# HOUSE OF ASSEMBLY.

Thursday, October 22, 1964.

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

## ASSENT TO BILLS.

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

Book Purchasers Protection Act Amendment,
City of Whyalla Commission Act Amendment,
Legal Practitioners Act Amendment,
Mental Health Act Amendment,
Mines and Works Inspection Act Amendment,
Nurses Registration Act Amendment,
Second-hand Dealers Act Amendment,
South Australian Gas Company's Act Amendment,
Workmen's Liens Act Amendment,
Branding of Pigs,
Bulk Handling of Grain Act Amendment,
Libraries and Institutes Act Amendment,
Metropolitan and Export Abattoirs Act Amendment,
Metropolitan Area (Woodville, Henley and Grange) Drainage,
Police Pensions Act Amendment,
Public Service Arbitration Act Amendment,
Road and Railway Transport Act Amendment,
Statutes Amendment (Public Salaries).

## QUESTIONS.

### CONCESSION FARES.

Mr. FRANK WALSH: Has the Premier a reply to my question of September 2 regarding concession fares to widows of totally and permanently incapacitated pensioners where those widows have no income other than the pension?

The Hon. Sir THOMAS PLAYFORD: Many problems that arise when any concession fare is given are associated with this matter. Someone always considers that he is being treated badly compared with someone else. It is a big problem. A Government in another State has solved the problem by giving concessions only to people who receive a Commonwealth pension. However, at present this matter is being examined by Treasury officers. Tramways Trust officers are also considering another aspect of this question. I will inform the honourable member as soon as I can get something final.

Mr. RYAN: Some time ago I introduced a deputation from the Old Age and Invalid Pensioners Association and another affiliated organization, the result of which I have not yet heard. The Premier told the Leader that the Leader would be informed when the Government had made a decision. When that decision is reached will the Premier also inform me, so that I can report to those concerned with the deputation?

The Hon. Sir THOMAS PLAYFORD: I shall certainly be pleased to do that, although, as a matter of ordinary procedure, a letter would have been forwarded anyway.

Mr. FRANK WALSH: Schoolchildren who travel on Municipal Tramways Trust buses receive passes for about 10s. a month for travel on one or two sections, whereas those who travel on private bus services licensed by the trust have to pay £1 a month for travel over the same distance. Has this matter been drawn to the Premier's attention? The bus services that operate in my district are mostly private services. I do not complain about those services, but I think that the operators should provide similar concessions to schoolchildren. Will the Premier see whether the same concessions can be afforded children who have to use private buses?

The Hon. Sir THOMAS PLAYFORD: This matter has been brought to my notice, for one honourable member forwarded me a letter setting out a complaint he had received from a constituent. I have taken the matter up with the trust, which is the licensing authority in the metropolitan area, and I have also discussed it with the Under Treasurer, who is the Government member upon the trust. I will inform the Leader when a decision is reached upon it.

### SEAT BELTS.

Mr. MILLHOUSE: On September 17 I asked the Premier a question about whether the Government intended to make a proclamation concerning the compulsory installation of seat belts in motor cars. The Premier replied to the effect that Cabinet would consider the matter. Can he say whether Cabinet has considered the matter and, if it has, does it intend to take any action soon?

The Hon. Sir THOMAS PLAYFORD: Cabinet has necessarily discussed this matter often, but has not yet made a decision to enforce the use of seat belts. I think that the honourable member would realize that it would be bad policy to try to enforce the use of seat belts in cars already on the road.

When the regulation is made it will obviously apply at first to new vehicles sold. Cabinet is not opposed to this matter, but it has received objections from influential associations that are not unassociated with the motor vehicle industry and it is anxious to have public support for the introduction of seat belts rather than antagonism toward them. I believe that it would be beneficial if a number of States could act jointly in this matter rather than one State being out of line with the rest. I assure the honourable member that the matter is being actively examined. I will write a letter and inform him as soon as a decision is reached.

## DESERTED WIVES.

Mr. HUTCHENS: An article headed "New Laws on Home Deserters" appearing in the *Sunday Mail* of February 8 this year, stated:

The law is about to catch up with Australia's 10,000 "runaway husbands" who have deserted their wives and given them a chase for maintenance. The S.A. Attorney-General, Mr. Rowe, said today many husbands escaped their obligations by moving from State to State. Draft legislation aimed at a uniform law between the States to help overcome this and other problems was nearly completed.

Having read the article, I expected that legislation would be introduced this year. Does the Minister of Education, representing the Attorney-General, know why it was not introduced?

The Hon. Sir BADEN PATTINSON: I do not know of any reason, but I do know that the matter has been the subject of several conferences of Attorneys-General, and that my colleague, Mr. Rowe, has given it close personal attention. It may be that, because it is uniform legislation, it has not been ready for submission to the various Parliaments, but I am confident that it will be introduced soon.

## KANMANTOO MINE.

Mr. HARDING: When travelling to and from Naracoorte by train I have noticed considerable activity in the old mining area of Kanmantoo. Can the Premier say whether the Mines Department is investigating this area and, if it is, has he anything to report on these activities?

The Hon. Sir THOMAS PLAYFORD: The Mines Department has been busy examining all the mineral fields of South Australia with modern geophysical equipment to ascertain whether the lode materials in the important mines of past years have been worked out or lost through false lodes or a minor disturbance. This work has been done at Wallaroo, Kanmantoo and Burra. Where the geophysical instruments have indicated that minerals may exist, further drilling has taken place. Honourable members will recall that last year a Bill was passed giving the Government certain rights over minerals that may have been alienated from the Crown. One Government bore at Kanmantoo has been so successful that the Government has been able to induce a private company to make a full-scale investigation. I have no doubt that the activity the honourable member has seen is the working of this private company. It has followed a good interception by the State drilling team, with the assurance that it will be actively worked if the results justify it.

## STUDENT TEACHERS' ALLOWANCES.

Mr. CLARK: The Minister of Education will remember that, on at least two occasions this session when I have been referring to the need for an increase in student teachers' allowances, he has told me that this matter is being held in abeyance until the report of the Commonwealth Committee on Tertiary Education has been received. In fact, he has expressed his regret at that delay. Has the Minister received the report and, if he has not, does he know when it will be received?

The Hon. Sir BADEN PATTINSON: No, I have not received the report; nor do I think anyone in South Australia has received it. I am by no means certain whether it has been completed and produced, but I have heard indirectly, by rumour, that it has been completed and forwarded to the Commonwealth Government. However, that may be just intelligent anticipation. I am anxious to receive and to consider the report as soon as possible because, apart from the question of student teachers' allowances, some important matters are involved dealing with tertiary education, which greatly affect the whole range of education in South Australia.

## PARAFIELD GARDENS SCHOOL.

Mr. HALL: Has the Minister of Education a reply to my question concerning the completion date of the Parafield Gardens Primary and Infants School?

The Hon. Sir BADEN PATTINSON: I have been informed by the Director of the Public Buildings Department that it will not be possible to complete the Parafield Gardens Primary and Infants School in time for school opening next year. He says that on present indications

work will be completed in May, 1965, and that every effort will be made to ensure that the contractor achieves this finishing date.

KEILIRA PRIMARY SCHOOL.

Mr. CORCORAN: Has the Minister of Works a reply to the question I recently asked concerning tenders being let for the construction of toilets at the Keilira Primary School?

The Hon. G. G. PEARSON: The Director, Public Buildings Department, reports that tenders are expected to be called during next month for the construction of toilets at this school. Subject to a satisfactory tender being received, a contract should be let before the end of this calendar year.

BAROSSA VALLEY RAIL SERVICE.

The Hon. B. H. TEUSNER: Has the Minister of Works a reply from his colleague, the Minister of Railways, to the question I recently asked relating to an improved railcar service for the Barossa Valley?

The Hon. G. G. PEARSON: My colleague, the Minister of Railways, informs me that the present planning envisages the construction in 1968-69 of new passenger railcars for use on the Barossa Valley and other services. These cars will provide not only a faster but also a better standard of service. Unfortunately, it will not be possible to effect these improvements with the existing rolling stock.

ANDAMOOKA ROAD.

Mr. LOVEDAY: Has the Minister of Works a reply to my recent question regarding the road to Andamooka?

The Hon. G. G. PEARSON: Yes. On October 9, the Assistant Engineer for Water Supply (Country), who has jurisdiction over the operations of the road gangs in the northern districts outside council areas, investigated this matter and submitted two reports, the latest of which read:

A further report from the road foreman has just been received to the effect that detours have been made around all the flooded sections. The road is now open and can be used by normal traffic including motor trucks and semi-trailers. If any difficulty is experienced by a driver of a heavy motor vehicle the road gang will be able to render assistance. The road foreman has reported that at the present time drivers are not experiencing undue difficulty in travelling from Woomera to Andamooka.

I passed this information on to the honourable member on the same day. Following the honourable member's further question, the matter has again been investigated, and the Engineer-in-Chief has given me another report from the Assistant Engineer for Water Supply, dated yesterday. This report reads:

Since my report dated October 9, 1964, further rains have fallen in the vicinity of Andamooka with the result that the condition of the Pimba-Andamooka Road again became difficult and impassable to heavy vehicles. I was able to contact the road foreman this afternoon by telephone at Port Augusta and he advised me that, although the road is at present rough, heavy vehicles could get through by exercising reasonable care; in fact, a semi-trailer fully loaded with wool traversed the road only yesterday. Since the rains last fell the temperature has been warm to hot, with the result that some of the flooded sections of road have now dried out. Detours have been graded to hard ground where the road is flooded and these tracks can be negotiated safely.

I again repeat that, if any difficulty is experienced by the driver of a heavy vehicle, the services of the road gang will be available to render assistance. The Road Foreman, Mr. G. Oakey, can be contacted at Port Augusta 2707 if assistance is required to negotiate the road between Pimba and Andamooka. I might add that the members of the road gang under Foreman Oakey are anxious and willing to render any assistance in this project and they have even graded and levelled the site for the new hospital.

PADTHAWAY DEVELOPMENT.

Mr. NANKIVELL: Has the Minister of Education a report from the Attorney-General about the visit by an officer of the Town Planner's Department to Padthaway to advise on the development necessary in planning the new township?

The Hon. Sir BADEN PATTINSON: The Attorney-General has supplied me with the following report from the Government Town Planner:

A request dated July 3, 1964, was received from the District Council of Tatiara for the assistance of the Town Planner concerning the future development of the township of Padthaway. The council was advised on July 23, 1964, that the honourable the Attorney-General had approved of the Town Planner's assisting the council but that the assistance would be fitted in with other planning activities to which the Town Planner is already committed in the South-East. Arrangements have been made for an officer to visit Padthaway on Thursday, October 29, 1964, to discuss the future development of Padthaway with representatives of the District Council of Tatiara and the Padthaway Progress Association.

RAILWAY CROSSINGS.

Mr. RYAN: I recently asked the Minister of Works to seek from his colleague, the Minister of Railways, information concerning the future policy of the Railways Department in

providing a new type of zig-zag pedestrian crossing over railway lines. Has the Minister sought this report from his colleague, and can he give me the answer?

The Hon. G. G. PEARSON: My colleague, the Minister of Railways, informs me that the safety fences at the pedestrian crossings at Government Road, Croydon, were erected about three years ago, in conjunction with a Highways Department road widening programme. Pedestrian crossings of the same pattern are being installed at all level crossings where automatic boom barriers are provided, and at other pedestrian crossings where sought by other authorities who undertake to defray the cost of installation. Experience has demonstrated that the provision of such crossings, while assisting the careful pedestrian, affords no assurance against accident arising from carelessness or inattention.

## BALING TWINE.

Mr. FREEBAIRN: On October 7, following allegations made by Mr. Kelly, M.H.R., that the Australian Rope, Cordage and Twine Association was maintaining the retail price of baling twine at an excessively high level, I asked the Premier a question on this matter and he undertook to get a reply from the Prices Commissioner. Has he that reply?

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

Although baler twine is not subject to price control, prices and margins are examined periodically by the Prices Department. For this season, the consumer price of baler twine has been increased by 1s, 6d. to £8 16s. 6d. a bag of three reels. This is equivalent to £3 a ton as against a cost increase of £20 a ton for sisal in the buying period ended in June of this year. The balance of the increased cost is being covered by a reduction in distributors' margins. It is considered from the inquiries made that baler twine prices are not unreasonable at present and resellers' margins are not excessive.

If the honourable member would like to see the docket itself and follow the examination through, I should be happy to let him see it.

## MURRAY PLAINS WATER SCHEME.

Mr. BYWATERS: Can the Minister of Works supply further information concerning the proposed Murray Plains water scheme?

The Hon. G. G. PEARSON: Following discussions and an inspection made by the Engineer for Water Supply some time ago, I understood from a discussion I had with the Engineer-in-Chief that the parties—the councils and the landowners who were involved in the inspection—had come to some conclusions about a modified scheme and that they had agreed that the department should prepare such a scheme and submit it to them. I know that Mr. Campbell has asked the Design Branch to do that work, but I have not seen the report. However, I know that the matter is being attended to. Of course, it would not be possible to put the scheme in hand during this financial year, because no provision has been made for it. I would presume that with other urgent work before it the Design Branch is concentrating on this year's work. I will pursue the matter and let the honourable member have a reply in writing as soon as I get the report.

## LIBRARIANS.

Mr. LAUCKE: Last week I addressed a question to the Minister of Education concerning facilities available for training librarians in South Australia in general, with particular reference to the possibility of the Adult Education Branch of his department providing a course of training for institute librarians. Has the Minister a reply?

The Hon. Sir BADEN PATTINSON: The Libraries Department has on its staff a Staff Training Officer and he, together with other senior staff members, conducts classes for training librarians. These courses are primarily for the staff of the department but other people attend, including the staffs of the universities, local public libraries subsidized under the Libraries (Subsidies) Act, teachers from the Education Department, and librarians from Commonwealth Government departments. Other people are admitted when places in the classes are available. Provided the librarians of institutes met the entrance requirements (matriculation certificate), they also would be admitted. The classes are on a part-time basis and the minimum time for completing the course is three years. Besides theoretical studies there is a considerable amount of practical work, and for this the resources and services of the Public Library and other libraries are used. The courses are those set up by the Library Association of Australia. The courses are recognized as the standard throughout Australia for librarians in all kinds of libraries, including local libraries. The final certificate is recognized in Britain and U.S.A., and it has been recognized by UNESCO to be comparable with that of the most highly developed countries. The Education Department conducts courses for the training of teacher-librarians. These teacher-librarians' courses, two more of which are planned for

1965, are held at our teachers colleges and are for trained teachers only.

Similarly, in-service conferences conducted by the Supervisor of School Libraries are for teachers and deal particularly with the place of libraries in schools. It will be seen, therefore, that the minimum entrance requirement of the matriculation certificate and the high standard of the Libraries Department classes could not be met by the large number of practical librarians in charge of institute libraries, while the teacher-librarians courses would be too specialized for their purposes. However, in my opinion, there is no good and sufficient reason why the Adult Education Branch of the Education Department, with the co-operation of the Public Libraries Board and the Institutes Association, should not devise and conduct a course to meet the specific needs of institute libraries. It would probably be convenient for institute librarians in the metropolitan area and in the nearer country towns to attend classes in Adelaide, but other classes could be conducted in the more distant centres where there was a suitable demand. If necessary, courses could also be conducted by correspondence.

## GIDGEALPA GAS.

Mr. CASEY: Some time ago the Premier announced in the House that the subject of a pipeline from Gidgealpa would be considered by Parliament early next year. However, yesterday in reply to a question by the member for Adelaide, he announced that the project had lagged. There must be some definite reason for this reversal to occur. Can the Premier say what was the report by the expert from Alberta, Canada, on his findings at Gidgealpa, because these could have a direct bearing on the matter?

The Hon. Sir THOMAS PLAYFORD: The expert from Alberta gave the Minister of Mines an interim report before he returned to Canada. It contained some good advice and assistance concerning the Government's future policies. Of course, when he was here (and at present) the reserves were not adequately proved to be sufficient to show that a pipeline proposition should proceed. Some time ago, when the Government discussed this matter with the companies, I forwarded a letter to the companies stating that the Government would like a conclusive result about the reserves by December 31, when important decisions would have to be made about the Torrens Island power station. This would have enabled us to make a decision with the knowledge that gas would either be available or unavailable. The companies set out to do that. If I remember correctly, they allowed about 23 days for drilling and testing a hole, but the programme has lagged and I notice that one hole took 43 days. At present we are proceeding relatively slowly. I do not want honourable members to think that this pipeline will not eventuate, because I believe that it will. However, the Government cannot say that a licence should be given to spend £20,000,000 or recommend that Parliament spend £20,000,000 until it knows what the reserves are. That is why I told the member for Adelaide yesterday that the matter would not be ready for discussion in Parliament early in the new year. Unless some exciting new development takes place the reserves are not in sight that would justify a pipeline at this time.

## FLUORIDATION.

Mr. SHANNON: I direct my question to the member for Hindmarsh, who was a member of the Select Committee that investigated the fluoridation of the State's water supplies. A report in this morning's *Advertiser* stated that the committee had made a unanimous report. Can the member for Hindmarsh say whether that report was unanimous and can he say whether the report, as published in the *Advertiser*, gives a fair summary of the opinions of the members of the committee?

Mr. HUTCHENS: I appreciate the question and at the outset I want to say that I have no complaints about any member of the committee. The honourable member asked whether the report was a fair report. The report in the *Advertiser* was unfortunate and unfair journalism. The leading article in today's *News* can only be described as despicably low. The facts are that the report of the committee was not unanimous: the committee was divided on nine points of the recommendation. The members for Burnside and Norwood supported the recommendation and the member for Yorke Peninsula and I dissented.

The SPEAKER: Order! I do not think that the honourable member would be in order in disclosing what members of that committee said until—

Mr. Shannon: This is very useful information.

Mr. HUTCHENS: I should not have answered the question had the report not been tabled and published.

Mr. Shannon: We read about it in the *Advertiser*.

Mr. Fred Walsh: We do not take for granted what is printed in the *Advertiser*.

Mr. HUTCHENS: The committee was divided on nine points and the report was finally assented to on the casting vote of the chairman. I am confident, although I have not seen a copy of the minutes of the last meeting, that the chairman will state in the minutes that these points were decided as I have stated. The nine points concerned were:

Page 4, Item 13: Your committee believes that fluoride should be used as an aid to reduce dental caries and thus to improve dental health.

Page 5, Item 23: Because the costs of fluoridation are so low, the fact that perhaps less than 1 per cent of the water so treated would actually be drunk is of no significance.

Page 6, Item 25: Third paragraph.—Your committee believes that these methods have their place but the most convenient, cheapest, and most effective is the fluoridation of the water supply.

Page 6, Item 26: Safety.—Every witness dealt with this aspect. The overwhelming weight of evidence, both oral before the committee and documentary, is that fluoridation is completely proven as safe and as causing no harm or ill-effects of any description whatever.

Page 8, Item 35: However, actual experience of fluoridation without any of the ill-effects suggested is now wide and of such a length of time as to negate positively these arguments.

Page 9, Item 37: All the other witnesses opposing fluoridation asserted that it was unsafe or even positively harmful, but the facts by which they sought to demonstrate this and to show that insufficient is known of the long-term effects of fluoride were not scientifically based, and your committee rejects them wherever they conflict with the evidence of witnesses to the contrary.

Page 9, Item 38: Your committee is satisfied beyond reasonable doubt that fluoridation is completely safe, and has no harmful or undesirable effects whatever.

Pages 10 and 11, Item 46: Objections on Ethical and Religious Grounds.—Your committee believes that fluoridation simply involves the bringing of the level of fluoride naturally occurring in water up to the optimum level. It is a public health measure, and no ethical or religious issue is involved. On the contrary, it may well be asked, "What right has a minority, even though it may have conscientious scruples, to veto fluoridation which will be beneficial to the whole community, and to which the great majority (Gallup Poll, August, 1963, page 63) has no objection?"

Page 11, Item 47: Conclusion.—It is desirable to add fluoride to the water supplies of the State.

I repeat that it is undesirable and unfair to suggest that it was a unanimous report.

## PORT AUGUSTA GAOL.

Mr. RICHES: Has the Minister of Works a report on the progress of work at the Port Augusta Gaol?

The Hon. G. G. PEARSON: The Director, Public Buildings Department, reports that an estimate of cost, based on final drawings, has recently been referred to the Sheriff and Comptroller of Prisons for his consideration and to obtain approval for expenditure for the project to proceed. Tender documents have been completed and, as soon as funds are approved, tenders can be called.

## DRAINAGE.

Mr. LANGLEY: Last month the member for Norwood and I spoke about the state of the drainage systems in our districts, and a motion was read and discharged when the Government indicated that an authority would be set up to deal with this matter and similar matters. Can the Minister of Works say how far plans have advanced to set up this authority?

