILWAY EMPLOYEES' PENSIONS

The Hon. J. C. BURDETT: I seek leave to make a brief explanation before asking a question of the Minister of Lands, representing the Minister of Transport.

Leave granted.

The Hon. J. C. BURDETT: On September 16, 1975 (*Hansard*, page 732), I directed a question to the Minister of Transport through the Minister of Lands relating to pensions for railway employees after the railways had been handed over by the State Government and the State Parliament to the Commonwealth. An assurance had been given that the employees would not suffer in connection with superannuation, but no details were given. I received a reply from the Minister by letter saying that that matter would be clarified as soon as possible. When I checked with some railway employees I found that they had not received any details as to their exact entitlements; nor have I received any such details. Can the Minister inform the Council as soon as possible what the exact entitlements will be of former employees of the South Australian Railways under the superannuation scheme?

The Hon. T. M. CASEY: I will refer the honourable member's questions to my colleague and bring down a reply.

SUCCESSION DUTIES

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

Leave granted.

The Hon. R. C. DeGARIS: During the debate last year on the Succession Duties Act Amendment Bill a study was made of all the available figures from Government statistical sources, but it was not possible to determine the number of inheritors in each category, for example, widows, widowers, children under 18 years of age, children over 18 years of age, and strangers in blood. In deciding any policy changes in relation to succession duties, I am sure the Treasury would have access to such figures, which are of importance to this Chamber in regard to the policy in these matters. Will the Chief Secretary take up the matter with the Treasurer and provide the Council with details of the percentages of inheritors in the various categories in connection with the various estates in South Australia?

The Hon. D. H. L. BANFIELD: I will refer the Leader's question to my colleague.

SAMCOR

The Hon. C. M. HILL: I seek leave to make a short explanation before asking a question of the Minister of Agriculture.

Leave granted.

The Hon. C. M. HILL: I refer to an article in the press on January 14 in which the Minister indicated that an independent management firm was to make a statutory investigation into the Samcor operation. The Minister said:

An investigation is required at regular intervals under the terms of the legislation governing Samcor and I have called for an independent firm to act in this capacity.

Can the Minister inform Parliament which person or firm has been commissioned to act in this investigation?

The Hon. B. A. CHATTERTON: I cannot inform the honourable member at this stage. I asked a number of independent management consultants to put up various propositions in connection with conducting the inquiry and to submit various structures to carry it out. I am considering the submissions, and I hope to be able to make an announcement later this week as to which consultants I will employ to carry out the inquiry.

SPORTS COMPLEX

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

Leave granted.

The Hon. C. M. HILL: I have been asked to ascertain whether any further information can be given concerning a news item reported on an Adelaide radio station about three or four weeks ago relating to an intended sporting complex. I understand the news item indicated that such a complex was to be built on or near South Australian Meat Corporation property. I understand, too, that in some way Samcor was to be closely associated with this suggested sports complex. However, as I believe that no announcement was made in the press regarding this matter, will the Minister inquire of Samcor whether any release of this kind has been made and, if it has, will he ascertain who will be the promoters of this complex, whose money will be invested in it, on whose land it is intended that the complex will be built, and when construction of the complex is contemplated?

The Hon. B. A. CHATTERTON: This news item was reported on the A.B.C. news and the report has been drawn to my attention by people in country areas throughout South Australia. However, I have not been able to track down the source of this report. No news release was published in the press, as the honourable member has said; there was certainly no release from Samcor on this matter; and there is no intention by Samcor, so

far as I can find out, to build any sports complex for its employees or for any other people. I am still puzzled as to the origin of this news item.

ELECTORAL ACT AMENDMENT BILL (OPTIONAL PREFERENCES)

Adjourned debate on second reading.

(Continued from October 15. Page 1310.)

The Hon. J. A. CARNIE: Honourable members may be surprised that finally someone is going to speak on this Bill, as it has been held over so many times in the course of this session of Parliament. I oppose the Bill in its entirety, because I cannot help but be suspicious of the Government's motives in introducing it. Some honourable members who have spoken have said that clause 2, which amends section 110a, is a desirable feature of the Bill and, therefore, they will support the second reading of the Bill, even though in many cases they have expressed opposition to the Bill's main purpose.

Although I, too, believe that clause 2 is a desirable feature, I believe its provisions affect so few people that this provision alone does not warrant the passage of the Bill. Many reasons have been put forward from both sides of the Council for supporting the second reading. One I have just mentioned but, as I have said, I do not believe that the one minor desirable point is sufficient to warrant the passage of a Bill, the main purpose of which is wrong in principle and which should not become part of the legislation of this State.

Another reason given is that the amendments on file need supporting. The Hon. Mr. Hill, the Hon. Mr. Whyte and the Hon. Mr. DeGaris used this as a reason for supporting the second reading. I also believe that some of the amendments on file and foreshadowed are desirable, but these amendments have nothing to do with the purpose of the Bill: they are additional matters to amend the Electoral Act in other ways. I believe that to allow the passage of optional preferences for the House of Assembly is too high a price to pay. If the movers of these amendments believe in them strongly enough, let them bring them in the form of a private member's Bill, but do not let us make the passage of clauses 3 and 4 the price of the passage of those amendments.

