LEGISLATIVE COUNCIL

Tuesday, December 6, 1977

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

SHOP TRADING HOURS BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

SENATE VACANCY

His Excellency the Governor, by message, intimated that the President of the Senate of the Commonwealth of Australia, in accordance with section 21 of the Constitution of the Commonwealth of Australia, had informed him that in consequence of the resignation on November 16, 1977, of Senator Raymond Steele Hall, a vacancy had happened in the representation of South Australia in the Senate of the Commonwealth. The Governor had been advised that, by such vacancy having happened, the place of the Senator had become vacant before the expiration of his term, within the meaning of section 15 of the Constitution of the Commonwealth of Australia, and that such place must be filled by the Houses of Parliament, sitting and voting together, choosing a person to hold it in accordance with that provision of the said section.

The PRESIDENT: I have to inform the Council that I will confer with the Speaker of the House of Assembly and arrange to call a joint meeting of the two Houses for the purpose of complying with section 15 of the Commonwealth of Australia Constitution Act.

Later:

The PRESIDENT: I have conferred with the honourable Speaker of the House of Assembly, and it has been agreed that a joint meeting of the two Houses shall be called for 11 a.m. on Wednesday, December 14, 1977, to comply with section 15 of the Constitution of the Commonwealth of Australia.

QUESTIONS

URANIUM

The Hon. C. M. HILL: I seek leave to make a statement, prior to asking a question of the Minister representing the Leader of the Government in this Chamber, on an Aboriginal site and a Government exploration licence in the Mannahill area.

Leave granted.

The Hon. C. M. HILL: In the Adelaide *News* of December 2 was an article written by Trevor Gill concerning discovery of uranium ore. It referred to the Aboriginal question as it affects this area, and the Government's attitude. A paragraph in the article stated:

> The drilling by Esso is centred around Crocker's Well on the 880 square kilometre Plumbago Station, which was declared an Aboriginal Historic and Relics Reserve in 1972 because of significant Aboriginal rock paintings around the station.

Another newspaper article said that on the site there were many known camp sites of Aborigines, and 11 known painting sites. Can the Minister say whether the Aboriginal communities in this State were consulted by the Government before this exploration lease was granted?

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

MINING ACT

The Hon. A. M. WHYTE: I seek leave to make a short statement before asking a question of the Minister representing the Minister of Mines and Energy about a Minister's undertaking on mining.

Leave granted.

The Hon. A. M. WHYTE: Last year, during the debate on amendments to the Mining Act, one of the most contentious areas was that concerning strata titles on precious stone fields. The legislation provides that the depth of a precious stones claim shall not exceed 50 metres. That depth is much greater than the depth at which precious stones have ever been found. The Minister said that, should precious stones be found at that depth, mining operations for precious stones could extend beyond 50 metres, regardless of what the strata title was designed for; that was the Minister's undertaking. The miners accepted that in good faith but, because they realise that Ministers are dispensable and that an incoming Minister is not necessarily bound by an undertaking of a previous Minister, they desire that the Minister's undertaking, which is just and fair, be written into the Act. Will the Minister take up with his colleague the necessity to incorporate this undertaking in the legislation?

The Hon. B. A. CHATTERTON: I will take up the matter with my colleague and bring down a reply as soon as possible.

HEALTH FUNDS

The Hon. N. K. FOSTER: I seek leave to make a short statement before asking a question of the Minister of Health about private medical benefit funds.

Leave granted.

The Hon. N. K. FOSTER: Most members are aware that some of the principal officers or managers of South Australian health funds were interviewed on television just after the election campaign commenced. When they were closely questioned as to the likelihood or otherwise of an increase in their fees, they agreed with the interviewers that a fee rise was more than likely. On one occasion it was said that the private funds would have to increase their fees before the end of the current financial year.

The Council could be reminded of the terrific battles that ensued in 1974 and 1975 aimed at forcing those private medical benefit companies to disclose their financial reserves. If I remember correctly, those companies had agreed not to increase fees at one stage in 1974 or 1975 but to live off their reserves. I do not know whether that is being done. Because the questions are rather lengthy, I have scribbled them out; they are as follows: First, will the Minister provide the Chamber with the total amount of the public's contributions invested by the National Health Services Association and the Mutual Hospital Association over the past three financial years? Secondly, will the Minister ascertain what area of investment is involved, such as mining, manufacturing, agriculture, and money-lending companies? Thirdly, what return is or has been made on any such transaction or investment, if any, over the past three years? Fourthly,

will the Minister provide the figure of total income of the funds and the total outgoing payments in the form of medical benefits, wages, salaries, administration, overseas trips, etc? Fifthly, to what extent have monetary reserves been used over the past three years, and for what purposes?

The Hon. D. H. L. BANFIELD: In the past, we have got some information from the private medical funds, and I will endeavour to get the same co-operation this time.

The Hon. N. K. FOSTER: I ask a supplementary question. I thank the Minister for his reply. The supplementary question results from the reply. I am rather disturbed, if I may digress for half a moment—

The Hon. R. C. DeGaris: The Minister should have that information at his finger tips!

The Hon. N. K. FOSTER: That is a really good interjection; I only wish I was entitled to ask the supplementary question of the Leader of the Opposition. The Minister implied in his reply (and it is supported by the Leader of the Opposition's interjection) a few moments ago that a company has made it extremely difficult even for Governments to be provided with answers to the questions I have just asked. I further ask the Minister whether or not he will prevail on his colleague the Attorney-General to have a member of the Attorney-Generals' staff accompany whoever seeks this information from the private companies, to allow this Parliament to be given the information that any citizen of this State, let alone Parliament, should have.

The Hon. D. H. L. BANFIELD: I will refer the matter to my colleague.

RURAL ASSISTANCE GRANTS

The Hon. M. B. DAWKINS: I seek leave to make a short statement prior to asking a question of the Minister of Agriculture about the confidentiality of discussing rural assistance grants.

Leave granted.

The Hon. M. B. DAWKINS: The Department of Agriculture and Fisheries is now housed in new quarters in Grenfell Centre, which is much better than the old building in Gawler Place, about which we had complained for so many years. However, I have received complaints that apparently much of the office space is on the principle of an open plan, like the open-space classrooms in schools, and information has to be disclosed in offices that are not sound-proof, so that conversations are easily heard from one office to another. As a result of this principle, people seeking rural assistance in sometimes rather embarrassing circumstances have to disclose this information in undesirable places. Will the Minister assure me that some offices at least, and especially those in which this type of information has to be exposed to an investigating officer, can be adequately sound-proofed?

The Hon. B. A. CHATTERTON: There are a number of points in this area that need to be altered, and this is one that we have had under investigation. The Rural Industries Assistance Branch moved into the new building in Grenfell Street only last Wednesday, so it is still settling in. I point out that the whole system of cubicle-type offices sometimes gives more of an illusion of being confidential rather than actually being so. The partitions were fairly thin; nevertheless, people thought that they were in a confidential situation. A well-planned open-space office, if it contains the correct sound-deadening provisions, can be almost as confidential as some of the older boxes that comprised the department's office accommodation. We have been concerned about the area to which the honourable member has referred, as well as the area relating to fisheries licences, regarding which people must at times disclose confidential information.

URANIUM

The Hon. J. E. DUNFORD: I seek leave to make a statement before asking the Minister of Agriculture, representing the Minister of Mines and Energy, a question about uranium mining.

Leave granted.

The Hon. J. E. DUNFORD: There has been much press publicity in the past six months regarding the mining of uranium, and there have also been several segments on television regarding it. The one that impressed me most in recent months was that in which, I think, Senator Ryan, of the United States, who is chairing a committee that is investigating the ability of uranium developers to handle waste products, said that, in his opinion, there were no known methods by which safely to store waste products from nuclear power plants.

It has been stated in the recent political campaign that the Premier, Don Dunstan, has been hypocritical and dishonest. Such statements, made by Mr. Fraser and Mr. Anthony in Victoria, have been given press publicity in South Australia. Because this matter has been politicised in the past few months, I think the record should be put straight. I therefore ask the Minister of Mines and Energy to make a press statement outlining the resolution which was carried unanimously in the House of Assembly early this year. That resolution stated that there ought to be a moratorium on the mining of uranium and, although—

The Hon. R. C. DeGaris: That's your interpretation.

The Hon. J. E. DUNFORD: That is so.

The Hon. C. M. Hill: That was before the Ranger report was issued, you know.

The Hon. J. E. DUNFORD: I ask the Minister of Mines and Energy to issue a press report in the context of the resolution supported by both Parties and carried unanimously in another place earlier this year.

The Hon. B. A. CHATTERTON: I will convey the honourable member's request to the Minister of Mines and Energy and bring down a reply as soon as possible.

HOUSING INDUSTRY

The Hon. N. K. FOSTER: Has the Minister of Agriculture a reply to the question I asked about housing?