The Hon. G. G. PEARSON: I am unable to give the honourable member much information, and I do not know whether the Premier will be able to. To my knowledge the matter has not been further considered in Cabinet owing to the pressure of business, and authority would have to be given for that legislation to be drafted. To my knowledge no consideration has been given to this legislation except that in a general way the Parliamentary Draftsman is aware of the requirements and would, no doubt, have considered them. I told the member for Norwood at the time that there would be no possibility of having this legislation introduced this session and, as the Parliamentary Draftsman has been occupied with other urgent work for the session, he has probably not been able to devote much time to this matter.

## HACKNEY BRIDGE.

Mr. COUMBE: Has the Minister of Works a reply to my recent question about the future reconstruction and tendering for the Hackney Road bridge?

The Hon. G. G. PEARSON: The Minister of Roads informs me that tenders have not been let for the construction of the Hackney Road bridge. It is expected that tenders will be called in November, and work should be completed in six to eight months from the letting of the contract.

## PORT PIRIE DEVELOPMENT.

Mr. McKEE: An article, appearing in yesterday's *Advertiser*, stated that a recommendation by the Public Works Committee brings nearer the time when South Australia may

have a new £100,000,000 industry—the recovery of lead and zinc from the 5,000,000-ton slag dump at Port Pirie. Mr. F. A. Green, Manager of Broken Hill Associated Smelters at Port Pirie, is reported to have said that with the early establishment of a plant to treat the huge slag dumps likely, the level of employment at Port Pirie is expected to rise, together with the amount of materials passing over the wharves. As this is the last day Parliament will be sitting and as it will be some time next year before it meets again, I consider that the citizens and business people of Port Pirie should be informed of negotiations in this matter. The Premier realizes the urgent need for an industry at Port Pirie, and this proposed expansion by the Broken Hill Associated Smelters is of major importance to the future of Port Pirie and will affect the welfare of the people generally. I consider that it is their right to know what the Government intends to do in this matter. Can the Premier say what negotiations have taken place up to the present?

The Hon. Sir THOMAS PLAYFORD: I thank the honourable member for the valuable information he conveyed to me, and he will be pleased to know that I agree with his statement about the importance of this industry to Port Pirie. I have not been able to make a statement on this matter. The treatment of the zinc slag at Port Pirie depends on two separate processes. If it were decided to treat the slag, one process would have to be undertaken at Port Pirie, although it would not matter where the treatment works were placed. The material could not be economically transported away from Port Pirie until treatment had been carried out. Unfortunately, that is the unimportant part of the work. The production of the zinc metal is an electrolytic process employing many people, and this is the important aspect concerning the citizens of Port Pirie. Obviously if it is an electrolytic process, South Australia must be able to compete in respect of electricity costs in other parts of the world and of Australia, and the negotiations that have taken place are on the lines of removing any disability that Port Pirie might have as a manufacturing centre for this material. I believe that we have been able to do that but, as far as I know, no decision has been made, first, where the zinc slag will be treated and, secondly, where the two component parts of the work will be done. Negotiations are continuing, and I am alive to the position more than ever after the honourable member's exposition.

## RENMARK AVENUE.

Mr. CURREN: Has the Minister of Works a reply to the question I asked on Tuesday regarding Renmark Avenue?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that the redesign of Renmark Avenue has been carefully investigated by the Highways Department, and a comprehensive report was personally presented by senior departmental officers to a special meeting of the Corporation of Renmark. The present distance between the line of trees and the railway fence is inadequate to provide a modern highway complete with shoulders and adequate drainage, and capable of carrying the anticipated traffic. This applies whether the pavement is duplicated or not. The only way to widen the road is to move the railway line and fence, or to remove the trees. In view of the large cost involved in moving the railway, it has been recommended to the Corporation of Renmark that consideration be given to the removal of the trees. Some of these in any case are fairly poor specimens, and could be replaced elsewhere on the road reserve, in order that the overall appearance of this approach to Renmark may be enhanced.

## FULHAM PARK HAZARD.

Mr. FRED WALSH: My question concerns an accident that occurred last Saturday in the Torrens River at Fulham Park, where a boy of about nine years of age slipped and fell into the river whilst trying to refill a bottle with tadpoles. At that point the bank is about 20ft. high and the river is slow moving and muddy. Boxthorn bushes from the Fulham Park stud are situated on the river bank and hide this danger. Children frequently play along the bank, and one resident at Fulham Park, who is a member of the Fulham Park Progress Association, says that residents have complained to the Woodville council about the steep bank being unfenced, but that the council has replied that that is the responsibility of the State Government. I have reecived a letter from a constituent of mine, who complains that his daughter recently wandered across a bridge leading across the river at the end of Frogmore Road. I believe that the bridge is a private one, leading into the Fulham Park stud and, therefore, not the responsibility of the Government, although my constituent suggests that a gate be constructed across its entrance. A few years ago, when Sir Malcolm McIntosh was Minister of Works, he was responsible for a wire mesh fence being

placed on the eastern side of the river to prevent small children from climbing down the bank. Residents who had complained about the hazard then were also required to see that their part of the bank was fenced. Will the Minister of Works investigate this matter and ascertain what steps can be taken to prevent young children from accidentally falling into the river at this point?

The Hon. G. G. PEARSON: I do not know this locality, and I do not know whether the part of the river concerned is private property or whether it is Government property.

Mr. Fred Walsh: The danger is on the western side.

The Hon. G. G. PEARSON: I fully appreciate the concern of residents in regard to the hazard that apparently exists there. If it is the responsibility of the Government I shall be happy to have it attended to. I will ask the Engineer-in-Chief to have an officer inspect the location and to report to me on the problem.

## PUBLIC LIBRARY EXTENSION.

Mr. DUNSTAN: As a result of the undertaking given to the House by the Premier yesterday, I have had an opportunity to examine the file of the Public Buildings Department in relation to the Public Library extension and the plans and documents the Minister kindly made available to me in his room. It appears that a tender was accepted from F. Fricker Proprietary Limited, for the sum of £1,035,300 for the construction of this building, using an alternative design for lift slab method. Three methods of construction of this building were offered to the tenderers, and the tender of Fricker Ltd. was accepted at that price. It later transpired that, as a result of a mistake in Fricker Ltd.'s quantity survey, it would be subjected to an increase in cost, and the price it would then offer for such a method of construction was about £1,076,000. Negotiations have proceeded, as a result of which it appears that it is recommended that Fricker Ltd. be allowed to proceed with this contract on the basis of an overall price, including contingencies, of £1,046,000, which is still lower than the lowest tender of any other tenderer for this method of construction.

It appears that the net result was arrived at after the Managing Director of Fricker Ltd. had obtained a lower price from Lift Slab Australasia in Sydney for its part of the work. I have not been able to see any recent plans on this matter, but I noted that when this method of construction was recommended the Design Engineer and Principal Engineer recommended it as a result of an investigation of the designs proposed by the lift slab company, and after detailed investigations of their drawings and proposals. Can the Minister of Works assure the House that, in the reduced price that has occurred after the discovery of the error in quantity survey by Fricker Ltd., there has been no redesign of this alternative lift slab method which would not accord with the original recommendations of the Design Engineer and Principal Engineer, that is, that the building will proceed exactly as originally planned, without any redesign to allow Fricker Ltd., to proceed at a price lower than what the quantity survey would have revealed?

The Hon. G. G. PEARSON: I cannot give the honourable member an absolute assurance in the terms he asks, because I think, speaking from memory, that when the original designs were prepared, specifications for the lift slab method were standard for that method at that time. It was known that certain problems were concerned, and the lift slab company was trying to effect some improvement. When the matter reached the tender stage a post-stressed method of lift slab construction had been evolved which, I understand, enabled large expanses of lift slab floors to be erected without deflection. In the older designs it was expected that a deflection of, I think, about 1½in. in a span of 22 or 23ft. would be quite normal. The later development eliminated this problem, and therefore to that extent I think it would be correct to say that a slight modification in the original preparation of the plans and specifications had occurred. I think the honourable member will agree from his perusal of the docket that it is a modificaton which is a distinct improvement.

Mr. Dunstan: The report I am referring to is after the post tensioning had been examined and accepted.

The Hon. G. G. PEARSON: On that point then I think it is correct to say that there has been no modification of the specification. There was in fact an insistence on more welding than had been previously incorporated in the specification, or there had been some error, I think, in the calculation of the amount of welding required, and I think that is one point where Fricker was in error. However, I point out again that, if that is the matter under consideration, that aspect has been improved also, so the specification is tighter on that matter than it was at the time or tighter than Fricker, at any rate,

estimated it to be. I say confidently that there has been no modification in the specification at any stage—and certainly not in the negotiation that has recently occurred—which would be in any way deleterious to the building as a structure or its capacity to carry out completely and with absolute safety the purpose for which it was originally designed.

## ENFIELD FIRE.

Mr. JENNINGS: A serious fire occurred in my district yesterday, when a house owned by a Government department was almost completely destroyed and the tenant suffered severe personal loss. I understand not only from press reports but from several telephone calls I received this morning from neighbours that the fire brigade was seriously hampered in its attempts to combat the blaze because the fire plug was covered by asphalt to the extent of a couple of inches, and as a result the officers had to pick off the asphalt before hoses could be contacted to the fire plug. I imagine that maps and plans of the locations of these fire plugs are in existence. Could not the Fire Brigades Board make regular inspections in order to see whether fire plugs are in a serviceable condition? I am left with a grave fear that what happened in this case could easily happen in many other cases, too. Will the Premier take the matter up through the Chief Secretary with the idea of seeing, that an initial inspection is made of these services and that a regular check is made as to their condition, just as the Fire Brigades Board at present regularly inspects fire alarms to see whether they are in a serviceable condition?

The Hon. Sir THOMAS PLAYFORD: I have not seen the report of the fire, but I did hear the account of it broadcast, I think over the Australian Broadcasting Commission's news last night. I shall be happy to take the matter up with the Chief Secretary, but frankly I believe that the Fire Brigade Board is not the authority at fault in this matter.

Mr. Jennings: I did not suggest that it was.

The Hon. Sir THOMAS PLAYFORD: I would not want it to feel that we regarded it as being at fault in this matter. I have noticed that when a new topdressing is put on a road the general procedure is that it is put on as a sheet and then at another stage another department, probably the Engineering and Water Supply Department, comes along and clears a small area above the fire plug. Sometimes a period of a few days elapses between the time the road is sealed and the time the secondary work is done. I will have the matter examined and bring down a reply as soon as possible.

## TELEVISED LESSONS.

Mr. HUTCHENS: Has the Minister of Education a reply to my questions about the progress made by the Education Department in teaching in secondary schools by television?

The Hon. Sir BADEN PATTINSON: Following my reply to the honourable member yesterday, I have received a report from the Director, which states:

As you pointed out in your reply, considerable progress has already been made in teaching secondary school subjects by television in the schools in South Australia. This department, with some assistance from the church and independent schools, has worked closely in conjunction with the Australian Broadcasting Commission on this matter and the co-operation and help of the A.B.C. has been greatly appreciated. The television programmes that have been provided this year for teaching secondary school subjects have included four sessions weekly of direct teaching. Two of these have been at Leaving Honours standard and the other two have been at second year standard for technical high schools. In addition we have used a number of programmes prepared in New South Wales and Victoria and overseas. The four sessions that have been originated in South Australia are of a high standard and have been prepared and given by a team of experienced teachers who have worked hard and devotedly for this purpose.

This work has, however, been largely experimental in its nature and has been rated as highly successful. It could not, however, be placed on a permanent basis without the appointment of a staff of four full-time and 12 part-time teachers for the four series together with the necessary clerical and ancillary assistants. With our present resources it would not be possible to make these people available, especially in view of the greater commitments we must undertake next year through the extension of fifth-year classes in our high and technical high schools and the establishment of additional secondary classes in a number of the smaller country centres. In consequence I reluctantly recommended and you approved with equal reluctance that these four special television series should be discontinued temporarily in 1965. On the other hand, the A.B.C. has been asked to continue and has undertaken to continue in 1965 the same number of sessions each week for teaching secondary school subjects by television as has been provided this year and to use for this purpose selected programmes prepared in other States or overseas. We have, of course, undertaken to co-operate fully with the A.B.C. in the selection of these telerecordings. I have no doubt that these sessions will be of considerable use to those schools which take them.

The Director is just as anxious as I am to resume as soon as possible the production in South Australia of direct teaching sessions on television. We shall consider the matter again early in the new year.

## UNLEY HIGH SCHOOL.

Mr. MILLHOUSE: At Parliament House on September 23 I introduced a deputation from the Unley High School Council to the Minister of Education to discuss with him, as had been done on previous occasions, the erection of an assembly hall at the Unley High School. Assembly halls have been erected in many schools, particularly in country areas. On the occasion to which I refer the Minister said that he would consider the matter. Has the Minister yet been able to consider it and, if he has, will he be able to recommend the construction of an assembly hall at the Unley High School?

The Hon. Sir BADEN PATTINSON: I should say at the outset that I was greatly impressed by the case presented by the deputation introduced by the honourable member and I was, and still am, sympathetic to the request, which was that the Government should subsidize, pound for pound, the proposed erection of an assembly hall at the Unley High School. However, if the Government decided to accede to this request, it would create a precedent that would be taken up rapidly by a large number of country and metropolitan schools, particularly secondary schools. We have an exceptionally heavy primary, secondary and tertiary education building programme ahead and I do not know how we are going to include the expenditure in the current loan programme. We are already spending ahead of our commitments, which the Leader of the Opposition will be pleased to know, and, therefore, I cannot assure the honourable member at this stage that I should be prepared to recommend this to Cabinet. Even if I did recommend it, I have no confidence that Cabinet would agree with my recommendation. On the other hand, I believe that the time is approaching when we will have to consider some of these requests because it is somewhat anomalous that in some large, new schools, particularly in secondary schools and, as the honourable member points out, more particularly in country schools, the Government has erected, entirely at its own cost, buildings that are alleged to be shelter sheds but are very commodious and are, in fact, expensive assembly halls.



## FLINDERS RANGES.

Mr. RICHES: In the "Letters to the Editor" section of a recent edition of the *Advertiser* appeared a letter concerning overgrazing in the Flinders Ranges. The letter, written by Mr. A. K. Jordan of Lulie Street, Abbotsford, Victoria, states, in part:

> I have just returned from my first visit to the Flinders Ranges and was deeply impressed by their unique charms as were the many other visitors from every part of Australia. However, it is sad to see in the landscape the effects of over-grazing, destruction of natural vegetation, and avoidable soil erosion.

He states further that the Flinders Ranges are ideally suited to become Australia's first national park of international standard. Previously I have raised the question of the preservation of the gums in some of the creeks leading from the Flinders Ranges to Spencer Gulf, particularly in Saltia Creek, where, unless some action is taken to prevent grazing, the gums there now will never be replaced, but will merely die out and be lost. Can the Minister of Lands have an inspection made and obtain a report from competent officers of the Lands Department, and will he see that appropriate action is taken?

The Hon. P. H. QUIRKE: I am pleased to answer this question and I assure the honourable member that the action he requests is already being arranged and not necessarily following the publication of the letter referred to. The conditions outlined in that letter have been well known for some time, but as yet we have not come up with an answer. The red gum trees along the northern creeks will inevitably be lost unless large sections are fenced against sheep. There is no possible chance of regeneration along the rivers and creeks while sheep are allowed access to the trees, and it is difficult to prevent that. Trees such as the river red gums of the north and the forest red gums elsewhere have a limited life, and unless some method of allowing natural regeneration to take place is evolved, the red gums in the creeks are inevitably doomed. We have to apply a remedy but, frankly, I do not know what that remedy is. The matter is being investigated and when we arrive at a conclusion I shall be pleased to convey it to the honourable member.

## PINERY PRIMARY SCHOOL.

Mr. HALL: The Chairman of the Pinery Primary School Committee has told me that early this year machinery was set in motion to erect a septic-tank toilet system at the school. Since then nothing has been done and

the parents and the committee are alarmed that more time will elapse before the system is installed. Will the Minister of Education investigate this matter to see what progress has been made and, if possible, to expedite the project?

The Hon. Sir BADEN PATTINSON: I shall be pleased to do so.

FRUIT CASES.

Mr. BYWATERS: Has the Minister of Forests a reply to my recent question about timber for fruit cases?

The Hon. D. N. BROOKMAN: I regret that I have been unable to get a reply, but as soon as I get a full explanation I shall inform the honourable member.

KEITH AGRICULTURAL ADVISER.

Mr. NANKIVELL: Has the Minister of Agriculture a reply to my question about when Mr. Peter Marrett will take up residence at Keith as the agricultural adviser for the South-East?

The Hon. D. N. BROOKMAN: In early December.

PETERBOROUGH ADULT CENTRE.

Mr. CASEY: The Minister of Education will recall that during the Budget debate I referred to the appointment of a permanent registrar for the Peterborough Adult Education Centre. I said that about 200 persons were enrolled, but the Education Department regulation requires 300 enrolments before a permanent registrar can be appointed. The person who is doing a wonderful job as acting registrar at Peterborough will leave the district soon, and it is considered that adult education will be adversely affected if something is not done. The effective way to counter this is to have a permanent registrar. Will the Minister of Education see whether some arrangement can be made?

The Hon. Sir BADEN PATTINSON: I have already considered the matter with the Director and the Superintendent of Technical Schools, the officer in charge of adult education. They are sympathetic to the request but we have received other requests that have not yet been granted from other areas where the expected number of students is greater. For example, at Oakbank the number is about 400 and it is intended to appoint a full-time registrar at the Oakbank Area School from the beginning of next year. We have considered an appointment in the Peterborough area because I think that is a different case, even though the present enrolments are less than half those at Oakbank, and I should like to assist by having a full-time registrar appointed. I was not aware of the information that the honourable member has just given me, and I shall take the matter up with my senior officers to see whether something can be done in the future. I believe that this is an area in which adult education should be encouraged.

ISLINGTON SEWAGE FARM.

Mr. COUMBE: Recently the Minister of Works informed me that following my representations the Government had set up a small departmental committee to investigate the various needs of Government departments in the future planning in respect of the sewage farm at Islington, especially to consider the requirements of the railway standardization, freeways, and easements. Can the Minister of Works say whether this committee has met? Secondly, knowing my interest in this project, can the Minister assure me that he will see that this committee continues to meet with a view to arriving at a common plan or scheme to advise the Government on future planning for facilities and services in this area required by various Government departments and utilities, as well as for local council drainage requirements, so that an overall plan can be adopted for this area?

The Hon. G. G. PEARSON: I do not know what meetings the committee has held, as it has not yet submitted a report to me or to the Government. I am sure the honourable member appreciates that it would not be expected that any conclusive report would be submitted for some time, as the requirement of the railway standardization scheme has not been resolved. The committee will report to me or directly to the head of the Government, and the recommendations will be considered. I will keep the honourable member informed, but, for his information and that of the House and the public generally, I am sure that it would be unreal to expect a full report on this matter for some time.

Mr. Coumbe: Will you see that the committee continues to meet?

The Hon. G. G. PEARSON: The committee has to survey the land that will be redundant for sewage purposes and recommend to the Government the priorities for its use. Until it has completed this job it must continue to meet.

SOUTH-EAST ELECTRICITY.

Mr. CORCORAN: Has the Premier a reply to my recent question about the extension of

an electricity supply west and north-west of Kalangadoo, particularly to the Wattle Range area?

The Hon. Sir THOMAS PLAYFORD: A report from the Manager of the Electricity Trust states:

Construction of a large electricity extension involving 130 miles of high voltage lines to supply 190 applicants in the districts around Kalangadoo was started in November, 1962. The contractor engaged on the project should have completed his work so that all connections could have been finished by May, 1964. However, he got into difficulties and eventually ceased work. While the legal aspects of the contract were being decided, it was not possible to continue any further construction. Final settlement has only just been reached and we will now complete the work using trust staff. We will give this a high priority but there is much other work to be done and we expect that supply to the Wattle Range district will be completed by Christmas and to the Krongart-Nangwarry district by next February.

## LITTLEHAMPTON ROAD.

Mr. SHANNON: Has the Minister representing the Minister of Roads a reply to the question I recently asked concerning loose stones on the Littlehampton Road and the water seepage affecting a house on that road?

The Hon. G. G. PEARSON: The Minister of Roads reports:

It is not possible to construct roads without, at some stage or another, leaving some loose stones on the surface. If motorists observed the speed limits prescribed for townships, namely 35 miles an hour, the stones would not fly sufficiently to be thrown against windows with sufficient force to break them. The work is being carried out by the district council but the Highways Department will request that body to take every care. The alleged damage to property because of water seeping into a house will be investigated. The Highways Department, however, is not responsible, as the work is being carried out by the council.

