HOUSE OF ASSEMBLY.

Tuesday, October 23, 1962.

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

QUESTIONS.

STATE BANK LOANS.

Mr. FRANK WALSH: Information I have received from people desiring to build houses suggests that the State Bank is at least 15 months behind in furnishing loans to applicants. A person applies, he is told by the bank that it will be necessary for him to complete his application form, and there is still a waiting period after that. Can the Premier say what is the present position regarding those people who desire either to build their own houses or to buy from speculative builders, some on a deposit of £500?

The Hon. Sir THOMAS PLAYFORD: I will endeavour to get the precise information for the honourable member. About six weeks ago a private builder told me that he had many clients who had applied and had waited a long time (he suggested 12 months) for their loans. I asked him whether he would let me have a list of those people so that I could check the details but, when it appeared, on it were only three people who had been waiting for between eight and nine months, and they had been notified (although they had not actually reported to him) that their loans would be available. From that, I assume that the present waiting time is about eight or nine months from the date of application. Precise information should be easily obtainable and I hope that I can have it for the honourable member tomorrow.

PENSIONERS' HOSPITAL BENEFITS.

Mr. HUTCHENS: An article in this morning's *Advertiser* relates to a change in the plan for hospital benefits to pensioners. However, one paragraph that is causing concern states:

This will free all pensioners from the obligation to join a hospital insurance fund.

I have had many inquiries about this matter this morning. It seems to me, from my reading of the article, that the benefits payable by the Commonwealth Government will be below the benefits that can be obtained from a hospital fund. Will the Premier say whether it is advisable for pensioners to continue paying into a hospital fund for their own protection, and during the next Parliamentary recess will he take up with the appropriate authorities the possibility of providing a scale of benefits to meet the charges imposed by the Hospitals Department?

The Hon. Sir THOMAS PLAYFORD: I believe that the press report does not set out the position completely and in two respects further detailed information would be necessary before any person could grasp what the Commonwealth Government proposes. Actually, its proposals were not accepted by the State Ministers of Health. I have had the opportunity of only a few words with the Chief Secretary since his return but he handed me a copy of a resolution that the Ministers of Health passed asking that the matter be taken up by the Premiers at the next Premiers' Conference. The proposals require much more detailed working out by officers of the State and Commonwealth departments. Overall, the Ministers of Health are not satisfied with the proposals. The base rate of 8s. a day has applied since the scheme was first introduced, notwithstanding enormous increases in hospital costs, and it does not represent nearly the value it did when the scheme commenced. I seriously advise pensioners not to drop their insurance schemes. In the first place, I believe that the Commonwealth proposals apply only to pensioners with medical entitlement cards, and they represent only a small proportion of the pensioners concerned. I do not believe that the proposals apply to other pensioners who may not be in that category. I cannot give the honourable member precise information other than to say that the Minister of Health in a brief discussion with me reported that the Health Ministers had not considered this scheme a good one and that they wanted it to be taken up at the Premiers' level. Secondly, I believe that the information supplied and printed in the press does not contain sufficient details to cover the position. I repeat that I think that all pensioners would be well advised to continue paying their contributions to hospital insurance schemes, because I believe that the majority of them are not covered by the proposal.

PELICANS.

Mr. SHANNON: Complaints have been made by the Ornithological Association, under the name of the secretary (Mr. Brown), that vandalism is destroying the nesting habits of the wild fowl, particularly the pelican, in the Coorong. The association alleges that certain people are smashing the eggs and the nests, and that if they miss doing that they then kill

the young ones. The association has made a study of this bird, whose nesting is confined to a very restricted area on two small islands off Policeman's Point. It is alleged by the association that unless steps are taken to protect this bird and its nesting places we will soon be without them altogether. It is further stated that the habit of the pelican is to take fish not from deep waters but from the surface, and it is considered that there is little effect on the fishing population. At one time the pelicans were prevalent and the fish were just as prevalent as (perhaps more prevalent than) they are today. Will the Minister of Agriculture take the matter up with the Fisheries and Game Department to see whether the allegations are well founded and, if they are, whether steps can be taken to prevent this wanton destruction of one of our native birds?

The Hon. D. N. BROOKMAN: I did not doubt that I would be asked a question on this matter, and as a result I have a statement that I prepared this morning. The question of protection for pelicans has been raised by the Ornithological Association in two ways. First, it has expressed concern at the interference to the breeding habits of these birds on the islands in the Coorong, near Policeman's Point. The association has for over 40 years been the licensed occupier of these islands, and one of the express conditions of the licence is that the licensee will protect the native birds frequenting the islands, together with their nests and eggs. This, of course, provides for a complete protection all the year round. Secondly, the association asked the Director of Lands for a more secure tenure over the islands. This application is now being considered, but it is difficult to see what added protection would be given, in view of the apparent interference to pelican breeding in the past. Nevertheless, the position is one that causes concern to the authorities, and I am at present considering several moves to effect better protection for the pelicans.

Some years ago I introduced a Bill that provided for the insertion of section 19A in the principal Act to provide for the prohibition of entry to proclaimed areas. This may be invoked in this case. That is one thing that I may do, with the consent of Cabinet, after the matter has been considered properly. Also, the full year-round protection for pelicans throughout the State is being considered, although I point out that on these islands the present conditions should afford complete protection. Regarding the enforcement of the present Act, recent additions to the staff of the Fisheries and Game Department have permitted the appointment of an inspector for the Coorong, Lakes and Victor Harbour areas. This inspector is equipped with the necessary vehicle and boat, and he has been instructed to give special attention to the enforcement of all fisheries and game laws. Within the last two or three weeks he has been transferred to this new post. Regarding the technical aspect of the breeding habits of pelicans, available information will be collated. Further, I may also mention that the recent establishment of a wild life section in the department will enable this work to be done much better than would have been possible in earlier years.

SOOT NUISANCE.

Mr. TAPPING: On September 18 I read to the House a petition from 200 people living near the Osborne power station objecting to the soot nuisance which they claimed originated from the power station. On September 26 I asked a question concerning a claim by seamen on the *Lake Sorrell,* at that time at Osborne wharf, that soot spots from the Osborne power station had spoiled their washing. The Premier promised to take those matters up with the Electricity Trust, and I believe he now has a reply.

The Hon. Sir THOMAS PLAYFORD: Sir Fred Drew reports:

The trust has noted the petition from residents living in the vicinity of the Osborne power station, and also the report from seamen *re* the soot nuisance. The trust has always endeavoured to minimize the effects of soot and smoke from its power station and will continue to do so. Close supervision of combustion is constant and this ensures that the quantities of soot discharged are as small as possible. As an aid, smoke indicators are installed on all boilers and a recorder is being connected to record smoke emission at all times. In addition, a man is stationed on the roof at times of bringing boilers up to load in order to observe any dirty stack conditions and initiate appropriate action. The sizing of each coal shipment, and in particular the proportion of small particles, is checked to ensure that excessive release of grits does not occur due to the fuel.

During periods of unfavourable winds, the firing of coke breeze fuel is prohibited, and soot-blowing of the boilers is restricted. The amount of grits released has been reduced by the shutting down of the old A section, and by the cessation of use of Leigh Creek coal. The Osborne boilers are of either stoker or spreader fired design, and, with very rare exceptions, electrostatic precipitation is not associated with these types of plant. The trust has previously advised that the cost of

installing electrostatic precipitation in an existing power station is very high, the estimated cost of such an installation in the B station at Osborne would exceed £1,000,000. The expenditure of this amount of money would be out of proportion to any benefits which could be obtained, especially in view of the experience in the Eastern States where it has been found impossible to maintain high efficiencies of dust collection when burning New South Wales black coal. Finally, you can be assured that the board, the management and the staff are anxious to minimize the soot difficulties. A continuous search for ways and means to reduce emission to the maximum extent has been conducted for some considerable time, and it will be continued in the future.

WATTLE PARK BUS SERVICE.

Mrs. STEELE: Representations have twice previously been made by me to the Minister of Works and by the Burnside council to the Municipal Tramways Trust on behalf of residents of Wattle Park and Rosslyn Park for an extension of the Kensington Gardens bus service along Parade Avenue and Penfold Road to its junction with Kensington Road, thence returning by the same route. Since the first request in June, 1960, 87 new houses have been built and many more are being built in these two areas, in addition to extensive house-building in the Magill area north of Parade Avenue and east of Penfold Road. It is considered that the economics of such a proposed extension are more favourable now than at the time of the initial request. In addition, an extension of the service would lead to further extensive house-building in this area. I have been presented with a petition signed by 467 residents asking me again to approach the Minister of Works requesting reconsideration of the proposed extension of the bus service in this area. Will the Minister take up the question with the Tramways Trust with a view to meeting the needs of residents in these areas?

The Hon. G. G. PEARSON: Yes, I will certainly do that and shall be pleased if the honourable member will furnish me with the advice she has and requests from petitioners in that regard.

MOORING OF BOATS.

Mr. JENKINS: Goolwa has become a popular weekend and holiday resort and many boats are tied along the foreshore in that area. This is causing considerable concern to the local district council because people are anchoring their boats in inconvenient places; and when they have finished with their boats they leave them on the shore. Consequently some of them become derelict and a hazard to boats coming in to be anchored, as well as to people who want to launch their boats. Can the Minister of Marine say whether the control of the foreshore comes under his department and, if it does not, can the control of these vessels be vested in the district council, either by legislation or by regulation or by-law, in order to overcome some of these problems?

The Hon. G. G. PEARSON: I know what the provisions are along the coast in general, but before giving an answer I should prefer to investigate the matter in this area more specifically and give the honourable member an answer later this week.

EAST GRANGE RAILWAY STATION.

Mr. FRED WALSH: I have been approached by representatives of residents near the East Grange railway station concerning the lack of shelter at the station. They complain that in the winter they are exposed to inclement weather and in the summer to the sun and they consider that some protection should be provided by the Railways Department. Will the Premier, as Acting Minister of Railways, ask the Railways Commissioner to consider providing adequate shelter at this station?

The Hon. Sir THOMAS PLAYFORD: I shall be pleased to do that for the honourable member and give him a reply as soon as possible.

QUARANTINE STATION.

Mr. HARDING: My question refers to the proposed power station on Torrens Island and also the quarantine station already established there. Under the Quarantine Act provision is made to prevent the introduction into Australia of diseases detrimental to humans, animals and plants and of pests and weeds. It also states that persons ordered into quarantine shall be accommodated at the quarantine station. Provision is also made at the station for the quarantine of animals. Can the Premier say what arrangements will be made with the Commonwealth Government for a quarantine station when the electricity power station is established?

The Hon. Sir THOMAS PLAYFORD: The quarantine station is a Commonwealth institution and will be in no way affected by the power station. It is a separate area and is not involved in the area the Electricity Trust will control. There is no problem there. For some time a small area had been set aside by the State Government for quarantine purposes,

but because the Commonwealth has taken over quarantine it has never been used by the State, which is not the quarantine authority now. That small area was included in the land to be used by the trust, but it had never been used for quarantine purposes.

MOTOR COLLISION LIABILITIES.

Mr. LOVEDAY: Court cases concerning collisions between motor vehicles have come to my notice in which one of the persons involved has been found guilty, but in which the court has not decided the apportionment of the degree of guilt. When the insurance company concerned has to pay the person involved, it determines the apportionment of the degree of guilt. In the case I have in mind it decided that the defendant was 70 per cent guilty and the other person 30 per cent. This means that the person who receives the money considers that it is not worthwhile going to the court, because the insurance company makes the decision. Will the Minister of Education, representing the Attorney-General, ask his colleague if it would be practicable for the court to apportion the degree of guilt in such cases so that it would not be left to the insurance company to make that decision?

The Hon. Sir BADEN PATTINSON: I shall be pleased to ask the Attorney-General to have the matter investigated and let me have a report for the honourable member. I make the proviso, however, that I very much doubt whether the information supplied to the honourable member is strictly accurate in all respects.

TEA TREE GULLY SCHOOL.

Mr. LAUCKE: In the Redwood Park and Surrey Downs areas of the Tea Tree Gully District Council area about 200 children now travel to the Tea Tree Gully Primary School. As this school is heavily taxed to accommodate the rising numbers of children seeking admission to it, will the Minister of Education say whether the department has any plans for providing a school in the Redwood Park and Surrey Downs area?

The Hon. Sir BADEN PATTINSON: As I should like to investigate the matter thoroughly before giving a reply, I shall do so and let the honourable member have a reply as soon as possible.

MENINGIE AREA SCHOOL.

Mr. NANKIVELL: On Friday I had the pleasure of visiting Meningie Area School, and I congratulate the department on the excellent new timber frame craft centre for boys that has almost been completed. This will undoubtedly be of tremendous value to the district, particularly as this school is catering, and will be catering increasingly, for the vocational training of Aboriginal children from the district and from Point McLeay. However, I am disappointed that so far nothing has been done to provide a craft centre for girls at the school. Will the Minister of Education investigate this matter to see whether a craft centre can be provided for girls at this school during the next financial year?

The Hon. Sir BADEN PATTINSON: Without making any promises, I shall be pleased to investigate the request sympathetically, as I consider that craft centres for both boys and girls are immensely important in our system of education. When I inaugurated this system of building craft centres a few years ago, I encountered much opposition, but craft centres have proved to be an outstanding success in the whole educational system of this State and I am most anxious to have their use extended as widely as possible.

ROBE PRIMARY SCHOOL.

Mr. CORCORAN: Has the Minister of Education a reply to a question I asked last week about accommodation at the Robe Primary School?

The Hon. Sir BADEN PATTINSON: The Director of Education reports:

The present school at Robe has four classrooms; two of these are of solid construction and are attached to the residence. One of these two is rather small, being 19ft. x 19ft.; the other is 25ft. x 19½ft.—a suitable size for a smaller than average class. The other two rooms are of timber and are of the standard 25ft. x 20ft. design. Although the present enrolment at the school is 147, the head teacher reports that the enrolments are likely to drop to 100 next year mainly because of the proposed opening of the Kangaroo Inn Area School. If this occurs, the staff for an enrolment of 100 will be reduced to a head teacher and two assistants. For this number of children and for this staff three classrooms would be adequate. It is because I anticipated this drop in enrolments with the opening of the Kangaroo Inn Area School at the beginning of 1963 that I deferred recommending the addition of another timber classroom which had been suggested earlier this year. It would also seem that the smaller solid construction room could be available quite suitably for library purposes.

LEAVING HONOURS CLASS.

Mr. GURREN: My question relates to the Leaving Honours class which it was announced would be established at Glossop in 1963. Last

week I was approached by the Chairman of the High School Council, who informed me that no definite instructions had been given to the headmaster of the Glossop High School that that class would be established. I was approached also by parents, some of whom had arranged for accommodation in the metropolitan area on which they had had to pay a deposit. These people were concerned that no definite instructions had been given to the headmaster. Will the Minister of Education make a definite statement on whether a Leaving Honours class will be established at Glossop next year?

The Hon. Sir BADEN PATTINSON: With the greatest respect to the honourable member, I did make a definite statement that Leaving Honours classes would be established at the Glossop, Port Pirie and Nuriootpa High Schools and at the Whyalla Technical High School if at least 20 qualified students were available to fill them. Instructions were given to the headmasters of these four schools to supply the Superintendent of High Schools with all information at present available as to the probable numbers. I know that the Superintendent was in touch with the headmasters of the Glossop, Renmark and Waikerie High Schools some time before I made the announcement. It is difficult for headmasters to be able now to give reliable information about the number of qualified students who will be offering at the beginning of the next school year because, although a considerable number of students will enter for the Leaving Examination, some will fail to pass. Because of this, I think any uncertainty is due to the uncertainty of the examination results. I cannot make any more positive announcement than I have already made. If fewer than 20 students are available it is completely uneconomic and extravagant to use highly specialized and qualified staff by establishing a Leaving Honours class. As I said earlier, some experts have told me I am wrong in fixing the minimum of 20; they say it should be as high as 40.

LOCOMOTIVES.

Mr. CASEY: Has the Premier a reply to a question I asked on October 10 regarding contracts for and expected dates of delivery of the diesel-electric locomotives for the Port Pirie to Broken Hill railway line?

The Hon. Sir THOMAS PLAYFORD: The Railways Commissioner reports:

The contract for the supply of 12 diesel-electric locomotives for the Peterborough Division provides that the first locomotive be delivered at Peterborough on January 20, 1963, and subsequently locomotives at the rate of three a month. The contractor advises that it is anticipated that the first locomotive will be delivered in accordance with the contract, and there is no reason at present why the remaining locomotives also should not be delivered in accordance with the due date under the contract.

METROPOLITAN RESERVOIR INTAKES.

Mr. COUMBE: In view of the recent splendid rains, will the Minister of Works indicate the present holdings of the metropolitan reservoirs? I know that reports have been made that Millbrook is full. As we shall possibly have another long hot summer, if these reservoirs are approaching the limit of their capacity can the Minister say whether it is intended to suspend pumping from the Mannum-Adelaide main?

The Hon. G. G. PEARSON: I have yesterday's figures for the metropolitan reservoirs, which show that there is just 15,000,000,000 gallons in storage in the recognized metropolitan reservoirs. Millbrook reservoir is full. Mount Bold has reached the capacity it had before we raised the level of the dam. At that time its estimated capacity was 6,662,000,000 gallons. The work of raising the weir at Mount Bold having been completed, the capacity now stands at 11,500,000,000 gallons. It now has in storage 6,585,000,000 gallons, so that it is approximately filled to the original level. That, of course, includes water that has been pumped since pumping began about two months ago. As the storages have improved rather more than was expected, it will not be necessary, in the opinion of the Engineer for Water Supply this morning, to vary the pumping procedures that have operated for some time. Such water as is being pumped is being diverted to Mount Bold, where there is still ample reserve capacity. In spite of the 15,000,000,000 gallons we have in storage, it is necessary to engage in further pumping because that quantity will not meet the demands of the metropolitan area during the summer. However, at present it is intended to continue off-peak pumping with three of the four units and to watch the position for another few weeks. The general position is satisfactory.

BOOT MANUFACTURER.

Mr. LANGLEY: In my district last Friday a boot and shoe manufacturer, Edunley, dispensed with the services of 32 persons. I have been informed that this position is due to the importation of shoes and boots into Australia from other countries. I know that

this is not a State matter so will the Premier take it up with the Commonwealth Minister for Trade and Customs in the hope that such representation will improve the position in this industry?

The Hon. Sir THOMAS PLAYFORD: Yes.

HUNCHEE AND RAL RAL CREEKS.

Mr. CURREN: On July 25 last I asked the Minister of Irrigation (Hon. Sir Cecil Hincks) a question about the proposed desnagging and dredging of the Hunchee and Ral Ral Creeks, just above Renmark. His reply indicated that the work would be put in hand shortly after that date. From inquiries I made in the area last weekend, it appears that no action has been taken. As this matter is urgent and a considerable part of the Chaffey and Cooltong irrigation areas depends on this work for a supply of water, will the Minister of Agriculture, as Acting Minister of Irrigation, ascertain when the work will be put in hand?

The Hon. D. N. BROOKMAN: Yes. I am not familiar with this but will inquire immediately and let the honourable member know as soon as possible.

VICTOR HARBOUR HIGH SCHOOL.

Mr. JENKINS: I quote from a letter from the secretary of the Victor Harbour High School Council, enclosing a copy of a letter sent to the Director of Education, pointing out:

That the high school council views with alarm the inadequate playing area on these school grounds caused by the addition of extra buildings and by the increased enrolments.

Will the Minister of Education have this matter investigated with a view to trying to acquire any available ground suitable for the purpose?

The Hon. Sir BADEN PATTINSON: Yes, I shall be pleased to do that.

HANGING.

Mr. DUNSTAN: Has the Premier a reply to my recent question concerning reports in Eastern States' newspapers of the use of the South Australian hangman for the hanging of Tait in Victoria?

The Hon. Sir THOMAS PLAYFORD: I have a report from the Sheriff and Comptroller of Prisons in the following terms:

There is no truth in the report that an employee of the Government of South Australia will be provided as a hangman if the hanging of Robert Tait proceeds in Victoria. No officer is employed by the South Australian Government or paid a retainer by the Governor for this purpose. Mr. Dunstan has made some comments making reference to "the South Australian hangman". There is no such person in South Australia. No request has been received from Victoria for a person to proceed to that State for the purpose of carrying out the extreme penalty.

I appreciate the honourable member's bringing this matter before the House for it enables me to clarify the position. There is no foundation for the press report referred to by the honourable member.

NARRUNG CAUSEWAY.

Mr. NANKIVELL: My question refers to the construction of the new Narrung causeway. This work, as honourable members may know, is still incomplete.

The SPEAKER: Order! There is too much audible conversation.

Mr. NANKIVELL: I understand that this work was to have been completed early this year but, owing to the heavy weather that has occurred on the lake, there has been considerable erosion of the northern bank and some difficulty in completing this work. The people of Narrung are perturbed also by the fact that, although the ferry run will be shorter and the time of travel reduced, the ferry will be operating from exposed shores on both sides. They fear it will be out of action more frequently in the future than it has been in the past both because of the rip tides through the narrows and because of the effects of the northerly winds. Will the Premier, as Acting Minister of Roads, take up this matter with the Commissioner of Highways to see whether it is not too late at this stage to reconsider the question of the causeway's being completed at Narrung rather than just to the limited run of the ferry as at present? It has been shortened, there is not a long gap left, and I suggest it would be far more satisfactory to make it a completed causeway.

The Hon. Sir THOMAS PLAYFORD: I will ask the Highways Department to examine this matter for the honourable member.

MINGARY-COCKBURN ROAD.

Mr. CASEY: I have received a complaint and have been handed extracts from the *Barrier Miner* newspaper regarding the Mingary-Cockburn section of the Broken Hill to Adelaide road. Apparently the road is undergoing repairs preparatory to bituminizing that section, but at present it is in a shocking condition and could lead to serious accidents. Christmas will be here soon and it is essential that the road be safe for people travelling from Broken Hill to Adelaide on holidays. According to the newspaper extracts, one

traveller complained that the road was by far the worst he had encountered in his travels throughout South Australia, Victoria and New South Wales. He said that it took about an hour to cover the 15 miles from Cockburn to Mingary. The limestone that is being placed on the road is a menace to windscreens. Several are broken each day by the limestone which is being thrown up by passing vehicles. Will the Acting Minister of Roads examine this matter to see whether deviations can be provided around this section while it is being repaired so that the heavy traffic at Christmas can negotiate the road safely?

The Hon. Sir THOMAS PLAYFORD: Yes.

LOFTIA PARK SWIMMING POOL.

Mr. SHANNON: I have received several requests from the committees of schools that will be contributing scholars to the Heathfield High School which is fast nearing completion. A swimming pool has been provided at Mount Barker and this will cater for the requirements of nearby schools, but it will not be able to serve the Loftia Park area of the Adelaide Hills. It is too far distant and transport problems would arise. Will the Premier again take up with the Tourist Bureau the possibility of reconstructing the Loftia Park swimming pool? This is a question in which the Education Department may be interested, as such a pool would serve as a place of instruction during the learn-to-swim campaign. Earlier plans for this swimming pool were too expensive, but they could possibly be modified to provide a pool to adequately serve the needs of the area. An Olympic-size pool would not be necessary. Will the Premier refer this matter to the Tourist Bureau?

The Hon. Sir THOMAS PLAYFORD: Yes.

WOODVILLE INTERSECTIONS.

Mr. HUTCHENS: Has the Minister of Works a reply to my recent question about the installation of traffic lights at the Woodville and Port Roads intersection and at the Clark Terrace and Port Road intersection?

The Hon. G. G. PEARSON: My colleague, the Acting Minister of Roads, has informed me that as the result of the conference held with the Woodville council, the Highways Department and the Road Traffic Board supplied Woodville council with 10 copies of plans and specifications for the traffic signal installation. They were forwarded to Woodville council on August 6, and subsequently Woodville called tenders for the lights, tenders closing on September 12, 1962. These tenders were then submitted to the Road Traffic Board for consideration and recommendation to council. Three tenders were received, and all required very detailed investigation before returning them to council with a recommendation. However, a decision has now been reached, and the council has been advised accordingly. The council is now to consider the recommendation and accept the tender if so desired, and the work can proceed.

NOTIFYING OF DEFENDANTS.

Mr. DUNSTAN: Has the Minister of Education a reply from the Attorney-General to the question I asked last Tuesday regarding notifying defendants of the result of cases when they have written in pleading guilty?