The Hon. B. A. CHATTERTON: The Minister for Planning informs me that comparison of building costs between the States is complicated by a number of factors, including the different standards and types of construction typical of each State. It is also influenced by the varying structure of the building industry itself, and by whether the comparison is made between project home or one-off builders. It is, however, a fact, as the Premier has stated, that foundations in most South Australian residential areas are significantly more costly than in other States. This is owing to the existence of unstable soil conditions and reactive clay formations. There is also evidence that Adelaide construction is of a higher standard and quality than in other States. Some items which are considered as standard in South Australian homes are regarded as additional items and not included in the base price of similar homes in other States. These facts are illustrated by a recent exercise undertaken by a major national building company which compared the variation in costs of one of

its standard model homes in Adelaide and Melbourne. I seek leave to have incorporated in *Hansard*, without my reading it, the table, which gives the items mentioned as being variations between houses in Adelaide and in Melbourne, as revealed by this close examination.

Leave granted.

Housing Costs

Adelaide	Melbourne	Cost difference $
Engineers soil report and footing recommendation to every job	Engineers fees extra if required by soil conditions	60
Grillage conc. footing with 3 m span floor joists	Strip footing and stumps	1 000
All service runs up to 32 m are included	All service runs costed per metre as extras	1 100
Toilet pan and cistern plus connection included	Not included in base price	200
Flyscreens to all openable sashes	Flyscreen to kitchen window only	80
Mosaic floor tiles to wet areas	W.C. only with rubberised sheet	400
All wet areas walls lined with Versilux	Only filled areas backed with Versilux	100
100 frame members in K.D. softwood or Oregon	Frame members in green hardwood K.D. extra cost	1 800
Ground poisoning and ant-capping std. precaution taken for all jobs	Termite protection at extra cost	35
	Total	$4 775

Thus, although the standard model home was priced as being $3 800 cheaper in Melbourne, if both cases were compared in identical terms the Adelaide house would be cheaper by up to $1 000. Comparison of differential building costs between States forms part of a current Federal inquiry and is also a matter of study by the South Australian Housing and Urban Affairs Department, and further information will be made public when it is available.

CHRISTIES BEACH HOSPITAL

The Hon. C. M. HILL: I ask leave to make a short statement prior to directing a question to the Minister of Health regarding the proposal for hospital facilities at Christies Beach.

Leave granted.

The Hon. C. M. HILL: Before the recent State election, the Government announced its plans to provide hospital facilities for the people in the Christies Beach area. Those plans, in very broad terms, were that a private group or consortium was to construct hospital facilities in close collaboration with the Government, and the Government was to contribute to the complex. That contribution, as I recall it, was to be the maternity wing, to the value of about $250 000. I ask the Minister of Health whether the Government has in any way changed its plans regarding this contribution to the hospital, or in regard to the hospital. If it has changed its plans, will the Minister give the Council information about that matter?

The Hon. D. H. L. BANFIELD: The reply to the first question is "No". In reply to the second question, I ask the honourable member to refer to the previous reply.

FLINDERS MEDICAL CENTRE

The Hon. J. R. CORNWALL: Can the Minister of Health tell the Council the present bed occupancy rate at Flinders Medical Centre?

The Hon. D. H. L. BANFIELD: Off-hand, I think it is well over 85 per cent.

WATER HEATING

The Hon. R. A. GEDDES: On October 20, I asked the Minister of Health a question about the use of household refrigerators to heat water in homes. I understand the Minister now has a reply.

The Hon. D. H. L. BANFIELD: The concept of waste heat recovery from refrigerators and air-conditioners is not new. However, there are several specific limitations in connecting a domestic refrigerator to the pre-heater of a hot water service. The following limitations have been identified by the Electricity Trust of South Australia and manufacturers of refrigerators:

The refrigerator puts out little heat in winter when most energy is required for water heating.

The refrigerator puts out most heat in summer when less energy is required for water heating, and there is a greater abundance of energy from solar sources.

The thermodynamic performance of a refrigerator is greatly influenced by the temperature of the cooling medium. If water is used as a coolant and it heats up, which is the desired action, the refrigerator will become less efficient and use more energy which is counter productive.

Ordinary tap water may corrode materials that must be used in refrigerators for compatibility with the refrigerant. The dissolved and suspended matter in the water would eventually coat the heat transfer surfaces impairing their efficiency.

The ordinary domestic refrigerator is a flexible and reasonably portable machine; if it had to be "plumbed" into the hot water system it would lose its adaptability. Servicing a refrigerator connected to the water system would probably require the services of both a plumber and a refrigerator mechanic.

Generally hot water is not necessarily used at the time refrigerators are running.

The trust estimates that the average domestic refrigerator draws about 2 kW/hr per day of electricity and probably rejects less than 3·5 kW/hr per day to the coolant. South Australian families use between 12 and 24 kW/hrs every day for water heating. The saving would be about $20 per annum, which probably would not compensate for the increased installation costs and general loss of convenience.

> When houses are unoccupied (such as holidays) there is no hot water drawn off and the refrigerator which could still run would not be adequately cooled. There would be some risk of damage to the refrigerator.

It would therefore appear that conservation of energy in hot water services can be obtained more easily and cheaply by adding additional insulation to the storage tank.

NUCLEAR REACTOR

The Hon. J. R. CORNWALL: Has the Minister of Health a reply to my question of November 3 concerning an apparent dramatic increase in the incidence of cancer of the respiratory tract and leukaemia in workers at Windscale in the United Kingdom?

The Hon. D. H. L. BANFIELD: There are no irrefutable statistics available to us on the incidence of cancers of various types among workers at Windscale. However, in an article entitled "An element of doubt", published in the English newspaper *The Guardian* of February 8, 1975, Anthony Tucker wrote:

> At least six people, four of whom appear to have been Windscale workers, who have had links with plutonium handling, are known to have died of leukaemia or very closely related conditions.

Within the past few days the media have carried reports of two cases brought against the owners of the Windscale nuclear power plant in the High Court in Carlisle, England, by widows of former plutonium workers. In one case the owners admitted that the man's death was probably caused by his exposure to radiation at work. This underlines the need for a heightened awareness of radiation hazards in industry generally and for appropriate safety controls in operations involving radioactive substances.

POLITICAL BIAS

The Hon. N. K. FOSTER: I seek leave to make a brief statement concerning blatant political imposition and bias before directing a question to the Leader of this Council.

Leave granted.

The Hon. N. K. FOSTER: It grieves me to raise such a matter here but my attention has been drawn to this matter by the Labor Party candidate in Sturt (Miss Ann Pengelly) in the forthcoming Federal election. It has been reported to her that a Mr. Trotta, who stood against the Deputy Premier in the seat of Hartley just a few months ago in the State election and who was said to be a candidate on behalf of "the battler", is the owner of certain property. As we knew then and did not use it against him (because we do not take our politics to the degree of hatred and contempt as do our political opponents), Mr. Trotta is engaged in the building industry and he owns several houses: if he does not own them, he is an agent for the letting of these houses. This landlord installed Liberal Party placards in support of Ian Wilson who, I think, is running again for the seat of Sturt.

Mr. Martin, a tenant of one of the Trotta houses, objected to the signs and took them back. Trotta carted them back to Mr. Martin and said, "They are my views, put them back or else!". Martin said he did not want to put them back; they offended him. He was threatened with proceedings being taken against him to remove him from the house unless he put them back. Mr. Trotta has taken this action against this unfortunate fellow, Mr. Martin. I therefore ask the Leader of the Council to request the Select Committee into the Residential Tenancies Bill to investigate this matter.

The Hon. R. C. DeGaris: You could give evidence to that committee.

The Hon. N. K. FOSTER: You shut up a minute. You won't tell him, Mr. President, so I have to. Could the Minister request the Select Committee to ask Mr. Trotta to justify his outrageous action against an honest and innocent member of the public—that is, the threat of his removal from these rented premises? This was a terrible thing to do.

The Hon. D. H. L. BANFIELD: The Select Committee is set up in another place; the Chairman can request an inquiry. There is no reason why this question cannot be drawn to his attention for investigation.

The PRESIDENT: The honourable member can do that himself.

The Hon. D. H. L. BANFIELD: I do not mind helping out where I can. I am all heart.

BURNING OFF

The Hon. R. C. DeGARIS: I seek leave to make a brief explanation before addressing a question to the Minister of Health and Leader of this Council about burning off.

Leave granted.

The Hon. R. C. DeGARIS: There are a number of reserves in the metropolitan area under various controls from local government, State Government and other bodies, and usually many of these reserves are burnt off at this time of the year to protect the property adjacent to them. I have been told that because of some quaint ideas of conservationists some of these reserves will not be burnt off this year. Will the Minister seek a report from the Metropolitan Fire Brigades Board on reserves in the metropolitan area that the board feels should be burnt off as a protection for property adjacent to them, and if they should be burnt, will he ensure that this is done before the fire season begins?

The Hon. D. H. L. BANFIELD: I will look at this question for the honourable member.

CATTLE COMPENSATION SCHEME

The Hon. N. K. FOSTER: I seek leave of the Council to make a statement before asking a question of the Minister of Agriculture on the cattle slaughter compensation scheme.

Leave granted.

The Hon. N. K. FOSTER: Members are aware that there is such a scheme which provides payment for slaughter of cattle. What is the minimum number of cattle that have been slaughtered to enable payment of landowners? Is there a record of any cows being kept until they are the ripe old age of 27 or 29 years in order to extract such a benefit from the Government? Is it necessary to tan the hides after they have been exposed to 27 or 29 summers? Has any Liberal Party member benefited to the extent of $20?

The Hon. B. A. CHATTERTON: There is no lower limit on the payment from the compensation scheme on cattle slaughter.