A footnote to that report states that the council is now rolling and watering the road and that no recent complaints have been received regarding flying stones. The Minister concludes by saying that he has been assured that the whole stretch should be sealed well before Christmas.

## SUPERANNUATION.

Mr. FRANK WALSH: Can the Premier say whether it would be possible to review the method of paying superannuation benefits which were increased recently on a yearly basis? Many beneficiaries would prefer to receive this benefit fortnightly.

The Hon. Sir THOMAS PLAYFORD: I will ascertain what can be done about that matter.

## JURY NOTICE.

Mr. LAUCKE: On October 7 I asked the Minister representing the Attorney-General whether consideration could be given to serving longer notice on those called on to serve on juries. Has the Minister received a reply to this question?

The Hon. Sir BADEN PATTINSON: The Attorney-General has supplied me with a report from the Sheriff, which states:

Section 37 of the Juries Act, 1927-1937, states that "Every such summons shall be served . . . four clear days at least before the day on which the juror is required to attend". In practice, sufficient notice arises whereby a person summoned advises that he is an exempt person under the Act, or upon application to the judge on some other ground is excused from attending that particular session of the court. It may then become necessary to summon an additional juror in his stead. For this reason, the service of an additional summons may be required up to within eight days of the commencement of the session. Preparation of the final jury lists usually precludes any later service.

The instance quoted in the House recently arose from special circumstances. The usual number of jurors had been summoned and the final list was being prepared. Notice was then received by the Sheriff that due to the listing of a particular case in which three separate counsel would be appearing for the defence, a situation could arise whereby there would be insufficient jurors in attendance. At very short notice, it was necessary to summon additional jurors, which resulted in notices being delivered on the Friday preceding the commencement of the session. This is the first occasion on which such short notice has been given and due to the exceptional circumstances it is considered unlikely to occur again.

## CITRUS MARKETING.

Mr. FREEBAIRN: Citrus growers in my district at Morgan and Cadell have been concerned at the low net prices received for their produce. The industry, at the commencement of the 1964 season, put into effect a voluntary marketing plan, but it was only partially successful because it lacked statutory backing and was not well supported by Victorian producers. In view of the present poor returns to growers in this industry, will the Minister of Agriculture say what stage planning for the proposed citrus marketing scheme has reached?

The Hon. D. N. BROOKMAN: I am aware of the present difficult position in the citrus industry. Some time ago a deputation waited on me to discuss the possibility of legislation to organize the selling of citrus fruits. This was discussed briefly with the Government, and it was decided to draft a Bill so that we could see what issues were involved. The drafting of that Bill will take some time. I have

inquired from time to time as to its progress, and I understand that many complex issues are involved, some of which are constitutional. However, when the Bill is drafted there would be need for further reference to the citrus growers and also to other organizations interested in this scheme, which would prevent any immediate action. When the Bill is finally prepared the Government will examine it. I think it certainly would be contingent upon the wishes of the citrus growers themselves, for that would be the normal thing.

MOUNT GAMBIER HOSPITAL.

Mr. BURDON: Last Tuesday I asked the Premier a question concerning the appointment of resident medical officers at the Mount Gambier Hospital and the Premier said he would try to get a report before the House adjourned. Has he that report?

The Hon. Sir THOMAS PLAYFORD: Work is proceeding for the conversion of part of the old hospital building at Mount Gambier to quarters for two resident medical officers. Structural work has been completed to provide two bed-sitting rooms with bathroom and toilet facilities. Floor coverings, furniture, etc., are still to be supplied. This accommodation is being provided because it was thought that there could be occasions when there would be too many medical graduates graduating in the one year to permit absorption into Royal Adelaide and the Queen Elizabeth Hospitals. The quarters at Mount Gambier are thus being made available in case it becomes necessary to place surplus resident medical officers at a country hospital. The committee responsible for placing resident medical officers has recommended that, if and when necessary, graduates be rostered to Mount Gambier for two months only each as part of their compulsory 12 months' hospital service before registration so that there would be two graduates in residence throughout the year. However, from information provided to this committee at its meeting on August 11, 1964, it appears that all new medical graduates available for employment in 1965 can be placed without the necessity to appoint any graduate to country hospitals.

BORDERTOWN YARDS.

Mr. NANKIVELL: On October 14 I asked the Minister of Works if he would obtain from his colleague, the Minister of Railways, a report on the work to be undertaken on the reconstruction of the Bordertown railway yards during this financial year. Has the Minister any information on this matter?

The Hon. G. G. PEARSON: My colleague, the Minister of Railways, informs me that the work proposed to be undertaken during the current year in the Bordertown yard comprises alterations at the Wolseley end, including the provision of a new siding and the removal of redundant leads. This is the second instalment of the overall modification plan of the yard. It is expected that the third and final instalment will be undertaken next year, subject to financial provision being available.

DECOMPRESSION CHAMBER.

Mr. CASEY: Has the Premier a reply from his colleague, the Minister of Health, to my recent question regarding the possibility of installing a decompression chamber at the Queen Elizabeth Hospital?

The Hon. Sir THOMAS PLAYFORD: I point out to the honourable member that a similar question was asked on this matter by the Hon. Mr. Kneebone in another place. A report I have states that a high pressure oxygen tank is in current use at the Royal Adelaide Hospital. In a recent case of diver's bends the hospital was notified, and it would have been possible to start treatment within a few minutes of the patient's arrival. Apparently the case in question took alternative treatment elsewhere.

SOFT DRINK PRICES.

Mr. MILLHOUSE: The Premier will recollect that some weeks ago the prices of non-alcoholic or soft drinks were recontrolled and some prices were reduced by order of the Prices Commissioner. I understand that in the last few days the prices of some lines that were reduced have been restored to levels operating before price control was reintroduced on them. Can the Premier, in his capacity as Minister in charge of prices, say whether this is a fact? If it is, can he say what alterations have been made?

The Hon. Sir THOMAS PLAYFORD: As far as I know, it is not a fact. I handle many price orders and, although I normally look not at the names of the people concerned but at the margins, I think it is extremely unlikely that I would have missed a case, such as soft drinks, on which there had been some controversy. As honourable members will appreciate, much work comes through in these matters. However, I doubt very much that I would sign an order without realizing that it was in respect of a matter on which there had been controversy.

## HOUSING.

Mr. RICHES: Has the Premier had an opportunity of consulting with the Chairman of the Housing Trust on the erection of houses under the £50 deposit scheme?

The Hon. Sir THOMAS PLAYFORD: I have not yet received a specific report. The honourable member will realize that sending a request to an outside authority for a report is somewhat different from sending such a request to a Government department. However, a report of the trust which is now ready for tabling in this House sets out the places where this scheme has operated. I appreciate that the honourable member wishes to know whether the scheme could operate at additional places, including Port Augusta, and I will get him a report on that matter as soon as possible.

## PARA HILLS SPEEDING.

Mr. HALL: Has the Minister of Works, representing the Minister of Roads, a reply to the question I asked recently concerning the alleged speeding of motor vehicles in Bridge Road, Para Hills?

The Hon. G. G. PEARSON: My colleague, the Minister of Roads, informs me that the portion of Bridge Road adjacent to Para Hills is under the care, control, and management of the City of Salisbury. In these circumstances the department does not erect 35 miles an hour speed limit signs, but if deemed necessary an approach could be made to the council in this matter.

## PORT ADELAIDE SCHOOL.

Mr. RYAN: For some time the Education Department has been considering a redevelopment plan for the old Port Adelaide Primary School. In view of the long delay that has occurred, will the Minister have this matter investigated to see what progress has been made?

The Hon. Sir BADEN PATTINSON: Yes, I shall be very pleased to do so. I recall that this matter was handled first by the Minister of Roads and later by the Attorney-General during my absence on annual leave, and replies were forwarded. In the meantime, I have had a look at this matter, which involves a large and complicated project. I asked the Deputy Director of Education whether he would take it up with the Director of the Public Buildings Department to endeavour to arrive at a satisfactory and early settlement of the matter. I have not yet had a conclusive reply but as soon as I get one I shall either speak to the honourable member even though we shall not be in session, or write to him, or do both.

## TORRENS RIVER COMMITTEE.

Mr. COUMBE: Does the Minister of Works recall that, in reply to a recent question I asked him about the advisory committee that the Government had set up to investigate improvements to the Torrens River, he told me the committee had met? I understand that the committee has recently made a recommendation to the Minister for authority and funds to carry out a topographical survey of the river so that the proper and long-range needs of the river can be assessed. Does the Minister know of such a request and has it been considered? Further, has a decision been made? Realizing its importance and the interest in this project that has been engendered in my district, if the Minister cannot answer me now, can he inform me, if possible before the next meeting of that committee (next Wednesday), of the Government's intention concerning this recommendation?

The Hon. G. G. PEARSON: Yes. The request has been made. I am not sure from memory whether or not final approval has been given for the funds. I will check that, although I think it has been. I will let the honourable member know definitely by letter tomorrow if there is no other way of doing it.

## BOARDING ALLOWANCES.

Mr. CASEY: The Minister of Education may recall that some time ago I asked him a question about boarding allowances for children attending both primary and secondary schools in the metropolitan area. There was a marked difference between the amount of allowance paid to the parents of children attending primary schools in the metropolitan area (who are eligible for an allowance of £25 per annum) and that paid to the parents of secondary schoolchildren (£75 per annum). Has the Minister taken up this matter with his department and, if so, has he reported on it to Cabinet? If he has, does the Government intend to correct this slight anomaly that has prevailed for some time in respect of these boarding allowances?

The Hon. Sir BADEN PATTINSON: The answer to the first question is "Yes". I have considered this matter and discussed it with the Director of Education and some senior officers of the Education Department. The answer to the second question is "No". I have not yet taken up the matter with Cabinet, because we have not come to a final decision departmentally. It looks at first sight as though some injustice is being done to the

parents of children attending primary schools, but there is a marked difference between the two classes of children. For example, we aim to have a primary school in the metropolitan area about every mile, and even in the country a primary school is established when there are as few as 10 children in an area. Not only that, but we have an efficient correspondence school that supplements the work of nearby primary schools. The number of primary schoolchildren obliged to live away from home is relatively small, and their needs are not as great financially as those of the older children in the secondary schools.

Apart from that, 25 miles was the distance requested by a member of Parliament (it may have been the predecessor of the honourable member asking the question; I have forgotten). He nominated the 25 miles and asked whether an allowance could be granted for a primary schoolchild who was 25 miles away from a school. That was the distance approved by the department and later by Cabinet. However, we are reconsidering both the distance and the amount of the allowance. There are only a limited number of secondary schools in country areas and it involves hardship on the parents of secondary school scholars obliged to live away from home to attend an appropriate secondary school where the subjects that they desire to study are available. Therefore, the closer distance and the larger amount were approved for the secondary students. However, I am considering the whole matter and I hope to have some final recommendation for Cabinet before the beginning of the next school year.

## CARLTON PRIMARY SCHOOL.

Mr. RICHES: During the recess, will the Minister of Education forward to me a report on the progress of negotiations for the building of the new Carlton Primary School? This school has been promised for the beginning of the school year 12 months hence but much work is being held up at the other schools in Port Augusta pending the building of this new school. The establishment of a senior opportunity class and the provision of staff accommodation and library facilities at the central school depend on this school's being in operation by that date.

The Hon. Sir BADEN PATTINSON: I shall be pleased to furnish a progress report. I am anxious for this school to be commenced and completed on time, because I agree with the honourable member that several desirable, and indeed essential, projects at the other schools have been postponed and deferred indefinitely on the assumption that these facilities and amenities would be provided in the new school at Carlton. I shall be only too pleased to comply with the honourable member's request and to use whatever influence I possess to have the work proceed with the greatest possible expedition.

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## PHYSIOTHERAPISTS ACT AMENDMENT BILL.

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

## PARLIAMENTARY PAPERS.

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

That it be an order of this House that all papers and other documents ordered by the House during the session, and not returned prior to the prorogation, and such other official reports and returns as are customarily laid before Parliament and printed, be forwarded to the Speaker in print as soon as completed, and if received within two months after such prorogation, that the Clerk of the House cause such papers and documents to be distributed amongst members and bound with the Votes and Proceedings; and as regards those not received within such time, that they be laid upon the table on the first day of next session.

Motion carried.

## FAUNA CONSERVATION BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 3, line 5 (clause 5): Add the following definition—"'egg' includes eggshell or part of an eggshell".

No. 2. Page 3, line 38 (clause 5): After "includes" insert "plumage and any".

No. 3. Page 4, line 14 (clause 5): Add the following subclause—

> "(2a) Any reference in this Act to animals or birds native to Australia shall be deemed to include migratory animals or birds which periodically migrate to and live in Australia."

No. 4. Page 5—After clause 11, insert new clause 11a as follows:

> "11a. Annual report. The Minister shall prepare and lay before Parliament an annual report on the administration of this Act which shall include such information as is available on the following matters:
>
> (*a*) the number of permits granted under section 39 of this Act:
>
> (*b*) the number of animals and birds of each species taken pursuant to such permits:
>
> (*c*) the number of licences in force under section 56:

(*d*) the number of animals and birds of each species exported under permits to export:

(*e*) sales of protected animals and birds.''

No. 5. Page 6, line 17 (clause 14): Before ''enter'' insert ''subject to subsection (3) of this section''.

No. 6. Page 6, line 20 (clause 14): After ''skin'' insert ''eggs''.

No. 7. Page 6, line 26 (clause 14): After ''skin'' insert ''eggs''.

No. 8. Page 6, line 27 (clause 14): After ''skin'' insert ''eggs''.

No. 9. Page 6, line 36 (clause 14): Add the following subsection:

''(3) Upon demand by the owner, occupier or person in charge of any land, building, structure, vessel, boat, receptacle, place or thing which an inspector has entered, or is about to enter or to search, the inspector shall produce and show his identity card to that owner, occupier or person in charge, and if he does not do so he shall not be entitled to exercise further any power of entry or search in relation to that land, building, structure, vessel, boat, receptacle, place or thing.''

No. 10. Page 6, line 38 (clause 15): After ''taken'' insert ''or imported into the State.''

No. 11. Page 7, line 24 (clause 20): Leave out ''show'' insert ''shows''.

No. 12. Page 7, line 26 (clause 20): Leave out ''twenty-four'' insert ''forty-eight''.

No. 13. Page 7, line 27 (clause 20): Leave out ''a'' insert ''any''.

No. 14. Page 7, line 27 (clause 20): After ''or'' insert ''at an''.

No. 15. Page 11, line 20 (clause 34): Leave out ''South''.

No. 16. Page 14, line 17 (clause 42): Leave out ''caused, or appears likely to cause injury to'' and insert in lieu thereof the words ''attacked or is attacking''.

No. 17. Page 14, line 23 (clause 43): After ''taken'' insert ''or imported into the State''.

No. 18. Page 14, line 29 (clause 43): After ''taken'' insert ''or imported into the State''.

No. 19. Page 14. After clause 43, insert new clause 43a as follows:

''43a. *Trespassing.* (1) A person shall not be on any land, other than Crown land, for the purpose of taking an animal or bird or the eggs of an animal or bird, unless the owner or occupier of that land has given him permission to be on that land for that purpose.

Penalty: Fifty pounds.

(2) If the owner or occupier of any land or the servant or agent of any such owner or occupier suspects that a person trespassing on that land is committing or has committed an offence against this Act, he may request that person to do either or both of the following things namely:—

(*a*) to state his full name and usual place of residence;

(*b*) to quit the land.

A person to whom any such request is made shall forthwith comply with it.

Penalty: Fifty pounds.

(3) A person who has quitted land pursuant to a request under this section shall not re-enter that land without the permission of the owner or occupier.

Penalty: Fifty pounds.

(4) In proceedings for an offence against this section—

(*a*) the onus of proving permission to be on any land shall be on the defendant;

(*b*) proof that a person on any land had in his possession a dog, gun or device capable of being used for the purpose of taking an animal or bird, shall be *prima facie* evidence that that person was on the land for the purpose of taking an animal or bird.

(5) The permission of an owner or occupier may be given by any person acting on his behalf.''

No. 20. Page 17, line 3 (clause 56): After ''skin'' insert ''or egg.''

No. 21. Page 17, line 15 (clause 56): After ''Organization'' leave out ''; or''.

No. 22. Page 17, lines 16 to 20 (clause 56): Leave out all words in these lines.

No. 23. Page 17, line 28 (clause 56): After ''taken'' insert ''or imported into the State''.

No. 24. Page 17, line 29 (clause 56): After ''skins'' insert ''or eggs''.

No. 25. Page 17, line 35 (clause 56): Add the following subsection:

''(8) The holder of a licence under this section shall furnish the Director with such returns as are prescribed.

Penalty: Twenty-five pounds.''

No. 26. Page 17, line 37 (clause 57): After ''birds'' insert ''or the eggs of any specified species of animals or birds''.

No. 27. Page 17, line 39 (clause 57): After ''bird'' insert ''or egg''.

No. 28. Page 18, line 27 (clause 59): Add the following subclause:

''(4) A permit to import shall not be granted unless the Minister is also satisfied that the animals, birds, carcasses, skins or eggs proposed to be imported were not taken in contravention of the laws of any other State or country.''

No. 29. Page 19, line 9 (clause 61): After ''carcasses'' insert ''or eggs''.

No. 30. Page 21, line 28 (clause 67): After ''any'' insert ''licence or''.

No. 31. Page 25, Second Schedule: Leave out ''South'' in the last line of the schedule.

No. 32. Page 26, Third Schedule: At the beginning of the schedule insert:

''Major Mitchell Cockatoo (Kakatoe Leadbeateri).

Beautiful Firetail Finch (Zonaeginthus Bellus).''

No. 33. Page 36, Third Schedule: Add:

''Flame Robin (Petroica Phoenicia).

Regent Honeyeater (Banthomiza Phrygia).''

*Amendment No.* 1:

The Hon. D. N. BROOKMAN (Minister of Agriculture): The Legislative Council has made 33 amendments to this Bill but the number of topics dealt with is considerably less

than that. Generally speaking, the amendments provide for a somewhat greater measure of control than was provided by the original Bill. However, the Government believes that the new provisions are workable and would not impair the simplicity of the general scheme of the Bill which, in substance, is that protected native animals and birds can only be taken under permit or pursuant to a proclamation declaring an open season. It is recommended that the amendments be accepted by the House of Assembly. These amendments differ very much in their meanings, so at this stage I ask honourable members to accept amendment No. 1.

Amendment agreed to.

*Amendment No.* 2:

The Hon. D. N. BROOKMAN: This amendment alters the definition of "skin" by including "feathers" within the ambit of that word, and its probable effect is that those who desire to trade in feathers of protected animals or birds or to import or export them will have to hold a licence or permit. The object of this is also to facilitate the detection of offences involving the unlawful taking of protected birds. These offences have been prevalent.

Amendment agreed to.

*Amendment No.* 3:

The Hon. D. N. BROOKMAN: This amendment is connected with amendments Nos. 15 and 31. The effect of all these amendments, taken together, is to bring all native Australian animals and birds, not merely native South Australian ones, in this State within the scope of the Bill and to make it clear that the category of "native" animals and birds includes migratory animals and birds which periodically migrate to Australia. This may appear to be a wide extension of the Bill, but, in fact, it is expected to prove quite workable. Any additional Australian animals and birds brought under the Bill by virtue of this amendment can either be put in the unprotected list, or be fully protected or be made subject to permits or open seasons.

Amendment agreed to.

*Amendment No.* 4:

The Hon. D. N. BROOKMAN: This provides for an annual departmental report on the administration of the Bill to be furnished to Parliament.

Amendment agreed to.

*Amendment No.* 5:

The Hon. D. N. BROOKMAN: This is connected with amendment No. 9 and their joint effect is to require that an inspector must produce his identity card before entering or searching any premises, land, place, vehicle, etc. This is a modification of the provision of the Bill as it was previously decided in this Committee.

Amendment agreed to.

*Amendments Nos.* 6 *to* 8:

The Hon. D. N. BROOKMAN: These amendments are all for the purpose of extending the Bill so as to provide to control the taking and dealing in eggs of protected birds or animals.

Mr. BYWATERS: I understand that some people in the State have licences to take eggs and I surmise from the wording of the amendments that they will not affect these people at all and that those concerned will continue to be able to take eggs for scientific purposes. I ask the Minister if that is so.

The Hon. D. N. BROOKMAN: Yes, it will be permissible for permits to be given for that purpose and, by a previous amendment, all such permits will be itemized and reported on to Parliament each year.

Amendments agreed to.

*Amendment No.* 9:

The Hon. D. N. BROOKMAN: This amendment is connected with amendment No. 5 and it is for the purpose of dealing with the inspector's right of entry and search. It should be noted that this is a modification of the previous situation in the Bill.

Amendment agreed to.