The Hon. Sir BADEN PATTINSON: The Attorney-General has supplied me with the following information:

Where a defendant has been served with a summons on a form 4A and the court proceeds to convict and impose a fine, the clerk of the court of summary jurisdiction is required to comply with section 62b (8) of the Justices Act, which reads:

> The clerk of the court of summary jurisdiction before which a defendant is convicted under this section shall forthwith, either personally or by post, give written notice to the defendant informing him of the conviction and order as to penalty and of any fine or other sum adjudged to be paid and of the time allowed for payment of such sum. Service by post under this section may be effected by notice addressed to the defendant at the address shown on the form pleading guilty and shall be deemed to be effected at the time at which such notice would in the ordinary course of post be delivered at the address of the defendant.

Clerks of court are well aware of the obligations imposed by section 62b (8) and employ all reasonable means to comply with their obligations. They have established a standard procedure, and have available a standard form for dispatch, and, having regard to the tremendous numbers of cases heard in the summary jurisdiction courts in this State, they have carried out their duties in a highly efficient manner.

KANGAROO ISLAND FREIGHTS.

Mr. FRANK WALSH (on notice): Is it the intention of the Government to subsidize freight charges on goods associated with primary production which are freighted to or from Kangaroo Island, particularly in view of the isolation that confronts many of the new settlers on the island?

The Hon. Sir THOMAS PLAYFORD: Along with other outports, Kingscote has the 50 per cent concession on wharfage rates for goods passing over two or more of the Harbors Board

wharves or jetties, and likewise has the benefits from the recent abolition of inward wharfage on specified items of intrastate cargo introduced in 1960 in accordance with Government decision. The financial results of the Harbors Board's operations at Kingscote during the past six years are as follows:

Year.	Deficit. £	s.	d.
1956-1957	19,931	19	8
1957-1958	21,516	15	2
1958-1959	20,784	19	5
1959-1960	23,063	16	3
1960-1961	22,326	13	1
1961-1962	21,493	0	9
Total	£129,117	4	4

Average over six years—£21,519 10s. 9d. deficit. Freight charges on goods shipped by sea to Kangaroo Island are fixed by the private shipping companies concerned.

PORT AUGUSTA SPECIAL CLASSES.

Mr. RICHES (on notice):

1. What is the policy of the Government in the matter of the establishment of senior special classes at Port Augusta?

2. Is it intended to establish such a class for boys or girls (or both) during the first term of 1963?

The Hon. Sir BADEN PATTINSON: The replies are:

1. The policy of the Government in this, as in all similar cases, is that steps will be taken to establish a senior opportunity class or classes provided that a detailed investigation shows that there is a sufficient number of children for these classes and provided that suitable qualified staff and accommodation is available.

2. It is not expected that such a class will be established for boys or girls during the first term of 1963. The Senior Psychologist has reported that the detailed investigations required have been by no means completed.

PORT AUGUSTA CENTRAL PRIMARY SCHOOL.

Mr. RICHES (on notice):

1. When is it intended to commence the erection of a fence around the new playing area at the Port Augusta Central Primary School?

2. Is it intended to install venetian blinds and cooling units at the Port Augusta Central Primary School?

3. If so, when is it expected that the installation will take place?

The Hon. Sir BADEN PATTINSON: The replies are:

1. Fencing—tenders will be called within two weeks.

2. Yes.

3. The venetian blinds have been ordered and it is proposed to call tenders for the cooling units early in November, 1962.

PORT AUGUSTA ADULT EDUCATION CENTRE.

Mr. RICHES (on notice): When is it intended to commence the work of erection of temporary accommodation for the teaching of boilermaking at the Port Augusta Adult Education Centre?

The Hon. Sir BADEN PATTINSON: The Director of Education was recently advised that the Corporation of Port Augusta had agreed to the erection of a temporary boilermaking shop on land owned by it to the north of the adult education centre. A survey of the site will be carried out by the Public Buildings Department as soon as the exact location, details and dimensions of the site have been clarified.

PRICE CONTROL.

Mr. MILLHOUSE (on notice):

1. What orders, pursuant to section 24 of the Prices Act, 1948-1961, are in force?

2. To which declared services do they apply?

3. What is the maximum rate fixed in each case for such declared services?

The Hon Sir THOMAS PLAYFORD: The replies are:

1. Gazetted orders in force pursuant to section 24 of the Prices Act are prices orders numbers 414, 727, 738, 742, 743, 753 and 754. Other orders in force pursuant to section 24 of the Act are orders in writing signed by the Prices Commissioner.

2. The declared services to which either gazetted prices orders or orders in writing apply are:

Cartage, haulage and delivery rates.
Electrical work and repairs.
Plumbing and repairs, including installation of hot water services.
Supply and fixing of fibrous plaster.
Glazing.
Tiling and floor laying.
Manufacture of bricks or blocks of cement or cement concrete.
Building repairs, alterations and renovations.
Some types of timber processing.
Some services supplied in the manufacture of footwear and footwear repairs.
Boot and shoe repairs.

Some clothing manufacturing services.
Public utilities—gas.
Commissions on some declared goods and services.
Television and radio repairs—applicable to 24 firms.

3. In the case of all the orders issued on services it is not practicable to give details of all the maximum rates fixed. Gazetted orders in force can be obtained from the *Government Gazette*. Orders in writing issued are numerous and are sometimes lengthily drawn-up legal documents in which the rates fixed sometimes mean little without explaining the definitions and conditions applicable to such rates. It is not practicable to give such detail. Furthermore, rates fixed on certain services are confidential to the parties concerned, and this precludes their publication.

PERSONAL EXPLANATION: ABORIGINAL AFFAIRS BILL.

Mr. DUNSTAN: I ask leave to make a personal explanation.

Leave granted.

Mr. DUNSTAN: In the *Sunday Mail* last weekend I was reported as having made certain remarks to a reporter concerning the Aboriginal Affairs Bill that is now before the House. I was very disturbed to see the report because it certainly did not represent my views. One paragraph contained a suggestion that I had said that, even though the possibility was remote under the new provisions as proposed by the Minister of Works, Aborigines carrying spears could go to an area outside the proclaimed area and obtain liquor or get it at an hotel in Adelaide.

The facts of the matter were these: The reporter on a number of occasions inquired of me the legal effect of the provisions of the Bill and of the Opposition's amendments on the Notice Paper. I endeavoured to explain these to him and then he read to me a suggestion that even if people in primitive conditions, carrying spears, came to Adelaide or went outside the proclaimed area they could obtain liquor. I said that technically and legally speaking that was probably so, but the thing was completely unlikely. I regarded it as extremely remote and therefore the question was quite unreal. I was then reported as having initiated some such suggestion myself, but that was certainly not so, because I would not want either the House or the Minister to gain the impression that I was opposed to the basic provisions of the Bill in the way it appeared in the newspaper that I was.

DEATH OF HON. A. J. MELROSE.

The SPEAKER: I have to inform the House that I have received the following letter from Mrs. Jane F. Melrose, of Kadlunga, Mintaro, dated October 8, 1962:

Dear Mr. Stott,

Thank you for sending me the copy of the motion moved by the Premier, the Hon. Sir Thomas Playford, also the eulogistic terms referred to by the Premier and Mr. Frank Walsh, also your personal expression of sympathy in our loss.

EDUCATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

BANKS STATUTORY OBLIGATIONS AMENDMENT BILL.

Returned from the Legislative Council without amendment.

MINING ACT AMENDMENT BILL.

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

LEAVE OF ABSENCE: MR. RALSTON.

Mr. LAWN moved:

That a further month's leave of absence be granted to the member for Mount Gambier (Mr. R. F. Ralston) on account of ill health.

Motion carried.

RED SCALE CONTROL BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture) obtained leave and introduced a Bill for an Act to provide for the control and eradication of red scale and for other purposes. Read a first time.

The Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

It is almost identical in form with an earlier Bill passed by this House dealing with the control of oriental fruit moth, and it is similar to another Bill to be introduced relating to San José scale. These Bills have originated from a deputation from growers' organizations asking for legislation to enable committees to be set up to control and eradicate certain diseases, and to enable the growers to organize contributions and the spending of money in the fight against the diseases.

I do not intend to give much detail about the Bill because from its drafting it is clear and easy to understand and because much of what was said in the second reading explanation of the Oriental Fruit Moth Control Bill applies to this measure. However, it may be

wise for me to mention the difference between these pests. Oriental fruit moth is a comparatively new pest, whereas red scale, a pest of citrus trees, has been in South Australia for many years. It has not become firmly established but it has infested trees in widely spread areas of the State. Perhaps it has not become firmly established because great attention has been paid to it by the Horticultural Branch of the Agriculture Department and energetic efforts have been made by growers to control and eradicate it. The Murray Citrus Growers' Co-operative has actually levied its members to pay for eradication measures. However, not all citrus growers are members of that association, and it is considered advisable, as requested by the association, to introduce legislation that will enable areas to be gazetted and polls to be taken to enable growers to bring into effect red scale eradication committees. The provisions for the establishment of a committee include the gazetting of an area by the Governor in Executive Council and the carrying of a poll of growers in the area. At least 30 per cent of growers must vote to carry the poll and at least 60 per cent of those who vote must favour it. In other respects, the Bill is similar to the measure relating to oriental fruit moth. Members will notice a difference in the definition of "host tree". In this Bill the definition relates particularly to citrus trees and to others known to be possible hosts for red scale.

Mr. CURREN secured the adjournment of the debate.

SAN JOSE SCALE CONTROL BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture) obtained leave and introduced a Bill for an Act to provide for the control and eradication of San José scale and for other purposes.

The Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

This is the third Bill introduced this session enabling committees to be set up to control and eradicate a disease. San José scale, a disease of deciduous trees, is known as a pernicious scale. It is a sap-sucking insect and is probably the worst disease of deciduous trees. It has not become established in South Australia, although occurrences have been found in limited areas over the past two years. In some areas the disease has been completely wiped out and in others it is expected that it will be wiped out. However, it is easily transmissible by the introduction of plants and cuttings so that, despite careful eradication methods, there is always a danger of re-infestation.

Up to the present time the Government has spent considerable sums in eradicating or assisting growers to eradicate this pest because, in accordance with Government policy, no action has been spared to attack a pest that it is believed can be eradicated. This has been successful in the case of San José scale. However, it is still present in some areas, although it is expected that it will be eradicated fairly soon. On the other hand, the danger of re-infestation makes it advisable to have in existence legislation that will enable committees to be set up at much shorter notice than would be possible otherwise. In view of the acceptance by the House of other Bills relating to diseases of horticultural trees, this Bill, which I believe will be supported by both sides, is now offered.

Mr. CURREN secured the adjournment of the debate.

ELECTORAL DISTRICTS (REDIVISION) BILL.

Second reading.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): I move:

That this Bill be now read a second time.

This Bill contains features that have not been in previous redivision Bills, and I shall refer to those because in a certain sense they provide a departure from what has been the established custom in this State for many years. In the first place, I am sorry that I was unable to reach agreement with the Opposition on the basis of the Bill. Our one discussion plainly showed that that would not be practicable. The Opposition holds the view (I am not saying it is a wrong view, although it is not mine) that electoral representation in this House should be upon a strict basis of one vote one value and that, if put into effect—

Mr. Clark: You would be out!

The Hon. Sir THOMAS PLAYFORD: I don't think I would be. We take those sorts of risks but the evidence I have does not indicate that. The position would be in that case that approximately 66 per cent of the members of this Chamber would be representing districts only a stone's throw away from the Adelaide Town Hall. Other parts of the State would have very meagre representation unless we went to the other extreme and provided a House so large as to be unduly cumbersome, costly and ineffective for legislation.

I believe that any Bill that would provide for a majority of the representation to be drawn from the near-metropolitan area would be totally wrong for the development of the State. It would inhibit any hope of decentralization. We have only to listen to the questions asked in this House every question time to realize that the representation of a district by a member is an important factor in his getting matters of interest to his district considered, and getting improvements there in such social facilities as education, hospitals, and so on, upon an adequate basis. Anything that would swing the trend away from an equal balance between the development of the State and the development of the city would be wrong. Whereas the Opposition talks about one vote one value, it is of course not an accepted principle anywhere else. I do not mind where honourable members look. Let them consider the redistributions that have taken place in the other States and they will see that in every State except Victoria—

Mr. Dunstan: What about Tasmania?

The Hon. Sir THOMAS PLAYFORD: Victoria is a compact little area. I accept the honourable member's interjection about Tasmania. I will not criticize their system but it is a system that the honourable member's Party had as a plank of its platform and abandoned, so we shall not worry too much about that. It was introduced into the House by the late Leader of the Opposition (Mr. O'Halloran) on three or four occasions, but it has now been abandoned.

Mr. Dunstan: But it is still one vote one value, and you said it was not there.

The Hon. Sir THOMAS PLAYFORD: Let us get back to practical politics for South Australia. This State depends for its progress, its employment and everything else upon two main elements of the community. As a matter of hard fact, from the point of view of the welfare of the State, although secondary industry provides most of the employment, primary industry provides all the export income and, if anything were to happen to our primary industries, our secondary industries would slump overnight. So we return to this point, that the future of this State has always depended, and will depend, upon primary industries. More than that, whereas it is comparatively simple, through the Tariff Board, to give protection to secondary industries, which enjoy purely a local market, the big primary industries, which mean so much to this country, are today those with inherent difficulties because they are producing upon a market in which they have no price control; they are having to compete on the world's markets in a completely competitive atmosphere with no protection at all.

This Bill has abandoned what has always been the feature of these redistributions where there is a defined metropolitan area and where the commission has been instructed to place so many seats in that defined metropolitan area, and it has acted on the basis that we have two main interests in this country. The Bill proposes, therefore, that the rural industries shall have 20 seats in the House.

Mr. Dunstan: Rural industries!

The Hon. Sir THOMAS PLAYFORD: Rural areas.

Mr. Dunstan: You are going to represent industries now, not people?

The Hon. Sir THOMAS PLAYFORD: If the honourable member knew more about them he would be less intolerant because he would realize how much they meant to the welfare of this country. He is very intolerant of rural industries except at election times.

Mr. Dunstan: Nonsense!

The Hon. Sir THOMAS PLAYFORD: The rural industries would have 20 seats and the other industries 20 seats. I realize that that causes some difficulty to a commission, and, for that reason, it has at its discretion the use of two additional seats for non-rural areas if it desires to use them. I observed some critical remarks about this Bill by the Leader of the Opposition. I appreciate them because it is his function to criticize and mine to listen to his criticism, so we start off on an amiable basis. However, I do not agree with his conclusions. He has stated that, from the point of view of his Party, these proposals are not an improvement at all (he did not use those words but that is the sum total of his statements). What is the position with this Bill? Although the definitions do not enable anyone to define precisely where the demarcation between the secondary industries and the rural industries will be drawn by a commission, they do clearly indicate where they may be drawn. Under this Bill the present representation of the metropolitan area, which is 13 members, will increase to 20.

Mr. Dunstan: No it will not.

The Hon. Sir THOMAS PLAYFORD: Most definitely it will.

Mr. Clark: What about the additional areas?

The Hon. Sir THOMAS PLAYFORD: The honourable member can ask questions in a few moments. Let me indicate what this Bill

will do. Incidentally, I have accepted the commission that the Leader suggested when we discussed a similar Bill. The metropolitan area will have 20 members, which will mean approximately a 50 per cent increase in the metropolitan area representation.

Mr. Clark: But it will be a different metropolitan area.

The Hon. Sir THOMAS PLAYFORD: Slightly.

Mr. Dunstan: It will be a major difference, but you are trying to suggest otherwise.

The Hon. Sir THOMAS PLAYFORD: It will mean that the quota for a metropolitan district will be about half the quota the member for Enfield has at present.

Mr. Jennings: I can manage them.

The Hon. Sir THOMAS PLAYFORD: Yes, and they will manage the honourable member one of these days, equally effectively. On the other hand, the quota for a country district will increase. There is no doubt about those things.

Mr. Dunstan: Oh yes there is!

The Hon. Sir THOMAS PLAYFORD: The quota for a country district will increase and for a metropolitan area it will decrease. In point of fact the quota for a metropolitan seat will be materially smaller than the present quota. Furthermore, I have accepted in this Bill what the late Leader of the Opposition (Mr. O'Halloran) strongly advocated—a reduction in the variation between seats. The existing legislation provides that the quota can vary by 20 per cent up or down.

Mr. Clark: But no-one takes any notice of that.

The Hon. Sir THOMAS PLAYFORD: Mr. O'Halloran always said—and his Party agreed with him then, and unless it has changed its opinion it still does—that that was far too wide a variation. Under those circumstances I have provided that the quota can vary only by 10 per cent up or down. That, of course, will not overcome the problem of a rapidly growing district with big industries, but it will mean that the size of districts will be much closer than they were. This Bill is not a constitutional measure because it merely sets up a commission to recommend on the redistribution of electoral boundaries. As a matter of fact, the Government could probably set up this commission without an Act of Parliament.

Mr. Frank Walsh: Quite so.

The Hon. Sir THOMAS PLAYFORD: The Bill to give effect to any recommendation would be a constitutional Bill and could be effective only if members opposite considered that, although not perhaps giving them an advantage, it was an improvement on the present situation, and voted for it.

Mr. Jennings: We will consider it on the grounds of its advantage to the State.

The Hon. Sir THOMAS PLAYFORD: I want the honourable member to listen, because I know he will be interested. When the Government last introduced a Bill to set up a commission of this nature it was vigorously and unanimously opposed by the Opposition. However, when the recommendation was brought before Parliament, every member of the Opposition supported it.

Mr. Fred Walsh: One didn't.

The Hon. Sir THOMAS PLAYFORD: It was a unanimous vote, and no division was called for. On the voices one voice only was heard against it, and that was the voice of my colleague, the late Sir George Jenkins. When he realized that his voice would necessitate a division he withdrew his call and there was no division. That was an instance where the setting up of a commission was strongly opposed by the Opposition, but where its recommendation was supported by the Opposition. I want to be fair, and I do not suggest that they supported it because it was what they wanted but because it was an improvement on the situation it sought to remedy.

Mr. Clark: That could not be said for this.

The Hon. Sir THOMAS PLAYFORD: It could be.

Mr. Clark: It could not be!

The Hon. Sir THOMAS PLAYFORD: I say that it could be, and that is the point I am making. If this commission is set up and if it makes a recommendation, Opposition members will not defeat the Bill giving effect to that recommendation. That is quite a statement to make, but I do make it. If this Bill is approved by Parliament, the commission is set up, its findings are brought in, and a Bill placed before the House to give effect to those findings (and I point out that the Opposition could defeat it simply by sending one of their members out) then—

Mr. Clark: You are putting ideas into our heads.

The Hon. Sir THOMAS PLAYFORD: I say advisedly that if a Bill is introduced to give effect to the recommendations of the commission that I hope will be set up, honourable

members opposite will see that it is not defeated.

Mr. Lawn: Who will be the judge to preside?

The Hon Sir THOMAS PLAYFORD: How would I know?

Mr. Lawn: That stumped you: I thought it would.

The Hon. Sir THOMAS PLAYFORD: I think that if the honourable member pauses he will realize that his interjection was unworthy of him. Our judges are men of integrity. As far as I am concerned any judge would be satisfactory. I am sure the honourable member realizes that our judges hold an honourable position, which is honourable because of the services they give. I should now like briefly to explain the provisions of the Bill. Its object is to provide for the appointment of an electoral commission to divide the State into House of Assembly and Legislative Council districts. As I have said on many occasions, the rapid growth in population in the State has led the Government to consider the question of redistribution of electoral boundaries and, following the precedent of 1954, it has introduced this Bill to establish a commission similar to that which was established in that year.

The machinery clauses—clauses 1 to 5 inclusive and clauses 9, 10 and 11—are on the same lines as those of the 1954 Act. Clause 3 empowers the Governor to appoint an electoral commission comprising three commissioners, one to be a Supreme Court judge who is to be the chairman, the other two members being the Surveyor-General and the Assistant Returning Officer for the State respectively. Clause 4 provides for the procedure at meetings of the commission, and clause 5 gives the commission the powers of a Royal Commission under the Royal Commissions Act, 1917. Clause 9 requires the commission to invite representations from individuals and organizations and to consider written representations made to it. At the same time, the commission is empowered to hear and consider oral evidence. Clause 10 provides that copies of the commission's report shall be presented to the Governor, the President of the Legislative Council and the Speaker of the House of Assembly, who are respectively to lay a copy of the report before each House. Clause 11 contains the usual financial provision. These are the machinery clauses of the Bill.

Clauses 6, 7 and 8 set out the duties of the commission. The commission is required to divide the State into Assembly and Legislative Council districts. For the Assembly there are to be 20 approximately equal districts in the rural areas, which are defined in clause 2 of the Bill, and 20 in the remaining area of the State, with the proviso that if it appears to the commission that the remaining area of the State comprises any part or parts of the State more than 30 miles from Adelaide, and such parts are of a size to be mentioned, the commission may provide for one or two additional Assembly districts. The condition regarding size to which I have referred is that any additional Assembly districts which the commission may provide must contain a number of electors equal to at least two-thirds of the average number of electors in the remaining 20 non-rural areas of the State. For the purposes of the Bill, Assembly districts are to be regarded as approximately equal if the number of electors in each is within 10 per cent above or below the average. The matters to be considered in connection with Assembly districts are referred to in clause 8. These are the common interests of electors in each district and, subject to that, and so far as is compatible with the general requirements, each Assembly district should retain as far as possible existing boundaries and be of convenient shape with reasonable means of access between the main centres of population.

Clause 7 concerns the division of the State into Legislative Council districts. Provision is to be made for six such districts, three in the rural areas and three in the remaining part of the State, but it is provided that a district in the rural areas may include a whole Assembly district from the remaining area of the State. The commission is to have regard to the criteria of convenience of shape, reasonable means of access, and retention of existing boundaries.

Mr. FRANK WALSH secured the adjournment of the debate.

WATERWORKS ACT AMENDMENT BILL (No. 2).

The Hon. G. G. PEARSON (Minister of Works) obtained leave and introduced a Bill for an Act to amend the Waterworks Act, 1932-1956. Read a first time.

The Hon. G. G. PEARSON: I move:

That this Bill be now read a second time.

I have not prepared a written explanation of this Bill. It is a very short Bill, and its purposes are simple. It follows in its general purposes the same provisions as a Bill I sought to proceed with earlier this session. However,

at the time the Bill was introduced and subsequent to its introduction requests were received from local government authorities from a widespread area of the State to have the form of the Bill reconsidered. The bases of the requests were that compliance with some of the provisions of the Bill would strain the resources of some district councils and corporations as the Bill required from the local govenment bodies information which, without the services of skilled personnel, it would not be easy for them to supply. In addition, there were other matters the Municipal Association thought were weighted somewhat heavily in favour of the department, and therefore it sought to confer on them before intimating its agreement with the Bill generally.

Upon becoming aware of these requests—and I know that honourable members, as representatives of various districts, also received similar requests—that the Bill should not be proceeded with until such time as there had been opportunity for conferences on some of the matters raised, I readily agreed to that proposal, because the whole purpose of this legislation is to regularize a practice that had been extant in the relationship between the Engineering and Water Supply Department and local government authorities for years. I am glad to say that there have been the most cordial relations between local government and the department. Of course, small points arise from time to time, as they will do in any association, but in the main we have received co-operation and I believe that in return we have co-operated with local government in every way: the relationship has been very good. Therefore, when this request was made for some reconsideration I was happy to accede to it.

Since that time a number of conferences, I think about four or five in all, have taken place. The engineers of local government authorities met the officers of my department. From those earlier conferences there was further consideration and later a final conference of the executive of the Municipal Association and departmental officers. I am happy to report to the House that it can be assured that the matters about which there was some dispute or variance have been completely resolved. The Secretary of the Municipal Association (Mr. Cox) has advised me that his association is completely satisfied with the provisions of this Bill and of the Sewerage Act Amendment Bill, with which I shall deal in a few moments. Without going into a long explanation of the various matters covered by the Bill, I can say that complete agreement has been reached and, if the House is prepared to accept my assurance on this, I believe the Bill can be sure of a swift passage. I have not included in it any matters not the subject of agreement with the councils concerned.

This Bill regularizes a practice that has been carried on by gentlemen's agreement between the department and councils for many years, with some slight variations to meet circumstances in each case. Some councils considered there was objection to this practice and were not prepared to carry on the agreement. They possibly considered that they did not have authority to make payments to the department that had been made in the past and that it became a matter for consideration on a legal basis. This Bill is a result of those considerations, and I commend it to the House.