The Hon. R. C. DeGaris: Who finances the compensation scheme?

The Hon. B. A. CHATTERTON: The finance is from State and Federal funds, depending on whether the figure of $1 500 000 is exceeded, and even if that happens, it is apportioned between State and Commonwealth funds. Records of compensation paid are kept by local councils,

except in pastoral areas where they are administered by pastoral boards. I will find out the information requested.

RAPE STATISTICS

The Hon. J. C. BURDETT: I understand that the Minister of Health has a reply to my question about rape statistics.

The Hon. D. H. L. BANFIELD: It is proposed to set up a uniform system of collecting crime statistics and to that end an Office of Crime Statistics is being established. Applications will shortly be called for officers to staff this unit.

PUNK PLAY

The Hon. C. M. HILL: I understand that the Minister of Health has a reply to my recent question regarding the punk play, *East*.

The Hon. D. H. L. BANFIELD: In answering the honourable member's question on the stage play *East* it may be as well to outline all aspects of censorship and classification. The Government believes that there are two paramount principles in relation to censorship and they are set out in the Classification of Publications Act:

> That adult persons are entitled to read and see what they wish,
>
> and;
>
> that members of the community are entitled to protection (extending both to themselves and those in their care) from exposure to unsolicited material that they find offensive.

In cases where the principles conflict, the Classification of Publications Board exercises its powers in a manner which, in the opinion of the board, will achieve a reasonable balance in the application of those principles. Where the board decides that a publication (any book, paper, magazine, film not classified under the Film Classification Act or slide) deals with matters of sex, drug addiction, crime, cruelty, violence or revolting or abhorrent phenomena in a manner that is likely to cause offence to reasonable adult persons or is unsuitable for perusal by minors then the publication is classified as a restricted publication.

The board has at its disposal a series of restrictions which are imposed accordingly to the nature of the material and the member is no doubt aware of lists of restrictions which have until now been published in the *Advertiser* as well as the *Gazette*. Because of the vigilance of the board the matter of child pornography was raised at an interstate conference, and in due course other States and the Commonwealth came to agree that special attention should be paid to this type of publication. In South Australia we were able to take action under existing laws, although some penalties are now in the process of being reviewed with a view to increasing monetary penalties. Child pornography is currently the only form of pornography which the board refuses to classify, thus rendering vendors liable to prosecution under section 33 of the Police Offences Act. We therefore subscribe to a classification system, rather than a censorship system which bans material.

In relation to films for commercial exhibition at cinemas, the Commonwealth Film Censor in Sydney acts under delegated authority from all States, including South Australia. There is, therefore, a large measure of uniformity between the States. Our relevant legislation is the Film Classification Act which indeed provides for the Premier, as Minister in charge of such matters, to vary determinations of the Commonwealth Film Censor. This has been done only occasionally, e.g. "F. J. Holden" was changed from "M" to "R"; "More about the language of love" was restricted to hard-top cinemas. The intention of the Premier in both instances was not to prohibit adults from seeing the films concerned but to place them in categories in which it was less likely that offence would be given to reasonable adult persons. It should be noted that film standards have tended over the last decade to be relaxed by the Commonwealth Film Censor and his staff, without formal decisions being taken by the conference of State and Commonwealth Ministers.

That department endeavours to reflect Australian public opinion, but at the last conference in April, 1977, it was decided that the time had come to approach the Motion Picture Distributors Association regarding the showing of very explicit R films at drive-ins. That was done, but as far as I am aware the New South Wales Minister has still not received a response. Accordingly, the Government has recently introduced amendments to the Film Classification Act enabling more convenient action to be taken to stop certain films being shown at certain drive-ins. Again, it should be noted that the South Australian Government is endeavouring to ensure that such films are available to those who wish to see them, but are not exhibited to all and sundry.

From the foregoing it can be seen that the Government is concerned not with banning material altogether but with trying to ensure that adults can read and see what they wish and that reasonable adult persons (and children) are not confronted with material which they would find offensive.

In regard to live shows (on stage or off), the Premier may, pursuant to section 25 of the Places of Public Entertainment Act, 1913-1972, and under authority delegated to him by the Attorney-General, prohibit the holding of any public entertainment or specified part thereof.

This section, however, has rarely been used, despite its antiquity. Action has been taken, however, by police pursuant to the Police Offences Act or by private organisations. Recently we have had controversies regarding *Flowers, Oh! Calcutta!* and now *East*. The present state of the law in this regard needs to be updated by the introduction of a classification system, and instructions were given to Parliamentary Counsel earlier this year. In the meantime the Premier does not intend to prohibit the play *East*. There will be sufficient publicity to ensure that persons likely to be offended will be aware of the nature of the production and hopefully they will then exercise their discretion to go elsewhere.

SHEEP CRUELTY

The Hon. N. K. FOSTER: I seek leave to make a short statement before asking a question of the Leader of the Government in this Council about allegations concerning cruelty to sheep.

Leave granted.

The Hon. N. K. FOSTER: In a letter published in yesterday's *Advertiser*, a person made certain allegations, not against anyone specifically, that during loading and holding operations in connection with export sheep, much cruelty was evident. The person complained bitterly about this cruelty. Yesterday and this morning I received telephone calls about the matter, most of the calls coming from women. I was disturbed to find that most of these people had telephoned the Royal Society for the Prevention of Cruelty to Animals and had been told that

that society did not have the resources and was therefore unable to investigate all complaints about animals, particularly sheep. The law provides that if we steal a sheep we can be almost hung, drawn and quartered. This harks back to the days of the squattocracy. Is the R.S.P.C.A. funded in some way by the Government, and what area of operation is funded? Is it so understaffed that it is unable to pursue complaints from the general public about cruelty to animals, especially where animals are being moved commercially? Further, is the R.S.P.C.A. the sole body responsible for investigating such complaints; or, are there any other organisations, apart from the police (who would deal with cases of extreme cruelty), to which members of the public can direct complaints to ensure that those complaints will at least be investigated?

The Hon. D. H. L. BANFIELD: The Government makes annual grants to the R.S.P.C.A., but I do not know the extent of those grants. I will obtain replies to the honourable member's questions.

URANIUM MINING

The Hon. R. C. DeGARIS: Would the Minister of Health like to comment on the statement of the re-elected National Secretary of the Australian Workers Union, who said that he believed that, if a Labor Government was elected at the coming election, it would change its anti-uranium policy?

The Hon. D. H. L. BANFIELD: It has been known for people to quote other people's statements out of context. If I can get a copy of the full statement to which the Leader has referred, I will examine it.

The Hon. N. K. FOSTER: Is it not a fact that in the early years of the Vietnam war public opinion supported the policy of the Menzies Government but, later, most people were bitterly opposed to that conflict? The same type of thing could prove to be true in connection with a change in public opinion toward supporting the Labor Party's policy.

The Hon. D. H. L. BANFIELD: I have never known the Hon. Mr. Foster to be wrong in the past, and I am sure the same applies this time.

TRAINEE DIRECTORS

The Hon. C. M. HILL: Has the Minister of Health a reply to my recent question about the Government's appropriation of funds for providing trainee directors?

The Hon. D. H. L. BANFIELD: The term "trainee directors" refers to the decision by the Government to give supplemental training to persons nominated to boards of various organisations where the Government has a direct or indirect financial involvement. Their task will be to look after the Government's and the public interest in the organisation as well as their normal duties as directors.

PORNOGRAPHY

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

The Hon. D. H. L. BANFIELD: The answer to the Leader's question is "No".

SAMCOR CHARGES

The Hon. M. B. DAWKINS: I seek leave—

The PRESIDENT: Order! I can hear the Hon. Mr. Foster above the Hon. Mr. Dawkins. Private conversations must cease.

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

Leave granted.

The Hon. M. B. DAWKINS: I understand that on October 10 Samcor held discussions with independent cartage contractors, when they were informed that from October 12 they would be debited with a refundable deposit and cleaning charges on beef hooks, skids and gambrels. These charges represent more moves in connection with Samcor's efforts to balance its budget. We are all concerned about its financial position, but I wonder whether the charge levied on the cartage contractors is being directed to the right quarter. I understand that the charges mount up to a significant sum over a short period, and they would more properly be directed to the butchers for whom Samcor is preparing meat. Will the Minister examine the situation and see whether the charge should be directed in what would appear to me to be the proper direction?

The Hon. B. A. CHATTERTON: The charges to which the honourable member refers are cleaning charges for hooks used in transporting carcasses. The hooks are made of stainless steel and, according to regulations of the Commonwealth Department for Primary Industry, they have to be cleaned to very high standards. This cleaning process is very expensive, and Samcor has decided to levy a cleaning charge on the use of these items of equipment. There has been some dissatisfaction on the part of the contractors who are now delivering the bulk of the meat from Samcor. I have had discussions on this matter with the people concerned. I have already taken it up with the Samcor board, and it is negotiating at present with the contractors on this very issue. I am confident they will be able to resolve it amicably.

POLITICAL HONESTY

The Hon. N. K. FOSTER: I seek leave of the Council to make a short statement prior to directing a question to the Leader of the Opposition.

Leave granted.

The PRESIDENT: I remind the honourable member—

The Hon. N. K. FOSTER: I know that; it is about a press report concerning him.

The PRESIDENT: —that the Leader of the Opposition is very limited in his position, but I will perhaps hear the question.