*Amendment No.* 10:

The Hon. D. N. BROOKMAN: This provides that inspectors may seize animals or birds imported into South Australia in contravention of the Bill. It is complementary to the power to seize animals or birds illegally taken.

Amendment agreed to.

*Amendments Nos.* 11 *to* 14:

The Hon. D. N. BROOKMAN: These four amendments deal with the duty of persons holding permits or licences to produce them when demanded. The time for production is extended from 24 hours to 48 hours and the holders of the permits or licences may choose any police station or nominated office as the place for production.

Amendments agreed to.

*Amendments Nos.* 15 *and* 31:

The Hon. D. N. BROOKMAN: Amendment No. 15 is associated with amendment No. 3, with which we have already dealt. These amendments bring all native Australian animals and birds, instead of only South Australian animals and birds, within the scope of the Bill.

Amendments agreed to.

*Amendment No.* 16:

The Hon. D. N. BROOKMAN: This deals with the power to take aggressive magpies. The amendment means that magpies can be taken only when they actually attack or are attacking any person. It narrows the scope of the clause as introduced.

Mr. BYWATERS: The clause still does not meet my requirements, but it has been improved considerably. I believe that the clause could be deleted. However, as it has been made less strict I will accept it, but if any evidence appears that this clause is being abused, I shall later move an amendment to take it out of the Act. The magpie is a clean bird and it appeals to me. People should not be allowed to shoot at it indiscriminately.

Amendment agreed to.

*Amendments Nos.* 17 *and* 18:

The Hon. D. N. BROOKMAN: These amendments extend the offence of possessing animals and birds unlawfully taken, to animals and birds unlawfully imported into the State.

Amendments agreed to.

*Amendment No.* 19:

The Hon. D. N. BROOKMAN: This is a new clause prohibiting trespass on land for the purpose of taking animals and birds. It also empowers owners and occupiers and other authorized persons to ask for the names of trespassers and to require them to quit the land on which they are trespassing. It is similar in substance to provisions in the existing Act, which have been in force for about 45 years.

Mr. DUNSTAN: I move:

In new subsection (4) to strike out "(*a*) the onus of proving permission to be on any land shall be on the defendant; (*b*)".

This proposed new clause makes a significant alteration by Statute to the common law of trespass, and incorporates a provision contrary to the policy of the Labor Party. Where is the necessity to demand that the onus of proof shall be on the defendant? If a person is on land without permission, the owner, occupier or the authorized agent is able to say that the person did not have permission to be on the land. The only occasion when Parliament normally agrees to the shifting of the onus of proof to a defendant is in a case where the knowledge concerned is peculiarly within the knowledge of the defendant and no-one else. Where proof can be adequately given by witnesses called for the prosecution, why shift the onus of proof? Here we are requiring that a man prove his innocence, and that is contrary to the normally accepted principles of British law.

Mr. SHANNON: Frequently the property owner lives at a distance, although he may still be on the property, and where the offence is committed the most likely person to observe the offender is an inspector or game warden. If the person is there legitimately there is no trouble. In some cases it would be difficult in some parts of the State to get a conviction as the evidence is given by a third party, the warden, and not by the owner. We do not want to leave loopholes for the fellow doing the wrong thing and out to destroy something that we are trying to protect. The person apprehended must have the consent of the owner, because the whole purpose of this legislation is to protect our native fauna and flora. The member for Norwood wants to provide a loophole so that the offender will get out. He is a member of the legal profession—

Mr. Dunstan: I do not want to provide any loophole at all. That is completely unfair and unjust. The legal profession does not take that attitude at all.

Mr. SHANNON: Methinks the honourable member doth protest too much.

Mr. Millhouse: Well, I don't!

Mr SHANNON: If we make it difficult to obtain convictions against people who offend by going on to a person's property and taking protected animals and birds, we should forget the law. I pay a tribute to the Hon. R. C. DeGaris for the work he has done on this legislation. He is a practical man and lives in an area where these offences occur. He observes what goes on and he wants to protect our fauna and flora.

Mr. McANANEY: The onus is on the person only if he claims that he has the permission of the owner. That is not expecting too much. If a person claims that he has that permission, it is up to him to prove it.

Mr. CURREN: The member for Onkaparinga apparently bases his argument on the fact that game wardens would apprehend most offenders. The section refers to owner, occupier or the servant or agent of any such occupier or owner.

Mr. DUNSTAN: The case put forward by the member for Onkaparinga is that where a person is prosecuted (and that is what we are talking about, not his apprehension) on a summons, if the owner of the property is in a distant part of the State he may not be able to give his evidence. There is no difficulty in providing sufficient time for witnesses to get to a court. It would not be difficult for an owner or occupier of a property or the servant or agent authorized in respect of that

property, to be called to give evidence before a court to say whether the person who went on to the property had permission or not. It would not be different from a prosecution for larceny where it is standard practice for the owner of the stolen property to come along and say that the person accused did not have permission from him to move or carry the goods away. What the member for Onkaparinga is requiring, and what this clause will require, is that the owner or occupier will not have to come into the court at all, but that the defendant may be accused of going on to the property and, if his defence is that he had authority to be there, he has to prove that he had that authority. What if he had mere verbal permission? Why should not the onus be, as it is always required to be under English law, on the prosecution to prove a simple fact that is available to it by proof that the owner or occupier had given no permission to the person to be there? The member for Stirling cites a case in relation to his own property. Where would be the difficulty in the prosecution of the individual in that particular case for the member for Stirling to come before the court as a witness for the prosecution and to say, "I have never seen this man before; I did not give him permission, nor did anybody on my behalf"?

That would be the normal provision, but here we are demanding something contrary to all the principles of British law, namely, that we demand that a man prove his innocence, because the onus is on him to prove something within the knowledge of the prosecution. That is an absurd position. It is utterly unnecessary, and it is untrue to say that convictions could not be obtained under this section if this provision were not there. It is perfectly simple, under this stringent provision, to obtain a conviction if a man is guilty. I resent the imputation that members of my profession are resolved to endeavour to provide legal loopholes. Members of my profession, I am proud to say, have been trained in the belief that the rights of ordinary citizens and the principles of the rule of law and of English justice should be maintained in this community.

Amendment carried; Legislative Council's amendment, as amended, agreed to.

*Amendment No.* 20:

The Hon. D. N. BROOKMAN: This is associated with the numerous other amendments for controlling the sale of eggs of protected animals and birds. It provides that a licence is required for this purpose.

Amendment agreed to.

*Amendments Nos.* 21 *and* 22:

The Hon. D. N. BROOKMAN: These amendments require that licensed hide, skin and wool dealers must hold licences under the Bill in order to trade in protected animals or birds, where formerly they were exempt. The object is to obtain stricter control over unlawful dealings by enabling the Government to have a full record of all dealers operating under the Bill.

Amendments agreed to.

*Amendment No.* 23:

The Hon. D. N. BROOKMAN: This declares that a licence to keep and sell protected fauna will not give any authority with respect to animals or birds illegally imported. This rule is implied in other provisions of the Bill.

Amendment agreed to.

*Amendment No.* 24:

The Hon. D. N. BROOKMAN: This is supplementary to the previous amendments extending the control over eggs.

Amendment agreed to.

*Amendment No.* 25:

The Hon. D. N. BROOKMAN: This requires that the holder of a licence to keep and sell animals and birds must make the prescribed returns. It puts in the Bill a duty which otherwise would be in the regulations under clause 77.

Amendment agreed to.

*Amendments Nos.* 26 *and* 27:

The Hon. D. N. BROOKMAN: These are further amendments for the control of eggs.

Amendments agreed to.

*Amendment No.* 28:

The Hon. D. N. BROOKMAN: This provides that a permit to import animals and birds is not to be granted unless the Minister is satisfied that the animals or birds were not taken contrary to the laws of any other State or country. The duty to satisfy the Minister of this will be on the person seeking the permit. The object of the clause is to enable this State to assist in the protection of Australian fauna on a nationwide basis.

Amendment agreed to.

*Amendments Nos.* 29 *and* 30:

The Hon. D. N. BROOKMAN: These are drafting amendments.

Amendments agreed to.

*Amendment No.* 32:

The Hon. D. N. BROOKMAN: This amendment adds two species of birds to the list of rare species which have special protection against open seasons and permits. The species added are the Major Mitchell Cockatoo and the Beautiful Firetail Finch.

Amendment agreed to.

*Amendment No.* 33:

The Hon. D. N. BROOKMAN: This amendment adds two more species to the list of rare birds, namely, the Flame Robin and the Regent Honeyeater.

Amendment agreed to.

Later, the Legislative Council intimated that it had agreed to the House of Assembly's amendment to its amendment No. 19.

## POULTRY INDUSTRY (COMMONWEALTH LEVIES) BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, lines 9 to 11 (clause 4)—Leave out "the thirtieth day of June, one thousand nine hundred and sixty-four" and insert in lieu thereof "such date as shall be specified by the Minister in a notice published in the *Gazette*."

No. 2. Page 2, lines 12 and 13 (clause 4)—Leave out "thirtieth day of June, one thousand nine hundred and sixty-four" and insert in lieu thereof "date referred to in subsection (1) of this section".

No. 3. Page 2, line 17 (clause 4)—Leave out "be" last occurring and insert in lieu thereof "have been".

No. 4. Page 3, line 8 (clause 8)—After "Section 3" insert "or Section 4".

*Amendments Nos.* 1 *and* 2:

The Hon. D. N. BROOKMAN (Minister of Agriculture): The Bill as it left here provided that owners of hens had to declare the numbers held at June 30, 1964. This was inserted as the result of an amendment moved successfully by the member for Murray (Mr. Bywaters). However, a further amendment moved by the honourable member was defeated, and as a result the Bill was left in rather an unworkable state. I consider that the Legislative Council's amendment improves the position, and I do not think there is any reason to oppose it.

Amendments agreed to.

*Amendments Nos.* 3 *and* 4:

The Hon. D. N. BROOKMAN: These are purely consequential amendments.

Amendments agreed to.

## LOTTERY AND GAMING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 21. Page 1567.)

Mr. SHANNON (Onkaparinga): I support the legislation submitted by the Government in this matter. I do not think any serious hardship will be caused to the man who holds the bag, as he is known on the racecourse, for he will still be in a happy position compared with his opposite number in any of the other States. He will be at least ½ per cent better off, and in some instances 1 per cent better off, than his counterparts on racecourses in other parts of Australia. Obviously, this measure is only a step in tidying up what I think should be tidied up in this racing business. I agree that this tidying up should be done step by step. I do not know whether we yet have agreement from all the parties interested in this racing game. My own view is that they should come to an agreement; they should know what they want, and they should state firmly what they require and come to a satisfactory arrangement whereby everybody can say, "Well, this is the best we can do and this is the best basis on which we can operate."

I think this measure will improve the position for the racing clubs, and I think that the increased stakes which will be offered will encourage the retention of good horses in this State. In the past many of our good horses have slipped over the border or have gone overseas. Some first-class race horses that have been bred and trained in South Australia have been transferred to the Eastern States and some have gone overseas to America or England. In the best interests of the sport, I think we should attempt to encourage owners to keep their horses here. The better the stakes that are offering, obviously the better it will be for the owners, many of whom are not concerned with betting. The best owners are those who do not bother about wagering but keep and run their horses for the enjoyment of the sport and the thrill of winning a race. There are many such owners. I am not a racing man or an expert on this matter, but I listened with interest to my friend, the member for West Torrens (Mr. Fred Walsh), to whom I take off my hat when it comes to the ins and outs of the racing game, for very few people know more about it than he does. This Bill is a move in the direction of improving the opportunities for clubs to increase their stakes and encouraging people with good horses to keep them in South Australia and give the people of this State better entertainment than watching cart horses race. After all, if we can run cart horses we are no better off than people are in the bush.

Mr. Casey: We call them "scrubbers".

Mr. SHANNON: I know; I have known one of them to win the Melbourne Cup, so they are not all "scrubbers". We should encourage clubs to increase their stakes. I support the Bill largely on that ground.

Mr. LOVEDAY (Whyalla): I support the Bill because I think that, on balance, it will be an advantage to the State. I do not profess to be an expert on racing but, contrary to what has been said in this debate about racing clubs in the metropolitan area, the Whyalla Racing and Trotting Club has done an excellent job in improving the course at Whyalla, to the extent that the committee members there have done much voluntary work on improvements. That club has done its utmost to improve the amenities for racegoers. In Whyalla the races provided by the club are an important form of entertainment for the people.

The club itself favours this legislation. I cannot agree that the imposition of this additional ½ per cent tax on the bookmakers' turnover will be a serious burden on them. It appears that they will still be in a more advantageous position than their confreres in other States, according to the evidence given to us, and I have no doubt that the extra amount obtained as a result of this measure will be passed on to the punters. So, all in all, I am satisfied from the point of view both of the State generally and of my electorate that this measure is desirable.

Mr. HALL (Gouger): I am pleased to support the Bill. Racing will, of course, be much better off having, as has been estimated, another £68,000 to devote to stake money, which, I understand, is to be used to a great extent for feature racing, thereby raising the attraction of racing more dramatically than if the additional money were spread over all races, with many race stakes being increased by a small amount.

I approve of this measure. It will add to the lustre of racing. I indicated this week that I was interested to know of the attitude of the management of the racing clubs and of the committee that has been handling the proposals for T.A.B. in this State. I wanted to know what their attitude would be to their T.A.B. proposals and the Government's 14-point plan after they had received the benefit conferred upon them by this Bill. In the last day or so I have been pleased to discuss this matter with the committee members. I am assured that it supports the 14-point plan outlined earlier by the Premier, with the proviso that three items be revised slightly to meet the committee's wishes. I believe these three items will be revised and the committee will then, of course, feel free to go ahead with what is known as the 14-point plan.

Mr. Freebairn: The revisions are of practical consideration.

Mr. HALL: Yes, and from consultations with that committee it is hoped to make the scheme more workable. In essence, the scheme has been accepted and it is reasonable to assume that this Bill, which deals with one aspect of the 14-point plan, is the start of a T.A.B. system in South Australia.

Mr. McKee: The Bill has nothing to do with it.

Mr. HALL: Members opposite may laugh. It is one of the points of the plan that members of the T.A.B. committee have assured me they accept. This Bill is a part-implementation of that plan which raises the turnover tax from 1 per cent to 2 per cent. This Bill raises it to only 1½ per cent but, when the scheme is fully operating, it will be raised to 2 per cent. I am happy to receive the committee's assurance that it will go ahead with a T.A.B. scheme as long as the three practical revisions are made in the 14-point plan.

The cry of the bookmakers that they cannot withstand this extra tax is not based on fact. They are operating in competition with one another. The odds they can offer their customers will depend on the expenses they have to meet. They all have to meet the same type of expenses, so surely their odds can be adjusted so that the competition between them will be on an equal footing. It is interesting to note that, since T.A.B. has been introduced in Victoria, bookmakers' yearly holdings have risen considerably—from £55,000,000 to £77,000,000 last year. In Victoria, they pay a 2 per cent turnover tax but, of course, they must also meet competition from a successful off-course betting system. The introduction of T.A.B., which is starting with this Bill, will add to the business of the legal bookmaker so that, when an off-course system is working, the illegal bookmaker will undoubtedly have much more difficulty in operating. The law must become more active in suppressing illegal bookmaking when an off-course system is working.

Mr. Clark: Will there be so many people at the course?

Mr. HALL: In Victoria attendances are about the same as previously.

Mr. Freebairn: The attendances are now slightly greater.

Mr. HALL: Yes. That will be borne out by the bookmakers' on-course holdings. Bookmakers' holdings have substantially increased on-course in Victoria since T.A.B. was introduced. Holdings and attendances in Victoria have not been adversely affected by the introduction of T.A.B. Illegal off-course bookmakers must certainly be pursued more actively when an off-course betting system is introduced, and this would favour the course bookmaker. I hope that in the next session, when this Government again sits on the Treasury benches, we shall soon see the introduction of a T.A.B. Bill, and that the committee that has agreed to the 14-point plan will take on from where the legislation leaves off. As this is an initial step in the 14-point plan and is therefore a step towards the beginning of an off-course betting system, I support the Bill.

Mr. HUTCHENS (Hindmarsh): As I do not wish to give a silent vote, I wish briefly to indicate my support of the Bill. I am not a racing man, but I have nothing against racing; I believe it is an important industry that gives much enjoyment and pleasure to people. Apart from those engaged in breeding and training, many people gain advantages from the subsidiary industries associated with racing. Nevertheless, I strongly oppose any extensive increase in gambling facilities, but I do not agree with the member for Gouger (Mr. Hall) that this Bill is a forerunner of T.A.B. I would not agree to any extension of gambling unless it was demanded by a referendum, and I would be happy to grant that referendum when a sufficiently strong request was made for it. Even though I am not in favour of gambling, I would accept the decision of the referendum to extend gambling facilities if that were the will of the people.

It has been argued that this is a sectional tax, and I agree, but it is a tax on a section that depends on racing for its existence. Is it not fair that the people who benefit from racing to the greatest extent should make some contribution towards the continuance of racing? I have nothing against bookmakers as individuals, and I am not condemning them. They have the right to choose their way of life provided that it is a legal way of life. However, if it were not for racing there would be no bookmakers, and under this Bill they will be paying back a small amount into the industry that is keeping them going.

It has been suggested that bookmakers cannot afford the additional tax, but I cannot accept that. I, like many other members, have often been pestered to make representations for people who have been bookmakers' clerks for years and who wish to gain bookmakers' licences. If bookmakers were so badly done by, surely the clerks who had been working for them for years would not have been so anxious to be granted licences to operate. I believe we should tax the people most able to pay, and I would rather it came from them than from the poorer people.

Mr. HEASLIP (Rocky River): I oppose the Bill. It was introduced on Tuesday and, if passed, it will become law only three days later. If we are going to legislate wisely this is not the way to do it. I believe more time should have been given to a Bill of this type. Members should not have been expected to carry it through both Houses in three days at the end of the session. I am not really a bettor or a racegoer, but I have nothing against those who wish to attend race meetings and I think that they should have the right to go to meetings and bet if they wish. Much has been said about T.A.B. during the debate. I have examined the Premier's second reading explanation and I can find no reference to T.A.B. The Bill has nothing to do with T.A.B. I do not know why you, Mr. Speaker, have given latitude to members to speak about it.

Mr. Fred Walsh: The Premier mentioned it in his speech.

Mr. HEASLIP: He mentioned it in only one sentence and that was not in connection with the Bill. The Bill has nothing to do with T.A.B. and it is not really a money Bill: it is a charity Bill for the racing clubs.

Mr. Hall: That is absolute nonsense.

Mr. HEASLIP: Under this Bill the Government will raise £136,000 and give half to the racing clubs. Some members have referred to racing as an industry and others have called it a sport. I believe it is an industry. The Bill was not introduced to gain revenue for the State but to gain revenue for one particular industry. If racing is a sport then many other sports in South Australia are equally entitled to similar legislation. The Bill has been introduced for the benefit of the racing clubs in South Australia. If the State is to carry on we must raise revenue and I know of no other Bill that provides that half of the money produced by it shall be given to some organization. It does not matter where it is collected. It is a tax and, when tax is collected, half of it should not be given away. The Leader of the Opposition said something about the poor old bookmakers and how the Bill would force them into liquidation.

It will not affect bookmakers at all: the punters will pay the extra tax, while bookmakers run around in expensive cars. In this case, all they need to do is adjust their odds to pay the tax.

Mr. Clark: They need only to make a book.

Mr. HEASLIP: Yes, then they cannot lose.

Mr. Casey: If they are good bookmakers, they cannot lose.

Mr. Fred Walsh: They have a board with a ratchet that moves only one way.

Mr. HEASLIP: I am in this Parliament to represent the people of Rocky River, and some of those people are punters. One racing club operates in my district and the executive of that club are not the only people I represent. I try to represent all the people in my district, not one so-called sport. Racing is a sport in the country but not in the metropolitan area. I know of dozens of other sports in the country, and if I help one or two I should help all. Some people are worth helping. If this Bill did something to overcome the iniquitous winning bets tax, I would favour it. Obviously, it is the punter that has to pay, but this legislation is not helping him. It gives revenue to racing clubs that are already prosperous. I have not heard of any club in the metropolitan area going into liquidation, although I have heard of them doing so in the country. How much of this money will go to country racing clubs? Only £9,000, and that is to all the clubs. How much will that help them?

Mr. Corcoran: A tremendous amount, according to some people!

Mr. HEASLIP: Very little, because it will practically all go to the metropolitan racing clubs, and for that reason I oppose the Bill.