Mr. FRANK WALSH secured the adjournment of the debate.

SEWERAGE ACT AMENDMENT BILL (No. 2).

The Hon. G. G. PEARSON (Minister of Works) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Sewerage Act, 1929-1960.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. G. G. PEARSON: I move:

That this Bill be now read a second time.

It makes two amendments to the principal Act. Clause 3 inserts into section 5 a new subsection (4) empowering the Minister to take and acquire either compulsorily or by agreement any land for the purposes of the Act or the undertaking, a provision commonly found in Statutes where a power of compulsory acquisition is necessary for the purpose of a public authority. For example, the Waterworks Act by section 5 empowers the Minister to acquire property for the purposes of that Act.

However, clause 3 (2) of the Bill provides that the new subsection shall be deemed to have come into operation at the time of the passing of the Sewerage Act Amendment Act, 1946, and further provides that any notice to treat which has been given since that time shall be deemed to have been valid and effectual for all purposes. Thus, the enactment of the new subsection is made retrospective.

In the ordinary course a retrospective enactment of this kind would not be made, but there are special technical reasons for the provision in this Bill which I shall now explain. By section 11 of the Sewerage Act, 1929-1936, the Commissioner of Sewers was incorporated and among other things was given power to purchase, take, hold or dispose of land or other property for the purposes of the undertaking. In 1944, by the Ministers' Titles Act, the body corporate known as the Commissioner of Sewers was abolished and all his rights, powers and functions were transferred to the Minister of Works. The general powers of the Minister as successor to the Commissioner are set out in the Commissioner of Public Works Incorporation Act, 1917, and include power to purchase, hold and alienate land but not power to take land. However, as I have stated, the Commissioner, prior to 1946, was vested with power to take land by section 11 of the Sewerage Act.

In 1946, the Sewerage Act was amended in several respects and among other amendments was the repeal of section 11 of the Act, presumably as being redundant, since it was apparently considered by the draftsman that the powers conferred by that section were the same as those already vested in the Minister of Works by the Ministers' Titles Act. It was apparently overlooked that the word "take" was included in section 11 and when this point was for the first time raised in argument before the Supreme Court this year some doubt arose as to whether, by the repeal of section 11, the Minister retained his power of compulsory acquisition. It is of course arguable that all the powers under section 11 including the power to take which were already vested in the Commissioner of Sewers were transferred to the Minister of Works in 1944 by the Ministers' Titles Act, but a judgment of the Supreme Court only recently decided that the power was not retained. It is quite clear that if the power of compulsory acquisition under the Sewerage Act were taken away in 1946 it was taken away by accident and through a slip. Either the word "take" in section 11 was overlooked or the draftsman considered that the transfer of the Commissioner's powers to the Minister in 1944 included the power of acquisition. This decision of a Supreme Court judge does, however, illustrate the necessity for an amendment that will declare what has always been the obvious will of Parliament.

The matter is, as honourable members will see, one of considerable importance. For nearly 70 years before 1946 the Minister has had the power to take and since 1946 he has acted on the assumption that the power of compulsory acquisition remained vested in him. Many cases have been heard and settlements effected on the assumption that the power existed. There are also certain acquisitions now in process in relation to the Bolivar sewerage works. The Government believed that the law, as accepted for so many years, should be declared beyond doubt. I should perhaps add that in relation to the current acquisitions, if the Minister has no power to acquire compulsorily under the Sewerage Act, he could achieve a similar result by proceeding under the Lands for Public Purposes Acquisition Act, 1934-1935, under which the Governor can, by proclamation, declare any work or undertaking which the Government is empowered to carry out but for which there is no other power to acquire land, to be a public purpose.

Upon the making of such a proclamation the purpose is deemed to be an undertaking within the meaning of the Compulsory Acquisition of Land Act and the Minister the promoter of the undertaking whereupon the Compulsory Acquisition of Land Act applies in the same way as it applies to compulsory acquisitions under any other Act. In other words, the Minister could still acquire land compulsorily for the purposes of the Sewerage Act, but this would entail a proclamation and commencement of fresh proceedings to determine compensation, which would result in considerable confusion and waste of time and money. Meanwhile, owners who have received part compensation, or whose land has been acquired following a payment into court to await the court's assessment of proper compensation, would be left in complex legal difficulties. These are the circumstances under which the present provisions of clause 3 are introduced.

At that point I leave the text originally prepared on this Bill, because from that clause onwards the text follows the general terms that applied to the Waterworks Act Amendment Bill introduced earlier this afternoon, and on that portion of these proposed amendments the same remarks completely apply. There was a similar set of proposals, a similar request from local government bodies for consideration of them, a similar degree of conference and discussion and, I am glad to say, a similar degree of unanimity in their acceptance of the result. Therefore, I do not think it is necessary to repeat my assurance to the House on this Bill. I simply say, however, that I have been assured by the Secretary of the Municipal

Association (Mr. Cox) that the proposals in the Bill are also completely acceptable to his association and I therefore commend them to the House.

Mr. FRANK WALSH secured the adjournment of the debate.

CATTLE COMPENSATION ACT AMENDMENT BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Cattle Compensation Act, 1939-1954.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

It makes three amendments to the principal Act. The first amendment is made by clauses 3 and 4 of the Bill, which empower the proclamation of any diseases affecting cattle to be diseases for the purposes of the Act. Honourable members will remember that the Swine Compensation Act was amended last year in a similar way, the purpose being to enable the addition of new diseases without amending the Act from time to time.

Clause 5 of the Bill (on which clause 6 (*a*) is consequential) is designed to provide for approved stock agents to pay cattle compensation duty directly to the Minister in bulk instead of attaching stamps of various denominations to statements sent out to purchasers. Under the principal Act every owner of cattle or his agent is required to make out a statement of the number of any cattle sold by him, the date of selling, and amount of the purchase money a head; to this statement he is required to affix cattle duty stamps to cover the duty payable and he is to give or send by registered letter the statement to the buyer within seven days. It will be seen that stock agents who are constantly selling large numbers of cattle are required to perform much clerical and administrative work in connection with each sale. Under the new provisions, agents or persons or companies whose business includes the sale of cattle on behalf of various owners will be able to obtain from the Minister a permit exempting them from the compilation and stamping of individual statements and authorizing them to pay the Minister the full amount of duty in respect of the purchase money in periodical returns. This will save much administrative, clerical and book work, it will be unnecessary for individual stamps to be obtained and placed on separate statements in respect of each sale, and it will greatly facilitate the payment of the required duty. The Minister is to be satisfied before issuing any particular permit that economy in the administration of the Act will result and he may include such conditions as he thinks fit. He has a discretion to alter any conditions or cancel a permit. There are other machinery provisions covering discharge to agents, recovery of any unpaid amounts and other machinery provisions. I would refer in particular to clause 7 of the Bill, which empowers the Minister or his authorized agent to inspect books and accounts and make full inquiries to ensure compliance with the Act. The new provisions are based on corresponding provisions in Western Australia.

The third amendment made by the Bill is a simplification of the scale of cattle duty. At present the rates are ½d. for each £1 of the purchase price, with a maximum of 1s. 3d. a head; under the amendments effected by clause 6 (*b*), (*c*) and (*d*) the scale will be 3d. a £100 with a maximum of 1s. a head. The amendment will effect administrative savings both to the persons liable and to the Government.

Mr. BYWATERS secured the adjournment of the debate.

SWINE COMPENSATION ACT AMENDMENT BILL.

The Hon. D. N. BROOKMAN (Minister of Agriculture) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the purpose of considering the following resolution: That it is desirable to introduce a Bill for an Act to amend the Swine Compensation Act, 1936-1960.

Motion carried.

Resolution agreed to in Committee and adopted by the House. Bill introduced and read a first time.

The Hon. D. N. BROOKMAN: I move:

That this Bill be now read a second time.

It makes four amendments to the principal Act. The Act as it stands provides for duty to be payable on pigs sold at auction or for slaughter. The rate of duty at present is a relatively small amount and it is not proposed to substantially alter this, but the Bill provides for simplification of the scale. The present

rate is 1½d. for every £1 of the purchase price, with a maximum of 3s. 9d. a pig. The amendment now provides for a duty of 6d. for every £5, with a maximum of 3s. 6d. a pig. This is enacted by clause 6 (2) of the Bill. The fund stood at £110,000 at June 30, 1962. This amount, though substantial, could be heavily drawn upon should there be a serious outbreak of a proclaimed disease. It stands as a secure insurance fund for the industry.

Clause 3 amends an anomaly in the present system. As the Act now stands, it is provided that no compensation is payable to an owner who has not paid all the duty payable by him on any pigs. The normal method of paying duty is for the agents to deduct stamp duty on the account sales. However, in some cases, operators do not deduct duty. Should an operator purchase a pig and fail to deduct duty, he is still entitled to claim compensation should the carcass be condemned at slaughter. The amendment in clause 3 will provide that the operator is not eligible to receive compensation unless the person who sold the pig to him has paid duty in respect of that sale.

Clause 4 amends section 12 of the principal Act, which provides that the Swine Compensation Fund can be expended only in payment of claims for compensation. The Chief of the Division of Animal Industry of the Agriculture Department has reported to the Government that, with a view to the prevention and control of pig diseases, further intensive research work should be undertaken. This would involve at least one and possibly two officers and the purchase of certain equipment. A suggestion has been made that an amount of £2,500 per annum should be set aside from the fund for the purpose. The Government has investigated the proposal and agrees that the expenditure of an annual sum of this order would do much in the way of improvement in the general health of pigs throughout the State. The fund is in a satisfactory financial position and the Government has accordingly introduced the amendment to authorize the expenditure. It goes without saying that investigations of this sort would be of immense benefit to the pig industry generally.

The third and fourth amendments are similar to those that are the subject of the Cattle Compensation Act Amendment Bill, which is also before the House. Clauses 5, 6 (1) and 7 of the Bill provide for the payment, with the Minister's approval, of swine compensation duty in bulk by agents at stated periods rather than by way of stamps on separate invoices. I have explained the amendments in more detail in connection with the other Bill and will not repeat them here.

Mr. BYWATERS secured the adjournment of the debate.

VERMIN ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 18. Page 1568.)

Mr. CASEY (Frome): Many amendments in the Bill will benefit landholders and district councils. The measure deals mainly with rabbits, and probably no other country in the world has paid so much as Australia in the destruction of rabbits. The first rabbit introduced in Australia from Europe had the Latin name *Oryctolagus Cuniculus.* It had been domesticated in Europe over the centuries and had been developed for its fur and table use. It was introduced into Australia in 1788, and a return to the British Government in that year stated that in South Australia the total rabbit population was five, three of which belonged to the Governor. In the following years there were repeated introductions of rabbits to Australia as a whole, but mainly to New South Wales. In 1859 a small shipment of rabbits was liberated on property known as Barwon Park, owned by Mr. Thomas Austin, and situated near Geelong in Victoria. Within three years the rabbits had become a potential menace to the landholders nearby. By 1880 rabbits had become established in South Australia and New South Wales to the Queensland border. It was estimated that they were multiplying and that they crossed country at the rate of 70 miles a year. By 1894 they had reached the borders of Western Australia and within 12 years of reaching that border arrived at Geraldton in the north-western part of that State. The effect of the rabbits on the sheep population was damaging. In 1891 the sheep population in the western division of New South Wales was about 15,000,000. In South Australia it was 7,500,000. In New South Wales the sheep population in 20 years fell by 50 per cent, and in 1911 it was 7,300,000. By 1931 it had fallen to 6,700,000 and the 1951 figure was about the same. In South Australia the sheep population did not alter greatly from 1876 to 1931, and remained at about 6,000,000. The reduction in the sheep population was the result of rabbits getting a hold on the country. The pastoral areas were particularly hard hit, where rabbits were allowed to breed unchecked. In drought seasons they eat not only fodder on top of

the ground, but dig down to eat the roots of trees. This kills much of the herbage needed to prevent soil erosion.

Mr. Quirke: They eat mulga, too.

Mr. CASEY: They also climb trees. I have seen photographs taken during plague periods of rabbits climbing trees, but that is not normal for them. Originally the rabbit introduced to Australia was not of the burrowing type. It lived on top of the ground, as the hare does today. It selected a squat and produced its offspring on top of the ground, but, because of the introduction of foxes to Australia, the rabbits, in an attempt at self-preservation, now go underground. Consequently, we have the problem of eradicating rabbits from inaccessible underground places. The advent of lightweight tractors with three-point linkage since the war has assisted landholders in eradicating this pest. Rabbits can be exterminated by several means, the most practicable of which is ripping. I have used larvacide frequently. It is a particularly deadly gas that must be used with extreme caution, but it has a damaging effect on the rabbit population. Bulldozing the warrens and pushing the soil back again has an equally damaging effect.

The rabbit industry in Australia is worth about £6,000,000 annually on the export market. Carcasses and furs are exported. However, by and large the advantages gained from exterminating rabbits to permit the carrying of a greater sheep population would more than compensate for the loss of this export trade.

Mr. Quirke: Would you favour decommercialization as in New Zealand?

Mr. CASEY: I was told this afternoon that some returned soldiers have taken on the breeding of rabbits commercially and that they are committed extensively in this field. I do not see eye to eye with the Minister when he claims that the domestic rabbit is of the same species as the wild rabbit. Admittedly, all rabbits originated from the one stock, but over the years through breeding we have developed domestic rabbits—and I need only mention the chinchilla and angora rabbits—the fur of which is used extensively for women's coats. These rabbits also provide table meat. They cannot be classified as wild rabbits. I should like the clause relating to cages to be examined further before a damper is put on the commercial breeders. As a boy I used to keep white rabbits—the angora rabbit—and I discovered that when they escaped they did not survive, especially when they intermixed with wild rabbits. If rabbits are being bred for profit it would be foolish for the proprietors of such establishments to permit them to escape, because the animals are valuable. An average wild rabbit today sells for about 8s. or 9s., but an angora or chinchilla rabbit can cost up to £5. Some protection should be given to those people who are engaged in breeding these rabbits. The rabbits can do no damage provided they are strictly supervised.

The Hon. D. N. Brookman: You realize that the only purpose of the Bill is to stop the commercial people?

Mr. CASEY: I did not think that was the only purpose. I thought the Bill was to give district councils the power to enforce provisions regarding the eradication of the wild rabbit. Most people keep rabbits in fine enclosures, the same as is done with prize fowls in small coops. Commercial rabbit farms will not damage landholders provided the farms are strictly supervised and there is no mass exodus of rabbits from them.

Mr. Quirke: Have you examined the inoculation aspects?

Mr. CASEY: No. Myxomatosis greatly depleted the wild rabbit, but I did not know that commercial rabbits inoculated against myxomatosis could pass on an immunity to the wild rabbit.

The Hon. D. N. Brookman: The originator of the fibroma, Dr. Shope, believes that there is that possibility, although he is not sure.

Mr. CASEY: I understand that Victoria has passed a similar Bill because it has had strife with domestic rabbits. I also understand that New South Wales has commercialized rabbit farms that function extremely well, but I do not know whether or not legislation has been introduced there to curtail such activities. At the same time, I did not know until this morning that some people in this State were so involved financially, and those people face the prospect of having their businesses wiped out overnight under this Bill. Although I agree with the Bill in principle, I think that in view of the information that has come before us—and I understand that the Minister is seeing the people concerned this afternoon—some provision could be made whereby the interests of those people could be protected from the State's point of view as well as from their own.

The Hon. D. N. Brookman: The only alternative is to let things go as they are.

Mr. CASEY: That suggestion has its merits also, but then we would be defeating the

object of trying to exterminate the rabbit as a pest. It has often been proved that these domesticated animals will not venture away if they escape from their compound, although I do not know whether that has been proved in Victoria. As I said before, it is not likely that rabbits will escape from their compound, because if they are so valuable their owners will take extreme precautions to see that in their domesticated state they are well looked after. I support the Bill, but I should like the Minister to consider the points I have raised.

Mr. LAUCKE secured the adjournment of the debate.

FISHERIES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 18. Page 1569.)

Mr. CORCORAN (Millicent): I support the Bill. These provisions made to amend the principal Act are desirable. The control of noxious fish is important; although they are virtually non-existent in this State, it is to the Minister's credit that he has introduced legislation to control them, because that should ensure that the quantity of noxious fish in this State will remain virtually the same, and if any apparent increase occurs it can be dealt with immediately and, we hope, effectively.

The new provisions regarding licences will make their issue far more convenient. The fact that the renewal of a licence can be effected within 60 days of the expiration of the old licence instead of 14 days as at present should prevent some of the congestion that now occurs during the issuing period. I intend asking the Minister, in Committee, whether any discussion has taken place and whether any decision has been reached regarding the issuing of professional and amateur fishing licences as distinct from the present method of licensing. Men in my district who obtain their living from fishing have told me that they consider steps should be taken along those lines. This is because people who have no need to rely on the financial returns from fishing for a living engage in the industry, I suppose mainly for sport. However, those people sell their catches, and the people who have to rely entirely on fishing as a source of income are afraid that the numbers fishing part-time will grow to such an extent that the professional fishermen's livelihood will be jeopardized. I realize that many people in the metropolitan area fish at weekends with a view to supplementing their income and in doing so make life a little easier for themselves, and I also realize that individual rights should not be ignored. However, it may be that some qualification as a fisherman could be established and a professional licence issued accordingly.

The provision in relation to the registration of boats and advising the Chief Inspector within one month of ceasing to take fish or to use a boat for that purpose will afford a much better control and is, I believe, most desirable. The amendment to section 53 of the principal Act dealing with penalties gives added protection to the industry. A fisherman might have in his possession and control crayfish of less than the prescribed size. This could occur mainly in rough weather at sea when pots were being emptied into the well of a boat and because of the conditions at the time it was not practicable to sort the catch on the spot. This could have been left until the boat was in its anchorage, and this could mean that an inspector could board the boat and the fisherman concerned be found guilty of an offence. I believe that most inspectors would consider all the conditions in such a case. I merely mention that matter because it could result in some injustices. However, generally speaking, this provision is necessary.

The amendment regarding general penalties imposes a minimum fine of £5 for a first offence and £20 for a second or subsequent offence, with the maximum penalty in both cases remaining the same. I believe that provision will be an added deterrent to people who harm the industry, and I know that persons genuinely connected with the industry would welcome even stiffer penalties, or at least a stiffer maximum penalty. I have pleasure in supporting the Bill, the provisions of which generally afford some control and protection for an industry that is growing in size and importance in this State.

Mr. TAPPING (Semaphore): I support the Bill. I commend the Minister of Agriculture for introducing it, and I commend also Mr. Bogg, the Director of Fisheries in South Australia. Whilst Mr. Bogg has been in this State in this capacity, he has proved a capable officer, and I assure the House that the members of the fishing fraternity in my district appreciate his endeavours to preserve a worthwhile industry. He has a difficult task to emulate the example of his predecessor (Mr. Moorhouse) who also gave the South Australian fishing industry capable support and did much to develop its potential. In the last 10 years the fishing industry, and particularly the crayfish section, has been most

valuable to the economy of South Australia and of Australia. The *Fisheries Newsletter*, a journal that members receive monthly, contained an article in the last edition under the heading "Cray dollars leap to 13,400,000" and included the following:

Australian crayfish exports to the United States of America earned 13,400,000 dollars in 1961-62 compared with 8,600,000 dollars in 1960-61, an increase of 55.8 per cent. This big increase was due both to a larger volume of exports—9,100,000 lb. compared with 7,800,000 lb.—and to an increase in the average United States estimated price from 10s. 5d. a pound in 1960-61 to 12s. 2d. in 1961-62.

Members will realize from those figures that this industry is valuable to the economy of Australia and this State. This journal contained a table showing that crayfish production in Australia was as follows: 1955-56, 18,456,000 lb.; 1956-57, 18,898,000 lb.; 1957-58, 21,964,000 lb.; and 1961-62, 27,915,000 lb. The South Australian production increased from 4,000,000 lb. in 1955-56 to 4,050,000 lb. in 1961-62. These figures prove that the crayfish industry must be nurtured and that the fishing industry generally must be safeguarded.

Clause 5 provides that annual licences can be taken out for a nominal fee of £1 and half-yearly licences for 10s. Yearly licences will terminate in November, and half-yearly licences in May and November. The member for Millicent (Mr. Corcoran) referred to amateur and professional fishermen. Last year meetings were held in my district and at various outports of this State to find out how professional fishermen viewed the activities of amateurs. On a Sunday afternoon a meeting was held at Ethelton at which there was a preponderance of professional fishermen who considered that amateurs had no right to interfere in their industry. A vote was taken and the professional men outvoted the amateurs. Professional men throughout the State consider that amateurs are rendering a disservice to their industry. If we start restricting amateur fishermen, this could perhaps extend to other fields. For example, a person could be prevented from growing a few potatoes in his back yard, which would be a restriction on his liberty. However, there could be qualifications in this legislation to give professional fishermen some benefit over amateurs.

Mr. Bywaters: All fishermen in New South Wales must have a licence.

Mr. TAPPING: Each person who undertakes fishing in South Australia must have a licence if he sells the fish.

Mr. Millhouse: What is the reason for the licence?

Mr. TAPPING: Because the legislation provides a minimum size below which the fish must be discarded and if the professional fisherman does not do this he commits an offence. The licence indicates the things that must not be done. A person who is licensed to drive a motor vehicle must not commit breaches of the Act.

Mr. Millhouse: This seems to me to be a good way of getting £1 a year.

Mr. TAPPING: In view of the work done by the department, I think £1 is infinitesimal. Fishermen are satisfied that they are getting good value because, after all, information regarding their industry is obtained by the department.

Mr. Millhouse: I do not see that.

Mr. TAPPING: Then perhaps the honourable member believes there should be no licence fee for driving a motor vehicle?

Mr. Millhouse: There is a distinction.

Mr. Corcoran: A licence is not needed to fish from a jetty.

Mr. Millhouse: No, and I cannot see why a professional should need a licence.

The SPEAKER: Order!

Mr. TAPPING: Clause 7, which provides for the annual registration of fishing boats, is an important provision. As it provides for registration without fee, it will probably meet the wishes of the member for Mitcham. This provision will ensure the keeping of a correct record of fishing boats operating in this State. The Minister mentioned an incident that occurred when a boat was found in an outport and an endeavour was made to trace its owner. A policeman went to the home of the person who had owned the boat originally but who had sold it, and this, of course, caused a panic in the household. The idea of compulsory registration is sound. Under the present law registration is indefinite and a boat can be sold two or three times without there being any record of change of ownership. If this boat is lost it is difficult for the police to ascertain who is the owner. Under this clause there will be yearly registration, which will ensure that the records of the department will be up to date and will benefit people in the industry. This could be taken a step further; it could provide that any boats, even those used as dinghies, must be registered. Tragedies have sometimes occurred because boats have not carried registration numbers.

Mr. Bywaters: During the war every boat had to be registered.

Mr. TAPPING: That is so. When I heard the Minister's second reading explanation I considered the penalties in the Bill harsh. However, in view of the magnitude and potential of the industry, fines befitting the offences must be provided. I support the second reading.

Mr. JENKINS (Stirling): The member for Mitcham (Mr. Millhouse) by interjection questioned why licences should be issued to commercial fishermen. I have a great admiration for the Fisheries and Game Department and I endorse the remarks of the member for Semaphore (Mr. Tapping) who said that he admired the way in which Mr. Bogg, the Director, carried out his work. Mr. Bogg is certainly doing his work well. He is a capable officer and a tolerant man. The idea of issuing the licences yearly instead of half-yearly, as in the past, will save much administrative work and will not be a hardship to anyone because the fee of £1 is reasonable. The department carries out extensive surveys of the fishing industry, and I believe Mr. Bogg and his officers are at present carrying out a biographical survey of crayfish. When the survey is completed Mr. Bogg expects to publish a book that will be of value to the South Australian fishing industry. The member for Semaphore (Mr. Tapping) mentioned the value of crayfish exported last year which amounted to 13,400,000 dollars. That is an indication of the importance of the industry. There are many things to be learned about the types of crayfish caught along the South Australian coast, as they vary considerably. In the area from the Murray mouth to Cape Jervis the pigmy or midget crayfish do not grow any longer than 8in. or 9in. The Minister has agreed that the 8in. crayfish may be caught and sold in the Southern Coast area, but not in the metropolitan area, where a 10in. size is the regulation size. That is a wise measure because if the 10in. crayfish were the limit to be caught in the Southern Coast area there would be no crayfish at all for sale because there would not be one in a dozen that would reach 10in. and the crayfish industry would be wiped out.