The Hon. N. K. FOSTER: I support you in your remarks that he is a very limited person.

The PRESIDENT: That is not what I said; I was referring to his capacity to answer the question.

The Hon. N. K. FOSTER: The question for your benefit, so that if necessary you can make some sort of ruling in this august Chamber, deals with a matter that Mr. DeGaris went on public record about in the Adelaide *News* last Friday in an article dealing with the proposed legislation by the State Government regarding the pecuniary interests of politicians. It was rather a strange article, dealing with such things as blackmail and sexual drive, etc. Does the Leader of the Opposition consider that the only really honest politician is one who has lost all sexual inclination and drive and is impotent in all but the faculties enabling perambulation and receipt of a salary?

The Hon. R. C. DeGARIS: The answer is "No".

STAMP DUTY

The Hon. C. M. HILL: I seek leave to make a statement prior to directing a question to the Minister of Health, representing the Premier, about the Government's exemption of stamp duty on the purchase of new houses.

Leave granted.

The Hon. C. M. HILL: About six months ago, representatives of the building industry approached the Premier for some assistance because of the difficulties that the building industry was then confronted with. Many builders had large numbers of new houses that were finished but they were unable to sell them. The Premier, in an endeavour to help the building industry at that time, granted an exemption of stamp duty on the purchase of such new houses for a period of six months. That period expires on December 23 of this year. The general improvement in the building industry as a result of that gesture has been, in some ways, noticeable but in other respects has not been good.

This was evidenced last week in the press when an announcement was made that one of our leading builders had had his house-building operations placed in receivership. So that the building industry can continue to be assisted by the Government in the best possible way, under the present difficult conditions, would the Minister ask the Premier to extend the period of stamp duty exemption on the purchase of new houses for, say, a further six months?

The Hon. D. H. L. BANFIELD: At the time the Government granted the exemption, it was hoped that the Federal Government would do something to stimulate the economy. It has done nothing in this regard, and nothing it has said at this time indicates that it will do anything about it. Whether the State Government can continually assist to get an industry going again that has been brought to a standstill I do not know. I will refer the honourable member's question to the Premier.

PUBLIC WORKS COMMITTEE REPORTS

The PRESIDENT laid on the table the following reports by the Parliamentary Standing Committee on Public Works, together with minutes of evidence:

Elizabeth-Gawler Trunk Sewers Scheme (Stage 2),

O'Halloran Hill Water Supply Pumping Station and Connecting Mains.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

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.

It proposes amendments to the principal Act, the Industries Development Act, 1941, as amended, in accordance with recommendations from the South Australian Industries Assistance Corporation established under that Act. Briefly, the amendments *(a)* change the name of the corporation to a name that will cause less confusion with a Federal body of a similar name; and *(b)* remove what are felt to be some unnecessary constraints on the activities of the corporation and the committee.

Clauses 1 and 2 are formal. Clause 3 amends section 2 of the principal Act by enlarging the definition of "industry" to include "overseas industry", as defined, and by presaging the change of name of the corporation to the "South Australian Development Corporation". Clause 4 amends section 10 of the principal Act by removing a constraint on the power of the Parliamentary committee (that is, the Industries Development Committee) to consider matters referred to it by the Treasurer. At the moment the committee may only examine applications for guarantees, grants or loans and it is felt desirable that the committee should be empowered to report on any matter relating to assistance to industry. Clause 5 makes a consequential amendment to the principal Act arising from the proposed change of name of the corporation. Clause 6 amends section 16a of the principal Act by formally changing the name of the corporation to the name adverted to above.

Clause 7 amends section 16f of the principal Act, this being the provision of the principal Act that permits the corporation, with the approval of the Treasurer, to borrow moneys under a Treasury guarantee. At the moment, subsection (5) of this section provides that the maximum amount that may be borrowed by the corporation shall not exceed $5 000 000. Since each borrowing must be individually approved, an arbitrary maximum for the total borrowing seems inappropriate. Clause 8 amends section 16g of the principal Act by slightly enlarging the powers of the corporation in two areas, first by the proposed insertion of paragraph (ba)in subsection (1). It is made clear that the corporation can purchase shares on the open market. At the moment a view has been taken that it can only purchase shares on the initial establishment of a company. Secondly, the powers of the corporation to investigate and report have been enlarged to cover the same area as that proposed to be dealt with by the Parliamentary committee (as to which see clause 4). In addition, the limitation on the maximum amount of assistance that can be provided by the corporation to any person or company has been raised from $300 000 to $1 000 000. It is suggested that this increase is reasonable in the light of the present operations of the corporation. Clause 9 amends section 18 of the principal Act by requiring the Auditor-General to make specific reports on actual or prospective losses or liabilities that may be incurred by the corporation in the circumstances set out in proposed new subsection (2) of section 18.

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

VERTEBRATE PESTS ACT AMENDMENT BILL

The Hon. B. A. CHATTERTON (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Verterbrate Pests Act, 1975-1977. Read a first time.

The Hon. B. A. CHATTERTON: I move:

That this Bill be now read a second time.

This short Bill corrects a simple drafting error in the Vertebrate Pests Act Amendment Act, 1977. That Act amended the principal Act by deleting the references to the permanent head of the Lands Department and instead referring to the person holding or acting in an office determined by the Governor. This amendment enabled the administration of the Vertebrate Pests Act to be transferred to the Agriculture and Fisheries Department, but omitted to provide that the person holding or acting in the office determined by the Governor shall be the Chairman of the Vertebrate Pests Authority. This Bill corrects that omission.

Clause 1 is formal. Clause 2 amends section 8 of the principal Act by providing that the person for the time being holding or acting in an office determined by the Governor shall be the Chairman of the authority.

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

BARLEY MARKETING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 29. Page 1037.)

The Hon. A. M. WHYTE: The Bill vests authority in the Barley Board to market oats as well as barley. In speaking to the Bill, I am mindful of the many years of discussion that have ensued to get to the stage that we have reached regarding the provision of an orderly oats marketing system.

When speaking to the Bill, the Hon. Mr. Dawkins referred to some of the discussions that have taken place and the various types of grain that have been grown. Those discussions have been continuing for a long time. Indeed, it is about 15 years since an orderly marketing system was proposed. Many of the types of grain that were grown then are now redundant. Now, many advanced types of grain are grown, to such an extent that, whereas oats were the main source of stock feed supply in the lower rainfall areas, especially in relation to the conservation of stock food, they now play a greater role in world acceptance of such coarse grains for human consumption.

With that in view, a variety of oats have been experimented with. At present, South Australia is growing a greater quantity of a milling-type oat, which is finding suitable markets overseas. During the development of a greater part of South Australia, oat crops have been used for fodder as well as for rough land feed. Often, they are partly grazed and partly left for a fierce burn on ground that needs that type of treatment to clear it of sticks and regrowth.

We now have a demand for this produce overseas. Oats were grown mainly to augment the supply of feed needed for woolgrowing. However, as the price of wool declined, and the gap between the prices for wheat and barley was narrowed by oat prices, the scene has changed.

In 1972, we had before us oat marketing legislation, although it was never proclaimed. There has always been a certain amount of debate whether this is the best way to handle the marketing of oats. For many years, discussion ebbed and flowed about line ball, so much so that the matter has been handled by three Ministers of Agriculture since I have been involved in politics. However, this is the first time that the matter has reached the stage where it will be accepted by the growers.

All Ministers involved have treated this matter with much caution, because some growers strongly opposed the introduction of statutory oat marketing. Even today, a section of oatgrowers believe that they would be better served by freelancing agents. The agents themselves declare that they have better access to overseas markets than has the Barley Board, and they are willing to take greater risks. They claim that they have the expertise and can buy oats at a better price because they can market them more cheaply, not having to pay the greater cost that would be involved with the marketing authority.

This is one of the reasons why it is suggested that, rather than set up an oat-marketing authority, the function can be performed satisfactorily by the Barley Board. I agree entirely with that suggestion, as the board has a splendid reputation. Indeed, it has the machinery and can therefore easily adapt to this field. However, there will always be some contention regarding whether there should be orderly or statutory marketing, whatever one wishes to call it. There is still a large requirement for grain to be traded amongst the growers and consumers from year to year.

Some credit shoud be given to our Parliamentary draftsmen who, over many years, have endeavoured to build into the legislation the required flexibility. I think that at last we have done that. The right of the producer to sell to a consumer without a permit always has been foremost in the points raised against formal legislation. In clause 11 we now have sufficient provision to satisfy a majority of oat growers. That clause provides, in new section 14aa, as follows:

(2) Nothing in this section shall apply to:

(a) oats retained by the grower for use on the farm where it is grown;

(b) oats which have been purchased from the board;

(c) oats sold or delivered to any person with the approval of the board;

There seems to be a query about paragraph *(c)*. I understand that some organisations buy oats specially for seed, and it seems it is of concern to them that they will have to go through the board to purchase their oats that they intend to resell to the growers in pickled, graded or classified form. That does not apply to any other seed, and I raise the matter for the Minister's consideration. Other exemptions in that provision are:

(e) oats the subject of trade, commerce or intercourse between States or required by the owner thereof for the purpose of trade, commerce or intercourse between States; or

(f) oats sold to a person where those oats are not resold by that person otherwise than in a manufactured or processed form including, without limiting the generality thereof, the processed form of chopped, crushed or milled oats.