Mr. McKEE (Port Pirie): I cannot support this measure, having in mind that we are people who claim to be democrats and who stand for a fair go for everyone. It seems unusual that in the last two days of this session legislation has been introduced affecting a small minority of people and in this case benefiting, as the member for Rocky River said, the racing clubs. The small amounts to be allocated to country racing clubs would be a drop in the ocean. Many have overdrafts and are in debt to a large extent, and this would not help them at all. The Premier quoted figures yesterday showing a comparison of the turnover tax with other States, but these figures could not assist in the introduction of this measure because most money raised by turnover tax in other States goes to the Government. It may well be that South Australian racing and trotting clubs are as well off as clubs in other States. The suggestion that this is a leg-in for T.A.B., to support the Premier's proposal to racing clubs, is a further reason why I do not support this legislation, because T.A.B. as proposed by the Premier, would be taking away a freedom from people I represent. We have betting shops in Port Pirie and the people enjoy being able to patronize betting shops and bet on races in other States and the metropolitan area and collect immediately after the race. With T.A.B., credit has to be established and one cannot collect winnings until the following Monday. That is not satisfactory for people who like a small gamble, particularly on horses. The main reason why I will not support this is because the Bookmakers Association has not had an opportunity even to present a case to Parliament. We have arbitration courts for wage fixations, and so forth, and under the circumstances these people should have been afforded an opportunity to put their particular case to Parliament. I cannot support this attempt to rush a measure through at a late stage.

Mr. LAUCKE (Barossa): I support the Bill and I commend the Premier for having introduced it. This is one of the most important steps that we have taken for many years in South Australia to ensure stake money for our major races, either in the city or in the country, and to give them greater equality with interstate racing fixtures.

Mr. Langley: What about the football clubs?

Mr. LAUCKE: This increase will return £68,000 to the racing clubs. Do members opposite deny that? It will enable stake moneys to be increased to a level that will attract better class horses to South Australia, and it will retain in this State personnel who are engaged in the game, rather than our losing them to other States. I believe that every endeavour should be made to improve our various sporting activities. I am not a racing man but I would not deny my fellows the right to witness racing of the best quality of horses, if they desire to follow racing for a hobby.

Mr. Ryan: Do you say it is a hobby?

Mr. LAUCKE: It certainly is. I know one of the biggest racehorse owners in South Australia who regards his string of horses not by what he can gain monetarily through gambling—

Mr. Fred Walsh: You are kidding!

Mr. LAUCKE: Many more love the game through the horse flesh itself, apart from moneys that may come through gambling. I welcome the Bill and I can see nothing but a general improvement ahead in our racing, through the increased revenues that will go to the various clubs by the provisions of the Bill.

Mr. CASEY (Frome): I do not support the Bill. I am afraid that, under the circumstances, I must congratulate the member for Rocky River (Mr. Heaslip) on taking the stand that he has taken on this occasion, for I think his argument is sound. I think he is in a difficult position on his side of the House, but he gets full marks for standing up for the principles in which he believes. I was interested in what the honourable member who just resumed his seat had to say about a certain gentleman he knew. I do not know him, nor would I care to. I am not a betting man, although I follow the races. Any man engaged in racing, apart from perhaps some rich Indian prince or the Aga Khan, places more importance on money than on anything else. They have a few quid on the side, too.

Let us examine what the Premier said. First, he said that as a result of the increase in turnover tax of ½ per cent we are going to give £68,000 to the clubs to be used exclusively for feature racing. How can the member for Barossa (Mr. Laucke) and the member for Onkaparinga (Mr. Shannon) say that this will be for the benefit of racing in South Australia and that it is going to hold horses in this State when, to my knowledge, only three or four feature races will be affected? If we wish to keep horses in this State we have to increase stake money for all the Saturday race meetings. That is only commonsense. Naturally, if we increase the stake on a feature race we shall attract better horses from the other States, but probably a horse from another State will take the stake anyhow so we are back where we started. What do country clubs get out of this? Some years ago many race clubs were functioning in the North, but only a handful exist in the northern areas today and they are struggling to carry on. The total benefit to all the country clubs in the State will be only £9,000, and how far will that go?

In the past months there has been much agitation for a T.A.B. off-course betting system. Country clubs have asked for this; in fact, they have practically gone on their hands and knees to get it, for they consider that it is the answer to their problems. However, the Premier said, "No, I will give you a 14-point plan, and you must accept it or you don't get anything else." In the dying hours of this session, in order to save face and to retain a little of the friendship that exists now between him and the racing clubs, the Premier has said, "I will increase the tax on bookmakers and I will give you people £68,000. Isn't that wonderful?" Well, I do not think it is. I think it is absolute bribery. The country clubs are supposed to accept this, but I do not think they will. I am not afraid to go to my district and say to these people, "If you were genuine in your deputations to the Premier earlier this year asking for something which you considered was the answer to your problem, namely, T.A.B., are you going to be soft-soaped now by the Premier and accept this meagre hand-out?" I do not think people are built that way in the north, in the south, or anywhere else in the country, and I do not think they will accept it.

Mr. Frank Walsh: They won't accept the principle of it.

Mr. CASEY: No. In the dying hours of this session we are asked to vote for this measure so that it will go through. The measure will not affect racing in South Australia one iota, except that the stake money will be increased for the Port Adelaide Cup and possibly the Adelaide Cup and the Birthday Cup. Perhaps some money could be given for the Oodnadatta Cup. Because of the principle under which this Bill was introduced any member who supports it will go down in my estimation. I give full marks to the member for Rocky River for his attitude to the Bill. I have much pleasure in not supporting it.

Mr. CLARK (Gawler): One Government member said with great earnestness that the Bill was of vital importance to the State. I consider that it is a completely minor matter and it should not have been brought before the House at this stage of the session. Only a few hours remain in this session and we are discussing the matter as if it were of world-shattering or State-wide importance. I cannot see that any importance is attached to the Bill at all. Like most people I have no love for bookmakers, but on the other hand I have no particular dislike for them. However, it appears that many people do not have much regard for bookmakers and this probably is because of the natural striving to "beat the books". Apparently the Premier has invented an entirely new method of "beating the books".

Mr. Fred Walsh: People can go to the races without gambling greatly.

Mr. CLARK: Yes. The member for West Torrens (Mr. Fred Walsh) has an interest in racing and he makes a small investment to enliven that interest and thousands do the same. I want to know why one particular section of racing should be singled out to pay this tax, which will increase stake money for big races and supply a little revenue along the way. Why should bookmakers, any more than others who make a living from racing, be singled out to pay tax? This is a completely sectional tax and it is interesting to realize that many Bills introduced during this session have provided for sectional taxes. We had ample time to discuss most of those measures, but this Bill has been introduced when sufficient time to consider it fully is not available. A spokesman for the bookmakers said that, if the Bill were passed, they would obviously have to offer shorter odds. The member for West Torrens will probably say that that is impossible because the odds offered are as short as they can be. It has been said that bookmakers cannot shorten their odds too much because they must compete with the tote. I do not agree with that. Perhaps it applies to the small punter but the larger bettors are not going to bet on the totalizator. We were told yesterday that bookmakers were instituted to help the big punter. Apparently the idea is to have more stake money, as it is thought that that will bring more patrons to racecourses, and will keep the better-class horses in this State. It will not keep them here but it will cause better-class horses from other States to come here. Our good horses will still go to other States seeking the glory and big money available from the feature races. Let us assume that it will bring more people to the racecourses. If it does, that means more gambling; with more gambling there will be more investments with bookmakers; bookmakers will pay out more than the amounts envisaged in this Bill, and so it will be an endless chain with the dog chasing its tail. I cannot imagine how anyone who dislikes gambling intensely on principle can support this legislation, as obviously it is designed to increase gambling.

Mr. Lawn: It was said that it would lead to T.A.B.

Mr. CLARK: Yes. We have been told that this is the first step towards T.A.B.. I do not believe that for one minute: I believe it is sop No. 2 to racing. The first sop was the 14 points proposed by the Premier. I remember when many members heard and watched the Premier make his pronouncement one evening, but not one (and some were interested in racing) could see any good in the suggestion. The Premier obviously knew that racing clubs would not accept his suggestion, and when they showed some interest in it in the hope that if it came before the House it could be improved, the Premier put his thumb down and told the clubs to accept his 14 points or else. That was sop No. 1 and this is sop No. 2, but this will not lead to T.A.B. What relation has it to T.A.B.? If necessary, this legislation should have been introduced when we had ample time to discuss it and not in the last few hours of the session. I oppose the Bill.

Mr. RICHES (Stuart): I have never found a Bill more difficult to speak to than this one. During the time I have been here I have tried to make a practice of not talking on subjects about which I know nothing. On the other hand, we are required to exercise a vote and I believe that on this occasion it is necessary for me to explain the vote I intend to cast. I say at the outset that few measures have been placed before us on which it has been more difficult for one to reach a decision, that is for one who is not wrapped up in the racing game. This Bill, as I understand it, is to increase a tax which is already in operation, and it contains no new principle that I can see.

According to the Premier's second reading explanation, undertakings have been entered into between some racing clubs and the Premier himself which are not mentioned in the Bill. If it applied to any other section of the community or to any other industry or undertaking, this might be in the form of a schedule to the Bill, but no reference is made to many of the things to which the Premier referred. I cannot see anything else in the Bill except a provision to increase a tax that is already provided for in the parent Act. The justification that the Premier has given for that increased tax does not commend itself to me. I intend, on the second reading of the Bill, to vote for it, but I believe that much discussion will be required in Committee and, if I am not satisfied with the provision then, I can easily reverse my decision on the third reading. I agree with some honourable members in their complaint that it is not fair that we should be asked to decide on a measure that was introduced into the House only this week, the details of which were not known to any of us, and the effect of it,

if we are to believe the Premier on the matter, not disclosed in the Bill at all. The alleged reason for the increase in taxation is that certain metropolitan racing clubs should be enabled to stage feature races, whatever that may mean, but from my understanding of the debate thus far I judge that not much is to be gained from having feature races, even if they are financed.

Nothing at all exists in the Bill dealing with feature races, except that some agreement has been entered into apparently between the Premier and somebody outside this House.

Mr. Casey: A verbal agreement, too!

Mr. RICHES: We do not know; we are not told, but when the Bill reaches Committee I shall want to know. The Bill provides that some sporting bodies should receive some benefit from the tax that is being levied, namely, that we should tax people, through Parliamentary authority, in order to support one sporting organization. Other sporting organizations exist which, I think, are much more deserving of help from the Government than are the racing clubs. I do not know that any case could be made out for a taxation to boost a sporting club's finance. The reason why I intend to vote for the second reading (and I emphasize the second reading) is that it may well be that some of the matters exercising my mind can be explained away. I consider that if an agreement has been entered into by the clubs (who have shown by correspondence to all members of the House, I suppose, that they are in financial difficulties and are seeking help) the details of that agreement should be set out in writing before us. If the agreement is anything like the indication the Premier gave us in his explanation of the Bill, I think the country clubs have been given a very bad deal. I am not very happy at all about voting for taxation to be levied for the support of sporting bodies, but if that is to be (and to some extent it already exists in legislation) then I think this House should see that country clubs get a much better deal than is evidenced by the Bill before us.

As far as I can judge from the debate, no justification exists for any grant to the racing club, with the exception of this nebulous suggestion that they are going to run feature races. I do not know how the taxpayers of the State would regard that matter. However, I emphasize that not one word in the Bill makes it obligatory on any recipient of this money to conduct any sort of meeting or entertainment or to make any kind of provision that is not already provided for in the parent Act. I think it would be wrong for me to vote for the second reading without giving that explanation, and unless these things are settled in my mind I will not tie myself to voting for the third reading.

Mr. CORCORAN (Millicent): I support the people who intend to try to defeat this Bill, and I do so because of what I believe to be an injustice in introducing the Bill into the House at this late stage. I know that this matter has already been discussed and that members have spoken on it previously. This afternoon I heard the racing game, as it is sometimes called, referred to as an industry, and, like the member for Rocky River (Mr. Heaslip), I believe that it is an industry. I wonder what would be the reaction of members of this House if a measure had been introduced into the House last Tuesday to levy some form of taxation on any other industry, whereby half would go back to the promotion of that industry and half would go to this House. Let us take primary industry for a start. Imagine the reaction to such a move. The cry immediately would be that we did not have sufficient time to consider the legislation properly, and the cry would, in fact, be correct.

I do not know much about the racing industry at all, and I am not a betting man. In fact, the extent of my betting probably would be a small bet on the Melbourne Cup and possibly the Caulfield Cup, and I will even miss that this year.

Mr. Freebairn: Race horses help to keep up the price of hay.

Mr. CORCORAN: I could tell the honourable member something else they do, but I will not refer to it here. The point is that there is not sufficient time to consider this matter. We are contemplating taxing some 200-odd people £136,000 under this measure, yet that is considered fair and just. They have not had an opportunity to put a case before any of us, and I think they should have that opportunity. It has been said that bookmakers generally can afford this tax. Someone said the other day that bookmakers have a rough road to travel over, but somebody else said, "Yes, but they do so in luxurious cars". That may be so in the metropolitan area, but many bookmakers in the country, particularly in the South-East, are not in such a fortunate position and cannot afford to live on their income from bookmaking, which is only a sideline. This is so because not many race meetings are held in the South-East, and the bets are not generally

as large as those placed on the metropolitan courses. However, South-East bookmakers will still have to pay the tax.

It has been stated that the tax will be put back on to the punters, but why should these people pay this money? I do not think the £9,000 allocated to country racing clubs is sufficient. The racing clubs in the South-East are close to the Victorian border and, because of T.A.B. in Victoria, the stakes in that State are very much higher. As a result, the good South-East horses go to Victoria, and the Victorian horses that would otherwise come to South Australia race in Victoria also. The amount that will be received by South-East clubs will not make much difference.

The Hon. G. G. Pearson: What would you offer them in lieu?

Mr. CORCORAN: Possibly T.A.B. This has been discussed for 12 or 18 months, or even longer.

Mr. Frank Walsh: It could be done by referendum.

Mr. CORCORAN: Of course it could.

Mr. Frank Walsh: It would not depend on one person then.

Mr. CORCORAN: It would not. If the people voice an opinion in a referendum, surely they should be able to have a T.A.B. system. My main reason for opposing the Bill is the injustice of submitting in the dying hours of the session a measure which will affect many people and which we have not had an opportunity to study closely. Also, those affected have not had an opportunity to present a case. Like the member for Stuart (Mr. Riches), I cannot see any mention in the Bill of the additional £68,000 the clubs will receive.

Mr. Casey: You are not prepared to accept the Premier's word on it!

Mr. CORCORAN: I am not. Why should I? If the money to be given to clubs is intended for certain purposes, the Bill should contain provisions to that effect.

Mr. Jennings: It would be hard to define a feature race, wouldn't it?

Mr. CORCORAN: It probably would be. However, the races for which it is intended that the money will be provided can probably be named. The Bill does not state that this money will be devoted to feature races. A press report indicated that the Premier had said that it would be used exclusively for stakes for feature races. I also read that the committee to which he referred the matter came back this week and wanted the word "mainly" used.

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

Mr. CORCORAN: Over the last few months I have seen much in the press about T.A.B. Letters by the Premier to the committee concerned have been reported, and so have letters written by the committee to the Premier. Before last Friday I had not seen any suggestion that the Bill now before us would be introduced. All this leads me to believe that the Bill was introduced simply to appease the racing clubs because T.A.B. had not eventuated. As I see it, the sole justification for the Bill is that it will cause the stake money for feature races to be increased and this will improve racing in this State, which in turn will mean increased attendances at race meetings. Therefore, I cannot understand why people who are opposed to any extension in betting or facilities that might allow people who wish to bet to do so should support this measure. I have heard people say that they are opposed to any extension in facilities for people who wish to bet and I maintain that if the Bill would improve racing to any extent at all the people who are opposed to betting should oppose it. I believe that it is unjust to introduce this Bill at such short notice and it is wrong to expect members to agree to it. I do not think bookmakers are greatly respected by racing clubs; they are ridiculed by punters, and now they are being used by the Government for political expediency.

Mr. RYAN (Port Adelaide): I am not going to be a silent voter on this matter. I state clearly that I shall oppose the Bill. I shall do so for the reason I have often heard stated: that members want to know for what they are voting. If members are not clear in their own minds about what they are voting for, their only alternative is to oppose legislation. For too long we have heard that this Government has introduced legislation that has hidden clauses in it, and the present Bill, without any doubt, contains hidden clauses. I have heard it said by the Premier, and by those who have supported the Bill, that it will provide for a certain tax to be raised to give a proportionately equal sum to the Government and to the racing clubs. Is the Government in urgent need of further revenue? If it is, then by all means tax this avenue, because the State needs the revenue. If it is not, why should the Government tax be equally distributed to outside bodies? We have been told that the 50 per cent share to be given to racing clubs will be used to increase stake money on feature races. I am not a solicitor and would not hold myself out to the member for Mitcham that I was.

Mr. Millhouse: I don't, either.

Mr. RYAN: How would the member for Mitcham interpret "feature races"? That is difficult to define, but there is no doubt how the punter finishes. Nothing in this legislation states how this money is to be spent. We have been assured that the Premier has entered into an agreement, but that would not be legally binding. What counts in a court of law is what is stated in the legislation.

Mr. Millhouse: The actual words of the Act.

Mr. RYAN: Yes, and nothing in this legislation compels racing clubs to do what the Premier says they have to do. They could build a colossal members' club room and nothing can prevent it.

Mr. Fred Walsh: It would be a taxation deduction if they did.

Mr. RYAN: Yes, and it could not be challenged. Once the legislation is passed, the money can be distributed and the clubs can spend it as they wish without interference from the Premier, as nothing about this agreement is in the legislation. I am not going to be blindfolded and told that there is something in the Bill but that I should vote for it and see what happens. Before becoming a member of this House I remember hearing of legislation that members had said that they would not have supported if they had known of the hidden clauses. Let us be honest as we should be when in control of the destiny of the law of this State. These things should be included in the legislation so that all members can freely and sincerely vote for it.

Mr. Clark: I wish you could get on ADS7.

Mr. RYAN: For the benefit of the honourable member, I understand that that station is negotiating for members to appear on the second Wednesday in March to amplify the policy of this Party. That is long overdue. Government members are voting for something that is not in the Bill because the Premier has said that he has entered into an agreement.

Mr. Millhouse: You will agree that that is a pretty good assurance to have from a pretty good source!

Mr. RYAN: Is it binding on me? I have got as much sense as the member for Mitcham has. He knows, as a legal man, that all that counts is what is contained in the legislation. I have heard the member for Mitcham expound that policy more than once, yet he says that what is in the Bill is good enough for him. That is just not good enough for me. No interpretation could be placed on this legislation that this money must be spent as outlined by the Premier. On social issues every honourable member should individually declare himself. I realize that this is a financial measure for the Government and that it is therefore committed to it. However, any honourable member who supports this legislation tonight will have to turn a complete somersault to oppose T.A.B. legislation that might be introduced in the future. In supporting this measure we are supporting legislation for the improvement of betting and revenue to this State by the betting method, and T.A.B. is along the same lines. No Government would introduce T.A.B. if it did not derive at least some percentage of the revenue resulting therefrom.

Mr. Clark: Do you really think T.A.B. is coming in?

Mr. RYAN: We know the results months before the actual event, from announcements made over television, and from statements published in the press, by the Premier. The original proposals between the Premier and the racing clubs were to increase the betting tax and to implement a 14-point plan laid down by the Premier. No distinction was made between those two proposals then, but now the Premier has introduced one half of the scheme; the other half is a political hot potato. If it were not for the forthcoming elections there would not be much doubt about the introduction of T.A.B. Nobody will say that the people who approached the Government for T.A.B. were not members of the Liberal Party, for they are certainly not members of the Labor Party. Therefore, T.A.B. will follow if the Government is re-elected. If honourable members believe that this is necessary legislation they will have to be sincere in their opinions later when the second part of the serial is run, and will certainly have to support it.

Mr. Bywaters: By the same token, you are saying that all those who oppose this legislation will also oppose T.A.B.?

Mr. RYAN: I did not say that.

Mr. Bywaters: You have to be consistent.

The SPEAKER: Order! The honourable member for Port Adelaide.

Mr. RYAN: Mr. Speaker, I have not heard one Government member say that this Bill was introduced to raise additional taxation that was urgently needed by the Government. Had that been the case, at least there would have been some justification for submitting this legislation. No-one in his wildest stretch of imagination could say that the racing clubs were poor, so why should they receive the proceeds of

taxation raised by this State? I think we can all agree that the extra tax that will be raised will be borne by the man who can really ill afford it, and that is the punter. I know that the Premier is no punter and that he will not get caught. I have read in the press that the bookmakers will have no hesitation in reducing their odds and making their books accordingly, so obviously the punter will be the person paying this tax. I intend to oppose the measure. Members of this House should be intelligent enough to demand that what they are to vote on be included in the Bill, and if they have any idea that there is something behind the Bill that is not included in it they should vote against it.