There is a close season during next month on some types of shark fishing and that would have some bearing, I think, on the quantity of crayfish caught. Certain types of shark caught on our coastline at present feed on crabs, crayfish, octopi, squid and that kind of thing, and small gummy sharks 3ft. to 4ft. long often have two or three crayfish inside of them when caught. If a close season on sharks means protection for sharks, then many crayfish would be lost. It is hard to know what to do, but unless the department can carry out a survey of the various types and study their biology, many problems will remain unsolved. Probably most of the department's revenue used for making these surveys comes from licence fees, and it is a good thing that a charge is made. Penalties are quite reasonable, and I do not think there will be any complaints. Unless there is a penalty for taking undersized fish or for fishing out of season, many people will take advantage of this omission to the detriment of the industry as a whole. I support the Bill.

Mr. BYWATERS (Murray): I, too, support the Bill. I was pleased that it was introduced and I compliment the Director of Fisheries (Mr. Bogg), who since coming into the industry has shown much initiative in endeavouring to eliminate some of the anomalies that existed in the Act. I have noted with pleasure his interest in the River Murray, and I know that in the upper reaches he has co-operated with the fishermen, and that similar co-operation will soon be available to those in the lower reaches to assist them in solving some of the existing problems. Fishermen along the River Murray have had a problem with noxious fish. It has been claimed by the Minister that there are no noxious fish in South Australian waters at present, but there are a few. From time to time a number of fishermen have been concerned at the introduction into the river of tench.

Mr. Jenkins: Red fin, too.

Mr. BYWATERS: Yes, but this has only come into the picture lately because of the recent episode at Mildura. I do not think that the red fin is such a bad fish. It is good eating, but has not entered the lower reaches of the river yet in any great numbers. Not many are caught. The tench has been a worry to some fishermen, who consider that it is a spawn eater. I have had much to do with fishing on the Murray, and do not think this is so. I believe that the tench is a weed eater rather than a spawn eater, and I know that its numbers have increased greatly because of its heavy spawning. It is a mud fish, not a particularly good eating one and not a good marketable one in South Australia. I believe some people in Victoria like it, and it has some market value there. It has been a

worry to fishermen along the River Murray because of its prolific increase in that area. I believe the pelican does a magnificent job in controlling some of the undesirable fish.

Mr. Loveday: They used to.

Mr. BYWATERS: There are a number of them, particularly in the lower reaches. I believe they are a magnificent bird and I should not like to see an open season declared on them, as has been suggested. The pelican is a magnificent bird and it is one method that nature uses to keep down the number of some of the noxious fish. It eats many of the surface fish such as carp and tench.

Mr. Tapping: Doesn't it consume about six pounds of fish a day?

Mr. BYWATERS: Yes, but it does not eat the better types of fish. I am convinced of that from my experiences. It is not a diver, but seeks its food mainly in the swamp reaches, and because of that it cleans up most of the rubbish fish. It is a great asset to the fishermen, and I believe it will remain as one of our natural birds. It is a beautiful and graceful bird that I have come to admire. I deplore any person who tries to destroy the pelican, which has been of benefit to the industry.

It is intended under the Bill to alter the last day for the issuing of licences from December 31 to November 30. This is a wise move, because in the past fishermen who have overlooked renewing their licences discovered that the department was closed during the Christmas holidays. No doubt this alteration has been made at the suggestion of the Director and is one that would be accepted by fishermen because of the confusion that has existed when they found that they could not renew licences because the office was closed. I am in favour of the registration of all boats. According to the Bill there will be no charge. Regardless of what the boat is used for, it should be registered and allotted a number. The Municipal Association of South Australia asked for this provision, but that it should go much farther to control boats. The Bill will satisfy that request to some extent, but it does not go far enough. I strongly advocate that every pleasure boat should be registered and should carry a number plate the figures on which are large enough to be read from some distance. No boat owner who is causing a nuisance, particularly in the river areas where powered boats can be operated without having number plates, should be allowed to escape because no means of indentification are available. Registered boat clubs require their boats to bear numbers or names, or both, and it is essential that this provision should be generally applied. As pointed out by the member for Semaphore (Mr. Tapping) it is desirable that when an exchange or sale of a boat takes place the department should be notified so that it may keep its record of fishermen's boats up to date. In that case the boat would be registered with a number.

During the Second World War every boat was compelled to be registered whether it operated in the backwaters, in the Murray or as a sea-going vessel. That provision caused no hardship and remained in force until about 1950. This suggestion is important enough to be followed up. I know that the Premier stated that to control small boats was hard, but at least the carrying of number plates could easily be enforced. Each boat could be registered and the owners could be compelled to carry plates, the numbers on which could be distinguished from some distance. I support the Bill, which does much to improve the industry. From time to time the Director examines these things in an attempt to tidy up some facet of the industry for its future benefit.

Mr. HALL (Gouger): I listened with interest to other members who have had much experience in the fishing industry, and I am glad to know that they support the Bill. I know, from personal contact with the Director on problems occurring in my district, that his department has an able administrator and on all aspects of the fishing industry he is sympathetic to those engaged in it. Any regulations that he is called upon to enforce are enforced in an attempt to preserve the fishing industry and help the majority of the fishermen. I express my appreciation of his efforts in my district. Unfortunately, I do not agree with the last speaker (Mr. Bywaters) when he recommends that all boats should be numbered. I make the plea that at least in one field in which we spend our leisure we may perhaps be without a number and without some sort of supervision. Undoubtedly, as each year passes, we are more and more beset by regulations and Acts passed by this Parliament and the Commonwealth Parliament and these bind us tighter and tighter with all sorts of controls for all sorts of reasons. In most cases those regulations and reasons for stricter control are valid.

Mr. Lawn: This provision operated in war-time without any trouble.

Mr. HALL: The member for Adelaide knows that during a national crisis, such as war-time, many restrictions are enforced.

Mr. Lawn: All our factory employees are numbered, and the inmates of Yatala are numbered.

Mr. HALL: Yes, and we are all numbered on the electoral roll.

Mr. Lawn: But we should not number a boat!

Mr. HALL: No; let us have some freedom in the world. If a good reason exists for protecting and promoting the fishing industry let us have some regulations, but if a man wishes to build a boat in his own backyard to have some fun let him have that fun without supervision. When it comes to regulating a person's weekend pleasures, that is over-planning. Unless regulations are required to safeguard people, I see no reason for anyone to press this matter further, and I heartily disagree with councils' desiring regulations in this matter.

Mr. Bywaters: The request does not apply only to seaside councils.

Mr. HALL: The definition clause specifically defines European carp as a noxious fish. I do not think the Minister has done justice to this clause. It is not good enough for anyone to bring a Bill before the House declaring a fish to be noxious without giving any reason why it should be so declared. I listened to the Minister's second reading explanation but heard no reason advanced. I am asked, as a member of the House, to vote that this type of fish be declared noxious without being supplied with any reasons. I know a little of the background of this fish, because last year I made an interstate trip with the member for Mitcham (Mr. Millhouse) and we stayed in Canberra for a few days. My room mate, I understand, resided in Victoria and from the information he gave me was one of the original propagators of this fish in that State. At that time he was involved in much litigation or was having a difference of opinion with the Victorian Fisheries Department. He had obtained rights from the State Electricity Commission in Victoria to breed these fish in the artificial lakes created to form ponds of cooling water for the power stations. I believe that one of the smaller lakes would cover 60 acres and one of the larger lakes many times that area. This man distributed thousands of the fingerlings of this type of fish throughout Australia, selling them at so much a head. The fish were widely distributed over Australia and this man alleged that it was complete nonsense to suggest that this fish should be banned.

Not realizing the future significance of these statements, I did not retain much of his information, but there were certainly two sides to this question and they have not been presented in the explanation of this Bill. Therefore, when it reaches Committee I suggest that the Minister furnish us with more information why European carp should be classified as a noxious fish. Although European carp is declared a noxious fish under clause 3, clause 4 provides that the Minister may declare any species of fish or any races, varieties or domesticated forms of any species of fish or any fish hybrid to be noxious. If the Minister, under clause 4 has power to declare any fish noxious, why is it necessary in clause 3 to provide that a certain type of fish should be noxious? It seems to me to be an unnecessary provision, unless the fish represents a great threat to the fishing industry. I cannot see why the matter should be duplicated. In Committee I shall ask further questions about European carp.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Amendment of principal Act, section 3."

Mr. HALL: Can the Minister say why European carp is to be declared a noxious fish?

The Hon. D. N. BROOKMAN (Minister of Agriculture): The European carp is a freshwater fish that has a deleterious effect on a number of native freshwater species. It has been one of the subjects discussed at conferences of Ministers of Fisheries. I have been to two conferences where the matter has been debated at length. The Eastern States are concerned about the fish, which, as I understand it, has an effect on the other species, not so much predatory as the turbulent effect there is on the water, which raises the mud, and in some way that interferes with the breeding of other fish. Despite a strong move in Victoria to allow European carp to be used, the difficulty has been met by the Victorian Government considering the matter and, after one conference, introducing a Bill dealing with the fish, and it has since become law. It outlaws the use of European carp. If Victoria can do it, when there was a strong move in that State not to outlaw the fish, I think we can do it in South Australia in deference to the other States, if for no other reason. The fish is not a pest in South Australia. I doubt whether it occurs at all, but if it does it is to only a limited

extent. It is the unanimous wish of all Australian fishing authorities that the fish be banned. That is why we have designated it as a noxious fish.

Mr. HALL: I thank the Minister for his explanation but I do not think it is a good reason for declaring the European carp to be a noxious fish. We would have a greater reason for banning the fish if it were to make sure that the fish did not go to the other States. The Minister said that the fish is not a danger to our fishing industry, and because of our water shortage it is not likely that we shall have many lakes where the fish can be bred. Why is it necessary to have the provision in the clause, when under clause 4 the Minister has power to declare any fish to be a noxious fish?

The Hon. D. N. BROOKMAN: There is no reason why the power should not be provided in this clause. When outlining the purpose of a Bill it is the practice to make clear what is intended. As we desire to make European carp a noxious fish we have specified it in this clause. Either the fish does not occur in South Australia or occurs only to a limited extent. I do not think it occurs at all. The Bill has not been introduced to effect uniformity in all States but to prevent the fish from becoming a pest in our fresh waters. Obviously, uniformity is desirable as well, but if we do nothing about it the fish may become established in South Australia.

Clause passed.

Clause 4 passed.

Clause 5—"Amendment of principal Act, section 13."

Mr. CORCORAN: Can the Minister say whether any decision has been reached regarding the granting of professional and amateur licences, as opposed to the present system of licensing? I believe that professional and amateur fishing licences are issued in Victoria and as the Bill is designed to effect uniformity it may be that a similar type of licensing could be introduced in South Australia.

Mr. MILLHOUSE: During the second reading debate, by interjection I asked why professional fishermen had to be licensed. I can see no reason for it. I have made inquiries but have not received an adequate answer. I know some matters go on from year to year without much thought being given to them. I do not say it is the position here and I am merely seeking information. I understand the annual licence fee is 20s., but that there are many exceptions to it. There appears to be much laxity in the granting of licences. I wonder whether the licensing is worth the great deal of administration necessary. Why are licences required and what ill effects would there be if the licensing system were abandoned? Also, how many licences are issued and how much revenue is derived from them?

The Hon. D. N. BROOKMAN: A number of questions are involved here. About 7,000 licences are issued now in South Australia to persons not more than 2,000 of whom can be considered professional fishermen by any standards. The licence costs £1. Probably up to 2,000 (certainly over 1,000) of the fishermen are pensioners who get their licences free, so the amount involved is not large. The total revenue from licence fees was £25,131 for the year ending June 30, 1962.

Mr. Millhouse: That must include more than the 7,000 licences.

The Hon. D. N. BROOKMAN: Most of them accounted for by that figure are gun and game licences, the costs of which were increased a year or two ago. They were the foundation of the wild life section of the department. I do not know the exact number of fishing licences involved, but the revenue would not be more than £5,000. It is worth collecting if only because we want to know the names of those people who have licences. Certain reforms in the matter of fishing licences have been considered over the past year or so, and these could be effected by regulation under the Act; there would be no need to introduce a Bill for that purpose. However, when the Director of Fisheries and Game was appointed, I said to him: "Will you visit every port as soon as possible, talk to the fishermen and get their views on the fishing situation; also, make your own observations about what should be done in this matter?" He was diligent and visited every port; he must have spoken to most professional fishermen and many amateurs in South Australia.

He is well fitted to listen to what others have to say; he does not ram his opinions down other people's throats but is intent on hearing what they have to say. As a result of that, he made a useful survey of the whole position. Recommendations for alterations in the licensing system are continually under review. It may well be that the conditions for obtaining licences will be altered in future, but no definite alteration is envisaged at present. One problem that interests us is

the collection of statistics, which at present are provided by some intelligent work. The licensed fishermen are not obliged to provide statistics.

Mr. Millhouse: You mean guess-work?

The Hon. D. N. BROOKMAN: No; I think that is an ungenerous comment because all statistics collection involves some guess-work. We know that proper provision for statistical returns does not necessarily produce the right answer, but over the years the statisticians just as much as the Directors of Fisheries and Game have to make informed studies of the position to get the right answer. The Statistical Department will do just the same: it will collect statistics. It knows that individually the statistics cannot all be absolutely accurate but overall they must have a remarkable accuracy, as anybody can see by studying the annual statistics reports. The Director of Fisheries and Game has a record of many people in the industry and from various informed sources he can build up a good system of statistics.

However, in order to compare some localities with others, some licensees may be asked to furnish statistics, but so far no such request has been made and nobody in the department wants to wade through 7,000 returns from licensed fishermen, only a small percentage of whom are professional or semi-professional. That is why at present there is no specific statement on licence alteration. However, it is no secret that the whole position is under review and certain conditions would be laid down. For the privilege of being able to sell fish there may be greater demand for licences than from other persons, but in no circumstances do I favour the prevention of amateurs from taking fish. The fish do not belong to anybody in particular, and I shall not be a party to trying to compel amateurs to keep out of certain areas. However, as certain types of gear (nets, and that sort of thing) are much more effective than others, it would seem reasonable that they should be the subject of licences rather than just being allowed to be used by people who can often do harm by using them wrongly. Also, if people want the privilege of selling fish, it is a small request to ask them to buy a licence.

Mr. Frank Walsh: Net fishing was affecting the whiting at Ceduna.

The Hon. D. N. BROOKMAN: I should not like to give a definite answer to that. If there is a question that arouses more argument than whether netting does greater harm in one locality than in another, I cannot think of it. Everybody can make a definite statement but nobody can prove anything, so I should not like to say one way or another.

Mr. Millhouse: What ill effects would there be if there were no licensing system at all?

The Hon. D. N. BROOKMAN: If there were no licensing system at all, the department (which cost the taxpayer over £44,000 this year) would get about £5,000 less revenue. There would be nowhere to go to decide who the fishermen were; there would be no-one to consult. It would not be possible to know whether we were consulting the right people when we were dealing with fishery problems, and we should have no idea how many people were taking fish. I think that answers the inquiries on this clause.

Mr. JENKINS: There may be some confusion about the issuing of licences to professional fishermen as distinct from amateur fishermen. Amateur fishermen should not be licensed, because they do not intend to sell the fish they catch. However, licences are issued to part-time fishermen. At Robe, for instance, the crayfishing season is extremely busy, but when the season closes the boats are all tied up or on the slips being overhauled. Those fishermen could be classed as professional fishermen, although probably for some months they are not fishing but are shearing or following some other seasonal occupation. The number of licences issued to professional fishermen would be negligible compared with the number issued to part-time fishermen. No fishing would be undertaken in my district from March until October, except for some crayfishing, so it would not be possible for anyone engaged in professional fishing to earn a living there.

The Commonwealth Minister in charge of fisheries publishes statistics every year, but I should imagine that they are obtained from the quantities of fish passing through regular marketing channels. According to his statistics, in 1959-1960 the total catch of salt fish was 127,692,000 lb. valued at over £12,000,000. I do not think it is possible to compile accurate statistics of fish caught or marketed because fish are frequently sold on the beach and elsewhere and do not pass through regular marketing channels. Probably up to 33 per cent of the catch is sold away from the proper channels.

Mr. Millhouse: Don't you think that the licensing system should be more effective, otherwise it should be abandoned?

Mr. JENKINS: I think it is effective because it enables the Minister or the Director

to inspect the fishing gear to ensure that undersized fish are not being taken. Yesterday I was asked to obtain some net for two men, but I refused, telling them that the size they wanted was illegal: one cannot fish with a one-inch net. The nearest allowable net is 1⅜-inches in cotton, which shrinks slightly when tanned. A nylon net of 1¼-inches can be used because it has no give and take. It is essential that licences be issued so that the Director can examine gear and ensure that undersized fish are not taken.

Clause passed.

Remaining clauses (6 to 10) and title passed.

Bill read a third time and passed.

PRICES ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 9. Page 1330.)

Mr. FRANK WALSH (Leader of the Opposition): Once again we are being asked to review our price control legislation to permit its continuation for a further 12 months. Previously I have said that this should be permanent legislation but the Government was not prepared to accept the suggestion. The next best thing is for it to remain on the Statute Book and be reviewed from year to year. The demand for goods and services is increasing so rapidly because of increasing population that, if the Government does not exercise control, prices will rise so high that they will threaten the State's economic stability. The Premier admitted this in his second reading explanation, but his arguments were unsound when he sought to imply that price control was responsible for a greater fall in the consumer price index in South Australia for the 12 months ended June 30, 1962, than in any other State. He knows as well as anybody that the fall in the consumer price index was due to excessive stocks combined with unemployment and that the Commonwealth Government, by the imposition of its credit squeeze, was solely responsible for the malfunctioning of our economic community. His Government did nothing to relieve the unemployment caused by his Liberal counterparts in Canberra and he must accept his share of the responsibility for the misery and degradation imposed on our community.

Let us be realistic when we are considering price control and not attempt to justify its continuation by matters which have no bearing upon it. When this legislation has been before us on previous occasions, members opposite have argued that competition between producers will keep prices down. I point out that, prices legislation fixes only maximum prices, and competition at any time is quite free to stabilize supply and demand at any lower level. However, I would ask members also to be realistic because in my view free competition does not really exist. It has been shown over and over again that when prices are not controlled by legislation, producers get together and control prices to suit themselves, and even the Premier has admitted this on previous occasions. Those members who clamour for the return to what they call free enterprise conditions are really advocating the introduction of industrial monopoly. The basic principle embraced in price control through legislation is the prevention of exploitation of the consumer by the producer, and no commodity or service should be freed from that control, even temporarily, unless those charged with the administration of the legislation are satisfied that monopoly price control will not be set up in its place.

The exercise of price control can also vitally affect our export markets. For example, our exporters are faced with serious competition on the world market, and if the goods and services that they require as the means of production are allowed to increase substantially in price, our exporters will be priced out of the potential export market in the Far East, and this will react unfavourably on the whole of the community. Towards the end of August of this year, His Excellency the Governor saw fit to proclaim a prices order relating to television and radio parts and repairs. More than 20 firms were listed in the order, but my information is that all of these firms were under the control of the one organization. I do not know the details of this particular case, but apparently these firms were making excessive charges. They have now been brought under the direct control of the Prices Department, and rightly so.

During the past 12 months I have approached the Prices Department regarding many cases of over-charging. On every occasion I have received the utmost co-operation from the Commissioner and his officers and, in many cases, substantial reductions were obtained for the people who had been overcharged by unscrupulous firms in the first place. In my view, these are examples of how price control legislation on the Statute Book can be used as a deterrent to unscrupulous individuals in our community. If producers or selling organizations are fair and reasonable in their

pricing—and no doubt a majority of them are —they have nothing to fear from the continuation of the prices legislation.

People who have been over-charged often come to me with their grievances, and provided they have not entered into litigation I am always willing to listen to them and to help them, so long as they are prepared to state their case to the Prices Department. That applies particularly to people who have been over-charged for services and materials for house construction. I know that those people have received much assistance from the department. In many instances, people are using their life's savings for investment in their houses, and it is particularly harsh on those people to be over-charged. Where certain basic commodities for the family man are involved, there is a need for an efficient organization to control prices, and as it is only the maximum price that is fixed, competition and free enterprise can still exist. I am not able to say what items are controlled and what are not.

Mr. Lawn: The member for Mitcham (Mr. Millhouse) could not tell you.

Mr. Millhouse: That is one of the things I complained about.

Mr. Clark: He was given a very full answer this afternoon.

Mr. FRANK WALSH: The member for Mitcham has a legal knowledge, but I believe that when he examines fully the explanation given to him this afternoon his legal knowledge will not help him solve the problem; he would have to be in the office of the Commissioner for more than a day to be able to absorb the information contained in the answer given this afternoon to his question.

The SPEAKER: Order! The honourable member's legal knowledge is not contained in the Bill.

Mr. FRANK WALSH: I realize that, Mr. Speaker. I support the Bill.

Mr. MILLHOUSE (Mitcham): Unfortunately, on this matter I find myself once again at odds with the Government.

Mr. Hall: And your colleagues.

Mr. MILLHOUSE: In fact, that causes me much regret, because nobody opposes the Government with more reluctance than I do.

Mr. Clark: It probably breaks their hearts, too!

Mr. MILLHOUSE: I have not noticed that yet.

Mr. Fred Walsh: I'll bet you would change your attitude if we were going to oppose the Government.

Mr. MILLHOUSE: No; I dealt with that topic in my Address in Reply speech. I cannot agree with the conclusions reached by my good friend the Leader.

[*Sitting suspended from 6 to 7.30 p.m.*]

Mr. MILLHOUSE: Prior to the dinner adjournment I said I could not agree with the conclusions reached by the Leader of the Opposition. However, I agree with some of his reasons. I regret that the two lions of this Chamber in the form of the Premier and the Leader of the Opposition—

The SPEAKER: Order! The honourable member would not be in order in reflecting on the Premier or the Leader of the Opposition.

Mr. MILLHOUSE: On the contrary, my remarks show their pre-eminence in this place. These two gentlemen are in agreement on this matter and, when the Leaders of the two Parties agree, back benchers can beware. Once again I must oppose the second reading of a Bill to continue price control. Last week and again today I received answers to a series of questions I asked on notice concerning price control. The questions were designed to show to the public of this State as well as to members of this House what items were under control. I have never forgotten the remark made by the late Leader of the Opposition (Mr. O'Halloran) during a debate on a similar measure in 1960 when, supporting the second reading of the Bill, he said he had not the faintest idea and did not care what items were under control. It seems to me absolutely absurd that members in this Chamber and in another place year after year are prepared to support price control, yet not know what items are under control. I therefore asked a series of questions, which I worded as carefully as I could because one learns after a little while in this place that to get an answer one must word questions on notice precisely.

Mr. Lawn: Your questions could not have been precisely worded.

Mr. MILLHOUSE: They were as good as I could make them, but I regret that the answers I received were not nearly as precise as the questions I asked. Perhaps I could refer to them briefly. Last week I asked:

What goods and services are declared goods and services pursuant to section 19 of the Prices Act, 1948-1961?

The Premier supplied me with what he said, in an aside that *Hansard* apparently did not hear, was a simplified list. It was not in fact the precise answer to the question. Members

may know that Mr. Peter Host, the Assistant Parliamentary Librarian, does his best to keep an accurate list of items under price control. He does not know whether it is absolutely correct as he is a layman in these matters and perhaps makes mistakes, but if one likes to compare his list (a copy of which I have here) with the list given by the Premier one will find that it runs to over three pages compared with the Premier's list, in the bold typescript that we know emanates from the Premier's office, of one page.

Mr. Lawn: It was concise.

Mr. MILLHOUSE: Yes, it was concise. Apparently the Prices Commissioner who prepared the list did not think this House was capable of taking in all the details.

Mr. Lawn: He did not think the question warranted a full reply.

Mr. MILLHOUSE: Apparently he did not think members of this House were capable of taking in all the items under control.

The Hon. G. G. Pearson: Read between the lines!

Mr. MILLHOUSE: Better still, I suggest members should be familiar with the list. I ask leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

PRICES ACT—DECLARED GOODS AND SERVICES.

(As published in the *Government Gazette*, September 20, 1948, p. 1115, and amended from time to time.)

By virtue of the provisions of the Prices Act, 1948, and all other enabling powers, I, the said Governor, with the advice and consent of the Executive Council, do hereby:

(1) Declare that the goods and services set out in the schedule hereto shall be respectively declared goods and declared services within the meaning of the said Act.