These provisions were necessary to have the legislation accepted to the point where we are now able to debate it. Some members of our oat-growing community still believe that they are disadvantaged because of the proposed legislation, and for that reason I think we should consider clause 21 further. In the previous oat-marketing legislation of 1972, there was provision for a poll of growers to decide whether the Act would continue. It was also proposed that the testing period would be two years, after which a poll of growers could call for the legislation to be revoked.

In the Bill before us, the testing period is extended to five years, and there is no provision for a poll of growers. This is contrary to all the discussions over a period of about 15 years: most certainly over the whole time that I have been in politics. I believe that five years is too long a period for testing. I also believe that it is wrong that the matter should be brought back to Parliament, where a limited number of members is interested in the marketing of oats, to decide whether the scheme should be continued or revoked. The matter would be better left to a poll of growers.

I understand that the Barley Board is prepared to market oats but is not all that excited about doing so. I gather that, if a majority of oatgrowers decide that the scheme is not workable and is not to their advantage, the Barley Board would not be too upset about opting out of the scheme. I understand that it would be difficult for the Parliamentary Counsel to make a provision for a poll of growers as was included in the 1972 legislation and, since the legislation covering barley marketing and oat marketing is interwoven in one piece of legislation, it would be difficult to call for a poll of growers to rescind the

oat-marketing legislation without affecting the barley-marketing aspects.

For that reason, I have not included in my amendment any suggestion of a poll of growers, but the Minister may say whether he believes that there is still a possibility of including provision for the revocation of this Act by a poll of growers. As I understand that I cannot include the requirement necessary for the legislation to be revoked by the growers, and as the matter must come back to Parliament, I will try to reduce the time for the testing period. Instead of running for five seasons, including the 1978-79 harvest, I will try to have that period reduced to three years, being for 1978-79, 1979-80 and 1980-81. That will cover three harvests. The legislation will not come in until the 1978-79 harvest and it will be operative for two harvests after that.

The Hon. B. A. Chatterton: Your amendment is to delete "four" and insert "two".

The Hon. A. M. WHYTE: Yes. It will be for a period of three harvests—1978-79, 1979-80 and 1980-1981, after which the legislation must come before Parliament for consideration of its continuation or rejection. We have come a long way with this. I am certain that this legislation will work. The amendment is necessary because of the people who still have some indecision about this matter. I support the second reading.

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

BULK HANDLING OF GRAIN ACT AMENDMENT BILL

Adjournment debate on second reading.

(Continued from November 29. Page 1036.)

The Hon. M. B. DAWKINS: I rise to support this Bill, which is consequential upon the Barley Marketing Act Amendment Bill, which the Hon. Mr. Whyte has just been discussing. The amendments to the principal Act foreshadowed in this Bill provide for South Australian Co-operative Bulk Handling Ltd. to handle oats as well as wheat and barley by inserting the word "grain" in lieu of the words "wheat and barley" wherever necessary or adding the words "and oats" where appropriate.

The co-operative, which was established in July, 1955, has been a very successful enterprise. It is now paying back in considerable measure the tolls that were a necessary part of its operation in the early stages. When the co-operative was established in 1955 it was necessary to provide a Government guarantee, and a guaranteed loan from the Commonwealth Trading Bank financed the establishment of the co-operative. Its initial funds comprised $2 000 000 which was repaid with funds raised by the toll system, to which I have just referred.

Grain producers undertook to pay 6 pence a bushell as a toll for use by the co-operative for 12 years. The producers took over the financing of their co-operative by what was, in effect, an interest free loan. At the time of granting a Government guarantee, it was considered essential and reasonable that two Government nominees were placed on the board of the co-operative and that the co-operative be required to submit its plans for terminal bins to the Minister and the Public Works Committee.

The country bins, which were erected mainly at railway stations, sidings and depots, were also subject to the general approval of the Minister, which was normally forthcoming and which was required merely as a safety provision in case the co-operative was so unwise as to seek to implement a very questionable scheme. That matter is dealt with by section 14 of the principal Act, which provides that plans for terminal bins must be submitted to the scrutiny of the Public Works Committee and the Minister. That provision is outdated as the co-operative has long been operating successfully and independently of Government assistance, which was required initially. The provision referring to plans for terminal bins at major ports is still contained in section 14, which is amended by this Bill. Accordingly, I have amendments on file which whilst still requiring approval by the Minister for the erection of such facilities, remove the obsolete requirement for plans of large terminal bins to be referred to the Public Works Committee. As I recommend the acceptance of the amendments by honourable members, I will explain them briefly. Section 14 provides:

> (1) The company shall, with all practicable speed erect adequate bulk handling facilities—
>
> *(a)* At each terminal port; and
>
> *(b)* at a sufficient number of railway stations, railway sidings, and depots, to receive the wheat and barley which is to be taken to the terminal ports.

There is an amendment already on file to remove the words "wheat and barley" and substitute "grain". Subsection (3) provides:

> The company shall not erect a country bin unless the design and materials of such bin have been approved by the Minister. The Minister may give a general or special approval to any design and materials.

Subsection (4) provides:

> The company shall not erect a terminal bin except in accordance with plans and specifications reported on by the Parliamentary Standing Committee on Public Works and approved by the Minister.

My amendments do away with subclause (4) and insert in subclause (3) the words "or terminal", which means that the company shall not erect a large terminal bin unless the design and material of such bin is approved by the Minister. This is a sensible provision because, otherwise, we would have an outdated clause remaining in the legislation when its usefulness is long past. I hope honourable members will support these amendments. Finally, the Bill is necessary and consequential to the Barley Marketing Act Amendment Bill, and I support the second reading.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Duty of company to erect bulk handling facilities."

The Hon. M. B. DAWKINS moved:

Page 2—

Line 18—Insert after the word "amended " the passage—

"—

(a)".

After line 20 insert the passage—

"(b) by inserting in subsection (3) thereof after the word 'country' the passage 'or terminal';

and

(c) by striking out subsection (4)."

The Hon. B. A. CHATTERTON (Minister of Agriculture): I am willing to accept the amendments.

Amendments carried; clause as amended passed.

Remaining clauses (6 to 10) and title passed.

Bill read a third time and passed.

FILM CLASSIFICATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 29. Page 1034.)

The Hon. J. C. BURDETT: I support the second reading of this Bill, as far as it goes. The increase in penaltics is warranted. My only query is whether the new penalty is high enough. A film of the kind in question is likely to be exhibited only by a commercial organisation, and a considerable penalty is necessary to be a real deterrent. Courts properly take the maximum to show how seriously the Legislature views the offence, and courts only impose the maximum penalty in what appear to be the most serious and blatant examples of that offence. If the Legislature fixes a penalty of $1 000, which this Bill does, most penalties imposed will quite properly, as far as the court is concerned, be very much less. It is for Parliament to say, in fixing the maximum, what it thinks the penalty should be in the most serious case. I query whether $1 000 is sufficient in the case of a substantial and flagrant breach of the Act. The second reading explanation goes on to say:

> Unfortunately, some time ago certain sex shops in Adelaide were abusing the freedom they had been allowed in the exhibition of films that have not been classified.

I congratulate the Government on having advised sex shop proprietors that the concession "classified", by which they exhibit films, has been withdrawn, but I criticise the Government for having allowed the concession in the first place; it should never have been granted. I cannot see that the Government had any legal power to grant the concession. I think it acted improperly in doing so; it made an obvious error in judgment in thinking the concession would not be abused. Surely it was perfectly obvious at the outset that a gross error of judgment would occur.

The Hon. R. C. DeGaris: Was it an error of judgment?

The Hon. J. C. BURDETT: It was either an error of judgment or it was deliberate. I am being charitable in suggesting it may have been an error of judgment. The other amendment made by the Government enables the Minister to issue general or particular notices of prohibition in relation to drive-in theatres, whether or not the drive-in theatre is constructed in such a way that people outside can see the screen. I do not understand the difficulty referred to in the explanation about prohibition presently, where the screen can be viewed from outside the theatre. However, in any event, I welcome the wider power of prohibition by the Minister.

I have received constant complaints by constituents about films which they found offensive being clearly and even obtrusively visible from their homes. Probably most if not all other members have received such complaints. Now that this wider power has been given, the ball is clearly in the Minister's court. I trust that he will exercise this power so as to protect the public from having films which they find offensive thrust upon them. If the Minister does exercise his power to protect the public in this way, he will be praised for it; if he does not, he will justifiably be criticised.

The power to prohibit is not now confined to cases where the film can be seen from outside the theatre. I suggest that the films which go beyond the furthest limits of deceny and which are most offensive and salacious could be more objectionable in the setting of a drive-in theatre than in the more controlled atmosphere of a conventional theatre. I trust that the Minister will seriously consider using the additional powers the Bill gives him. I have given notice of a motion for an instruction and have placed an amendment on file, but as this does not deal with the subject matter of the Bill I will leave that to the Committee stages. I support the second reading.

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

CLASSIFICATION OF PUBLICATIONS ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from November 30. Page 1095.)