Mr. LAWN (Adelaide): I oppose the Bill, and before I am finished speaking I think I will convince the Premier that he should withdraw it. I enter an emphatic protest at the manner in which the Bill has been placed before this House. Throughout this year there has been a controversy about whether the Government should introduce legislation for the establishment of a T.A.B. off-course betting system, and people throughout the State have read of this matter on many occasions. Had the Bill been a measure to introduce that system, my protest would not have been as valid as I claim it is on this occasion.

Mr. Freebairn: Are you against T.A.B.?

Mr. LAWN: If the honourable member is seeking information, I would say that no member in this House needs it more. Anyhow, I did not hear his interjection.

The SPEAKER: Order! Interjections are out of order.

The Hon. Sir Thomas Playford: Don't take any notice of them, Sam; they are trying to put you off!

Mr. LAWN: I assure the member for Light that he is wasting his time if he attempts to put me off on this matter. The principle of Parliamentary government as I understand it, as I have been taught it and as I expound it to the parties that I take through this House is that Parliament works slowly. We do not introduce a Bill, deal with it and pass it all at the one time. Members of other Parliaments find it easier to dispose of one Bill at a time than we do here. We can have 30 Bills on the file with not one disposed of.

Mr. Jennings: In the course of referring to that you could dilate upon the activities of the House of Review.

Mr. LAWN: I am not referring to that place. Under our procedure a Bill here is mentioned as often as possible; it is dealt with on a number of daily sittings. The principle is to let more and more of our people know what Parliament is doing instead of rushing a Bill through, so that the people can protest if they so desire. They can approach their members of Parliament and get a copy of the Bill to ascertain what Parliament intends to do. If they choose, they can enter a protest. They may point out an anomaly in the Bill. That is the principle of our Parliamentary government.

On Tuesday of this week this Bill was introduced by the Premier in a form of which the people had no knowledge. They were led to believe that a Bill might be introduced dealing with T.A.B., but no-one had been informed that the Government might introduce a Bill of this character until Tuesday when the Bill was introduced. The Premier moved for the suspension of Standing Orders to have special leave to introduce this Bill there and then, without giving notice the day before. It is now Thursday evening. The Bill is at only an early stage of its second reading in this House, but the Government plans to put it through both Houses tonight. That is undemocratic. That is my first reason for opposing it. We find such a state of affairs only in a State that has a dictatorship; we do not find it happening anywhere else. Only where there is a gerrymander does this occur. We have the gerrymander, as everyone knows, and a dictator, as everyone knows, for even in this Bill the Premier is dictating to the clubs how they shall spend the money derived from the additional tax. I know of no other Parliament in the British Commonwealth of Nations where such a state of affairs exists. It can exist only here because of the gerrymander. However, I doubt whether this Government will be returned at the next general election.

Last night I did not intend to speak in this debate; I intended to cast a silent vote but, having heard the statements made here today, which have astounded me, I decided to speak. During the year, whilst this controversy about T.A.B. has raged in the press, I have received many letters from clergymen and other people claiming association with particular churches, and they have all named their respective churches. Some have written on behalf of groups and some have written individual letters asking me to do all I can to defeat any Bill connected with T.A.B. and to do all I can to discourage gambling. I have acknowledged all of these letters, indicating that, if and when a Bill dealing with

T.A.B. comes before the House, the representations will be considered. I added that I did not think that a Bill dealing with T.A.B. would come before Parliament, and one has not come before us. In regard to the request made that I do nothing to encourage gambling, speakers today, and the Premier on Tuesday, made it plain that the purpose of this Bill was to encourage gambling. No one has suggested that I am wrong in making that statement, so I accept that everybody considers it factual. I want to prove the point. In introducing the Bill, the Premier made two points in support of it. The first was that this money would be applied to feature races, and the second was based on a comparison between racing in South Australia and in Queensland. The Premier said that feature races in South Australia at present did us little credit. Of course, there is a gerrymander in Queensland, which came from our Premier. He was taken there for the purpose of gerrymandering Queensland.

The SPEAKER: Order! The honourable member must return to the Bill.

Mr. LAWN: Its object is to build up these feature races. In a way, it is designed to attract better horses and to encourage more people to go to the races. However, we cannot encourage people to go to the racecourse to watch the horses, or to see the lawns or use the drinking facilities provided; people go to races for the purpose of betting. In my own case, although I go to our racecourses I do not watch the local races. I have given them away long ago. I bet on Melbourne races. There are two reasons why I would not wager on South Australian races. The first is that the odds are too low and the second is that races are crook. The latter point was proved last night by the honourable member for West Torrens. I do not intend to cite any particular case, but I ceased betting on races in South Australia two years ago because I could not follow form of horses in this State. The system is all right so far as races in Victoria are concerned, and the odds offered in that State are better than those offered here. Although I am not a clergyman, I shall not do anything to encourage gambling; nor am I a local preacher. It is obvious, following what I have just said, that members agree that I have made a true statement. They agree that I would do nothing to encourage gambling. I am here as the representative of the district of Adelaide, and as an individual I will not encourage gambling, but at the same time I recognize a person's right to choose to gamble or not to gamble. If anyone wants to gamble I shall not stop him. Every member who supports this Bill is encouraging gambling. The Premier said this money would go towards feature races in South Australia. This will have the effect of encouraging more people to go to the course and wager more money.

Mr. Ryan: What is a feature race?

Mr. LAWN: I shall not go into that aspect. The master, or the dictator, or whatever he may be called, will tell the clubs what races the money will be spent on. The Bill does not mention feature races; it does not even say this money must be spent on feature races. I have read through the Bill and the Premier's statement. Today one member said he would support this measure only because it was a first step towards the establishment of T.A.B.

Mr. Clark: But is it?

Mr. LAWN: No. I offered to bet any sum with anyone that no Bill on T.A.B. would come before this House.

Mr. Frank Walsh: At even money, or at odds?

Mr. LAWN: I would have offered odds. I will bet today that there will be no Bill next year, as we shall be on the other side of the House and we will not introduce a Bill for T.A.B. Had a Bill dealing with T.A.B. come before us this session, I would have opposed it. This is the first time I have made that declaration. Another member said this was one of the most important Bills for a long time.

Mr. Ryan: Yet it was introduced in the last two days of the session!

Mr. LAWN: That is so. The Government Whip, the member for Barossa, said that. He went on to say that the money would go towards feature races in South Australia, but what he has not said, and what we know, is that the punters will contribute this money, irrespective of whether the money comes from this taxation or from the present way it is collected. In any case, the money will come from the punters. The Premier referred to this State and Queensland, and put in a graph showing the tax on bookmakers operating in various States. In drawing conclusions from that graph, he compared South Australia with Queensland. I have given one reason why he did that. However, he did not compare South Australia with Queensland in relation to a State lottery, a State insurance office, or workmen's compensation to and from employment, all of which exist in Queensland. He totally opposes those three things that operate in Queensland, yet when it suits him he draws our attention to the fact that we are like Queensland in regard to this tax.

Mr. Langley: And in the licensing of electricians, too!

Mr. LAWN: True. All the other States (I shall not refer particularly to any State) to my knowledge do not impose a winning bets tax, which is imposed in South Australia. In addition to the 1½ per cent turnover tax, which the bookmakers will pay from moneys they receive from punters, the punters will pay a 2½ per cent tax on winning bets. It is not 2½ per cent tax on their winnings: it is 2½ per cent on what they collect. They even pay 2½ per cent in South Australia on their stake; that is, on the money that they invest. They might lose £5 during the day and when they pick it up the tax must be deducted I was in Victoria recently and down a considerable sum, but I had a successful day at the finish and not a halfpenny was deducted from what I collected. There is no mention in this legislation of the betting tax paid by the punter in South Australia, only this turnover tax. The Premier left it out completely, and I don't suppose one could blame him not putting in something that did not suit his case, but these things must be pointed out. I have entered my protest against this Bill introduced on Tuesday to be passed on Thursday.

Mr. Jennings: And you have related it to the gerrymander.

Mr. LAWN: Yes. I want to make it clear that I will not do anything to encourage gambling, and I know that this Bill does that. I have stated earlier that gambling is a matter for the individual himself to decide, but I will not encourage it, and because of that I would consider myself a hypocrite if I supported this Bill.

Mr. Corcoran: And that's one thing you are not.

Mr. LAWN: Yes, that is one thing I am not.

Mr. Jennings: As well as not being a clergyman.

Mr. LAWN: I have not gone so far as to say that I am opposed to gambling, but I believe this Bill will encourage it, and for the reasons that I have mentioned I oppose the Bill. I invite the Premier to withdraw this Bill and to put it up in Annie's room.

Mr. JENNINGS (Enfield): If the Premier rises to accept the good advice proffered him a couple of seconds ago by the member for Adelaide I shall gladly give way to him, but unless he intends to do that I want to make it clear that I oppose the Bill. I am in a difficult situation. Yesterday I prepared a rather long speech in opposition to the Bill, and then some treachery crept in. First, I misjudged the situation on the adjournment of the Bill, and that was not unusual. However, I was also completely misinformed by political pundits on both sides of the House that the Bill had already gone up into Annie's room, so thereupon I dispatched that long and carefully prepared speech to a place whence it was obviously irretrievable and which was the kind of place to which many people would agree it should have gone in the first place anyway. Nevertheless, it has been a most interesting debate. I listened with great interest to the member for West Torrens. He made probably his last major speech in this House and he certainly spread himself, as I think all members will agree. Before he began speaking I asked him, in the lobby, for how long he would speak and he said, "About 10 minutes." I think his speech was closer to an hour and a half than to 10 minutes. He certainly did not play any favourites in his speech. He left me with the impression (and I hope I have not misinterpreted what he said) that he considers the racing game is crook. I have noticed for many years that at lunch-time in Parliament House on a Monday the member for West Torrens often talks about the previous Saturday's racing and after a few years of this I once asked him, "Why is it that you go to the races?" He said, "Well, it certainly gives me something to go crook about." I hope that the honourable member will enjoy a long and happy retirement during which he will be able to go to his beloved racing every week and be just as irascible about it as he has been in the past.

Mr. Fred Walsh: I might give it away.

Mr. JENNINGS: I don't think so. I find myself in a rather peculiar position on this Bill. First, let me assure the House that, unlike other members, I have never had a bet on a horse or anything else; politics has always been a sufficient gamble for me. I have gone to the races on an average of one and a half times a year—that is, three times in every two years, mostly when I have had a good friend to go with. I have enjoyed watching the spectacle, not of the horses but of the people who are desperately and ineffectually trying to win money from the bookmakers. On one occasion I went with a dear friend of mine, who was a member of this House, and we were invited to the official luncheon at which we had turkey to eat. My friend was a friend of practically every owner, trainer and jockey in South Australia and he had every bit of good oil that he could possibly get. He had not backed a winner

all day and I noticed on the board that a Miss Turkey was starting in a race. I said to him, "You have bet on all the good information that you could get and you have not backed a winner yet, so why don't you take our lunch as an omen and back Miss Turkey?" He did, and that was the only winner he backed all day.

The Hon. P. H. Quirke: Did you back it?

Mr. JENNINGS: I have said that I have never had a bet in my life. I shall never be convinced that most of the people who go to the races have any interest in racing. Most of them would not know one end of a horse from the other. The member for Adelaide said he never watched the races when he went to a meeting. On those rare occasions when I have been, I have noticed only a limited number of people watching the races, but even they do not know the winner until the numbers go up. When the Caulfield Cup was run a few days ago the amplifying system broke down at the last moment and the race was not broadcast. The 60,000 people present did not know the race was on and did not know who won. They did not go to watch the Caulfield Cup, but went to have a bet.

The Premier, throughout the session and long before the session commenced, has been playing a cat-and-mouse game with the people who wanted T.A.B. I have almost admired, even if I have not respected, the consummate dexterity with which he has always led them on and fobbed them off, until now they know that they are not going to get T.A.B. this session. A little while ago they were told that drafting difficulties were such that nothing could be done before Christmas but that, perhaps in the session after Christmas and before the election, a Bill might be ready. We now know that there will be no session before the election. I cannot get into the Premier's devious mind any more than can anyone else, but I think that he never intended to introduce T.A.B.: he wanted to play, as he has done with such great skill, both ends against the middle throughout this issue. I oppose this Bill because it is a tax inflicted on a minority in this State. It has been introduced in the last couple of days of the session; it is a tax that was not foreshadowed in the Budget; it was not mentioned anywhere and we did not hear anything of it until the last couple of days. It has nothing to do with the general issue of T.A.B., and is something that we should not be expected to consider at this stage of the session.

This Bill provides me with an opportunity that I can assure honourable members I relish, that is, for the first time in the 12 years that I have been in this House, I agree, and agree sincerely, with the member for Rocky River. It is the first time, and it could well be the last time, but I must say that I believe the honourable member for Rocky River was quite right on this issue when he said that we had so many months during which this legislation could have been introduced that it was wrong for us to have to face it in the last couple of days of the session.

Mr. Clark: You will admit, won't you, that the member for Rocky River sticks to his guns?

Mr. JENNINGS: He certainly does, and when a division is called for he will not be one of those who speaks against a measure but then votes for it. I sincerely hope that the Bill will be lost.

Mr. BURDON (Mount Gambier): Some heat has been generated in this debate and some of it has not been entirely rational, but when we study the Bill I do not think we find any new principle. It provides for increasing a tax from 1 per cent to 1½ per cent, which will probably increase revenue from this source by about £145,000, resulting in a distribution of about £68,000 to the racing clubs. I have attended only two race meetings in my life, apart from an occasional trotting meeting but, nevertheless, I do not object to anybody having a flutter if he wishes. When I have my 2s. 6d. bet the horse usually finishes last but, of course, I have thereby contributed to the bookmakers' funds. I know that the additional revenue that would be gathered by this Bill would come from about 200 bookmakers in South Australia who are supported by a certain section of the community. But if that section wants to support the bookmakers, and the bookmakers are there for that purpose, that aspect should take care of itself. We know that country racing for many years has been a poor cousin of the country clubs in other States. The Premier's second reading explanation indicates clearly that £9,000 will be distributed to the country racing clubs and about £8,000 to the trotting clubs. Thus, we see that little benefit will accrue to the country racing clubs, but that the country trotting clubs may benefit more because only five or six exist in this State.

As I have said, only about £9,000 is to be distributed to the country racing clubs. Those clubs have been suffering serious disabilities,

the main one being that clubs over the border are providing bigger stakes. Like all other members of Parliament, I have received many letters from various organizations that oppose betting. However, I will not put myself in the clergyman class, as did the member for Adelaide (Mr. Lawn). I have indicated to those organizations that if and when this question of T.A.B. comes along I will consider the position at the time with their letters in mind. I do not think for one moment that this measure will increase betting in South Australia. However, as it will give the country clubs a little more money and thus enable them to carry out their activities more easily. I support the measure.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): I have listened to the debate with much interest. When I introduced the Bill I did not touch upon the question of T.A.B. because I thought that this Bill was really only dealing with one limited subject in which not a particularly large sum was involved and that probably you, Mr. Speaker, would restrict discussion fairly rigidly to the Bill itself. However, as the question of T.A.B. has now been mentioned frequently, and as one or two members have stated they would not have a bar of this measure because of the inequity of the taxes involved but that they would be good supporters of T.A.B., I would like to bring forward some figures. Although these figures may not be precisely accurate, they will be sufficiently accurate to give a good idea of the issues involved in this matter.

Another question that has been raised concerns who is to pay this tax. Some of my friends opposite oppose the measure because they claim that the bookmaker will pay the tax, while others oppose it because they say that the punter will pay it. I believe that the conditions under which bookmakers operate in South Australia might well enable them to pay the tax without having to adjust their odds too severely. It is obvious that one or two members opposite have not been extremely successful lately when they have patronized the races, but I do not think that the Bill should be judged by the solitary experience of perhaps the last race meeting that an honourable member attended. Let me refer first to a statement made by the honourable member for Millicent (Mr. Corcoran), who said that this was a bad tax, a severe tax. He said that, if this were a Bill introducing T.A.B., he would support it. Let us look at the position concerning the totalizator. From every £100 that goes into the totalizator about £12 15s. is taken out before there is any dividend for the investor, so that the taxation in respect of money on the totalizator is 12¾ per cent, of which the totalizator pays the Government 5 per cent. That happens in the case of a big totalizator. If it is a small one the figure is slightly less, but for ordinary purposes let us assume that it pays the Government 5 per cent. What is the position as regards taxation levied on bookmakers? They have to pay the winning bets tax. No-one can say for a moment that the punter pays that; the bookmakers undoubtedly have paid the 1 per cent.

Mr. Lawn: The punter pays it.

The Hon. Sir THOMAS PLAYFORD: I shall not argue that with the member for Adelaide.

Mr. Lawn: You would be wasting your time!

The Hon. Sir THOMAS PLAYFORD: I should not be able to convince the honourable member. Assume that the bookmaker pays the 1 per cent. Here let me say that the bookmakers in South Australia act honourably in paying their 1 per cent. I say that with a fair knowledge of the industry. Add that on to the 3½ per cent, which is what is approximately involved in the winning bets tax, and we get 4½ per cent. Add on a negligible amount and we see that the amount is still less than the figure mentioned by the member for Millicent: it is at least ½ per cent less. So the position is that bookmakers in South Australia have been competing on more than favourable terms with the totalizator. That is proved by the sum held every day on the racecourses by bookmakers. In fact, it may interest some honourable members to know that, at the average meeting where the totalizator and the bookmakers operate side by side, the bookmakers hold six times as much money as the totalizator does.

Mr. Fred Walsh: Tell the clubs to do away with bookmakers and have an all-totalizator system. The clubs are not game to do that.

The Hon. Sir THOMAS PLAYFORD: At present when these two organizations are operating side by side within 50 yards of each other, the bookmakers hold six times as much money as the totalizator holds. They are there in competition and are taking six times as much money as the totalizator takes. How can the honourable member say that this is an iniquitous tax? No-one can deny that in other States bookmakers pay higher tax.

Mr. McKee: The other money is not going to racing clubs.

The Hon. Sir THOMAS PLAYFORD: The honourable member is talking about the winning bets tax. That is paid by the public, not by the bookmakers. The honourable member who has just interjected reminded me of another example to illustrate that this is not an iniquitous tax. The other day when we were discussing the establishment of totalizator agencies in the country, where did the biggest objection come from? It came from Port Pirie, where the bookmakers are paying 2 per cent and have been doing so since the war. The tax is not exorbitant and, if anything, it only equalizes the position so far as the return from the totalizator as compared with that from the bookmakers is concerned.

Some honourable members say that the amount of money made available to racing clubs from this source is small, but then we get the opposite position where several members said that if the Government was retaining the whole amount, they would vote for such a proposal. Honourable members cannot have it both ways. I point out to the members opposite who are opposing the proposal that the amount of additional revenue available to clubs in their areas will be of immense importance to those struggling clubs. I know that is so, from experience. Let the honourable members say to the country clubs, "We do not agree with your having this additional money." I am sure that they would not receive a good reception to such a remark. The amount of £8,000 of £9,000 is very vital to the maintenance of country clubs at the present time. Before I sit down, I wish to deal with the suggestion that this Bill was introduced to placate the racing clubs.

Mr. McKee: That is it.

The Hon. Sir THOMAS PLAYFORD: It was suggested that the Government felt that T.A.B. was too hot a potato to handle. Several honourable members have made that observation but I have never for one moment hidden under a bushel as far as the T.A.B. is concerned. I believe that T.A.B., as practised in Victoria, will prove to be just as damaging to the economy of that State as are the poker machines to the economy of New South Wales. I have told the racing clubs time and time again that I am adamant that I will not have a bar of T.A.B. as introduced in Victoria. I want to make that clear so that there is no ambiguity about it. I have a docket on the matter and, if honourable members would like to see it, they can. I am completely and utterly opposed to T.A.B. on the basis on which it has been introduced in Victoria, and I shall give my reasons for that statement. Victoria has had T.A.B. for only a relatively short time, but already the number of meetings on which it will operate in the forthcoming year is scheduled at 520. There are already 360 agencies, and another 90 will be added this year. Victoria is providing for increasing gambling from the high figure of £40,000,000 last year by another £10,000,000 this year.

Mr. Fred Walsh: What about your 14-point proposal?

The Hon. Sir THOMAS PLAYFORD: I do not believe T.A.B. in Victoria is good, and I am not speaking about morals. I do not care who knows my belief. I believe excessive gambling is inimical to the interests of the people, and I want to make that clear. I am prepared to say that on any platform anywhere, because I know that, when someone has an easy win, it is "Easy come, easy go", and I also know that T.A.B. is attracting increasing numbers of women who did not previously patronize race meetings and who go to those agencies, which are run by women working on commission. I want to have it known where I stand on T.A.B.