I found the reasoning of the Hon. Mr. Laidlaw somewhat difficult to follow. I should like to quote briefly from what he said. He quoted from both the Federal and State Liberal platforms before deciding what to do about this Bill. This is what he said, in quoting from the Federal platform:

The preferential compulsory system of voting has been an essential means of democratic expression and should be continued.

He went on to say:

On the other hand, the State platform, to which I am beholden, says: "The Liberal Party supports . . . a bicameral system of Parliament, with representatives elected by a democratic process under a system of voluntary voting and the preferential system of voting." To my mind, this statement of the South Australian Liberal Party embraces preferential voting, although it does not say so specifically. How specific must we be? The State platform states quite clearly:

The Liberal Party supports . . . a bicameral system of Parliament, with representatives elected by a democratic process under a system of voluntary voting and the preferential system of voting.

The Hon. Mr. Laidlaw went on to say:

Secondly, optional preferential voting has already been adopted for Legislative Council elections and I believe systems of voting should be as uniform as possible.

The Hon. Anne Levy: Hear, hear!

The Hon. J. A. CARNIE: The honourable member's "Hear, hear!" is well said; I will come to that in a moment. The Hon. Mr. Laidlaw continued:

Therefore, whilst optional preferences apply for Legislative Council elections, I suggest they should apply, likewise, to the House of Assembly.

I agree that the systems of voting should be as uniform as possible between the two Houses, but I believe we should retain compulsory preferences for the House of Assembly and bring them back for the Legislative Council. The Hon. Mr. DeGaris gave several reasons, including the amendment to section 110a and other amendments, for supporting this Bill. He also mentioned that this was, in fact, a double dissolution Bill and said "but each one of us knows that we examine a Bill of this type in a slightly different way". If it was wrong in March, 1975, it is still wrong in February, 1976. No threat of double dissolution alters whether it is right or wrong. Although I agree with most of what the Hon. Mr. DeGaris said, I do not believe that any of the reasons put forward are sufficient to warrant the inclusion of clauses 3 and 4. I hope that all those honourable members intending to support the second reading will have second thoughts and oppose it at this stage.

I said at the beginning that I oppose the Bill because I am suspicious of the Government's motives in introducing it. No protestations from honourable members opposite will convince me otherwise than that this is the first step to first past the post voting. It has been said—

The Hon. F. T. Blevins: It is contrary to Labor Party policy.

The Hon. J. A. CARNIE: If that is so, why did the Labor Party introduce a Bill some time ago to this effect? It has been said that people should not be forced to fill in all preferences if they do not want to; it is an imposition on the freedom and rights of individuals. The Hon. Mr. Blevins, in his contribution to the debate, said (at page 1222 of *Hansard*):

. . . the elector should have the right to vote any way he likes . . .

If we believe it is an imposition on the freedom of the individual and that an elector should have the right to vote in any way he likes, why not go to the ultimate and have voluntary voting as well?

The Hon. F. T. Blevins: Voting is not compulsory.

The Hon. J. A. CARNIE: Come on: I know it is possible to split hairs on this and say it is not.

The Hon. N. K. Foster: A person can go to a polling booth and get his name crossed off if he wants to.

The Hon. J. A. CARNIE: Why, then, have compulsory attendance at the polling booths, if we want to get down to the fine points? If we should not enforce preferences, we should not also be forced to vote; but, if we are forced to vote, we must ensure that the voting system we use is as fair as possible. I believe strongly that the preferential voting system is as fair to all parties as can be devised. The preferential system ensures that, in the event of no candidate achieving a majority at the first count, the most preferred candidate will win. The main argument against optional preferences or first past the post voting is that it can result in a candidate with a minority vote winning the seat. For example, at the last State election, at Mount Gambier there were five candidates. It would have been possible at that election, with five candidates, for a candidate with 20 per cent of the vote plus one vote to win. In other words, a candidate who was not voted for by 79 per cent or 80 per cent of the people could represent an area. That would be a ridiculous situation.

The Hon. F. T. Blevins: It is a ridiculous example.

The Hon. J. A. CARNIE: It is not a ridiculous example.

The Hon. F. T. Blevins: It has no relevance at all to reality.

The Hon. J. A. CARNIE: It is quite feasible; I am sure there have been cases involving more than five candidates, and it could still apply. I do not say it does, but it could. I am saying it is possible for it to happen. I believe the only way in which optional preferential voting could be remotely fair is that outlined in March, 1975, by the Hon. Mr. DeGaris. I will not deal in detail

with it now, because it does not apply now, but that method would go some way to ensuring that a non-preferred candidate could not win an election. Despite the protestations of honourable members opposite. I still believe that this Bill has been introduced as the first step towards first past the post voting. For that reason, I strongly oppose the second reading.

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

ADJOURNMENT

At 3.20 p.m. the Council adjourned until Wednesday, February 4, at 2.15 p.m.