The Hon. J. C. BURDETT: I support the second reading of this Bill, as far as it goes. It is a short Bill and I shall speak to it shortly. The power of revocation obviously ought to be in the Act. The Bill removes the obligation on the board to publish classifications in the daily paper. This amendment follows a question I asked in the last session. The requirement of the principal Act, that classifications be notified in the daily press, has been criticised by many members of the public. It serves no good purpose. The retailers rely on official records, as indicated in the second reading explanation. The present practice costs the Government, and hence the taxpayer, a considerable amount of money, although the Government refused to supply me with the full 12 months figure; and therefore we do not know how much it costs the Government. The publication in the daily press simply gave free advertising to pornography.

As to the principal Act, judgment on that must depend on what the Government's objective was. If it was to control the dissemination of pornographic material in South Australia, it failed dismally. If its objective was to promote the free and legal availability of such material, it has been a signal success. I have given notice of motion to seek an instruction, and amendments are on file, but as they do not relate to the subject matter of the Bill, I will leave this matter to the Committee stages. I support the second reading.

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

EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT BILL

Adjourned debate on second reading.
(Continued from November 30. Page 1096.)

The Hon. R. C. DeGARIS (Leader of the Opposition): I notice that there are not many Government members in the House to hear this dissertation on drainage in the South-East. Nevertheless, I am very pleased to see so many of my colleagues here to listen to me. The history of drainage in the South-East is a long and interesting one, but at no stage in the history of drainage in that area has rating on landholders for drainage maintenance purposes been as unjust or as inequitable as presently. One day someone may write a book on this subject and I think it would be a best seller.

The Hon. R. A. Geddes: It will be a long history, but will not go back a long way into history.

The Hon. R. C. DeGARIS: That is true. We are in a permissive age in 1977, but I could quote stories from 1877 which would make people's hair slightly curled. The original drainage scheme was implemented in the South-East by Government purchase of the proposed drainage area; then the work was completed and the land was sold.

This was done to recoup the capital cost of the initial Government scheme. When the land was sold back to the settlers, an assessment was made of the increase in the value of each block resulting from the drainage. This became known as drainage betterment, which was an assessed value on each block. This became the assessed value for the levying of rates for the purpose of

maintaining the drains and the bridges over them. This rate was struck by the boards for the purpose of maintaining the drainage system.

The original drainage boards finally became district councils under the Local Government Act. So, the original drainage schemes in the South-East finally became the responsibility of councils. Now, with the amalgamation of the Millicent and Tantanoola councils, all the original drainage boards are incorporated in the one district council, with still the same rating system for maintenance purposes in that area, based upon a betterment assessment. So, the original drainage schemes are now under the control of the Millicent District Council. The landholders are rated on a betterment assessment originally made in the 1870's, and the landholders are totally responsible for the cost of maintaining the system.

Following the success of the original drainage scheme, from 1870 to after the Second World War other schemes were implemented in the South-East, each based on a somewhat different concept. In this debate there is no point in dealing in depth with each of those drainage schemes, nor is there any need to examine the intriguing history of each scheme. In all schemes undertaken, the basis for assessing the variation for rating purposes has been the betterment factor; that is, the capital improvement to the land resulting from the building of the drain. If a base is to be used, this is the only realistic base; no other base can be considered to be fair, equitable and just.

It may be argued in some cases that the betterment factor is a minus factor or, as it is sometimes called, a "worsement" factor. That is a matter of opinion, and it does not cut across the main thrust of my argument, which is this: the basis until recently for the collection of South-East drainage rates, in whichever area the drainage is taking place or whoever controls the scheme, was capital gain so assessed of the land rated.

About three or four years ago, on land administered by the South-Eastern Drainage Board, including land broadly south of Kingston and east of Millicent and Mount Gambier, the basis of assessment was changed to a valuation of the unimproved value of the land. It was a change from something that might not have been satisfactory, but it was a change to something totally ridiculous. In other words, people on the land had to pay drainage rates on the basis of the unimproved value of the land, irrespective of the effect that drainage had had on their land. That basis is untenable.

When that Bill was before this Council, amendments were moved, and the honourable members pointed out to the Government that there was a large area that received no benefit from drainage: it was high land that was never inundated. Finally, the Government, under pressure, agreed to appoint an appeals committee to examine and adjust the assessments. I would not like to contemplate the cost so far of this change. Whereas under betterment rating the income to the South-Eastern Drainage Board was about $300 000, under the unimproved value basis it has dropped to about $70 000, $80 000, or even less. We have spent many more thousands of dollars in trying to reach a realistic basis in connection with a base for assessment, and there is no question that the cost of all that is far greater than the actual income received.

Turning now to the Eight Mile Creek area, it was found that landholders there and in the Millicent District Council area were paying drainage rates far in excess of the actual drainage rates of people outside those two areas. In the South-Eastern Drainage Board area, because of the ridiculous change made by the Government to unimproved values, there are three separate areas, all rated differently, one area receiving a tremendous subsidy from the taxpayers, and the other two areas receiving virtually nothing. Those people who have been prepared not to hand over control of drains to a central authority and who have virtually saved the taxpayers hundreds of thousands of dollars over the years are now being penalised for having saved the taxpayers so much money.

Regarding the Eight Mile Creek area, the Government realised that the actual landholder was paying far in excess of a reasonable payment for the scheme. Indeed, if the landholders had been prepared to hand over control and maintenance of the scheme to the Port MacDonnell council, they would have had the work done at about one-quarter of the cost that they were paying for in drainage rates in the Eight Mile Creek area.

This Bill reduces the rate in Eight Mile Creek to a maximum rate that is about double the rate that applies in the South-East Drainage Board area. The overall administrative cost of all this nonsense over the last three or four years as regards the drainage in the South-East is more than the actual collection of rates in the whole area. We are left now with one area, the drainage area of Millicent and Tantanoola, which is still carrying the total administrative cost of maintaining its own drainage system as against the other two areas, Eight Mile Creek and the South-Eastern Drainage Board, in which there is a big taxpayer subsidy to that scheme.

As far as the maintenance and control of drainage is concerned, from the first it is better that the councils themselves control it and look after it, because they will do it far more cheaply than any other agency will. Secondly, because of the position that has now been reached in the three areas under consideration—the Eight Mile Creek area, the Millicent-Tantanoola area, and the South-Eastern Drainage Board area—where different schemes apply to the three areas, it is time the Government scrapped completely the whole concept of drainage rates in that area. There is no justification left for all the stupidity of maintaining a sophisticated taxation collecting agency, an assessing agency, and all the things that go with it to collect about $80 000 a year in rates in that area.

The Hon. M. B. Cameron: It would be interesting to know how much it would have cost to assess, in the first place.

The Hon. R. C. DeGARIS: I thought I had touched on that point. If we consider the total cost incurred in the last three years in trying to reassess the scheme for an unimproved system—

The Hon. M. B. Cameron: It is absolutely incredible.

The Hon. R. C. DeGARIS: —the actual income of about $80 000 a year would not come near the cost involved in all the stupidity that has occurred. I make a strong plea to the Government to look at this whole matter and to come down with the view that no longer are drainage rates justified, on the basis that each of the three areas of Eight Mile Creek, the South-Eastern Drainage Board and Millicent-Tantanoola, is now assessed on a different basis, which means that an arbitrary line can be drawn, in relation to which one person over the line is paying, say, $2 an acre as his drainage rates and another person below the line is paying 25c, because one area receives a strong Government subsidy and the other does not; and then even in the system of unimproved values there are two separate rating systems—the Eight Mile Creek and the South-Eastern Drainage Board.

The point raised by the Hon. Mr. Cameron is quite valid in that, if we assessed the actual saving to the Government by getting rid of the whole system and those involved in it, except those who are directly involved in maintenance,

practically no revenue would be lost to the Government in taking that step. So, as regards both cost to the taxpayer and equity and justice to those people who rely upon the drainage system in that area, the Government should take the step of total abolition of drainage rates in the South-East. There is no need in such a programme to remove control from council areas. The control should be handed to the councils and the actual cost of maintaining the existing system should be paid to local government, and the Government would still save money. This Bill achieves a reduction for a group of people in the Eight Mile Creek area, which means that the Bill must be passed. Nevertheless, I plead with the Government to approach this matter of drainage rates realistically and come to the same conclusion I have come to, that it is time the whole thing was thrown on the scrap heap. I support the second reading.

The Hon. M. B. CAMERON: I wholeheartedly support what the Hon. Mr. DeGaris has just said about the drainage scheme and drainage rating in the South-East. Over the years, there has been controversy not only about the rating system itself but, in many cases, about the value of the scheme that has been brought into being. I know from personal experience that in many cases the value to one section of land may devalue another section of land but, more importantly, we have reached the stage where the amount of money raised through drainage rates is so small that is is laughable to have an organisation set up to administer the collection and setting of rates for the scheme. It is time the whole system of rating there was abolished and the Government took this realistic step, which has been a policy of the Liberal Party for some considerable time. It is sensible and has much value in terms of the saving of Government finance.