(2) Declare that this proclamation shall come into force on the 20th day of September, 1948.

THE SCHEDULE.

Division 1—Liquors and Tobacco.

Division 2—Groceries and Foodstuffs.

Item.

9. Bran and pollard and sharps, and stock foods containing bran, pollard, or sharps.
10. Bread and bread rolls.
10A. Breakfast foods.
27. Flour.
34. Wheat.
37. Infants' and invalids' foods.
47. Milk.
50A. Prepared stock and poultry foods.
50B. Sauce, tomato.
56. Soap, toilet or laundry.
63. Wheatmeal (for stock food).

Division 3—Fuel and Ice.

69. Firewood.
70. Mallee roots.

Division 4—Fibres, Yarns, Threads, and Fabrics.

Division 5—Clothing.

99. Clothing, garments and apparel of all descriptions other than:
    (*a*) Handkerchiefs;
    (*b*) Bathing costumes, trunks and caps;
    (*c*) Furs and articles of apparel made from furred skins;
    (*d*) Garters, arm bands, braces, suspenders and belts;
    (*e*) Hair nets;
    (*f*) Millinery;
    (*g*) Clothing, garments and apparel made, or principally made, from alpaca, mohair, astrakhan, sealette, fabric imitating fur, imitation camel hair cloth, velvet, velveteen, plush, lame, tinsel, fabric including lame or tinsel, pure silk, chenille, linen, lace effect fabric, hand painted fabric, applique designed fabric, and nylon;
    (*h*) Women's clothing, garments and apparel of all kinds and descriptions;
    (*i*) Men's clothing, garments and apparel of all kinds and descriptions, other than working attire;
    (*j*) Maids' gowns, dresses and frocks where designed for use as evening, dance or wedding wear, being ankle length or longer;
    (*k*) Safari jackets, other than for college wear, jodhpurs and leather jackets;
    (*l*) Surgical garments;
    (*m*) Foundation garments, other than maids' or girls' brassieres;
    (*n*) Scarves;
    (*o*) Ties, other than school and college ties;
    (*p*) Men's, youths' and boys' felt hats;
    (*q*) Maids' and girls' socks, stockings and sockettes made from nylon, pure silk or wool.
100. Diapers.
101. (*a*) Footwear.
    (*b*) Parts for the manufacture of footwear —soles, heels, boot and shoe uppers and all component parts, materials, and aids to manufacture, partial manufacture or repair for use in the manufacture, partial manufacture or repair of footwear of all descriptions.
105. Nursery squares.
108. Infants' and babies' shawls.

Division 6—Furniture, Furnishings, and household drapery.

Division 7—Household equipment and appliances.

141. Cooking and kitchen utensils.
154. Water tanks.

Division 8—China, Earthenware, and Glass.

156. Glass, namely:
    (*a*) Bent, bevelled, sand blasted, or engraved.
    (*b*) Bottles, flasks, jars, vials and tubes.
    (*c*) Louvres.

156. Glass, namely—*continued.*
(*e*) Plate.
(*f*) Sheet, figures, rolled, cathedral, milled rolled, rough cast, or wired cast.
(*g*) Sheet, plain, or fancy.
Division 9—Timber, Bricks, and other Building Materials.
157. Asbestos.
159. Bricks and building blocks, including refractory bricks.
161. Builders' hardware of any material, including hinges, locks, fasteners, and casement catches and builders' small hardware.
162. Building boards, including caneite and masonite.
163. Cast-iron porcelain enamelware, and substitutes therefor made from metal or plastic.
168. Earthenware and stoneware other than ornamental or decorative.
171. Fibro-cement sheets and roofing sheets.
172. Fibrous plaster sheets.
173. Fibrous plaster and fibro-cement mouldings, cornices, and cover battens.
175. Fittings and equipment of a type used in the installation of water, drainage, or sewerage systems in buildings.
178. Joinery and joinery stock.
188. Roofing sheets.
189. Sleepers.
190. Tiles of all kinds, including roofing tiles, wall tiles and floor tiles.
Division 10—Metals—raw and processed.
195. Galvanized iron and zincanneal sheet—plain or corrugated.
201. Galvanized steel pipes and fittings.
202. Malleable pipe fittings.
Division 11—Machines, Machinery, and Tools.
Division 12—Vehicles and Vehicle Accessories and Parts.
Division 13—Hides, Leather, and Rubber.
222. Leather.
223. Leather, imitation leather and fibre kitbags, attache cases, satchels and the like.
224. Rubber pads, soles and heels.
225. Slipper forms and piecegoods for use in the manufacture of boots, shoes or slippers.
226. Tyres and tubes.
227A. Articles manufactured wholly or partly from rubber, other than rubber gloves and rubber floor covering.
Division 14—Paper and Stationery.
228. School requisites, namely:
(*b*) Coloured chalk.
(*c*) Coloured pencils.
(*d*) Compasses and dividers.
(*e*) Drawing paper and pins.
(*f*) Erasers.
(*g*) Maps.
(*h*) Note books.
(*i*) Pasting books.
(*j*) Pens, nibs, pencils, including drawing sets.
(*k*) Protractors.
(*l*) Rulers.
(*m*) Set squares.
(*n*) T squares.
(*o*) Drawing and sketching materials.
248. School exercise books and the like.
252. Text books, primary and secondary school.
Division 15—Drugs and Chemicals.
257. Acid, sulphuric.
271. Manures and fertilizers, organic and inorganic, including:
(*a*) Blood and bone fertilizers.
(*e*) Sulphate of ammonia.
(*f*) Superphosphate.
277. Poisons, drenches, and sprays, namely:
(*b*) Arsenate of lead.
Division 16—Oils, Paints, Varnishes, Adhesives, and Plasters.
285. Kerosene.
289. Oils—mechanical and lubricating.
292. Patent dryers and putty.
293. Petroleum and shale products, other than aviation gasolene.
295. Resins (including synthetic resins).
296. Shellac, sandarac, mastic, and other dry gums, other than yacca gum.
298. Thinners.
299. Mineral turpentine and turpentine substitutes.
302. White lead.
303A. All raw materials used in the manufacture of paints, colours, varnishes, enamels, and lacquers.
Division 17—Packages and Containers.
304A. All types and grades of bags and sacks (other than new bags and sacks, but including bags and sacks filled for the first time).
Division 18—Miscellaneous.
335. Sand and gravel.
339. Stone.
Division 19—Services, etc.
352. Any process in respect of timber including kiln-drying, sawing, planing, milling and machining of all kinds and descriptions.
352A. Any manufacturing process in respect of clothing, fabrics and textiles.
354. Boot and shoe repairs.
355. Bricklaying.
356. Building of dwellings.
358. Carpentering.
359. Cartage, haulage, and delivery rates, excluding crane hire charges.
361. Commissions on declared goods and services.
364. Electrical work and repairs.
364A. Footwear manufacture—sole sewing, stuff cutting, upper sewing, shanking and all other services supplied in the manufacture or partial manufacture or repair of footwear of all descriptions.
371A. Manufacture of bricks or blocks of cement or cement concrete.
373. Painting, paper hanging, and glazing.
374. Plastering.
375. Plumbing and repairs, including installation of hot water services.
376. Public utilities—communications, and gas.
382. Supply and fix fibrous plaster.
383. Tiling and floor laying.
Division 20—Non-intoxicating drinks and Ice cream.
387. Ice cream, including ice cream whether coated or otherwise, served in containers or packages of all kinds and descriptions.

Explanatory Note.—The headings shown in this schedule are to facilitate reference to

goods which are the subject of this declaration. They shall not be read or construed as limiting or defining the scope of any of the items under the sub-headings or of the goods included in such items.

Mr. MILLHOUSE: I will point to some of the execrable draftsmanship that we find in this list. I refer particularly to Division 5, Clothing. In his answer the Premier merely said:

Clothing: Infants, boys and girls and youths and maids' clothing and garments including school and college wear.
Men's working attire.

In the list prepared by the Assistant Parliamentary Librarian these items occupy nearly a page. This is how it is worked out—and one needs to be a lawyer (at least, a bush lawyer) to understand what it means. The heading to item 99 is "Clothing, garments and apparel of all descriptions other than" and then are listed several exceptions down to (*q*). Some of these exceptions have exceptions grafted on to them, which is an extraordinary way to do things. Here is one of them. An article that is apparently exempt is a safari jacket, but the order continues:

(*k*) Safari jackets, other than for college wear, jodhpurs and leather jackets.

Presumably college wear, jodhpurs and leather jackets are controlled. Foundation garments are not controlled.

Mr. Lawn: Put them on Suzy!

Mr. MILLHOUSE: I had better not say what I intended to say. There is an exception grafted on to foundation garments—"other than maids' or girls' brassieres". These are, for some reason, controlled.

The SPEAKER: Order! I wish to know from the honourable member whether the statement he asked to be incorporated in *Hansard* is accurate and statistical information. Standing Order 135A provides that where a member refers to a statistical or factual table such table may, at the request of the member and by leave of the House, be inserted in the official report of the Parliamentary debates without its being read.

Mr. MILLHOUSE: Before I asked leave to have the statement incorporated I pointed out that it was a list kept by the Assistant Parliamentary Librarian, that it was as accurate as he could make it, and that he believed it was entirely accurate.

The SPEAKER: I am asking the honourable member.

Mr. MILLHOUSE: I am prepared to accept what he tells me.

The SPEAKER: The honourable member may proceed.

Mr. MILLHOUSE: Thank you, Sir. I used these illustrations only to show the execrable and involved draftsmanship that one finds in the full list the Premier did not see fit to give to the House in answer to my question.

Mr. Lawn: What point are you making on that?

Mr. MILLHOUSE: I will come to the point quickly. I have partly made it already. He did not even try to give a full answer to questions 2, 3 and 4. He said, in effect, that it would be far too big a list to give to the House, that it would involve too much work, and that in any case much of the information for which I asked was confidential and could not be divulged.

Mr. Lawn: Wait until you get to the Party room tomorrow; you will get lectured!

Mr. MILLHOUSE: I am prepared to take anything that is coming to me either from the honourable member for Adelaide or from any other member, because I happen to believe what I am saying on this point. I refer to this answer to illustrate two facts, the first being that apparently the Prices Commissioner himself does not keep a master list of what is under control and what is not. I say this because he said it would be too much trouble to turn it up.

Mr. Lawn: You have the word "master" off pat!

The SPEAKER: Order! There is no reference to the master in this debate.

Mr. MILLHOUSE: I cannot follow what the honourable member is saying. It is apparently impossible for members of this House who are the elected representatives of the people to know precisely what is under control and what is not under control because a week ago the Premier declined to give the information I sought. However, he had a chance this week to have second thoughts about it because through a sheer mistake and oversight on my part I forgot to ask last week for details of services as opposed to goods which are under control. This week I did rather better on the list of services and the Premier gave a list of 15, but I noticed that when I asked what orders were in force, instead of giving details of the orders (and this caused glee to a number of members at my expense which I am prepared to take, as I have in the past and will take again) he simply gave the orders as No. 414, 727, etc.

Mr. Lawn: He thought that they would be too involved for you to understand!

Mr. MILLHOUSE: No attempt was made to give the dates on which they were made, or the articles or services to which they referred.

The Hon. G. G. Pearson: The honourable member is obviously not under control.

The Hon. Sir Thomas Playford: He should be.

Mr. MILLHOUSE: I am under self-control. The Premier then repeated his refusal, in much the same terms as last week, to divulge information about services that are under control and the details of them. I suggest there is a question of principle involved. This is the Parliament of the State of South Australia. This is a Parliamentary democracy and yet—

Mr. Lawn: How long since! It may have been at one time, but you are right off the rails now.

Mr. MILLHOUSE: I repeat the assertion.

Mr. Lawn: Democracy is not mentioned in the Bill. It is not known in this House.

Mr. MILLHOUSE: Here we have one Government department that apparently is above Parliament. We are surely the body that finally controls all matters of Government policy. It is to us that the Government looks and yet we find we cannot get information upon which we can make up our minds as members of Parliament, and I suggest that this is a serious matter indeed.

Mr. Fred Walsh: I suggest you move a no-confidence motion and we may support you!

Mr. MILLHOUSE: We shall see about that. That passed a week ago without a ripple of comment by anyone; without any mention in the daily newspapers and only one member mentioned it to me today about the refusal of a Government department to give information that is vital and will enable us to give this Bill adequate consideration. The Premier, in his capacity as Minister in charge of prices, in a speech again this year gave so-called reasons for the re-introduction of price control.

Mr. Clark: A very good speech, too.

Mr. MILLHOUSE: If the honourable member thinks so, I will try to disabuse his mind of that. The reasons given seem to change from year to year. We never seem to get the same set of reasons any year in these second reading explanations. I cannot but think that it is an essay in price control written by the Prices Commissioner, but, of course, the Premier, takes the responsibility for it in this House. This year we find that the speech dealt with matters of grand policy under the headings of living costs, the employment position, the European Common Market and primary producers. I shall say something briefly about all of these.

Mr. Lawn: Are you going to be as outspoken and give your real thoughts on the Electoral Bill?

The SPEAKER: The Electoral Bill is not under discussion.

Mr. MILLHOUSE: Thank you, Sir, I would have made the same retort myself. These matters of grand policy have in fact, nothing to do with price control in this State, and on that point I agree with the remarks of the Leader of the Opposition when he unfortunately supported the second reading. If the Prices Commissioner or the Premier do, in fact, think that these things have anything to do with price control, then I say, and say it respectfully to the Premier, that they are suffering from delusions of grandeur, that is if the Premier is posing as the economic saviour of South Australia by virtue of price control.

Mr. Clark: Is it possible that they could be right and you could be wrong?

Mr. MILLHOUSE: I shall leave honourable members to work that out when I have finished. I am putting my side of the argument. When these matters are talked about the Premier does not, in fact, try to link them with price control, as he cannot, because none of them has anything to do with price control. We find a statement about living costs (and I do not challenge it) that in the last 12 months there has been a reduction in the living wage in Adelaide of 6s. a week.

Mr. Fred Walsh: Did you say there was a reduction in the living wage?

Mr. MILLHOUSE: I am sorry, I meant in the cost of living and thank the honourable member for bringing that to my notice. The implication is that it has something to do with price control. Of course it has not. The Statistician's figures reveal that from the June quarter, 1961, to the June quarter, 1962, the points under the consumer price index in South Australia dropped from 124.3 to 121.9, a drop of 2.4 points. That can be translated into a money reduction of 6s. a week; but if one examines the consumer price index broken up into its various groups, one finds that it has been entirely due to variations in prices of two commodities in the foods group—meat and potatoes. This is the position. Between June and September, 1961, the meat component in the consumer price index dropped 1.2 points whereas potatoes went up .2 points; in the next quarter meat dropped a further 1 point

and potatoes remained stationary; in the next quarter to March, 1962, meat went up .3 points and potatoes dropped .8 points; in the final quarter to June, 1962, meat was stationary and potatoes decreased .1 point. That makes a total drop of 2.6 points, which is .2 greater than the drop overall in the consumer price index figure for Adelaide. Does the member for Gawler follow me?

Mr. Clark: You are taking two isolated things that accidentally happened to give you a certain figure, but other things come into it as well.

Mr. MILLHOUSE: Yes, but the total points dropped in Adelaide were 2.4 whereas the total drop of meat and potatoes during the same period was 2.6. Is the honourable member with me so far?

Mr. Clark: Yes.

Mr. MILLHOUSE: That means other items, excluding meat and potatoes, actually rose .2 points in Adelaide during that time.

Mr. Clark: It does not necessarily mean that at all.

Mr. MILLHOUSE: I can assure the honourable member that it does.

Mr. Clark: There may have been 50 other things that went up and down, but you are excluding them.

Mr. MILLHOUSE: I am excluding all those things.

Mr. Clark: In other words, you are getting a result to suit your case.

Mr. MILLHOUSE: I am getting an exact result, and the member for Gawler may examine it in his pedagogic way, but if those two items are excluded the cost of living as measured by the consumer price index was almost stationary and, in fact, there was not that drop of 6s. What more can we draw from that? Let us remember that meat is not under price control, and potatoes are not controlled by the Prices Commissioner but by the Potato Board, so how can the Prices Commissioner take any credit for the drop of 6s. a week in the cost of living in South Australia? That is all I shall say on living costs despite the doubts of the member for Gawler, and I suggest that is sufficient to demolish the argument, if it is an argument, based on the drop in living costs in South Australia.

We go on to the employment position, and I give full marks to the South Australian Government for its part in giving South Australia the lowest percentage of unemployment in the Commonwealth, but again I suggest that that is not at all due to price control. In the course of his comments (I think perhaps the honourable member for Adelaide whose attention I now seem to have would agree with me on this point) under this heading the Premier said:

> This problem may well become more acute in this State than in the others unless steps are taken to maintain and extend employment and production.

The Premier was referring to the problem of finding employment for school leavers and others. I point out respectfully to the Premier that expansion of employment and production in this State can only occur if we have capital growth, and that capital growth must be financed directly out of profits made by industry, or the profits made by industry in this State must be sufficiently attractive or good to attract capital from outside. I hope the member for Torrens (Mr. Coumbe), who is my industrial adviser, will agree with that reasoning, because it is sound. If that is a fact price control, or more properly profit control—because that is what it is—does not help capital growth in this State at all and does not help to extend employment.

The next point (we are getting even higher here) is the European Common Market. I do not know whether the Premier means to say that price control in this State is the answer to the problems that will almost certainly arise if Great Britain enters the Common Market. All I know is that many solutions have been propounded to the problems that lie ahead of us, but this is the first time, so far as I am aware, that price control has been advanced seriously, if it is advanced seriously, as one of those solutions. I suggest that nobody, not even the Premier himself if he thinks about it again, would be prepared to take that point seriously.

The next reason is "primary producers", and here again we have stated the old assertion that price control saves the primary producer costs. That may be so, but I say, as I have said before (and this is one of the things the Premier has never dealt with in his second reading explanations), that if the advantages of price control are so great why is it that every other State has abandoned it, and why, having abandoned it and found the dire results that are predicted here if we were to abandon it, haven't they reimposed it? I suggest that that is a complete answer to the question.

The final heading, and one upon which I wish to say something, is "savings", and here again we have assertions about the investigations that have been carried out on petroleum products, superphosphate, timber, etc. I was not going to say anything about petrol except that since the Premier made that speech a certain development has occurred in the petroleum industry—super-grade petroleum has now been brought under price control. This move took place suddenly only last Thursday. I inquired of members of the industry, both those engaged in the wholesaling of the products and also (members opposite will be interested to know this) resellers, and they told me—and I accept it—that nobody knew this move was to take place. It came suddenly as a bolt out of the blue to both sections of the industry, and I am further informed—and am prepared to accept it and pass it on as such—that there was no suggestion or thought in the mind of the industry of raising prices or margins on super-grade petrol in South Australia. However, inexplicably and suddenly and without any warning at all the price of super-grade petrol in this State has simply been frozen by its being brought under price control!

If we examine the figures we will find that there has been an almost constant drop in its price, which has not altered since August 1961. Last year I said that the margins of resellers in this State were the lowest of any State. They receive 5¾d. a gallon on super-grade petrol and 4½d. on the standard-grade petroleum. South Australia has about 2,000 resale outlets, of which about three-quarters are in the country. I do not know whether any members have noticed this, but I have never seen one of those resellers who seems to be affluent or to have grown wealthy as a result of his endeavours. Rather the opposite, and I think all members will agree that most petrol resellers have to use members of their families in the business to make ends meet. They are the people who suffer as a result of price control on petrol.

Mr. Loveday: Are you sure it is not because the oil companies are suffering?

Mr. MILLHOUSE: I am sure of that. I am talking about their margins, which are the lowest of any State in the Commonwealth and that is the return that the reseller has. He is the man who suffers as a result of price control and now, suddenly and without warning, we have this control on super-grade petrol for apparently no reason that has been publicly given. What do we have in Victoria where there is competition just across the border from the South-East? We find that three weeks ago petrol product prices dropped under competition in a free market. Petrol can be bought now at Apsley, Lake Mundy, Nelson and Edenhope (not far across the border) more cheaply than it could be bought three weeks ago, and that is in a State without price control on petroleum products. That is entirely unfair to us.

Finally, we come to the two matters of savings mentioned by the Premier. The first concerns hearing aids. The Prices Commissioner, through the Premier, is apparently taking great pride in what he says are advantages and benefits that have been gained for the pensioners in this State. Perhaps members will bear with me if I explain what the position is, because here again I made certain inquiries. In South Australia seven firms or individuals are engaged in this field. Twelve months ago there were more. Two have gone out of business, presumably because the field was not a bed of roses and the competition was tough. The seven now in business buy their hearing aids from other States, and most hearing aids are manufactured overseas. They work by marking up on the cost into store in South Australia. That is where they get their profit. They sell the aid and subsequently give a free service to the purchaser. Often there is much service. Some people take six visits before learning to use the hearing aid. All this help is given free, and then there is the servicing of the instrument, which may last 12 months to 15 years, during which time the user has a free service.

Naturally the original mark-up is greater than it is on other products. I am told that of the clientele of the men to whom I spoke only 10 per cent to 15 per cent are pensioners. Last year all these organizations were asked for audited balance sheets for 1959, 1960 and 1961, and since then there have been three conferences of all in the field. They were called by the Prices Commissioner and each lasted about two hours. Officers of the Prices Department have called about six times on the various organizations to check books and to ask questions. Each visit lasted between half an hour and one hour. In addition, there have been numerous telephone calls. All this has been unremunerative to those engaged in the business. It has been a waste of time, in my opinion.

The Premier gave us examples of the savings made on the instruments. I am informed by the person who spoke to me that if he used the formula hammered out at the conferences

by the Prices Commissioner he could substantially increase the charge he is making for his instrument. In other words, he went through all this to be told that he could charge more, not less. He told me, and I do not doubt him, that his normal mark-up on the goods was about the same as the mark-up which, according to this speech, will be allowed to pensioners in future.

Mr. Lawn: Are you sincere?

Mr. MILLHOUSE: Yes.

Mr. Lawn: Then you do not have much confidence in the Playford Government.

Mr. MILLHOUSE: I have not in this matter, and I thought I made that clear. He had this waste of time and the man was told he could increase his prices. To add insult to injury, the Prices Commissioner through the Premier has the gall to boast about the savings he has effected for pensioners. The other matter mentioned by the Premier was footwear. He asserted that people make a saving on footwear prices. I have dealt with this matter before and I will not do it again. On October 11 there appeared in the *Advertiser* a letter, signed by "Robbed", dealing with footwear sales. According to the information I have as the result of investigations made, the letter is substantially accurate. Portion of the letter stated:

Applications by retailers for decontrol have met with flat refusals, and no reasons have been given. There is now greater variety available to retailers and quicker deliveries than ever before, yet merchandising of footwear is hamstrung by these pointless controls. One fact that does not penetrate officialdom is that a retailer seldom sells every pair in a line of shoes at the full mark-up.

Mr. Lawn: That sounds like the member for Mitcham. Did you say it was anonymous?

Mr. MILLHOUSE: Yes.

Mr. Lawn: I think you wrote it.

Mr. MILLHOUSE: No. The address is given as Adelaide. Then the letter contained some examples, and concluded as follows:

In the retailing of footwear this is the rule rather than the exception. Without price control non-fashion utility footwear would be cheaper, and high risk fashion shoes would be dearer than at present. But these same high fashion shoes would be available at under cost in end of season clearance sales. Without price control the person looking for cheap shoes would have an even greater selection than at present; while to be first in fashion would cost a little more.

I believe that is the position and do not believe that continued price control of footwear is justified. That is all there was in the speech, and I will leave it at that. I want to make it clear that I have no objection to the fringe activities of the Prices Commissioner. That is not price control. One of the fringe activities has disappeared in the last 12 months. Last year the member for Gouger took me to task for reflecting on the value and efficiency of the fair meat price lists put out by the Prices Commissioner. I noticed that quietly during the year these lists were discontinued and so far as I can find out nobody has been any the worse off for it. However, that was not the particular fringe activity I wanted to mention. I am entirely opposed to exploitation in individual cases. Some time ago, through the Premier, I referred to the Prices Commissioner the case of a person in my district who obviously had been robbed by one of the television repair people. That I should do such a thing was regarded in the Premier's office as a joke. I have no regrets about doing it, and I entirely agree with the action taken by the Prices Commissioner. The following is the reply I obtained:

After consideration of all relevant factors and allowing for all contingencies the department has assessed an amount of £13 15s. as a fair and reasonable charge for carrying out the correct servicing procedures necessary to remedy the defect in the operation of the receiver in question. The company has been advised of the department's assessment and it is suggested that the complainant should pay the amount to the company. It is pointed out, however, that as the servicing of the set was carried out prior to the control and fixing of specific rates for this firm the assessment is not enforceable by the department. If the company should take legal action to obtain payment of the amount originally charged the department would consider allowing its technical officer to give evidence in support of the department's assessment.