I believe one feature of our set-up in South Australia is very unfair. In the legislation I introduced some years ago, which was passed by Parliament and which no honourable member has seen fit to seek to amend, I enabled, with the concurrence of members opposite as well as on this side of the House, the Betting Control Board, if it saw fit, to establish some betting services in the country. However, the Betting Control Board in its wisdom (and I am not criticizing the Board, which had its job to do and which did its job) made certain decisions. A person living in Whyalla cannot at present get a legal bet on a race meeting except in very rare and exceptional cases. I believe that that is distinctly unfair to people living in the country. In those circumstances, I have been discussing the matter with the race clubs to see if we can find some solution to the problem of providing for people living in the country an opportunity to put 5s. on a horse if they want to do so. I emphasize that it is on that basis only that the Government has ever looked at the matter. I put before racing clubs a plan containing 14 points, most of which were accepted by them without controversy.

However, four points put before the clubs were referred back to me and those four points were not in themselves material, with the exception of one. That point dealt with the times that the country agencies should be

allowed to remain open. I have stated in the 14 points submitted (and this was with the concurrence of my colleagues in the Cabinet) that the agencies should close half an hour before the race commenced. Immediately the racing clubs came back and said, in effect, "There may be an important race in Victoria and their time is half an hour ahead of South Australian time. Secondly, if the agencies close as you suggest, you are depriving country trotting clubs of any investment on the night meetings." That was their first point.

The second point referred back from the 14-point plan was that the turnover tax was to go to 2 per cent, not 1½ per cent. On the other hand, the winning bets tax on the punter's stake is to be removed. The net effect of raising the turnover tax to 2 per cent and removing the winning bets tax would have been to leave both the Government and the racing clubs a little better off than they are now. The winning bets tax is about 29 per cent of the total collected and this has always been criticized by the punter, but on the totalizator the punter would pay this tax without realizing it. It is true that under the plan the racing clubs would be £44,000 better off, but some trotting clubs in the country would be even worse off. That point was referred back to me and I have agreed, in drawing up the legislation, that sufficient money be provided from the small increase in the Government share to ensure most country trotting clubs are not adversely affected.

The third point referred back was the provision for the profit from the agencies to be divided amongst the clubs on the basis of half to the club conducting the meeting and the other half to country clubs on the basis of attendance. The racing clubs now submit that they would prefer the latter half of that clause to be on the basis of stakes paid so that one-half would go to the club holding the meeting and the other half to the country clubs on the basis of stakes paid. Again, I have agreed to that proposal, so that of the four contentious points three were resolved by the Government's making the adjustments suggested by the racing clubs.

The fourth point was that the clubs did not want a telephone agency in the city. I do not agree with that proposal. A strong point was made by the racing clubs to the effect that many people who go to bowls or some other sport on a Saturday afternoon like to have a bet of 5s. on a horse without attending a racecourse. I have examined telephone betting in the T.A.B. system in Victoria and am surprised that even where T.A.B. agencies are established many people, in point of fact, use the telephone because they do not want to be associated with T.A.B. offices, or they have something else to do.

I told the clubs that the Government was not satisfied to completely wipe off the non-racegoer in the metropolitan area by not giving him any chance of having a service at all. The racing clubs have accepted my submission on that point. I shall read a communication that I have received from the off-course totalizator committee to show that it is unnecessary for me to give a sop to the racing clubs, as was suggested by some members. This matter is at a stage where a Bill is being drafted. This is not a simple matter and will take some time. I have been informed that in Victoria the Bill took exactly six months to draft. One or two Government members have asked how far I have gone in this matter. The communication from the committee states:

1. As chairman of the committee which has been appointed to negotiate with the Government on off-course betting facilities I would advise that the committee has further examined the plan put forward by you on behalf of the Government. The committee are prepared to accept the 14-point plan with the undermentioned four amendments. To distribute any profits upon a stake-money basis rather than attendance.

I have already told the committee that the Government will agree to that and I have informed the House about it. The communication continues:

2. That the Government will give consideration to extending the hours of operation of country agencies so as not to place interstate betting or trotting at a disadvantage.

Again, I have already informed honourable members that the Government concurs in that. The committee makes it quite clear that it will fall in with the Government's views on this matter. The communication continues:

We give a positive assurance that we are not interested in providing for reinvestment at these agencies.

In other words, the money is not to be recirculated and it will not be paid out that day, but on the same basis I believe—

Mr. Lawn: As in Victoria.

The Hon. Sir THOMAS PLAYFORD: I think Victoria has this system, but I do not think New South Wales has it. I believe that this is one of the good things in the Victorian system. The communication continues:

3. We would like and understand that you will agree to make provision for no country trotting club to be adversely affected as a

result of the removal of the winning bets tax on the punter's stake.

In a letter, I have already signified that the Government would be prepared not to place any particular club at a disadvantage. The communication continues:

4. We agree to the installation of a telephone centre for the metropolitan area. It is appreciated that upon further consideration you would be prepared to provide for more than one office for the servicing of telephone betting in the metropolitan area.

An office must be provided where people can establish their credit and where they can go on a Monday and withdraw their winnings if they so desire.

Mr. Jennings: If they have any!

The Hon. Sir THOMAS PLAYFORD: Obviously. I can see that the member for Enfield is not a knowledgeable punter. The concluding sentence clears up the matter:

I reiterate that the committee agree to accept the plan with the provisos, and will support in Parliament a Bill to give effect to off-course facilities as outlined.

Mr. Casey: What is the date of the letter?

The Hon. Sir THOMAS PLAYFORD: October 22, and it was signed by Clifford Reid, the Chairman of the South Australian Jockey Club and the chairman of the off-course totalizator committee. A Government member wanted a positive assurance and I was happy to provide it, also to provide it to members opposite at the same time. I thank honourable members for their consideration of this Bill. One honourable member wanted to know how the money would be disbursed for feature races. The previous legislation on the winning bets tax provided that a certain percentage of the money should be used to raise stakes, but that provision was unsatisfactory. In the first place, after the Bill was passed several clubs went out of existence and their racing days were taken up by other clubs that had no obligation to spend the money for that purpose. I have found by experience that, although there is no legal obligation, the racing clubs in South Australia have more than honoured the legislation, both in the spirit and in practice, and they have provided, in many cases, amounts greatly in excess of that required under the legislation.

This matter has been discussed with the racing clubs. The arrangements would have been more advanced but for the unfortunate death of Mr. Parham, the Secretary of the South Australian Jockey Club. Country clubs will be able to use the money to the best advantage for their clubs, but the metropolitan clubs have agreed to use 80 per cent of the additional money for the two chief races of the club each year, and will apply the remaining 20 per cent to important races. The stakes for the Port Adelaide Cup and the Adelaide Cup will go into the same bracket as the Doomben Cup and feature races in other States. When that happens the member for Adelaide will be able to speculate on South Australian horses with confidence.

The House divided on the second reading:

Ayes (22).—Messrs. Bockelberg, Brookman, Burdon, Coumbe, Ferguson, Freebairn, Hall, Harding, Hutchens, Laucke, Loveday, McAnaney, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Riches, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (14).—Messrs. Casey, Clark, Corcoran, Curren, Dunstan, Heaslip, Hurst, Jennings, Langley, Lawn, McKee, Ryan, Frank Walsh (teller), and Fred Walsh.

Majority of 8 for the Ayes.

Second reading thus carried.

Mr. FRANK WALSH (Leader of the Opposition) moved:

That it be an instruction to the Committee of the Whole House on the Bill that it have power to consider a new clause relating to police powers to move persons on.

Mr. MILLHOUSE (Mitcham): I desire to speak on this motion because I want my position to be entirely clear on it. I think section 63 of the Lottery and Gaming Act, which has prompted this motion, is open to very grave objection indeed and at least should be restricted to cases where there is a suspicion of some other offence under the Act being about to be or having been committed. That is my very firm view of section 63.

The SPEAKER: Order! The honourable member cannot widen the debate on this matter.

Mr. MILLHOUSE: I am not going to say any more about that, Mr. Speaker. What I said was only by way of preamble, and I intended to take only a very short while on that topic. After very careful thought since notice of this motion for an instruction was given yesterday, I am opposed to it because I do not think this is the appropriate time at which to have a debate on this subject. This time has been referred to as the dying hours of the session.

Mr. Fred Walsh: What you have said applies more to the introduction of the Bill itself.

Mr. MILLHOUSE: If it were true of the other matter, it is doubly or triply true of this

one, because at this very time (9 o'clock on the final night of the session) the Opposition is endeavouring to start a debate on a new topic altogether. I do not believe that the debate on this subject matter, which is one of very great political interest in the community and which has been quite bitter and hard fought, should be mixed up with a debate on another matter which is also of very great importance and which could easily be just as hard fought and just as bitter. I regret that I cannot support this motion. As I have said, I believe this section ought to be at least amended, if not repealed, and I blame myself for not having done anything about it during this session. Of course, the Opposition is even more to blame because it is part of the Opposition's policy that this should be done. I regret that neither members opposite nor I have taken any substantive or original action to introduce a Bill on this topic during the session. I think the Opposition would have done so if its members had not been sleeping for so long during the session. All I would say is that next session, if the Opposition does not introduce a Bill on this matter—

Mr. Clark: You will be in the Opposition.

Mr. MILLHOUSE: No fear I will not. If the Opposition does not introduce such a Bill next session, I will. I do not believe that this is an appropriate time to start out on a debate on an important topic, especially as it will get mixed up with another topic of equal importance. I therefore oppose very strongly the motion for the instruction.

Mr. DUNSTAN (Norwood): Since the honourable member has delivered himself of some epithets concerning the Opposition, perhaps I might remind him of something he appears to have ignored completely. I can only assume that he himself was sleeping for nearly the whole of the session. The Government has been well aware that on any occasion that it chooses to introduce a Lottery and Gaming Bill the Opposition puts down this amendment. This is not a new topic for this Parliament.

The SPEAKER: Order! I cannot allow debate on that subject.

Mr. DUNSTAN: I am simply talking about whether this is an appropriate occasion to proceed with this matter. On the last occasion the Government introduced a Lottery and Gaming Bill (during last session) we gave contingent notice of motion and the Government left the Bill on the Notice Paper for the whole session and then put it up in Annie's room and did not go on with it. The honourable member says that we were asleep. We have taken every opportunity to move for this measure and the reason we have not introduced a separate Bill during the session is that the session has been considerably shortened by Government action so that there has not been nearly the private members' time during this session that there has been previously. The guillotine fell on this occasion very much earlier than it has fallen at any time that I have been in this Parliament.

It is absurd to say that the Government has not had adequate notice of the Opposition's attitude on this matter. If it chooses in the last hours of the session to introduce a measure dealing with the Lottery and Gaming Act (and that was the Government's choice), it cannot say to the Opposition, "We are not going to let you debate something because we are going to restrict the debate to that in which we are interested and we shall force you to debate it in the last hours, but you cannot debate on your own terms." That is the attitude of the member for Mitcham. This Parliament has the right to debate matters that it directs the Committee to consider and, because this happens to be the last night of the session, it does not mean that members on this side are not entitled to raise a matter that is part of their policy. It is absurd to say that it is cluttering up matters in the last hours of the session when the Government knew full well that, if it chose to introduce a measure of this kind, the Opposition would put down the amendment of which the Leader of the Opposition has given contingent notice of motion.

Mr. SHANNON (Onkaparinga): In this matter there is involved a principle of which members might take cognizance. If it were the practice of the House to permit instructions to be given to broaden the ambit of any Bill however introduced into the House on any matter relating to the Act to be amended, we should find ourselves in the position that we would never know how it would finish. Every honourable member, including the member for Norwood (Mr. Dunstan), knows full well, as the member for Mitcham rightly reminded the Opposition, that, had it been the intention to deal with this aspect of the Act now proposed to be amended, it was open to any honourable member to move an amendment to this Act dealing with this aspect. The Opposition members had ample opportunity, with due respect to the member for Norwood, although this has been a short session. I have heard that said before. This could have been the first thing that the Opposition moved if it felt so strongly about it and we could have debated

this week by week, as honourable members know, when private members' business is dealt with during the session, had it been a matter that the Opposition was adamant about and interested in.

The SPEAKER: Order! I think the honourable member is going a little wide in his remarks.

Mr. SHANNON: I am dealing only with the principle whether or not it is appropriate for this House to agree to an instruction to bring entirely new matters into a Bill introduced for the purpose of amending another part of the legislation. That is my only point. I do not want to deal with any other aspect. If I am not in order I shall be corrected. My view is that there is another place that deals with these problems in a way entirely different from the way in which they are debated by this House. If it is entirely new matter, the material must be brought before that Chamber by a separate Bill.

The SPEAKER: The honourable member is getting too wide. The question is whether the Leader of the Opposition has the right to introduce a new matter.

Mr. SHANNON: With due respect to you, Mr. Speaker, I submit that there is no bar in our Standing Orders to the submission by any member of a Bill to amend existing legislation in any respect, regardless of the status of the member. I am opposing the principle that we should permit the moving of motions in this House to broaden the scope of amendments to legislation because, if we allowed such a procedure, we should have interminable debate on certain legislation with which I have had experience. I know that, finally, the House will decide. I am aware that numbers count. However, I have made my point on this principle. If we were to permit the procedure contemplated, we should never know where we would finish.

Mr. FRED WALSH (West Torrens): I speak on a matter of principle, in reply to the honourable member for Mitcham, and submit that the Leader is in order in moving as he has done. Last year a Bill, introduced by the Government to amend the Lottery and Gaming Act, provided for the transfer of a totalizator licence from a racecourse if inclement weather prevented the holding of a race meeting there on a particular day. I gave notice that I would move to amend the Act at the appropriate time to alter the totalizator system in respect of the 2s. 6d. and 5s. investments.

The SPEAKER: I think that the honourable member had better come back to the motion.

Mr. FRED WALSH: The honourable member for Norwood moved a similar motion to that now moved by the Leader, but, for some reason or another, the Government did not proceed with the Bill, and the matter was put, as has been said, up in Annie's room. This is the only opportunity we have had to introduce what is now proposed by the Leader. Despite the legal advice given by the member for Mitcham, I think the motion is in order.

The House divided on the motion:

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

Noes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Teusner.

Pair.—Aye—Mr. Hughes. No.—Mr. Nankivell.

The SPEAKER: There are 18 Ayes and 18 Noes. There being an equality of votes, I give my casting vote in favour of the Ayes so that there can be further consideration.

Motion thus carried.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Application of Commission."

Mr. FRANK WALSH (Leader of the Opposition): I move:

In paragraph (*a*) after "thereof" to insert "and inserting in lieu thereof the following words:

(*a*) a sum equal to one-third of the moneys received by the board as commission under section 40 shall be paid to the Treasurer in aid of the general revenue of the State.

(*aa*) the commission on all bets on races held outside the State shall be paid to the Treasurer in aid of the general revenue of the State."

I will explain the purpose of the amendment on a broad basis and, if necessary, I shall call for a division unless it is accepted by the Government. I make no apology for introducing the matter. I have heard for some days that bookmakers in this State would pay a further tax of ½ per cent on turnover. Tonight I heard a statement by the Premier to the effect that it was not intended to impose hardship on these people. I would refresh the memory of the Premier on this point, and

quote the following figures. For the year 1963-64 the bookmakers as a body for all on-course operations received a gross profit on turnover of 4.7 per cent from which was deducted 1 per cent turnover tax. This represented 4s. 3d. in the pound on their gross profit, but the Government now proposes to increase that figure to 6s. 4d. in the pound. That is why I consider I am not unfair in saying that the Government is imposing a heavy burden on one section of the community. I have not been satisfied by the racing clubs on this matter. Tonight we have been given further information by the Premier. Apparently the chairman of the off-course totalizator committee wrote him a letter today. The annual reports of the South Australian Jockey Club, the Adelaide Racing Club and the Port Adelaide Racing Club supply the following information:

| | Surplus from race meetings. | | | Surplus for year. | | |
|---|---|---|---|---|---|---|
| | £ | s. | d. | £ | s. | d. |
| S.A.J.C. .. .. | 41,624 | 12 | 9 | 3,534 | 19 | 9 |
| A.R.C. .. .. .. | 21,195 | 15 | 0 | 5,229 | 8 | 11 |
| P.A.R.C. .. .. | 62,631 | 7 | 7 | 12,570 | 11 | 1 |
| Total . .. .. | 125,451 | 15 | 4 | 21,334 | 19 | 9 |

This shows that the racing clubs have large surpluses from race meetings but only a relatively small surplus for the year. This Bill provides for a sectional tax. The Premier has announced publicly that his revenue items are down and he is finding it difficult to meet expenditure. The tax to be obtained by the provisions of this Bill should be considered the revenue of the State and I maintain that it should remain revenue for the use of the State.

Mr. DUNSTAN: I support the Leader's amendment. I did not speak on the second reading because I considered that enough had been said. If it is necessary for additional State revenue to be justly raised it is appropriate to go ahead and raise it. I was not happy about examining this matter at this stage because there was not sufficient time to satisfy myself fully as to the implications of the tax. Members have decided that the tax is to be imposed, but how is it to be disbursed? Certain priorities are apparent to me. If we are going to have moneys in the State's coffers, should the first call on that tax be by the racing clubs of South Australia? I do not think so. Most clubs are in the metropolitan area, with a number, so small to be illusory, outside that area. There are much graver and more urgent calls on the public purse in this State than for money to be given to racing clubs. The purpose of the amendment, as I understand it, is to provide that extra moneys raised by the tax will go into State revenue, and that otherwise the amounts that are already provided will be disbursed as they are now disbursed. It seems to me that is preferable to the proposal that would give a substantial sum to metropolitan racing clubs. We have heard from the member for West Torrens about the facilities they provide. Consequently, I think the Leader's amendment is preferable to the provisions of the Bill as it stands

Mr. FRED WALSH: I support the Leader's amendment. Indeed, if the Bill had provided for all the impost to be paid to State revenue I would have supported it. I oppose the provision giving 50 per cent of the increased tax to racing clubs. The State has seen fit, through Parliament, to amend certain Acts to increase taxation to provide necessary revenue to pay for certain services, and this is an opportunity to gain further revenue. I believe it is important that the revenue should not be spent in the manner suggested by the Premier. I believe that if we did away with bookmakers altogether and reverted to the system that obtained in South Australia prior to their licensing, considerable revenue would be gained by the State, as well as by the clubs, from the totalizator operations. Then we would not hear the same grievances as we hear today and we would improve the standard of racing in this State generally. The racing clubs are not entitled to the indulgence of Parliament in respect of any benefits that might accrue from a further impost by way of increasing turnover tax on bookmakers. At present the clubs are breaking the law for they are conducting a doubles and quinella betting system that is contrary to section 20 of the Lottery and Gaming Act. I suggest that it is time they were made to conform to the Act, or that the Act was amended accordingly. The whole of the increased revenue gained by this tax should go to the State and not be divided as suggested, 50 per cent to the clubs and 50 per cent to the State. I would support the Bill if the amendment were carried.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): If the Leader's amendment were carried, great difficulty would be experienced in making the calculations necessary. I point out that the 1 per cent turnover tax is at present divided between the State and the clubs, the revenue derived from betting on races in other States going

to the State, and the revenue from betting on local races going to the clubs. Under the Bill the amounts are increased in both instances by ½ per cent, and the State gets half of the increase and the clubs get the other half. The Leader's amendment provides that, of the total 1½ per cent, ½ per cent goes to the State, but then he wants all the tax from the interstate operations to go to the State. I do not know what sort of a calculation one can make on that, because there seems to be a complete inconsistency. The object of the amendment is to provide additional money for the State out of this additional taxation, but as the amendment is worded I do not know exactly what it does. Money cannot be appropriated twice, which appears to be the aim of the amendment as worded. These matters have been examined by the Treasury officers, and I believe that the division of the money in accordance with the Bill is fair and reasonable. For a long time the clubs have been providing the facilities for the bookmakers to operate on races in other States, yet there has been no revenue at all from the turnover tax on those operations. I ask the Committee not to accept the amendment.

Mr. FRANK WALSH: I accept the information from the Premier. My main concern is that this is revenue collected by the Government, which has now intimated that it is short of revenue. I make no apology for saying that I do not agree with the principle of this tax.

Mr. Shannon: Would you ban the bookies altogether!

Mr. FRANK WALSH: The honourable member can mind his own business.

The CHAIRMAN: Order!

Mr. FRANK WALSH: I advise the member for Onkaparinga to hold his tongue.

The CHAIRMAN: Order! The Leader of the Opposition.

Mr. Shannon: That's all right; I haven't got anybody with the bookies.

Mr. FRANK WALSH: I assure the Committee that I have nothing to answer regarding police court actions for having committed breaches of the Road Traffic Act, or anything of that description. I do not have to go into that matter. I have to go into the matter before the Chair. I oppose the principle of this tax, which levies money from only a very few people. If our State revenue is down, as the Premier has indicated publicly, then in fairness let us retain the imposition. I am not concerned with the drafting, but I understood from the Premier that it was a measure that would bring revenue to the Government.