Of course, drainage in the South-East has gone on for a long time. I well remember, when appealing against a rating on a certain property, hearing the evidence given by people brought forward by the department, based on material gains in the 1860's. That gives some indication of how little credence can be given to the present system, because no evidence based on such a long time ago can have any possible value when looking at the present situation in the South-East, because in those days there were no pastures or pine trees; practically nothing was growing on the land apart from native material, and the amount of moisture used in planting forests is enormous. It may well be that the amount of water used by the improved South-East was the amount of moisture that used to lie around in excess. So many arguments can be used in terms of whether the so-called improvement of the land would have been brought about merely by the development of the land. In many areas where flooding took place in the South-East, it was because highways were put through, which were at a higher level than that at which the original water used to lie or at which the natural drainage system ran. In that case, of course, the land used to get wet because the natural flow of the water was impeded by man-made obstructions. In many cases where drainage was said to be necessary, it was merely because man made it necessary.

I urge the Government (I accept that this Bill is one step in the right direction towards the reduction of rates in the Eight Mile Creek area) to look more closely at the Eight Mile Creek situation. The landholders in that area have not had an easy time over the years; they have been involved in the dairying industry and in many cases the situation has been difficult for them. The landholdings in that area in many cases were not sufficiently large to be economic units. One thing the Government should do for them is get rid of the drainage rate imposed on them.

Most of these people are soldier settlers, and the whole idea behind soldier settlement was that people received land in a developed and drained state. I do not believe that the Government should continue to impose a rating system on these people. Indeed, it was part of the original agreement that the settlers had with the Government that they would be free of such rates.

I imagine that many of the people in this area who realise the situation and know of the struggle that many others have had in trying to establish viable dairying properties would agree with me. So, one step which the Government could take to help and which would not cost much would be to abolish completely drainage rates in the Eight Mile Creek area. In doing so, it would be foolish to continue with drainage rates generally, which should be abolished completely in the South-East. As the Hon. Mr. DeGaris said, if one examined the overall cost to the Government compared to the sum raised, there would be a saving to the Government. Regarding appeals that have continued for two or three years, a considerable sum of taxpayers' money would have been saved if drainage rates had been abolished initially.

Although I support the Bill, I urge the Government to re-examine the matter and to see whether it can take what I regard as a sensible step, that is, to abolish completely drainage rates in the South-East.

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

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 30. Page 1098.)

The Hon. C. M. HILL: I do not oppose the two changes that the Bill introduces to this State's planning and development legislation. First, the Government intends to extend from five years to eight years the period during which interim development control applies in South Australia. In the metropolitan and inner metropolitan areas councils require further time, in many cases, to complete their zoning regulations. Those that intend to complete them will in some cases find that they cannot do so if the existing five-year period remains.

I have been in contact with the Local Government Association, which supports this Bill. Some councils may not proceed with their zoning regulations, because the Government has commenced a further inquiry into the control of private development, and the whole approach to control in this area may change as a result of that inquiry. In that case, zoning regulations, as we know them at present, may not apply in future.

The inquiry into the control of private development is another Government move to try to improve this State's planning and development legislation. I was surprised when the Government announced this inquiry, because I had been waiting for a considerable time for the full result of the inquiry, held under the chairmanship of His Honour Judge Roder, to be made public.

Indeed, I have been waiting for major changes to be brought down in legislation as a result of that inquiry. Apparently, however, that inquiry has not brought forward the results that the present Minister wants to see in the Act and he has therefore commenced another inquiry altogether. This emphasises that the whole planning and development legislation in this State should be rewritten, because it was bad legislation right from the

start. The fact that it has been bad legislation is proved by the fact that the Planning Appeal Board completely overshadows the State Planning Authority, and the whole planning process has, therefore, got out of balance.

However, the new Minister for Planning (Hon. Hugh Hudson), I believe, takes little heed of his Director of Planning and of the State Planning Authority, and is over-influenced by one or two new faces that he has in his department. He has therefore launched on this new inquiry and the public, including those involved in local government, await the result of that new venture. Meanwhile, the responsible move to extend interim development control should be supported.

The second measure in the Bill brings some balance back within the planning process, because the Director of Planning is now to be given the right to assess subdivision and resubdivision applications in light of development plans and regulations. At present, the State Planning Authority involves itself with subdividions, and the Director of Planning simply acts as a rubber stamp after its finding. That position will be remedied if this Bill passes. The measure should give some degree of uniformity to ensure that all division of land complies with development plans and existing zoning regulations.

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

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 30. Page 1097.)

The Hon. C. M. HILL: Generally speaking, I do not support extended power being given to the Savings Bank. That institution has a traditional role to play, and it should specialise in that role. Also, I fear the influence of the Savings Bank and its effects upon the State's future. That is a broad statement that might give rise to further debates in this place in future.

The aspect that concerns me greatly is that I do not think the bank now enjoys the same independence from Government influence which it should and which it has enjoyed for many years. Therefore, when a Bill before us seeks to give to the Savings Bank a power to enter the field of lending to commercial bodies, I view the measure with much caution. The Bill proposes to remove present limitations on the bank to lend to commercial enterprises.

The Minister has said in his explanation that loans will be made where the trustees are satisfied that the provision of facilities is necessary to protect or extend the interests of the bank or, secondly, to provide facilities not readily available from other sources. I have no quibble about the bank having the right to lend to commercial entities where they cannot obtain facilities from other sources.

The Hon. J. E. Dunford: They can use the State Bank as a last resort?

The Hon. C. M. HILL: This Bill deals with the Savings Bank.

The Hon. J. E. Dunford: They can use it as a last resort, where they cannot get money elsewhere?

The Hon. C. M. HILL: Yes. If they could not get money elsewhere, and members of the organisation have been clients of the Savings Bank and approach the bank for assistance, I would not object to help being given in those circumstances, subject to the bank's checks.

The Hon. J. E. Dunford: But not as a last resort. Should they shop around the others and come to the Savings Bank last?

The Hon. C. M. HILL: I am not saying that. We are talking about the bank being able to lend money to commercial organisations, partnerships, and bodies of that kind, and the Bill opens the door somewhat for lending in this area. It prescribes two particular criteria that the bank can act upon. One (and this is the one to which I have said I have no objection) is that the bank can provide facilities that are not readily available from other sources. They are the words in clause 3 and in the Minister's explanation.

The second criterion is where the trustees are satisfied that the facilities are necessary to protect or extend (and they are the important words) the interests of the bank. The Minister has said that this provision will be used only in limited circumstances, but at some stage, if the Savings Bank was to extend this section of its business, subject to the trustees' approval it could considerably expand its operations on the basis that it proposed not necessarily to protect but to extend the interests of the bank. I appreciate that the consent of the trustees would be necessary in such new lending activity but, nevertheless, if the trustees adopted a policy of expansion in this form of lending, there would not be any restriction at all.

That provision concerns me and at this stage I am not prepared to support that part of the measure. However, I will listen to further debate. I have a doubt about whether it is wise that the bank should venture that far. The Minister went to great pains in his explanation to indicate that the security of depositors' funds was not in any way at risk by the Bill. I agree on that point. Indeed, I have a high regard for the standards of banking that have been maintained over a period by the senior executive officers of the Savings Bank, and I am sure that they would not enter into anything that would place depositors' funds at risk. However, I think that this Council ought to examine carefully what I have said before it makes a decision.

The Hon. D. H. LAIDLAW secured the adjournment of the debate.

REGIONAL CULTURAL CENTRES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 30. Page 1097.)

The Hon. M. B. DAWKINS: I support the Bill, which corrects an omission from the original legislation. In his explanation the Minister states:

> Section 13 of the principal Act provides that a trust established in accordance with the Act may, with the consent of the Treasurer, borrow money. Unlike other Acts which establish statutory corporations and provide them with borrowing powers, the Regional Cultural Centres Act does not provide an investment power. This Bill remedies that situation.

The concept of regional cultural centres is all very well in theory: indeed, it is excellent in theory. However, just how much can be done in practice remains to be seen, because there is a problem of getting adequate finance for worthwhile regional cultural centres. It could be an interesting and commendable situation, and I hope a not too isolated one, when a trust of this kind has money to invest. It seems more likely that it will be borrowing large amounts if it can do that, and it will have to repay that money with interest.

It could also be a commendable situation if such a trust had money set aside, with a project in mind, and if it could invest the money until it proceeded with the project. Then it would be able to tell a bank that it had money behind it

and that it could borrow more money. I believe that it is necessary that a trust should have the powers that the Bill gives it. It is an oversight when a trust is set up by Act of Parliament to provide that the trust should be able to borrow money but to omit provision that the trust would be able to invest money. The Bill provides that the trust may deposit any moneys not immediately required with the Treasurer or invest the moneys in any other manner approved of by the Treasurer. The word "may", not "shall", is used. I support the correction of this omission in the principal Act.

The Hon. C. M. HILL: I support the Bill. On October 18 this year I asked a question concerning a report in the Port Pirie *Recorder* of the Premier's visit to Port Pirie before the recent State election. The Premier was commenting on the proposed Cultural Centre Trust for Port Pirie and he was reported in the newspaper as stating:

> "We expect that the trust will borrow $1 000 000 this year", he said. "Once the trust is established and begins developing its plans, it will be able to borrow $1 000 000 each year over the next two or three years, and the State Government will service this loan. Until it is actually let as a contract, we will reinvest the money so that we make cash out of it. We are not getting any losses in that way. We have got the money there in a trust fund ready to go."

On October 18, I asked the Minister of Health the following question:

> What is the current situation regarding the establishment of this proposed cultural centre at Port Pirie, and will the Premier name the trust fund to which he referred in his reported statement?