That should happen in every case. Undoubtedly in our community cases like this crop up from time to time, where a grossly unfair and extravagant charge is made for work done, and often the person concerned has no redress because of having no technical knowledge to make an assessment. I entirely agree that some Government body (call it the Prices Department if we wish to) to give this sort of assistance should be readily available, not as a favour, but as a help when proceedings are taken in the court, the proper place for assessments to be made. I entirely agree with expert evidence being available for the purpose.

Mr. Quirke: The continuation of the Prices Department is contingent on the passage of this Bill.

Mr. MILLHOUSE: It is in this instance, but the activities I support are not contingent upon the retention of price control on specific items as we have it in this State now. That is the distinction I make. I entirely agree with that sort of thing and am happy that the Prices Commissioner should investigate (as he did) the price of wine grapes, for example, whatever the result may be. Those things are not price control proper, and it is price control proper of which I have been complaining.

That is all I want to say on this, but perhaps I can briefly sum up why I oppose price control again this year. First, I believe it is unfair to some manufacturers and merchants who are controlled. There is no more reason why their profits should be controlled than those of people who manufacture and sell articles not under control. Secondly, this is not really price control at all—it is profit control. The fact that the Prices Commissioner calls for balance sheets and uses them proves that. Thirdly, price control has not been effective in keeping down prices in South Australia. Our living costs are much the same as those of other States. Fourthly, the South Australian economy is part of the Australian economy. The rest of that economy is not controlled and, therefore, it cannot possibly be effective to control prices in only one part. I remind members of the way in which Queensland has deliberately turned its back on price control—an example to us.

Next to finally, it is a bad waste of time and money—public money to the tune of about £66,000, private money of an incalculable amount. Finally, it is (and I know that members opposite will agree with me when I say this) contrary to the principles of Liberalism. Especially does it impinge unfairly and unnecessarily upon the freedom of the individual. I believe we are not living in a siege economy; we are living in an economy of plenty where competition is sufficient to keep prices fair, stable and down. For these reasons, I oppose price control. I believe I have everything on my side.

Mr. McKee: Do you agree with wage control?

Mr. MILLHOUSE: I believe I have everything on my side except the numbers, but we shall see what they are when the House divides.

Mr. TAPPING (Semaphore): I support the Bill. First, I refer to the honourable member (Mr. Millhouse) who has just resumed his seat. He has been consistent each year in opposing this legislation by word of mouth but, when the vital stage arrives when he can exercise his vote, he consistently fails to do so, so he has been consistent in two ways. He mentioned meat and referred to the fact that some months ago the Prices Department considered the price of meat, saying what it should be from week to week. The honourable member says now that that suggestion has been withdrawn. It has been withdrawn because the butchers realize that they must charge only a reasonable rate for their commodities and they have faced up to realities.

The honourable member also referred to television service charge control. I raised this matter here some months ago, pointing out at Largs Bay instances where television repairs were carried out and excessive charges made. Some weeks later, the Premier announced that at least 20 firms were being brought under price control because of those excessive charges. Even the member for Mitcham seemed to advocate control when that sort of thing occurred. If he admits that, it is one case where he is not opposed to price control. He referred also to price control of super-grade petrol. There has been control for some time over the standard grade of petrol, but now we understand that super-grade petrol will be controlled. That is necessary, too, because for some years in South Australia the major oil companies have acquired and knocked down some fine houses costing many thousands of pounds. To do this and to pay exorbitant sums for these houses, they must try to pass on the cost. The control of super-grade petrol is a wise move and I hope that it will continue indefinitely, as we have advocated here for years that price control is necessary when impositions are made by certain sellers. In South Australia this legislation is re-enacted each year. In the last 12 months only a few offences have taken place in respect of controlled lines. More misdemeanour has occurred in those lines not controlled. Because of price control, those engaged in a hundred lines or so do nothing wrong and those who do something wrong are told by the Prices Commissioner, "If you continue to commit these offences, we shall impose price control." So the Prices Department is a safeguard for the consumer, and I hope that that will continue indefinitely.

Another point is the tendency in the last year or so in South Australia for some of the big organizations to squeeze out the small storekeeper. For instance, 4s. 11d. a lb. for butter is regarded as a fair price, but some

organizations are selling it at 3s. 11d. and 3s. 11½d. a lb. Cigarettes are normally 3s. 3d. for 20 but in many cases they are sold at 2s. 9d. and 2s. 10d. From experience in my district in the last year or so, I know dozens of shops that have been put out of business. Those that continue, if they are not losing money, are carrying on with but a small profit. It is said that the storekeeper in this category should look out for another job but, because of his age, it is hard for him to find another position, so he is bound to carry on with his shop as long as possible. I appeal to the Premier to consider this point and see whether something cannot be done for these smaller people who are being forced out of business.

When price control was imposed years ago, it was regarded as a fair way of treating the buyer and the seller, but many storekeepers are going out of business. The tendency is for some customers to go to see them after hours or at some time when other shops are closed; they are made a tool of. There is a ceiling price and there must be some consideration for the person who is being imposed upon and forced out by big business. Some organizations that indulge in price-cutting are up against it financially. We can control the position fairly if we are going to protect the small storekeeper and those failing financially. But, if they succeed in their business ventures, they gradually absorb the smaller shops. Unless we continue with price control in that way, we shall regret it.

Mr. LAWN (Adelaide): The member for Mitcham (Mr. Millhouse) began by referring to two lions, but I want to begin by referring to the lion of Mitcham. He said that when the Premier and the Leader agreed, the backbenchers should beware. However, the two lions to whom he referred agreed only to a certain extent. One of the lions, the Leader of the Opposition, would like this legislation to cover a wider field than it does.

Mr. Clark: He would like it to be permanent.

Mr. LAWN: Yes. Members will recall a recent statement about the principals of the oil companies, banking organizations and other financial institutions who guarantee Liberal Party campaign funds: funds for services rendered. It was obvious this evening, as on other occasions when the member for Mitcham has spoken, that he was standing up with a sugar bag on behalf of the Liberal Party seeking to secure funds for the Party. I recently read in the press that the State Liberal Party President said that the Liberal Party was bankrupt after the last Commonwealth and State elections. The member for Mitcham is the champion of the Liberal Party and he is going out with a sugar bag, and it might be a cornsack later—

The SPEAKER: Order! I do not think the honourable member can pursue that line.

Mr. LAWN: I think I can, Mr. Speaker. I am coming to the pay-out that was made to the member for Mitcham by the very man he criticized—the Premier—when the Premier agreed to remove from this legislation price control on land. The banking institutions recently imposed heavy charges on the community, and until the cry went up they even imposed a charge of 3d. on each cheque cashed for a pensioner. The banking institutions, financial institutions and the landed interests that the member for Mitcham represents are exempt from price control, yet he agrees that there should be price control on wages—in other words price control on labour.

Mr. McKee: He would not answer that when I asked him.

Mr. LAWN: No, but he agrees that there should be control on other items not mentioned in this Bill. The Premier gave the honourable member a pay-out to silence him to some extent when the Premier agreed about two years ago to exempt land from price control. The honourable member is associated with big business and is the director of one or more firms, which I will not mention. He is also a member of a legal firm, and if he can persuade this House to give big business the right to exploit people by charging anything they like, then he can charge and expect to receive greater legal fees for the firm of which he is a member.

Mr. Quirke: Have they that right in New South Wales?

Mr. LAWN: New South Wales does not concern me. The honourable member pipes up with stupid interjections when it suits him. Let me tell him that if a workman in New South Wales meets with an accident that causes his death, his widow receives over £4,000, whereas in South Australia the compensation is only £3,000. Does the honourable member want to compare South Australia with New South Wales? No!

Mr. Quirke: There is no price control in New South Wales.

Mr. LAWN: In New South Wales a workman is covered by workmen's compensation when travelling to and from work, but a South

Australian worker isn't. The Electoral Act in New South Wales is not gerrymandered as is our Act.

The SPEAKER: Order! There is no gerrymander in this Bill.

Mr. LAWN: When it suits them, members opposite make inane interjections. I can well remember the Minister of Agriculture (the highbrow in the front bench opposite) and the former member for Burnside (Mr. Geoff Clarke), whenever Opposition members spoke, piping up with "Do you believe in uniformity?" Last year and this year, however, Ministers have placed before us uniform Bills agreed upon by Liberal and Labor Governments in other States. I need only mention the Companies Bill and the Hire-Purchase Agreements Act Amendment Bill. We hear stupid interjections from members opposite. I am not the champion of the Premier. The member for Mitcham made much of the precise questions he addressed to the Premier last week. He realized, from interjections, that he received a concise reply to his precise question. He complained of receiving a short reply from the Premier because it took about one page of *Hansard* and stated that he obtained four pages of information from the Parliamentary Librarian. In reply to you, Mr. Speaker, he said that he could not vouch for the information he presented to this House. He said that he accepted the word of the Librarian. I am not suggesting that the Librarian was wrong, but the honourable member did not know whether the information he gave this House was right or not. However, let me be fair. He could have obtained many more pages of information, because I remind him of what the Premier told him—

Mr. Clark: Are you supporting the Premier now?

Mr. LAWN: I said that I was not the champion of the Premier, but that the member for Mitcham was misleading the House.

The SPEAKER: Order! Can we have one speech at a time?

Mr. LAWN: I am resting my throat.

The SPEAKER: Don't rest it too long or I might call on another member.

Mr. LAWN: Well, you are interrupting me, Mr. Speaker. On October 16, in a reply to the first series of questions from the member for Mitcham, the Premier said:

As regards these questions the member for Mitcham virtually requires full details of the department's activities on all prices fixed, and even if it were permissible to give a complete answer it would require the mammoth task of extracting the information from the files of the department, as in many cases prices are issued to individual traders—*e.g.* hundreds of differing country prices for bread, milk and cartage alone.

Members can see that the Prices Commissioner cannot say that the price for bread is a set amount, because the price varies in country areas. I suggest that the tirade we heard from the member for Mitcham was not sincere. He would not vote with the Opposition if we launched a no-confidence motion. He speaks only when the Premier, his master, gives him permission to do so, and when he hopes to fill the sugar bags for his Party's election campaign funds.

Mr. Millhouse: If you only knew!

Mr. LAWN: Recently the Premier has said that most of the items that have been referred to him as Minister in charge of prices related to goods that are not controlled. I cannot remember exactly when the Premier said this, and I have not been able to locate it in *Hansard*.

Mr. Ryan: He said it recently.

Mr. LAWN: Yes, about two or three weeks ago. That was a most important statement in view of the criticism of the member for Mitcham who suggested that the people would be better off and would have lower prices—although we know that he is after higher prices—if there were no price control.

Mr. McKee: What about the funeral directors?

Mr. LAWN: I will come to that presently. It was interesting to hear that the Premier is receiving complaints about items that are not controlled. When the Premier said that, I thought of a matter that I had raised by way of correspondence. I should like to inform the member for Mitcham just what is happening regarding items which are not controlled but which could be controlled—items which are subject to the Bill but which have been exempted. I, like many other people, suffer from ulcers.

Mr. Jennings: You give some, too.

Mr. Shannon: He has given me one.

Mr. LAWN: It gives me great pleasure to know that I have given the member for Onkaparinga an ulcer. Some ulcer sufferers, including myself, receive a doctor's prescription to purchase magnesium trisilicate B.P. One pound of this magnesium trisilicate costs 20s. when made up to a prescription. On one occasion when I walked into a chemist's shop and asked

for the prescription it was taken off the counter and the price was 11s. 6d. What was handed to me was in a cardboard package, but was exactly what I had been getting on other occasions. The girl who served me did not know the reason for the difference in the price. On the occasions when I had been charged 20s. the magnesium trisilicate had a little slip stuck on it with the chemist's name and a number, in order that the chemist could always refer to the prescription. I then wrote to the Premier asking why I and other people had been charged 20s. when the same thing could be purchased for 11s. 6d. Incidentally, ultimately I received a cheque for a refund of the amount I had been overcharged.

The member for Mitcham knows that he is a champion of the chemists; he took their side on a previous debate in this House. The first reply I received from the Premier stated:

The higher price charged for a pound of Magnesium Trisilicate B.P. bought on prescription compared with a pound bought without a prescription is due to the following factors:

(*a*) The professional dispensing fee for checking the prescription, entering in the register of prescriptions, weighing and repacking in a glass jar and labelling.

(*b*) The cost of the glass jar in which a dispensed powder must be supplied instead of the original paper or cardboard pack.

(*c*) The extra quantity of 10 per cent in the dispensed (Apothecary's) pound compared with the non-dispensed over-the-counter (Avoirdupois) pound.

(*d*) A slightly higher margin applied to the cost of Magnesium Trisilicate when dispensed.

Although the dispensed price has not varied since before chemists' fees were decontrolled, the matter was taken up with the Pharmaceutical Guild. In view of the simpler nature of this prescription as compared with most powders dispensed, the Guild has agreed to reduce the margin for dispensing by 2s.

The guild did not hesitate to say to the Prices Commissioner, "We will take off 2s. in the pound." The letter continued:

Prior to this adjustment the dispensed price of one pound of Australian Magnesium Trisilicate B.P. should have been 19s. 6d. (imported is slightly dearer). The additional quantity dispensed under Apothecary weight as compared with one pound over the counter is worth 1s. 2d., which means that the 8s. difference, after allowing for the 2s. reduction, will be reduced in effect to 4s. 10d. The dispensed price of the Australian product should now be 17s. 6d. per pound, which includes 10 per cent additional weight, as compared with 11s. 6d. when purchased without a prescription.

I sent a letter back to the Premier pointing out that whoever gave that information to the Prices Commissioner must have been a chemist. I said:

In paragraph (*a*), your letter states:

"The professional dispensing fee for checking the prescription, entering in the register of prescriptions, weighing and repacking in a glass jar and labelling."

That was the justification given for the higher price. My letter continued:

In reply to this paragraph I wish to state that I have a cardboard package at home with a label on it which cost me 20s., but had I asked for a pound of Magnesium Trisilicate B.P. I would have obtained the same package without the label. There was no glass jar and no weighing. (This answers paragraph (*b*); and also paragraph (*c*). There was no extra weight.)

There is a clear example that I was being sold a cardboard package for 20s. which the chemist told the Prices Commissioner cost 11s. 6d., the 20s. being charged for a prescription that was made up, was of greater weight and in a glass jar. The Premier was good enough to forward my second letter on to the Prices Commissioner. I was then interviewed by an officer of the department, to whom I showed the package. He took the matter up with the guild, and I and the other people concerned subsequently received cheques for a refund on the items entered in the register on the occasions when we went in and obtained them. Of course, there was no record of the sale of the same package that did not have the label on it, and in any event we would have had no claim because we paid only the 11s. 6d. There is a clear justification for the statement recently made by the Premier that he is getting most complaints now because of so many items not controlled or items which have been decontrolled, and I think it is the complete answer to the case put up tonight by the member for Mitcham.

I have had a quick look through *Hansard* this year. I do not claim that my investigation has been sufficiently exhaustive to include all the questions asked regarding prices. However, the member for Stirling (Mr. Jenkins), a Government member, raised a question in this House on October 18 as to why cornsacks—and this is something that concerns the primary producers, not the big business magnates in the city—were dearer at Victor Harbour than at Port Adelaide. The honourable member is a country member and I am a metropolitan member, and I give him full marks for his action in this matter. The Premier, as the Minister in charge of prices, said that he would take the matter up with the Prices Commissioner. That is a question asked on behalf of primary producers. The question I asked was a question

applying to anybody in the community, country or city, who was a patient of a medical practitioner. On July 25 this year the member for Hindmarsh (Mr. Hutchens) asked a question regarding a contractor's price for a job for a dentist—a professional man. There we have three various groups of people who had questions asked in this House on their behalf. On August 1 this year the member for Port Pirie (Mr. McKee) asked a question about something that concerns everyone in the State: exorbitant funeral charges.

Mr. Casey: We all die.

Mr. LAWN: Yes. That question certainly concerns everybody, except those who are so wealthy that they can afford any cost. It certainly concerns the pensioners and other people. On August 1 also the member for Whyalla (Mr. Loveday) asked a question regarding the price of food, clothing and general merchandise, and on the same day the member for Semaphore (Mr. Tapping) raised a question regarding the cost of television repairs. That concerns pretty well all people, and eventually it will concern the people in the country districts as well as those in the city.

Mr. McKee: It will not concern those who are unemployed.

Mr. LAWN: No, but it will concern those in employment. Last week the member for Unley referred to the monopolies that had refused and were refusing to supply cigarettes to certain retailers. On another occasion a question was asked about specialists' fees, and on another about fish prices. Egg and potato prices are outside this legislation, but questions have been asked about them. The price of superphosphate has been mentioned often in the last 13 years by members opposite. How could prices be kept within bounds if there were no legislation? Even where the regulations have exempted goods from control, while this legislation remains on the Statute Book the threat of control is still there.

I do not desire to delay the Bill but I challenge the member for Mitcham, just as he has expressed a view against the Government's regarding price control (on which he is expressing his own opinion to make it appear that members opposite can express their own opinions so that it will not be thought—which we know to be a fact—that when the Master speaks they must do what they are told) to say when the occasion arises (as it will before the session ends) what he has said outside the House before about his real views on the electoral gerrymander of this State—

The SPEAKER: Order!

Mr. LAWN: —and see how far he will get away with it. The Premier and his Party will allow him to oppose a Government Bill on price control because he has received a pay-out in regard to land interests, but he is not allowed to get up and express his own views about the gerrymander. I support the second reading.

Mr. JENNINGS (Enfield): I intend to have only a few words to say on this Bill because ever since 1948 we have been debating exactly the same type of measure. Usually we can get up and say, "Look at what I said last year," and that would have the effect of what we may be repeating. However, what prompted me to speak tonight was that there were a few things which, when I put down my name to speak, had not been mentioned but which have now been mentioned by the member for Adelaide (Mr. Lawn). The member for Mitcham (Mr. Millhouse) referred to the two lions who had agreed on this matter, so I refer now to a few remarks made by the "lion" member for Mitcham. In case you, Sir, think I am reflecting on the honourable member's veracity (not that I could reflect on it; it is now so tarnished that it could not reflect anything) I am prepared to spell the word. All right; I got away with that one!

The member for Mitcham said that the late Leader of my Party (Mr. O'Halloran) had once said that he did not know and did not care what was on the list of controlled goods. I cannot see anything wrong with that. I do not particularly care at any one stage what is and is not on the controlled list; what I am concerned about is that there is a Prices Department with the authority at any time, if any firm or organization is exploiting the people by charging excessive prices, to bring an item back under price control. That is the important thing. If there were not one item under price control I would still think the maintenance of a Prices Department was warranted.

The member for Mitcham seemed most upset that some of the lists he had were rather confusing. In fact, at one stage he was talking about exceptions, exceptions to exceptions, and so on. It reminded me somewhat of the story:

Big fleas have little fleas on their backs to bite 'em,

The little fleas have smaller fleas, and so *ad infinitum*.

Apparently there are some little fleas on the backs of the Liberal Party doing some biting at the moment. One of the most important features of this legislation is the way in which the Prices Commissioner (as mentioned by

the member for Adelaide) can act as mediator between vendors and purchasers regarding disputed prices of goods not under control. I remember a few years ago that the Premier said in this House that if any member had a constituent who considered he had been overcharged he would gladly refer the matter to the Prices Commissioner. I had occasion several times to write to the Premier about things of this nature and, as promised, he referred them to the Prices Commissioner. In most instances there was a reduction in price. With my usual perspicacity I worked out that if I could write to the Premier and he could write to the Prices Commissioner there should be no reason why I could not write to the Commissioner direct. I did that on many occasions, on most of which I received on behalf of my constituents a big reduction in price. I think legislation that can effect a reduction of over £100 on secondhand motor cars (which are not under price control) is worth having. The number of occasions where such things would be multiplied throughout the State amply justify the retention of the Prices Commissioner.

Mr. Lawn: The member for Mitcham is a director of a motor firm. He has his interests.

Mr. JENNINGS: We know he has a vested interest in these things. In the very principle of price control he has a vested interest. The only thing that disappointed me about this Bill was that it would not be permanent legislation. I do not see why we should go on year after year passing a similar Bill. It should be a permanent feature of our Statute Book and, although I am probably not in order in mentioning the Landlord and Tenant (Control of Rents) Act Amendment Bill, I think it is common knowledge that the practice of re-introducing it every year is to be departed from this year, so I cannot see why the Prices Act cannot be made a permanent feature of our legislation instead of a Bill being introduced every year, as has been done since 1948.

Mr. QUIRKE (Burra): Since the first time this legislation was introduced I have been saying that I hope to see the day when it will be abolished. There is a need to have some form of legislation that will enable someone like the Prices Commissioner (as we now call him) to intervene when there are cases of overcharging, but a useless and unnecessary restriction is now placed upon business which competition in a time of over-supply of many goods renders completely useless. I think it is time this legislation was wiped off. It is curious that this type of legislation has been abolished by Liberal Governments in Western Australia, Queensland and Victoria and by Labor Governments in New South Wales (one of the first States to abolish it) and Tasmania. They did not find it necessary, even though they were controlled for years by the Labor Party, to persist in this type of legislation. Are we to assume, or are honourable members opposite going to tell us, that people in those States have been victimized by a Labor Government? Nothing of the sort. Competition in Australia is so keen that if there is no necessity for price control in New South Wales and Tasmania there is no need for it here. I have had reason to thank the present Prices Commissioner for his outstanding work in this State whether the article or item he would be adjudicating upon was controlled or not. There has never been a more monumental work done by a departmental officer than was done by Mr. Murphy for the wine industry and winegrowers. He would be the only man in history since Noah made wine when he came out of the Ark who has been able to co-ordinate the wine industry, and for that I give him full credit. Those powers are necessary so that a person in Mr. Murphy's position may step in when there is a marked disparity in price, an injustice or overcharging and inquire into it.

Mr. McKee: You are having a bob each way, aren't you?

Mr. QUIRKE: I am not having anything of the sort. There are hundreds of items today that are just a source of annoyance to the ordinary small shopkeeper who cannot overcharge because of the competition in his type of business. I have always protested against the need to maintain control of so many hundreds of items, which is an annoyance to business people. It has been recognized in every other State, whether Labor or Liberal-controlled, and it should be recognized here. I should like South Australia to retain a person like Mr. Murphy to adjudicate, not as Prices Commissioner but as an authority to intervene in cases, similar to those already mentioned by honourable members, where he could intercede even though an item was not under control. We want someone to see that justice is done and to whom everyone could appeal, without unnecessary restrictions imposed upon people in a thousand ways, that are today totally unnecessary and are a constant source of irritation and worry to people in small businesses. These people are afraid

that if they overcharge by a halfpenny they will be run up the garden path. That could happen to anyone in business without his intention to be guilty of an offence against the Act. It is no offence to charge under the price permitted. He knows very well that if he overcharges people will go where they can buy the article for less. For a number of years I have spoken the same way about this legislation, and on this occasion I intend to enter a protest against it once again.

The House divided on the second reading:

Ayes (34).—Messrs. Bockelberg, Brookman, Bywaters, Casey, Clark, Corcoran, Coumbe, Curren, Dunstan, Freebairn, Hall, Harding, Heaslip, Hughes, Hutchens, Jenkins, Jennings, Langley, Laucke, Lawn, Loveday, McKee, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Riches, Ryan, and Shannon, Mrs. Steele, Messrs. Tapping, Teusner, Frank Walsh, and Fred Walsh.

Noes (2).—Messrs. Millhouse (teller) and Quirke.

Majority of 32 for the Ayes.

Second reading thus carried.

Bill taken through its remaining stages.

ABORIGINAL AFFAIRS BILL.

In Committee.

(Continued from October 18. Page 1580.)

Clause 31—"Repeal of sections 172 and 173."

Mr. DUNSTAN: I move:

After "repealed" in subclause (1) to insert "in such areas of the State as shall be proclaimed."

This is probably one of the most contentious clauses in this Bill. The Licensing Act provisions are that Aborigines (and the court has construed "Aborigines" to mean those people who are Aborigines and who are not exempt from the provisions of the Aborigines Act) shall not be supplied with and may not drink intoxicating liquor. The Minister proposes to repeal those provisions and to substitute new provisions that place restrictions only upon Aborigines, and under the Bill that means persons of the full-blood whose names have not been removed from the Register of Aborigines. Consequently, the effect of the Minister's provision is that part-blood Aborigines may be supplied with and may drink liquor anywhere in the State, but the Minister proposes to proclaim certain areas of the State within which full-blood Aborigines whose names are on the register may not be supplied with liquor.

I understand that the Minister intends that these areas shall be the Far North and the Far West. The difficulty of that provision is that in those areas of the State where Aborigines are still in tribal and semi-tribal conditions part-Aborigines are living with them. These two groups of people are not differentiated but are living together. It will be extraordinarily difficult to allow a part-Aboriginal to be supplied with liquor and to drink it in those areas and to place a prohibition upon the supply of liquor to full-bloods, because if they are living together there is an obvious temptation that the one who may obtain liquor will supply it to the other. That particular difficulty has occurred time and again in the Northern Territory and we have had many unfortunate court cases and much comment not only in the Northern Territory but elsewhere because the people who may be supplied with liquor are living together in tents with those who may not be supplied with liquor.

I do not agree with some of the strictures placed on proposals for removing restrictions on Aborigines of this kind. I believe that much of the objection to the supply of liquor to Aborigines that has been voiced from time to time is not well founded, but at the same time in the areas of danger within the State where people live together in tribal and semi-tribal conditions obviously enough difficulties can arise and we should, at this stage of the proceedings, proceed gradually. We should allow restrictions to be removed from time to time to see how they are working and make certain that we are not doing grave damage to the very people we are seeking to assist.

The amendment on the file in my name on behalf of the Opposition relates to clause 31 and will provide that sections 172 and 173 of the Licensing Act be repealed in such areas of the State as shall be proclaimed. The Minister may, under that provision, from time to time proclaim the areas of the State that he proposes to remove from the Licensing Act provisions. Some members may say that little difference exists between the two provisions, but the difference is that whereas under the Minister's proposals for proclaimed areas part-bloods will be able to get liquor even though they are living with full-bloods, under the Opposition's amendment neither part-bloods nor full-bloods, unless already exempt from the Aborigines Act, will be able to obtain liquor until the Minister provides for the repeal of the sections. Therefore we will not have a difference between the two sets of Aborigines in the danger area,

and the Opposition believes that to be a wise safeguard. It would not provide the difficulties that could otherwise arise, and have arisen under the Northern Territory legislation. Under an amendment I shall subsequently move we hope that eventually the Licensing Act provisions will be replaced by a system of individual court orders for the non-consumption of liquor. It would mean that as the sections were proclaimed as being repealed there would operate only a provision applicable to everybody, and not applicable to Aborigines by virtue of their race. It would be applicable to anyone living in primitive conditions or who was unable to live according to the generally accepted standards of the community, on the basis of individual characteristics investigated by a court. That, of course, would take much time to do, but it would be a means of steadily replacing the provisions of the Licensing Act with something positive and proceeding slowly so that we could see whether there was any violence coming to these people.

Under our amendment the Minister may immediately proclaim the Licensing Act provisions in the areas of the State that are safe. In the southern areas we agree that there should be no restrictions on Aborigines provided they do not take liquor on to the reserves, and get it in the same way as other people. In the danger areas of the State we believe it would be dangerous to provide a difference between part-bloods and full-bloods. The safer proposal is to retain the Licensing Act provisions in those areas until such time as they can be safely replaced with individual non-consumption orders. We could see how the matter works, so that the Minister could extend the areas from time to time as he saw how things were working out. I believe this would be more satisfactory for the Aborigines than the proposal in the Bill. I know that the Minister disagrees with that point of view, and tends to believe that we could have something like the provision in the Northern Territory legislation. I urge upon him that his proposal would give rise to considerable difficulties. Grave concern is being voiced in the areas of tribal and semi-tribal Aborigines in South Australia about what could possibly occur under his proposal. Always I have been firmly of the view that we should at the earliest possible moment remove all restrictions from Aborigines. That has been my firm conviction and I have urged it in this place from time to time. The Minister's proposal would remove restriction rather more quickly, and to a greater extent than would the Opposition proposal. Despite my firm belief on this matter of restrictions, I believe the Opposition's proposal is safer and wiser than the proposal in the Bill.

Mr. CASEY: I join with the member for Norwood in appealing to the Minister to study carefully the amendments drafted by Opposition members. I believe the time is long overdue for a better deal for Aborigines. We must protect them and give them as much freedom as possible. The Aborigines in the Far North, and I will not mention the North-West because they will be dealt with by the member for Whyalla, are of a semi-tribalized group, and extend as far south as Marree. A few of them are a little farther south to Copley and adjacent areas. How are we to give semi-tribalized people the right to go into a hotel to consume liquor? That is the crux of the problem. It could be overcome easily under Mr. Dunstan's amendment. It would solve the problem handsomely. If we have a child who cannot use a rifle we do not allow it to go out shooting because it could come to some harm. The same thing applies to the semi-tribalized Aborigines. Periodically they have their corroborees outside Marree and carry on with their semi-tribal rites. These part-Aborigines, as they are termed, are living with full-bloods, and the two are indistinguishable. It is impossible to separate one from the other.

It is common knowledge that if the part-Aborigines in the area are allowed to consume liquor or take it from a hotel the onus will be on the publican, and that is putting too much on him. In the last issue of the *Sunday Mail* the views of the publican and leading citizens at Oodnadatta were set out regarding allowing part-Aborigines to get liquor. It is obvious that these part-Aborigines will pass on the liquor to the full-bloods. Some years ago there was a murder at Anna Creek and it was caused by the consumption of liquor. The publican at William Creek said he was not exaggerating the possible danger to the local community, and that may follow if full-bloods and half-castes are allowed to consume liquor. Under the Bill persons not classed as Aborigines, whether in a declared area or not, and provided they are not in a mission, can consume liquor. In the area from about Copley in the south to the border of the Northern Territory, most of the half-castes are semi-tribalized. Many full-bloods are exempt, but they are educated. So how can we give half-castes who are semi-tribal the right to consume liquor, when they will naturally pass it on to their full-blood

brothers in that area? We would be asking for trouble and causing the white population in these small towns much anxiety. That problem could easily be overcome by this amendment.

I notice the member for Albert (Mr. Nankivell) shaking his head. I should like him to explain why he cannot appreciate this point of view. I am concerned with the welfare of the full-blood and the part-Aboriginal as a whole and cannot differentiate between them in that particular area. Farther south I can but in the north I defy anybody to differentiate between the two, because they live as family units; what belongs to one belongs to the other. I hope the Minister will perceive the benefits of this amendment and agree to it.

Mr. LOVEDAY: There is no more important clause in the Bill than this. So much damage can flow to the whole problem of giving Aborigines full citizenship rights and from what we may or may not be doing in this clause that we ought to be careful to make progress slowly here. Much as we should like to remove restrictions as fast as possible it is obvious that, should trouble arise from our proceeding too fast in this direction, the assisting of Aborigines towards full citizenship in all directions will receive a heavy blow. That is why we regard this amendment as important.

I do not wish to traverse the ground already covered because the difference between what is in the Bill and what is meant by our amendment has been explained. I can only endorse what speakers have said and emphasize the importance of doing the right thing in this clause. I think the Minister himself will agree that this is probably the vital clause of the Bill. Its importance transcends that of the other clauses because of the publicity that may flow from anything that happens as a consequence of what is done by this clause. We shall do best by proceeding by easy stages and having the two areas clearly defined, whereas in the Bill what will happen in the two areas is not clearly defined because the part-Aboriginal can, as it were, be the provider of liquor to the full-blood. Whatever is done will produce difficulties (everybody recognizes that) but our amendment will produce less difficulty than the clause as at present drafted will. The importance of the public attitude towards Aborigines' achieving full citizenship rights in all directions has to be considered. An ugly incident arising from what we do by this clause could set back for many years their progress towards full citizenship rights. We have heard the Minister's objections to this clause but we have to weigh our objections to his viewpoint with our viewpoint. On balance, we think that, if we proceed as suggested by our amendment, we shall be doing the right thing by everybody concerned.

Mr. BYWATERS: I support the amendment. I have always believed in assisting the Aborigines towards assimilation and that we should give them at the earliest opportunity full citizenship rights, but I must admit that this liquor problem has concerned me greatly. Even at this stage, the supplying of liquor to Aborigines causes me great concern. We all realize that we must not differentiate because of colour, and I do not think any member would want to do that (I, least of all), but there are occasions when people have a set against Aborigines purely because of this problem. I, like the member for Whyalla (Mr. Loveday), say that, wrongly handled, this will do more harm to assimilation than anything else we can think of—Aborigines stepping out of line because of some action of Parliament. For that reason I have been much concerned. We all know that from time to time ugly scenes have occurred, always because of alcohol. As the member for Whyalla said in his second reading speech, the Aborigines' getting hold of alcohol, much of it adulterated, much of it of a poorer type, has caused ugly scenes. I should hate to see that happen. If the Bill stands as drafted, its whole purpose will suffer a severe setback.

The proposed amendment endeavours to assist in this way: that only areas that the Minister proclaims will be available for the supplying of liquor. So I strongly urge all members to support this amendment. We should approach this problem cautiously and not step out too quickly. Whereas some areas can logically be proclaimed by the Minister, there are many throughout the State which I am sure, if anything happens or goes wrong and ugly scenes occur, will harm the cause in which we are all interested—the obtaining of full citizenship rights for Aborigines. We want to see this handled correctly. If the time comes when these people can rightly say, "We are entitled to all the privileges" (and I believe they are entitled to them), it will not be done in one fell swoop. For that reason I think this amendment is so important. I humbly ask every member here to forget Party interests and think of this issue purely in terms of what will happen in the future.

The Hon. G. G. PEARSON (Minister of Works): I have listened with much interest to the comments of members opposite, and I agree that we should do our best with this legislation. However, some of the points made by the member for Norwood, and endorsed by subsequent speakers, call for comment. It is obvious that the whole community is interested in this subject. The community, of course, includes members of Parliament, members of the public, ministers of religion, and various people who have no political affiliations. I trust that we have no political interest in this matter because we have tried to approach this question without the intrusion of political aspects. For a long time there has been a public demand for full citizenship rights for Aborigines in South Australia. The question has centred largely on whether Aborigines should have the right to drink liquor. I am aware of the representations that have been made to members. I have spoken with Aborigines and part-Aborigines in my office and I have met them in other places and they invariably say that it is a slight to them as a people that this privilege is denied them. They speak about the obnoxious permit system under which certain people can have in their pockets a piece of paper entitling them to enter hotels to drink liquor. I point out that the amendment envisages a continuance of the permit system with all of the obnoxious features that it is alleged to have, and which, if my memory is correct, have been brought to the notice of this House more than once by members opposite. We have a problem because we all believe in emancipating the Aborigines from the many restraints upon them, but when we are fairly and squarely confronted with resolving a problem we tend to run away from it.

Mr. Casey: We want to protect the semi-tribal Aboriginal.

The Hon. G. G. PEARSON: I will deal with that. I do not want to convey the impression that I am trying to be harshly critical; I am trying to face up to the facts of the problem, as I have been doing for several months. I respect the opinions of members, particularly of the members for Frome and Whyalla who have every right, from their own knowledge, to speak directly on these matters. However, that is the position as I see it, and the problem the Government has been faced with in determining what legislation should be introduced. Some of my friends who are ministers of religion, who have been active in social matters and who have brought to the notice of the Government the objections of churches to social legislation that the Government has been considering, have spoken to me on this topic. The leader of one of these important social reform groups came to my office and said, "I believe the time has arrived when all part-Aborigines in this State should be granted full citizenship rights in respect of liquor." I have also interviewed other people who have had vast experience in church mission work in various parts with various native peoples. This, I agree, is a matter of opinion to some extent. I believe that the legislation is experimental, that the last word on this question has not been said, and that it will be watched with interest and criticism. However, I believe that the time has come to do as we suggest.

Dealing more specifically with the objections that have been raised by members opposite, it has been said, and correctly, that under the proposed legislation part-Aborigines will have the right to drink liquor in any part of the State at any time. Members opposite say also that in proclaimed areas full-blood Aborigines will not have the right to drink liquor and that that poses a problem of contact and relationship. I agree that it does. They say that this produces a bad situation, and they point to the Northern Territory as a horrible example of the working of this type of legislation. Let us examine the Northern Territory. I know what happens there because I have been there several times—to Alice Springs and Darwin—to specifically investigate this matter, and I visited the Northern Territory long before the Government undertook to introduce this legislation, as it did at the last election. I was quietly gathering knowledge and facts on the subject. As I discovered them, the facts were that the legislation was not the trouble in the Northern Territory, nor was the proximity of part-Aborigines to full-bloods the problem, but the penalties provided in the law caused the difficulties. What brought that to my notice was that an unfortunate part-Aboriginal who, because of his tribal instincts and training, had shared his liquor with a full-blood, was liable to imprisonment for six months. The difficulty did not arise from the law that created the offence, but from the penalty that was imposed. I have attempted to take care of that, because I believe that there are ameliorating circumstances in every breach of the law and that we should have regard to the circumstances and the mentality of the people who commit the offences—particularly

the circumstances. I put that in all sincerity to honourable members. The Northern Territory law has not been amended, but the penalty has been, and since then we have seen no more headlines from the Northern Territory on this subject.

When I went to Darwin last January I made it my business to spend some time going around the streets and hotels at night and into saloons, picture theatres and delicatessens, and mingling with the crowds, without anyone knowing me, to listen to conversations and to see the law in operation with 10 o'clock closing. During the two days and three nights that I was in Darwin I saw two people under the influence of liquor, and they were both whites. I went into the saloon bars and saw families sitting at tables drinking liquor. I listened to their conversations and I heard what was going on. I got jammed in the crowds coming out of picture theatres and I heard the tenor of their conversations. I must admit that I had some doubts about this matter, but having had a good look at it, and having been to Alice Springs two or three times, I felt that legislation on similar lines had a good chance of success in South Australia. I went to the police station at Darwin. I did not look for the inspector or the sergeant, but went to talk to the constable on duty. He did not know who I was, either, until I had been talking to him for half an hour or more. The tenor of his remarks was along these lines: "Well, it works all right; we do have some little problems, but I can assure you that we have no more problems from native people than we do from white people." I tender those statements not to build up a case but because they are factual statements and impressions that I have gained from first-hand examination of the matter. I do not doubt that the legislation that we propose will settle down.

Let us have a look at the amendments moved by the honourable member. I have already said that he retains, for what it is worth, the old permit system. I can understand why he finds that necessary because, after all, we cannot take from a person a privilege that he has for some time enjoyed. However, he proposes also to retain section 172 of the Licensing Act in those parts of the State in which repeal has not been proclaimed. That section falls down and has fallen down for a number of years regarding its interpretation, because it says, if my memory is correct, that it applies to full-blood descendants of the Aboriginal inhabitants and to half-castes of that race. The courts have been in the habit of interpreting that as being literally the half-caste—the first cross, half white and half black. The police have been reluctant to take action on what is commonly known as an Aboriginal drink liquor charge because of this weakness in that section. I admit that that could be remedied, but I do not see the need to remedy it: I prefer to abolish it.

The honourable member referred to the danger areas which would be created, in his opinion, in the more far-flung parts of the State where Aborigines were primitive. The member for Frome (Mr. Casey) interjected a short while ago and said that he was anxious to preserve the integrity of the full-blood and the primitive people. So am I, and so are we all. I considered—and the Government agreed with me—that it was not proper to subject the really primitive Aborigines to the problems of alcohol, and I think we are all agreed on that point; but let us be clear what we mean by the term "primitive". I do not regard Aborigines living at Marree, if I may say so, as being primitive.

Mr. Casey: Semi-primitive.

The Hon. G. G. PEARSON: Yes. I do not regard those natives at Coober Pedy as being primitive; they are sophisticated to a degree far beyond what may be apparent to the casual European who sees them. In order to know what primitive natives are, we have to find them where they live and see just what primitive conditions really mean. They are the people I think we should protect—the really far outback people, the people who hitherto have seen little of white men, who can speak only in their tribal language and have no knowledge of English, who get around without any clothes on, and who live on the snakes, lizards and kangaroos that they are able to kill. They are the primitive people, and they are the people whom I think we should protect, not the sophisticated people or the people who have had contact over a number of years with whites or those who have learned to absorb a large proportion of the white man's way of life. It is those latter people that I believe we must take a chance on, if we are to take a chance on any Aborigines at all.

The provisions that we have submitted to the Committee are based on those premises. I believe they will work, and that is the point that I think it is important to examine. The proposals as submitted are clear-cut; they provide that in the proclaimed areas the restrictions on full-bloods will apply. Those areas are to be fixed by proclamation,

which means that they are flexible and able to be adjusted with comparative simplicity as the need appears to arise. I believe that the restrictions should not apply in areas where sophisticated natives live; I do not believe that they should apply to the semi-primitive natives, as the member for Frome (Mr. Casey) described them. I know what the honourable member means by his description: people who are partly developed in our way of life. I have in mind that only in those areas of the State where really primitive people, as I have described them, live, should these restrictions apply. If we are to do what the honourable member's amendment suggests and gradually advance through the State the frontiers of this legislation—and that is what he proposes, and I accept his point on it: he feels that we must not move too quickly—we will be creating a new problem every time we move them. Let us be clear-cut about it and do the job. I readily admit that there may be some problems and some incidents, but I do not believe the public of this State will expect that perfection will be achieved overnight in the working of this legislation. It never is in social legislation, anyhow. If we alter the liquor laws of this State as they apply to the general community as at any point, advantage will be taken of the increased latitude by people of whatever race and whatever colour and wherever situated for the time being until the legislation settles down. I believe it will settle down. I believe that the legislation is to an extent experimental, but from my experience—and I have tried to develop some experience on this matter—I believe it will work, and in all sincerity I ask the Committee to give it a go. The legislation is regarded as experimental. We have not said the last word on this matter, and if it proves to have some difficulties we can adjust our thinking on it as experience proves that it is desirable. I ask the Committee to accept the clause.

Mr. RICHES: I am more disappointed than I can express at the attitude of the Minister on this clause. I consider that he is making a mistake, and I hope the Committee will not be as determined as he is to make available to the Aborigines in the outer-lying regions willy-nilly the right to have complete access to liquor, which has proved to be their undoing more than once. There seems to be an inclination to regard the Aborigines as a group of people whose main aim in life is to get hold of liquor and get horribly drunk, but that is not my experience of the Aborigines at all. I am speaking only of the Aborigines that I know in the area that I know, and I do not take second place to anybody in the knowledge of the conditions that exist in the area that I do know. I am not professing any knowledge at all of areas outside the one that I know personally. I believe that there is no action that the Government could take that could set back the assimilation of Aborigines more than the one that the Minister proposes to take under this clause. It is all right to say that we will have trouble for a while and that we have to expect it, and that some lives might be expendable in the process—

The Hon. G. G. Pearson: I did not say that.

Mr. RICHES: But I am saying it. They are not expendable in my book, because I think that—

The Hon. G. G. Pearson: Don't imply that they are in mine.

Mr. RICHES: I think this will set back assimilation appreciably and undermine the excellent work being done among Aborigines. Among the great majority of people who live with Aborigines, not only in the outback but in towns, there is great uneasiness about this, and I know of nothing that will set back the acceptance of Aborigines in a white community more than having a drunken Aboriginal in the street. In Port Augusta occasional disturbances occur under the present law, but these involve only a small percentage of the total Aboriginal population. Some of these people come back over and over again. A murder was committed this year. I cannot be convinced that disturbances will not increase if liquor is available to those who clamour for it. Under the proposed legislation there will be invidious distinctions. For instance, I do not know if the quantity of liquor an Aboriginal can have will be determined by the extent of Aboriginal blood. I am not prepared to accept the responsibility for what I consider will inevitably happen, which will be on the Minister's own head.

The Hon. G. G. Pearson: What sections of the Licensing Act would you repeal?

Mr. RICHES: I would start with the metropolitan area and extend this to places where Aborigines have grown up in the community as white people. Although I do not know Point Pearce or Point McLeay well, I believe most people there have grown up in almost the same conditions as we have, and that they have not been associated with their tribes.

Mr. Nankivell: Only five families at Point McLeay are pure-bloods.

Mr. RICHES: Many part-bloods have been living in the bush and going about from place

to place. I am not an authority on other areas, but I know that this move is a mistake for the area I know. I acknowledge that there is a feeling that these restrictions should be lifted and that all divisions between the races should be eliminated as speedily as possible, but let us do it in a spirit of concern for the people we want to help. We should not be concerned about whether our name appears to be good to people from other places.

The Hon. G. G. Pearson: You must apply that to your friend behind you.

Mr. RICHES: I am applying it to whom the cap fits. I think liquor will be much more readily available and that there will be much more enticement on them from their own people.

Mr. Jenkins: They will be able to get better liquor than the rubbish they get now.

Mr. RICHES: I know that rubbish is sold farther out in the bush, but I do not think that is the position in the area I know. If the Minister and the House think it perfectly safe to repeal these sections in relation to some parts of the State, I shall have nothing to say about that, but I ask that this be not done in relation to the area I know. I hope the Minister will see the wisdom of repealing these sections only for areas proclaimed and only after a more complete examination has been made.

Mr. DUNSTAN: The Minister said that one of the things to which Aborigines most strongly objected under the present legislation was the existing permit system—that they had had, in the words of so many of them, to carry about a sort of dog licence to show they were citizens of this country. I agree that this has given rise to much bitterness and discontent. However, all the Aborigines who have protested about this sort of thing will not be affected by a continuation of sections 172 and 173 because they will not be in the areas and the permit system will be retained only in relation to the places that have not been proclaimed. They are the only areas where an exemption certificate will be needed. What is the difference under the present proposal? True, an Aboriginal will not have to carry an exemption certificate with him, but if he enters a hotel and says, "I am a full-blood Aboriginal but I am a citizen and not on the register", he will still be subject to interrogation by the publican in the same way. Publicans will have to find out to protect themselves. What will be the basic difference?

The Hon. G. G. Pearson: The question is where one draws the boundary.

Mr. DUNSTAN: Under our proposal the Minister will have the same rights as to what areas he will proclaim as he will have under his own proposal. What is the difference going to be? Under our proposal a man who is already exempt has to produce his certificate to the publican, whereas under the Minister's proposal the publican will have to inquire from him anyway. There is not much difference and that is not going to make Aborigines feel that there is a great difference between the two proposals. The only difference that really arises is that part-Aborigines in the danger areas will be affected by our proposal, whereas under the Minister's proposal they will not be. The Minister said that the only trouble arising in the Northern Territory is in relation to the penalties under the old legislation. The Northern Territory Legislative Council protested against the harshness of the penalties which required the magistrate to impose a term of imprisonment for a first offence. It is true that that gave rise to the publicity about it, especially in Namatjira's case, but convictions are still occurring in the Northern Territory, but defendants do not have to go to gaol for the offence. In Darwin there may not be much supply but there is in Aboriginal camps and settlements.

The Hon. G. G. Pearson: Where is that taking place?

Mr. DUNSTAN: Outside Alice Springs much liquor is being supplied.

The Hon. G. G. Pearson: Where did you get your information?

Mr. DUNSTAN: From residents of Alice Springs, including a former partner of mine who has interested himself, as the Minister well knows, in Aboriginal matters. Supply does go on. I agree that I cannot speak with the same knowledge of these areas as the members for Frome (Mr. Casey) and Whyalla (Mr. Loveday) because my contact with Aborigines is basically in the areas that will not be affected by either of these proposals. According to the information given to my Party by members in the areas that will be basically affected, it will be a real problem. The other thing I comment upon is the Minister's remark as to the meaning of the present Licensing Act section. He says there is a defect in section 172 because it applies to an Aboriginal who is a half-caste of that race, and the courts have interpreted this to mean somebody who is the first product of a cross between a European and a full-blood Aboriginal. I have not heard that definition before. I know there is no

Supreme Court decision which states that, and I know of a number of part-Aborigines who are certainly not the first product of a European and a full-blood who have been convicted under this section. Such convictions are common.

The Hon. G. G. Pearson: It has been broken down now and I can give you plenty of instances.