On November 15, I received the following reply from the Minister of Health:

> At this time it is intended to proclaim a Pirie Regional Cultural Centre Trust during January, 1978, to be followed immediately by the appointment of trustees. Under the provisions of the Regional Cultural Centres Act, 1976, trustees will assume responsibility for investigating the community's cultural needs and for establishment of a possible cultural centre based in Port Pirie.
>
> Section 13 of the Act defines the powers of the trust to borrow money on such terms and conditions as the Treasurer approves. It is hoped that the trust will be able to borrow an initial sum of $1 000 000 during the 1977-78 financial period and that further borrowings may be approved as needed in subsequent periods. These funds will be used towards capital costs of building programmes. Funds which are not immediately required will be invested to earn interest.

It seems from the Government's investigations into this matter that the trust did not have the power to invest such funds, and hence the introduction of this short Bill, which I support.

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

SOUTH AUSTRALIAN HEALTH COMMISSION ACT AMENDMENT BILL

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.

Its purpose is to effect a further minor consequential amendment to the Health Act, by inserting another item in the list of amendments to that Act contained in one of the schedules to the Health Commission Act. Plans are now well under way for the amalgamation of the Public Health Department with the Health Commission. The Health Act as it now stands provides that the Chairman of the Central Board of Health shall be the permanent head of the department and, as the department will be abolished in the near future, it is desirable that the Act should be amended so that in future the Chairman will simply be a person nominated by the Minister. The schedule of amendments to the Health Act into which this amendment is to be inserted will come into operation on the day on which the department is abolished.

Clause 1 is formal, and clause 2 inserts a new item in the first schedule. The new item provides that the Chairman of the Central Board of Health shall be a person nominated by the Minister.

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

PRICES ACT AMENDMENT BILL

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

Consideration in Committee.

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

That the Council do not insist on its amendments.

I do not want to go into long arguments again, because this matter was fully discussed during the second reading debate and in the Committee stage. I ask the Committee not to insist upon its amendments, because they adversely affect the legislation. The Government wants to do something in the interests of the consuming public of South Australia and, irrespective of what the Hon. Mr. Hill had to say about the Land Agents Board and so forth and how it could control the situation, I do not think for one moment it has the powers necessary in this day and age to protect the consuming public. As I indicated during the course of the Committee debate, I see no difference between goods taking in land and goods taking in any other commodity, such as a refrigerator or washing machine. It is still a transaction, and anything we purchase costs money. The public is entitled to full protection for whatever it buys, whether a refrigerator, a washing machine, a motor vehicle, or land.

Other amendments involve the Commissioner for Consumer Affairs, seeking to delete the provision giving the Commissioner power to investigate matters even though they are not referred to him by a person in trouble. There are many times when things come under scrutiny by investigators from the department that need looking into before they actually damage the public. Giving the Commissioner for Consumer Affairs the power to investigate these matters before they harm the consuming public is a good thing. I believe the Bill is very good, in the interest of the community.

The Hon. J. C. BURDETT: I suggest that the Committee should insist on its amendments. The Minister said the matter has been canvassed, but there are five essential amendments. First, the Bill sought to include in "consumer" the purchaser of land. As has been said previously, the Land and Business Agents Act provides complete protection for the purchaser of land. The Minister says that land should be included just as any other goods would be, but land is not goods. Legally, land and goods are entirely different. It is the Prices Act that deals with goods and it is the Land and Business Agents Act that deals with land.

The second essential amendment was to include the borrower of money in the definition of "consumer". The same principle applies with the Consumer Credit Act and the Consumer Transactions Act. They provide a complete

code to protect the borrower of money, who should be included only where money is borrowed for the purpose of purchasing goods. The next point is that the Bill enables the Public and Consumer Affairs Department to launch an investigation, notwithstanding that no complaint has been made. Apart from the last matter, this is one of the most important amendments in the Bill. If a person considers he has a complaint and goes to the Commissioner for Consumer Affairs, it is fair enough for him to have a very wide power to investigate but, if no-one complains, why on earth should he use it and why on earth should the supplier be put so such a great disadvantage and incur so much trouble and expense?

The Hon. R. C. DeGaris: The Commissioner becomes both judge and jury.

The Hon. J. C. BURDETT: Yes, the "super snoop", as he was called in another place. He exercises complete surveillance over the whole community without anyone making a complaint. The next point was that the Bill enabled the Commissioner not only to institute proceedings on behalf of the consumer, as he already can, but also to take over their conduct. I suggest that is wrong. The consumer, in the first place, can elect whether or not he wants to go to the Commissioner for Consumer Affairs. If he does not, and institutes or defends proceedings himself or through a solicitor, and subsequently decides that he needs help at that stage, he needs legal help.

Finally, the really important matter is the annual review, about which much has been said. It is the opinion of most honourable members, at least those on the Opposition side of the Council, that the annual review should be continued. The power of price control is indeed wide. The economy of the State should be controlled by price control, and Parliament should have surveillance over it. While we have that surveillance, we will have the moderation that we have experienced so far.

I do not suggest that this Government is likely to abuse the power but, if it is provided permanently on the Statute Book that the Government may exercise price control over any commodity, we may as well tear up the rest of the Statute Book because there will be power to control the whole State. The annual review has caused no trouble so far, and will not do so in future. The Committee should therefore insist on its amendments.

The Committee divided on the motion:

Ayes (9)—The Hons. D. H. L. Banfield, F. T. Blevins, T. M. Casey (teller), B. A. Chatterton, J. R. Cornwall, C. W. Creedon, J. E. Dunford, Anne Levy, and C. J. Sumner.

Noes (9)—The Hons. J. C. Burdett, M. B. Cameron, J. A. Carnie, Jessie Cooper, R. C. DeGaris (teller), R. A. Geddes, C. M. Hill, D. H. Laidlaw, and A. M. Whyte.

Pair—Aye—The Hon. N. K. Foster. No—The Hon. M. B. Dawkins.

The CHAIRMAN: There are 9 Ayes and 9 Noes. To enable the matter to be further considered in the processes of the Council, I give my casting vote for the Noes.

Motion thus negatived.

Later:

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

The Legislative Council agreed to a conference, to be held in the Legislative Council conference room at 9.30 a.m. on Wednesday, December 7, at which it would be represented by the Hons. J. C. Burdett, T. M. Casey, M. B. Dawkins, R. A. Geddes, and C. J. Sumner.

SOUTH AUSTRALIAN OIL & GAS CORPORATION PTY. LTD. (GUARANTEE) BILL

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.

The need for this short Bill arises as a result of an examination by the Crown Solicitor of the provisions of subsection (1) of section 14 of the Industries Development Act, 1941-1977. This provision, in effect, authorises the Treasurer, subject to the approval of the Industries Development Committee, to guarantee repayments of certain loans made or to be made to persons. It does not, however, permit the Treasurer to guarantee the payment by one party to another party where no loan is involved, for example, in circumstances where one party is purchasing certain assets from the other party.

An application for the guarantee of such a payment will shortly be made to the committee by the South Australian Oil and Gas Corporation Proprietary Limited, which is a company jointly owned by the South Australian Gas Company through its subsidiary Gas Investments Proprietary Limited and the Pipelines Authority of South Australia. The company has been formed to acquire an interest in petroleum production and the petroleum exploration licences in the Cooper Basin gas fields, this being the subject of an agreement with the Commonwealth.

Honourable members may recall that, in a statement made by the Deputy Prime Minister and Minister for National Resources on November 8 last, certain details of that agreement between the Commonwealth and the company were made public. In the present context the agreement provided for an initial payment of $12 450 000 together with additional payment obligations being equivalent to the Commonwealth's own obligations to Delhi International Oil Corporation. The amount to be the subject of a guarantee under this measure represents those additional payment obligations, being the equivalent of US$8 558 000, together with interest.

I emphasise that this measure does not, of itself, give a guarantee to the company. All it does is set up the machinery for the Treasurer to give such a guarantee if he receives the approval of the Industries Development Committee constituted under the Industries Development Act, 1941-1977. Clause 1 is formal. Clause 2 provides for the giving of a guarantee by the Treasurer subject to the financial limitiations and in the circumstances already adverted to.

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

LEGAL PRACTITIONERS ACT AMENDMENT BILL

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.

This short Bill is designed to remove doubts as to whether legal practitioners employed in a department of the State Government but not in the Crown Solicitor's Office would have a right to practice in and appear before all State courts and tribunals. The doubts in this area arise from the rule that it is only principals in a legal practice, in contradistinction to employed practitioners, who have this

unqualified right of practice and audience and the application of this rule to practitioners in the employment of the Crown.

These doubts have been reawakened by the administrative arrangement to establish a department of corporate affairs, and the obvious need to have legal practitioners employed in that department. It is pointed out, however, that the provision presaged by the Bill extends this right only to officers or employees who are duly admitted and enrolled as practitioners of the Supreme Court and while acting in accordance with the approval of the Attorney-General.

Clause 1 is formal. Clause 2 provides for the enactment of a new section 69, providing that legal practitioners employed by the Crown in right of the State have a full right to practice in and appear before any State court or tribunal if, in the case of officers not subject to the direction of the Crown Solicitor, they are acting with the approval of the Attorney-General.

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

ADJOURNMENT

At 5.54 p.m. the Council adjourned until Wednesday, December 7, at 2.15 p.m.