Mr. DUNSTAN: I am interested to hear the Minister say so because it is only recently that I have been aware of convictions under this section of half-caste Aborigines who are half-castes of the second and third generations. Consequently, I think that there is still some virtue in that section which could be relied upon so that if it were found to be breaking down in the restricted area in which it was applied under our amendment, something could be done about it. I do not think it has the difficulties the Minister foresees and I believe that the Opposition amendment is a wise one under the circumstances. It was arrived at after much consultation and discussion over a period of more than a year among members particularly affected in an endeavour to arrive at some reasonable measure for the advancement of Aborigines in this State, and I urge members to accept the amendment.

The Committee divided on the amendment:

Ayes (18).—Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan (teller), Hughes, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, Tapping, Frank Walsh, and Fred Walsh.

Noes (17).—Messrs. Bockelberg, Brookman, Coumbe, Freebairn, Hall, Harding, Heaslip, Jenkins, Laucke, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke and Shannon, and Mrs. Steele.

Pair.—Aye—Mr. Ralston. No—Sir Cecil Hincks.

Majority of 1 for the Ayes.

Amendment thus carried.

Mr. DUNSTAN: In consequence of the last amendment I move:

To strike out subclauses (2) and (3).

These subclauses were designed to replace the Licensing Act provision with the alternative we have been discussing and which the Minister was advancing. That would not now be applicable in view of the retention of sections 172 and 173 of the Licensing Act in those areas of the State in which their repeal has not been proclaimed.

The Hon. G. G. PEARSON: I accept the position that these amendments are consequential, and do not object to the present amendment. Now that section 172 is being retained, it should be amended, and when the Bill is recommitted on one or two other clauses I propose to move at the appropriate time an amendment to section 172 to bring it into line with the provisions of the Aborigines Act so that there will be no doubt about its validity when applied to part-Aborigines.

Amendment carried.

Mr. DUNSTAN: I move:

To insert the following new subclauses:

(2) Section 179 of the Licensing Act, 1932-1960, is amended as follows:—

(*a*) By inserting the following words after the word "family" in the sixth line of subsection (1) thereof—"or is a person who lives in primitive conditions or is unable to live according to the generally accepted standards of the community and appears to require protection from the consumption of alcohol."

(*b*) By adding the following words at the end of subsection (2) (*c*) thereof—"or until further order."

(3) Any person who has prior to the passing of this Act obtained exemption from the provisions of the Aborigines Act, 1939, shall not be deemed to be an Aborigine for the purposes of the Licensing Act, 1932-1960.

New subclause (2) amends section 179 of the Licensing Act by adding certain qualifications. That section provides:

Upon complaint in writing made to any special magistrate or justice of the peace that any person, by the habitual or excessive use of liquor, wastes his means or injures or is likely to injure his health, or endangers or interrupts the peace, welfare, or happiness of his family, the magistrate or justice shall issue his summons calling upon that person to appear at a time and place to be therein named, and to show cause why an order should not be made forbidding all persons to supply him with liquor.

The magistrate may investigate the matters contained in the complaint and upon proof to his satisfaction of the facts alleged in the complaint may make an order forbidding all persons whomsoever to supply the person named in the order with liquor, or to permit him to be within any licensed premises for the period of 12 months from the date thereof. The proposal is to add the following to the grounds upon which a complaint may be made to a special magistrate or justices of the peace: or is a person who lives in primitive conditions or is unable to live according to the generally accepted standards of the community and appears to require protection from the consumption of alcohol.

That would mean that any person in the community who had these particular characteristics would have a non-consumption order made against him. The belief of the Opposition is that this is a means by which eventually the Licensing Act provision may be replaced in relation to what we hope will be the future of those Aborigines who need protection from the consumption of alcohol, but also it would apply to anybody else in the community who had these characteristics (who lived in primitive conditions, who was unable to live according to the generally accepted standards of the community and appeared to require protection from the consumption of alcohol) if a case were proved on an investigation by the court upon evidence adduced to it.

That would mean that eventually, if this system of individual non-consumption orders were instituted, we could get rid of any provisions that differentiated between Aborigines in the consumption of alcohol on the basis of their race, and change over to what they have asked for in the advanced Aborigines Act—a system based on individual characteristics on proof and evidence to satisfy a court. It will be some time before a sufficient number of complaints and orders have been made to cover the position, but once the register of Aborigines is compiled there should be little difficulty about this. Indeed, under the Northern Territory Welfare Ordinance there have been individual declarations made and it is only by individual declarations that a white may be brought within that Ordinance, and some 15,000 individual declarations have been made. Lengthy investigations had to be made before the Ordinance was brought into force.

It may be suggested that there are difficulties in operating this section, because a man may move from one section of the State to another and it would be hard to know whether a non-consumption order had been made against him. The Minister referred to a person against whom an order needed to be applied and who was in an identifiable part of the State and, because of his condition, was unlikely to move out of the State, and therefore would be readily identifiable in a particular area. One other objection that may arise is that this may affect other people in the community because of the broad and general terms of the amendment, but taking into account the words already existing in this section I do not think this is so.

The Hon. Sir Thomas Playford: This amendment does not necessarily apply to Aborigines at all.

Mr. DUNSTAN: Not necessarily. It is not restricted to Aborigines.

The Hon. Sir Thomas Playford: How does a hotelkeeper know to whom it applies? He would not have the faintest idea from the appearance of the man.

Mr. DUNSTAN: He knows in the same way that he knows under orders made under the Licensing Act. This provision is already in the Licensing Act.

Mr. Shannon: Then why repeat it?

Mr. DUNSTAN: The reason for this amendment is that this adds to the classes of persons against whom non-consumption orders may be made—that is a person who lives in primitive conditions or is unable to live according to the generally accepted standards of the community and appears to require protection from the consumption of alcohol.

The Hon. Sir Thomas Playford: This would apply only in a declared area.

Mr. DUNSTAN: No.

The Hon. Sir Thomas Playford: It would apply everywhere except in a declared area.

Mr. DUNSTAN: It could also apply in a declared area. It could be used to gradually replace individual non-consumption orders.

The Hon. Sir Thomas Playford: As the law stands it would not apply in a declared area.

Mr. DUNSTAN: It could apply anywhere where a complaint was made if an order were made by a magistrate. If an exempted Aboriginal brought himself, by his lapse from the standard that had gained him the exemption, within the terms of this section, an order could conceivably be made against him as it could be made under section 179 of the Licensing Act whether he was an exempt Aboriginal or not and whether he was in a declared area or not. It would apply to Europeans and everybody else, so eventually the basis of restriction under this section would be individual characteristics. He could have an order made against him only after a complaint had been made in writing and upon evidence supplied to the magistrate or justices of the peace that he was a person who had those individual characteristics. It would then be said that there was a need for a non-consumption order. The Premier said that there would be a difficulty with people who moved from one part of the State to another, but the difficulty is not so great that we cannot operate section 179 of the Act. Under that section there are a number of orders. Many people, including Aborigines, against whom orders have been made get liquor when they want it. This amendment provides some protection, and an

alternative way of providing protection to the blanket provisions in sections 172 and 173. I imagine that the only likelihood of complaints under the provision would be against Aborigines and whites in outback areas, where people are readily identifiable and where non-consumption orders would be useful. In these circumstances I see no reason to differentiate between whites and Aborigines because both need the protection of the community. If Aborigines need protection because of individual characteristics, so do all other people. Under subclause (2), instead of making an order for 12 months only, and then requiring a new complaint to be made against a man, the court would have a discretion to make an order until further notice. That would allow the man to apply to the court to have the order lifted. There is a similar provision in the Road Traffic Act, but in connection with Aborigines no period is mentioned.

The Hon. Sir Thomas Playford: There are two phrases that seem to me to be difficult. This power could be exercised by a justice of the peace. Then there is a reference to the accepted standards of the community. These matters could be capable of any sort of interpretation.

Mr. DUNSTAN: The matter would be heard by a special magistrate or two justices.

The Hon. Sir Thomas Playford: What is the meaning of "generally accepted standards of the community"? You would be taking from a person a right that is normally his.

Mr. DUNSTAN: Yes. I imagine the court would interpret it to mean what in its view the average reasonable man would accept as the standards of the community.

Mr. Millhouse: It could mean anything or nothing.

Mr. DUNSTAN: I do not think it would mean nothing. The view of the reasonable man is the widely accepted standard adopted by the court.

The Hon. Sir Thomas Playford: What is meant by the protection?

Mr. DUNSTAN: What the court decides is the protection needed. The matter must be heard and decided to the satisfaction of the court. Of course, there could be an appeal against a decision. I cannot see that this will give rise to the difficulties seen by the Premier. Who would make an order about a person without there being proper evidence? Anyone making such a complaint would be asking for trouble. The evidence must be cogent evidence and be to the satisfaction of the court.

The Hon. Sir Thomas Playford: I am a justice of the peace and I would not know what would be the interpretation. I do not think the two justices would put the same interpretation on the matter.

Mr. DUNSTAN: I do not agree with that. I cannot see that there is any difficulty in the average person saying, "On the proof before me this person lives in primitive conditions and needs the protection of a non-consumption order", or it may be said that he is not living according to the generally accepted standards of the community and therefore should have the protection of an order. It could be said that in his activities the important factor was his over-consumption of alcohol. I am amazed that the Premier cannot understand this proposal because I think it is clear.

Mr. SHANNON: I have discussed this matter with the member for Norwood and I have some sympathy with his aim, but I think the provision has a broader application than I am concerned with. I am concerned about the native who lives in primitive conditions.

The Hon. Sir Thomas Playford: This does not concern only a native. It could be anybody.

Mr. SHANNON: I agree. The member for Norwood knows that I agree with the principle of trying to protect Aborigines from the ill effects of alcohol, and every member will agree with that, but I am not sure how the provision would be interpreted. It is proposed to add the words "is a person who lives in primitive conditions or is unable to live according to the generally accepted standards of the community". I believe that the court would assume that Parliament intended this to apply to the person who lived in primitive conditions. A white man can live in primitive conditions. Those words would be better omitted, for they are difficult of interpretation. The Premier interjected just now in keeping with my own interpretation of this. If the member for Norwood examines this suggestion, I am sure he will appreciate that it will improve the provision from the point of view of the court's trying to understand what we are endeavouring to project.

The Hon. G. G. Pearson: Why not rely on section 179 as it stands?

Mr. SHANNON: Any person, white or otherwise, can now be declared by the board but, if we want to deal with the primitive Aborigines, I suggest that we should not go further than the words "or is a person who

lives in primitive conditions and appears to require protection from the consumption of alcohol''. It is a simple interpretation.

Mr. Dunstan: I shall be glad to accept that suggestion.

Mr. SHANNON: It is possible to leave this additional definition of the word ''primitive'' in the honourable member's clause. After all, the people who would fall into that second category are already covered by the existing law. I want the provision clarified so that the courts will have no trouble. After all, this legislation will be dealt with by lay people, for justices of the peace are not lawyers; they are lay people and, the simpler the terms of this legislation are for them to interpret, the more likelihood there is of uniform decisions in the courts. I suggest that the honourable member delete the words ''or is unable to live according to the generally accepted standards of the community'', and then this provision could be readily interpreted.

Mr. DUNSTAN: I should be happy to amend my amendment in that way. I am grateful to the honourable member for his assistance in this matter. Something further needs to be said about the Minister's suggestion that we leave section 179 as it stands. The feeling of the Party is that there are certain people who have not yet become addicted to the excessive use of alcohol, who need the protection of a non-consumption order, who live in primitive conditions. Section 179 applies only to a person who, in effect, is already an alcoholic a person who

by the habitual or excessive use of liquor, wastes his means, or injures or is likely to injure his health, or endangers or interrupts the peace, welfare, or happiness of his family . . .

People who are already drunkards are affected by section 179 as it stands. We want to get at people who are not alcoholics but who may become alcoholics because they come from primitive conditions and have no knowledge of the use of alcohol.

The Hon. G. G. Pearson: I do not think a court would ever interpret it in that way.

Mr. DUNSTAN: It might not.

The Hon. G. G. Pearson: I think they would want evidence on that.

Mr. DUNSTAN: Suppose a person came in from primitive conditions and on two occasions went on a real binge: we could not say that he had an habitual or excessive use of intoxicating liquor but we might well say, ''You have come from primitive conditions. It might be well if you did not have the consumption of alcohol at this stage of the proceedings.'' In those circumstances I cannot see any difficulty. I am obliged to the member for Onkaparinga (Mr. Shannon) for his help in the matter. I ask leave to amend my amendment by striking out:

or is unable to live according to the generally accepted standards of the community.

Leave granted.

Mr. DUNSTAN: My amendment now amends section 179 (1) of the Licensing Act by including the following additional class of person against whom an order may be made by a magistrate:

or is a person who lives in primitive conditions and appears to require protection from the consumption of alcohol.

Amendment carried; clause as amended passed.

Clauses 32 to 35 passed.

Clause 36—''Evidence.''

Mr. MILLHOUSE: I draw the Committee's attention to subclause (2), which deals with whether a person is or is not an Aboriginal. It reads:

In any such legal proceedings or inquiry the court, judge, coroner, special magistrate, justice or justices shall not determine that a person concerned in or in any way connected with the proceedings or inquiry is an Aboriginal in the absence of sufficient evidence given by at least two officers of the department.

In other words, two officers of the department must give evidence that the person is an Aboriginal before he can be so found. They have to give whatever is ''sufficient evidence''. That will be for the court to determine. It is the next sentence that I consider is objectionable. It reads:

Subject to the provisions of subsection (1) of this section, the opinion of two such officers given on oath that a person is or is not an Aboriginal shall be conclusive evidence that such person is or (as the case may be) is not an Aboriginal.

That goes too far. It means that a court is bound to accept as conclusive evidence (and it cannot go behind that) the opinion of two men who are, in fact, officers of the department. It seems to me to be wrong to tell a magistrate that he must accept conclusively the evidence of two men upon any fact, because he cannot go beyond it and cannot make up his own mind. He is absolutely bound by what they say on this aspect, even though—and this may be stretching it a bit—he may reject their evidence on all other aspects. It is unnecessary to include these words because I have no doubt that if two officers were giving evidence they

would speedily establish their status as expert witnesses and be permitted to express an opinion which, in nine cases out of 10, the magistrate would accept. However, if he were not prepared to accept the opinion of expert witnesses, he should be permitted to reject it. In this proposal he is bound to accept it. I therefore move:

In subclause (2) to strike out "Subject to the provisions of subsection (1) of this section, the opinion of two such officers given on oath that a person is or is not an Aboriginal shall be conclusive evidence that such person is or (as the case may be) is not an Aboriginal.

The Hon. G. G. PEARSON: I am not *au fait* with the honourable member's argument, but I can see his point that an opinion should not be regarded as conclusive evidence. In drafting the clause I was confident that two responsible officers of the department would not conspire together to perjure themselves on a question of this nature and that of all people who could determine this question reliably they would be the best able to do so. I think the words should be retained but I will not argue if the honourable member moves to strike out "conclusive" and insert "*prima facie*". That would be a fair compromise and would be a strong lead to the court without binding the court.

Mr. MILLHOUSE: I will not argue strongly against that, but if I do as the Minister suggests it will make the sentence meaningless. It certainly overcomes my objection about making an opinion of two men conclusively binding on a court. Of course, the evidence of two such experts would be *prima facie* evidence once given. The only possible point would be that the court might not be prepared to find that they were expert witnesses, although I cannot believe that that would happen because the officers, by virtue of their appointment, would be expert witnesses. I do not think the Minister's suggestion is the real answer to the problem.

The Hon. G. G. Pearson: I think it is.

Mr. MILLHOUSE: If the Minister insists, I am the last to fight him and I am prepared to accept his suggestion.

The Hon. G. G. Pearson: Then you move as I suggested.

Mr. MILLHOUSE: I move:

In subclause (2) to strike out "conclusive" and insert "*prima facie*".

Amendment carried; clause as amended passed.

Remaining clauses (37 to 41) and title passed.

Bill reported with amendments.

The Hon. G. G. PEARSON (Minister of Works): I move:

That Standing Orders be so far suspended as to enable the Bill to be recommitted in respect of clauses 16, 20, 30 and 31, and to be passed through its remaining stages without delay.

It is late, so can I give notice for this to take place tomorrow, Mr. Speaker?

The SPEAKER: The Minister cannot do that.

The Hon. G. G. PEARSON: All right, Mr. Speaker, we will continue.

The SPEAKER: The Minister has moved:

That Standing Orders be so far suspended as to enable the Bill to be recommitted in respect of clauses 16, 20, 30 and 31, and to be passed through its remaining stages without delay.

The question before the Chair is that the motion be agreed to.

Mr. McKee: No.

The SPEAKER: The honourable member has said "No", so there must be a division.

Mr. Jennings: But he said "No" to me when I asked him if he had a cigarette.

The SPEAKER: An honourable member is not permitted to speak while the Speaker is on his feet. Members can see what happens when a member does speak.

Mr. McKEE: On a point of order, Mr. Speaker—

The SPEAKER: I will put the question again. The question is:

That Standing Orders be so far suspended as to enable the Bill to be recommitted in respect of clauses 16, 20, 30 and 31, and to be passed through its remaining stages without delay.

Motion carried.

Bill recommitted.

Clause 16—"Department of Aboriginal Affairs."—reconsidered.

Mr. MILLHOUSE: I move:

After "sole" in new subclause (4) to insert "under the name of 'Minister of Aboriginal Affairs' ".

This amendment arises out of the alteration making the Minister a corporation sole and responsible for the administration of the Act. It really is to remedy or to supply an omission left by the member for Norwood (Mr. Dunstan) in his amendment. The honourable member inserted subclause (4) to the effect that the Minister be a corporation sole, but he forgot to give the Minister a name. The Minister ought to have some name and ought not to have to be sued under the name of the Minister of Works, and therefore it seems fitting that the corporation sole should

be given the name "Minister of Aboriginal Affairs". That is the effect of the amendment.

Amendment carried; clause as amended passed.

Clause 20—"Power to remove Aborigines to reserves or Aboriginal institutions."—reconsidered.

Mr. DUNSTAN: I move to insert the following new subclauses:

(1a) If an Aboriginal or person of Aboriginal blood agrees to enter or remain within an institution with the approval of the Minister for the purposes of training, the Minister may declare him a trainee.

(1b) Any Aboriginal who enters an institution after a refusal of his entry by the Minister, and any trainee declared under subsection (2) of this section who refuses to remain within an institution until he completes his training to the satisfaction of the Minister, shall be guilty of an offence.

This clause has so far been amended by striking out all words after "institution" first occurring and by altering "board" to "Minister". The Minister was under a misapprehension when that amendment was moved and wished to make some provision for the keeping of Aborigines on reserves for the purpose of their training. However, as a result of discussions in the interim we have worked out a means by which that may be done without making a breach of the rule of law. The insertion of the subclauses will mean that any trainee properly declared, after he had agreed to undertake training, would be guilty of an offence if he left his training. This, of course, is not just getting rid of *habeas corpus* by means of an administrative order, as was the proposal under the original clause.

Mr. RICHES: What authority will the department have under the legislation to require the movement of Aborigines who settle on the outskirts of a town on land that does not belong to them and where there are no facilities and on which, if they are allowed to remain there, they could prove injurious not only to themselves but to the town at large? The local health authorities are powerless to act because this land is outside their area. The obvious people to handle the matter are the welfare officers, who have handled it judiciously and smoothly in the past, and I should like to know that they have power to continue to do that in the future. It seems to me that the clause as amended takes that power away from welfare officers. I do not think the power has ever been abused. Can the Minister say whether this matter is covered in this clause or in some other part of the Bill?

The Hon. G. G. PEARSON: We have already deleted all words in subclause (1) after "institution" first occurring, so the question of removing people and pushing them around no longer applies in the clause. This matter has been the subject of some discussion regarding the provisions of the Health Act, and I have it on the authority of my welfare officers that they are content to work under the provisions of the Health Act in this matter.

Mr. Riches: They might be, but what about other people? They are not acting under it, you know.

The Hon. G. G. PEARSON: There was ample opportunity for the honourable member to have addressed himself to this matter and to have drafted an amendment if he thought necessary, but we have not seen it. I suggest that this is a rather late hour to raise a new matter. We amended this clause last week before Parliament adjourned, and we are long since past the point where the matter raised by the honourable member can be discussed.

Mr. RICHES: I addressed myself to this matter and suggested that it be dealt with in a recommittal of this clause.

The Hon. G. G. Pearson: Not in this way. I suggest you could have put it back again if you had wanted to do so.

Mr. RICHES: I asked that this clause be recommitted and that the matter be ironed out in conference. I have not seen the result of the conference.

The Hon. G. G. Pearson: You were discussing it, not I.

Mr. RICHES: I raised it in Committee.

The CHAIRMAN: Order! We are dealing with the amendment of the honourable member for Norwood relating to new subclauses (1a) and (1b). The honourable member will have to confine his remarks to those new subclauses.

Mr. RICHES: The new subclauses relate to the power of the department to retain trainees on reserves. The provisions they replace gave power to the welfare officers to deal with a situation that at this moment is serious at Port Augusta. I mentioned this last week and I understood that the recommittal was to deal with this point, which I raised at length. I allowed the clause to go through on the understanding that it would be recommitted to deal with this situation. There must be some other power available to the department to deal with this situation. Somebody must deal with it.

The Hon. G. G. Pearson: You have no amendment to put before members. It is not my function to make suggestions.

The CHAIRMAN: Order! We are dealing with the amendment moved by the honourable member for Norwood. If the honourable member for Stuart wishes to move any amendment, he may do so.

Mr. RICHES: This does not go far enough. It does not meet the situation that the Minister said would be dealt with.

Mr. DUNSTAN: The amendments before the Committee relate only to the agreement to undergo training and to the retention on a reserve of a person who agrees to undergo training. The clause has only ever authorized dealing with Aborigines for the purposes of training or promoting welfare. Basically it was for the purpose of training. This was not designed in my original view to cope with the situation mentioned by the member for Stuart. The old Bill contained a clause that was not repeated in the re-introduced Bill. That clause covered the situation. If the honourable member examines the Health Act he will find that the Central Board of Health has complete power to deal with every situation he mentioned. The discussions with the Minister so far have been that as far as possible the department will work within the framework of general legislation and apply to Aborigines the same legislative provisions as apply to everyone else. In situations such as those mentioned by the member for Stuart, it was proposed that officers be empowered by the Central Board of Health to carry out the necessary activities in removing such camps. The Aborigines Department, the Health Department, the Education Department and the Children's Welfare and Public Relief Department will be used to put into effect in relation to Aborigines the same legislative provisions as are prescribed for everyone else. This was preferable to having some special provision applicable only to Aborigines. This clause deals only with training.

Mr. RICHES: I appreciate what the honourable member says, but clause 20 as introduced gave power to the Aborigines Department to deal with the situation. Practical experience has shown that the serving of a notice by an officer of the Central Board of Health is not a solution to a problem such as we face. I should be surprised if the problem were peculiar to Port Augusta, where two unauthorized camps have been set up on the outskirts of the town. I understood from the Minister that this would be covered when the Bill was recommitted. I appreciate that no avenue is open to me now regarding the matter I raised, but I am in this position only because I acted in good faith and allowed the clause to pass in the first instance.

Amendment carried.

Mr. DUNSTAN moved:

To strike out subclause (3).

Amendment carried; clause as amended passed.

Clause 30—"Accounts and Audit."—reconsidered.

The Hon. G. G. PEARSON: The board is absolved from the duty of keeping accounts, this now being the Minister's duty, and, as the Minister's accountings are automatically audited, this clause is unnecessary.

Clause negatived.

Clause 31—"Repeal of sections 172 and 173."—reconsidered.

The Hon. G. G. PEARSON moved:

To strike out subclause (1) and insert the following new subclauses:

(1) Section 172 of the Licensing Act, 1932-1960, is amended by striking out the words "aboriginal native of Australia, or half-caste of that race" therein and inserting in lieu thereof the words "Aboriginal or person of Aboriginal blood within the meaning of the Aboriginal Affairs Act, 1962, in a proclaimed area".

(1a) Section 173 of the Licensing Act, 1932-1960, is repealed in a proclaimed area.

(1b) In subsections (1a) and (1b) of this section "proclaimed area" means any area of the State declared to be a proclaimed area by the Governor by proclamation.

Mr. DUNSTAN: I hesitate to detain the Committee at this stage, but I am not happy about the form of this amendment.

Progress reported; Committee to sit again.

ADJOURNMENT.

At 11.14 p.m. the House adjourned until Wednesday, October 24, at 2 p.m.