Mr. SHANNON: I have no bookmaker friends or relatives concerned in this matter. I do not think that the Premier's statement can be gainsaid. Bookmakers in South Australia are enjoying and will enjoy a better deal than those in any other State. The Leader of the Opposition would appear to have some friends, judging by his vociferous defiance of this provision to increase the bookmakers' tax by ½ per cent. He may have an axe to grind—I don't know. I shall be delighted if he will explain where he stands in this matter of whether or not we should impose an additional tax upon the bookmakers. I know of no bookmaker who is suffering very much. The Leader of the Opposition appears to have taken up the cudgels on behalf of people who will have to pay an additional 50 per cent in tax. With the competition that the betting rings have to stand from the totalizator, we need not worry about the bookmakers passing it on to the punters, as has been suggested. After all, bookmakers' prices are lower than those offering on the totalizator, and everybody knows these days that we have almost a moment to moment price given by *pari mutuel*, a system used overseas. If the bookmakers do not compete with that, they do not get the business. Every punter takes the best price he can get. The Leader is speaking for people in whom I am not interested.

Mr. DUNSTAN: On the drafting of this provision, the Premier has raised the question of how it applies to the moneys collected under section 40. The first of the Leader's subsections should provide a sum equal to one-third of the moneys received by the board as commission under section 40(1) to be paid to the Treasury in aid of the general revenue of the State. The other provision is already in the Act with relation to interstate moneys, and the remainder of the Leader's amendment leaves the Act as it stands. This would simply provide that the difference would be that the extra moneys on intrastate betting would be paid to the general revenue. I think that is the proposal.

The Committee divided on the amendment:

Ayes (13).—Messrs. Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Jennings, Langley, Lawn, McKee, Ryan, Frank Walsh (teller), and Fred Walsh.

Noes (22).—Messrs. Bockelberg, Brookman, Burdon, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Hutchens, Laucke, Loveday, McAnaney, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir

Thomas Playford (teller), Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

Majority of 9 for the Noes.

Amendment thus negatived; clause passed.

New clause 5—"Repeal of section 63 of principal Act."

Mr. FRANK WALSH: I move to insert the following new clause:

5. Section 63 of the principal Act is hereby repealed.

At one time section 63 could have had some value, but it is many years since an illegal service for local and interstate betting has been organized. When it was provided, the telephone system was the most appropriate way of providing it, and people would rush with telegrams to the bookmakers to give the results. In these days, if police officers saw people standing in places where this business was being transacted, they would request them to move on. There is now no organized illegal betting, but this provision has been used against certain prominent people unconnected with betting. I ask members to support my new clause.

Mr. DUNSTAN: At one time in unlawful gaming, wagering and starting-price bookmaking in South Australia, characters known as cockatoos were particularly prevalent around a certain hotel near Tattersalls Club in Adelaide. It was exceedingly difficult for members of the Police Force to detect unlawful gaming because of the presence of these cockatoos who gave warning signals. This section was enacted to enable the police to move these individuals on. The need for this section as far as the Lottery and Gaming Act is concerned has largely disappeared. This practice has, with modern technology, become unnecessary and S.P. bookmakers may transact their business without the assistance of the cockatoos, and they do so.

The section has been used for many years for the purpose of moving people on in a public place without requiring the police to have any reason for so doing. This can be dangerous in that people who have lawful and proper activities in a public place may be required to move on and not be allowed to go about their proper business. This has happened and magistrates have commented on those occasions on what appears to them to be a misuse of this section. The needs of the Police Force have been adequately satisfied in this regard by section 18 of the Police Offences Act, which provides:

Any person who lies or loiters in any public place and who, upon request by a member of the Police Force, does not give a satisfactory reason for so lying or loitering shall be guilty of an offence.

That means that a policeman may ask any person who is loitering whether he has a reason for being in a certain place and, if he has not, the policeman may tell him to move on or he must take the chance of being arrested for an offence. In fact, he may be arrested there and then if he has been loitering and there is no satisfactory reason for his doing so. This provision can cope with any of the cases where police need to move on people who have improperly congregated or are hanging about in an undesirable, suspicious manner. The police have other powers in relation to the obstruction of traffic and the like. Therefore, it is hard to see why this State, and this State alone, should maintain a provision whereby a policeman can say without reason (and that is the provision of this section) to someone that he must move away from a certain place even though that person may have a perfectly lawful reason for being there.

I have had instances in my district where people have had a proper reason for being in a certain place and have complained to me about the provisions of this section. On one occasion I was assisting a local police sergeant and was ordered to move on by another member of the Police Force who was not aware of what I was doing and did not stop to find out. Opposition members do not suggest that the police should not have adequate powers to move on people who are loitering without reason or congregating in an undesirable manner in a public place, but those powers exist, and the necessity for this section being in the Lottery and Gaming Act no longer exists. Therefore, I consider that people who believe that this section is offensive to anyone concerned with the maintenance of civil rights and the rights of citizens who go about their ordinary duties without interference would support the view of Opposition members that this section should be removed from the Lottery and Gaming Act.

Mr. MILLHOUSE: I regret that we are having this debate at all and I did my best to see that we did not. My views are such on this section that now that the debate is taking place I cannot bring myself to vote in favour of the retention of this section. As the member for Norwood (Mr. Dunstan) said, a person who does not move on when told to do so by a policeman is guilty of an offence and there is no defence whatever to a charge under this section. That power is obviously one which can be (and I say "can be"

advisedly) abused and it could be used in an intolerably oppressive manner.

Mr. Heaslip: Has it ever been?

Mr. MILLHOUSE: Yes. I will show that there have at least been suspicions that it has been on occasions. I do not say that it is always used in this way, because it is not. However, on occasions it is, and it is wrong that there should be a provision in our law that can be abused. This section is used habitually by the police in cases having no connection with any charge or suspicion of any offence under the Lottery and Gaming Act. It is used as a general section to charge people who are loitering. That is not a good thing. The member for Norwood has spoken about theory and there is no disagreement between him and me on this. A document to which we give lip service at least, the *Universal Declaration of Human Rights*, states:

Everyone has the right to freedom of peaceful assembly and association.

There is no doubt that this section can be used to negate that right if the authorities desire it. I do not rest what I am saying on the question of theory, but quote a short paragraph from a judgment delivered on May 3, 1963, by Mr. E. W. Mills, S.M. (as he then was) in the Glenelg Court of Summary Jurisdiction. Having canvassed all the facts in a case that occurred in Moseley Square, Glenelg, the magistrate ended with this paragraph:

I think the defendant was, through no great fault of his own, the victim of the apparent policy of the Police Department to have section 63 of the Lottery and Gaming Act used whenever the letter of the law allows, regardless of the unfortunate consequences that may be occasioned to members of the public, and the consequential ill-will unnecessarily engendered towards the Police Force. If section 63 had not been used I think there probably would have been a different approach and explanations on both sides, which may well have avoided the defendant's prosecution. While I add my protest to similar ones uttered by other courts in recent years, nevertheless, for the reasons given, I find this charge proved beyond reasonable doubt.

Proved, because there is literally no defence to a charge if a person does not immediately move on when requested or told to do so by a police officer.

Mr. Dunstan: Even if he has legitimate business there.

Mr. MILLHOUSE: Yes. I took up the matter with the Attorney-General by letter dated May 6, 1963, and this is what I said, in part:

Some time ago one of the suburban magistrates drew my attention to the practice of the police in using section 63 of the Lottery and Gaming Act rather than section 18 of the Police Offences Act when desiring to prosecute for loitering. At the time when the magistrate spoke to me I had not come across this personally but was told that it is the frequent practice of the police to use the Lottery and Gaming Act section even though there is not the remotest suggestion of any element of lottery or gaming in the surrounding circumstances. He disapproved strongly and had even refused to convict on one occasion even though the defendant was technically guilty, because he thought the prosecution was so unfair.

As you know, section 63 was obviously originally intended to apply to nit-keepers. Section 63 is an absolute prohibition of loitering after a request to move on, whereas section 18 of the Police Offences Act provides that a person shall be guilty of loitering if he "does not give a satisfactory reason" for so doing. It is obviously much easier to get a conviction under section 63.

I concluded by saying:

It seems to me that at present there is a grave danger of section 63 being used indiscriminately and oppressively and certainly to cover circumstances for which it was never originally intended.

In reply to that letter, the Attorney-General was kind enough to let me see and take a copy of a report that he received, as a result of my letter, from the Commissioner of Police and the Crown Solicitor. The report is a long one which I do not propose to canvass, except to say that it was as good a case as one could make out for the retention of the section. The report from the Crown Solicitor, signed by him and dated May 20, 1963, contains two paragraphs that I desire to read, because the suggestion has been made that, if this section is not allowed to remain, the police will not have power to deal with larrikins and street gangs, people with whom, of course, we all agree the law should be able to deal. The report, prepared by Mr. Gordon, who is an Assistant Crown Solicitor, states:

If section 63 is to be limited in operation, as Mr. Millhouse, M.P., suggests, I think the police will be obliged to act under section 7 of the Police Offences Act. This will probably result in prosecutions where the mere request to move on would have sufficed.

There is not only section 18 of the Police Offences Act, to which the member for Norwood adverted, but also section 7 of the Police Offences Act which, in my opinion, would suffice to deal with the unruly and undesirable elements to which I have referred. Section 7 deals with disorderly and offensive conduct and language and subsection (1) is in these terms:

Any person who in a public place or a police station—(*a*) behaves in a disorderly or offensive manner; or (*b*) fights with any other person; or (*c*) uses offensive language, shall be guilty of an offence.

I should have thought it obvious that placitum (*a*) covered all the cases where power was

required in the case of people in the street, and so on, who have been misbehaving themselves. Another paragraph in the report states:

I agree, however, with any suggestion that the police should administer the use of the section with care and forbearance and should not resort to it as a "back stop" when it appears likely that an offence, which was the primary reason for investigation, cannot be proved.

In other words, the Crown Solicitor is saying that the section must be used with care and forbearance and implies that it could be open to objection. I do not believe that, except in the most rare cases, this section would be abused by the police but I believe that it is open to abuse, and I believe that on these rare occasions it has been abused. This is a bad thing, especially when I consider that it is unnecessary for the police to have the aid of that section to deal with the evils to which we have been referring. The very fact that the Commissioner of Police, in the report that was tabled yesterday, said, with regret, that "there are still a few members who fall short of the standards established by the other ranks", and mentioned that 72 members had been charged for breaches of discipline during the year, shows what is only common sense, of course, that in a big force of men there will always be some who do not come up to standard, and who may abuse the powers they are given. It has often been said that an Act can be amended if it is found that that is desirable, and I believe that that is the case here. If it is found, after the deletion of this section, that the police are not able, in fact, to control larrikinism or street gangs, which I personally doubt for the reasons I have given, then I certainly will be the first one to retract what I have said and to support legislation to insert some power such as this one where I believe it should be, namely, in the Police Offences Act. For the reasons I have given I cannot support the retention of section 63 of the Lottery and Gaming Act.

The Hon. Sir THOMAS PLAYFORD: Members opposite have been at considerable pains to say that they want the police to have adequate power to protect the public. If that is the case, why do we not start the other way round and give the police the alternative power that members wish to take away from them? The complaint has been that this provision should be not in the Lottery and Gaming Act but in the Police Offences Act. Well, if that is the case, why is it that we proceed to take away the power from the police before we put it back into the Police Offences Act?

Mr. Dunstan: They already have the power.

The Hon. Sir THOMAS PLAYFORD: It is all very well for members to say that they favour the police having the necessary power, but at the same time they suggest that we deprive them of that power. The origin of this objection is well known to members: it was raised by the member for Norwood as the result of the police instructing him to move on in his own district. The honourable member stated in Parliament that at the time in question he was talking to three perfectly reputable members of the community, and he greatly resented the police action.

Mr. Dunstan: That is not quite right.

The Hon. Sir THOMAS PLAYFORD: I have the dockets here and I have particulars of what the honourable member said. If honourable members are so keen on having the dockets tabled I would be prepared to table them, even though I do not think dockets of this sort should be tabled. The member for Norwood asked me to look into this question and I did so and obtained full reports upon it. However, he did not again ask any question about whether I had got the reports, and the reports lay in my bag here for about a year and finally were taken out by my secretary as not being required. Apparently the honourable member was quite deluded about the three people with whom he was conversing, because one of them had certainly been convicted of a charge of attempted murder and wilfully wounding his wife.

Mr. Dunstan: What nonsense!

The Hon. Sir THOMAS PLAYFORD: The other two had many convictions. If the honourable member wants to have a look at the file he will see that the action taken by the police at Norwood was taken because they were receiving continuous requests from local residents about the unruly behaviour of these pests on the street who were taking every possible opportunity to molest citizens in Norwood.

Mr. Dunstan: You are talking the most egregious rubbish.

The Hon. Sir THOMAS PLAYFORD: I have never been greatly concerned whether the appropriate power was included in the Police Offences Act or the Lottery and Gaming Act, but I say it is necessary that the police have authority to move people on, and I make no apology to the Opposition or to the member for Norwood for saying that. Recently in Rundle Street certain people have ganged up to the nuisance of the community. Members have quoted a section of the Police Offences Act as being one that helps the police, but all

an offender of this type has to do to escape the operation of that section is to say, "I was waiting for a friend." That is a lawful excuse, and it has been used as a lawful excuse. That is a fact, and it is no use the member for Mitcham shaking his head.

Mr. Shannon: He knows, too.

The Hon. Sir THOMAS PLAYFORD: All those people have to do is say, "We were waiting for some friends." Surely all members will agree that when these people are known pests, and when in some instances they have a whole string of convictions, it is a good thing for the police to be able to say to them, "Now look, lads, get off home and behave yourselves." What harm is there in doing that? It is stated by the member for Mitcham that the section has been abused. I do not stand for the abuse of any authority, as honourable members know. In a community such as ours there are, unfortunately, unruly sections of people who congregate at various places. They have moved out of Norwood and are now congregating at the east end of Rundle Street. We are having continuous complaints, and what happens? They get into the street and make people walk around them. If no police officer is there and a female comes along, she is subjected to all sorts of remarks and abuse. If honourable members object to this provision being in the Lottery and Gaming Act (after all, it has taken us a long time to discover that it is such a pernicious thing because, if we look at the origin of the Act, we see that it has taken us since 1917 to realize how iniquitous the provision is) and want to give the police proper power, I shall be happy to take this provision out of the Lottery and Gaming Act, but I want a similar provision inserted into the Police Offences Act before I agree. I do not care what honourable members say, they are taking away from the police a power that is necessary for the maintenance of good order in our streets. I have here the docket containing the subject matter that originated this. All the records of the people who have been told to move on and have been arrested for consorting are here. If we take this power away from the police, we shall be doing a grave disservice to good, honest members of the community and, more than that, to females on the streets.

Mr. DUNSTAN: I rise briefly to refute the extraordinary and distorted imaginings of the Premier, who says that I was moved on in Norwood while talking to a convicted murderer and to two other people with convictions to their names. Nothing of the kind happened. The occasion on which I was ordered to move on in Norwood I shall describe briefly to members, as I have described it previously. There was a fracas going on in Norwood between the boys who used to go to Winn's milk bar on Norwood Parade, most of whom were known to me personally, and a group of Italian youths. I expressed concern to the local sergeant, who was similarly concerned about local disquiet in Norwood. He requested me to go with him and to cross the Parade while he stayed on the other side of the Parade in his car, and to talk to the youths in the milk bar to see whether I could quieten them down to avoid trouble.

I went to the milk bar, and not three but about 20 youths came to talk to me. I was having some success with them when suddenly down the Parade came a patrol car, not from the Norwood station but from the City and, before it had stopped to see what was going on and taking place, some officers yelled from the car to the young men around me, "Get away from here straight away or we shall arrest you if you are here within a minute." Before I could say anything, these characters disappeared. They were around the corner, on their bicycles, and away they went. They melted away like the snows in summer. I was left standing there, like the proverbial shag on a rock, on Norwood Parade, not talking to three people, whether murderers or anybody else, but alone, and palely loitering. The police officer came to me and said, "You heard what we said, you." I said "What did you say to me?" They had another look at me and said, "Oh!" I said, "Well, you might at least have found out what was going on before you did this. Would you mind now going across and making your peace with Sgt. Fry for breaking up the arrangements I made with him to quieten down activity on the Parade?"

That is what happened. I certainly was not talking to a convicted murderer or to a couple of other characters of this kind on the Parade, and I do not know what has led the Premier to conclude that I was. There seems to have been a crossed line somewhere. I do not know what the Premier was referring to.

Mr. SHANNON: There are obviously crossed lines about the matter. Whether the powers we give to the police are in this Act or in any other Act, they are either desirable or not desirable. I am not very much concerned about which Act they are in. The Act with which we are dealing may or may not be the appropriate one; I do not know. I am not a legal man. However, I am convinced of one thing. What the Premier had to say hammered home for me

the point that we are living in an age when there is abroad a spirit of the aggregation of young people, in various places, sometimes for illicit purposes and to the annoyance of the law-abiding public. It appears to me that the police must have some power in this matter. I should think that the courts would be the best judges of whether the police, in their exuberance, exceed their authority.

I have listened to both the member for Norwood and the member for Mitcham and I am unconvinced that the powers the police possess under this section of our Lottery and Gaming Act are undesirable. I have not heard mention of any case concerning which the court has said that the police are exceeding their duty or that they are trying to create a state of affairs that is not in the best interests of good conduct in the community. I think that the Commissioner would be sufficient deterrent to any officer exceeding his authority.

Whether this power is contained in this section of the Lottery and Gaming Act or whether it is in the Police Offences Act is not important. After all, we have to trust the officers of the law to look after our welfare, to police the various Acts of Parliament, and to determine the appropriate Act under which to take action, having regard to the circumstances. With all due respect to my two colleagues who are perhaps closely concerned with these problems, I point out that they have their own children coming on in the community. They want to protect them and make sure that the police can be guardians and be able to look after their children. This section is designed for that purpose, and for no other. I think we either trust our authorities charged with the administration of the law or we do not. If we do not, who will protect the people? I have great-grandchildren, and I would hate to think they would have to walk the streets without some protection. I think we are being a little pernickety in deciding whether this should be in one Act or another. I want protection, and I do not care which Act provides for it.

The Committee divided on the new clause:

Ayes (19).—Messrs. Burdon, Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Millhouse, Riches, Ryan, Frank Walsh (teller), and Fred Walsh.

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

Pair.—Aye—Mr. Hughes. No—Mr. Nankivell.

Majority of 2 for the Ayes.

New clause thus inserted.

Title passed.

Bill read a third time and passed.

Later:

Bill returned from the Legislative Council with the following amendment:

Page 3, line 18 (clause 5)—Leave out the clause.

Consideration in Committee.

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): This clause which the Legislative Council's amendment seeks to omit is the one which was inserted as the result of an instruction and on which some debate ensued. It was not in the original Bill. If honourable members opposite want a provision put in the Police Offences Act rather than in this Act, I shall be happy to look at the matter at an appropriate time. My own feeling is that these powers should not be taken away from the Police Force until a similar power is placed in the Police Offences Act to protect the citizens of this State. I ask the Committee to accept the amendment.

Mr. FRANK WALSH (Leader of the Opposition): I oppose the Legislative Council's amendment and, if necessary, I will move that we disagree to it.

Mr. MILLHOUSE: I am disappointed that the Legislative Council has seen fit to take this action, but I am really not surprised, from what little I heard of the debate in that Chamber a short time ago. The Legislative Council was obviously opposed to the clause, I think, on wrong grounds. I voted for the second reading of this Bill because I supported the original provisions, which I was, and still am, anxious to see go through. When I opposed the instruction that was carried by the House to debate this matter I said that I thought this was an inappropriate time to debate the merits or defects of section 63 because we were thereby putting two controversial but dissimilar matters together in the same Bill. However, that is what happened. I do not think that we should insist on this clause at this time, and I am slightly fortified by hearing the remarks of the Premier that he is prepared to consider the matter with a view to inserting in the Police Offences Act a similar power to that in section 63 of the Lottery and Gaming Act (not the same one, if I have anything to do with it). I do not want us to lose the original provisions in the Bill, strongly though I support the deletion of section 63. I think it would be a bad thing

if we should lose the whole Bill over a matter which, although important, is extraneous to the purposes of the Bill. I am not prepared to run the risk of doing that. However, if I survive the next election both mortally and electorally—the Labor Party has put a strong candidate in the field against me who is working hard, and I am not taking him lightly—I shall introduce a private member's Bill to amend this Act.

The Committee divided on the Legislative Council's amendment:

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

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

Pair.—Aye—Mr. Nankivell. No.—Mr. Hughes.

The CHAIRMAN: There are 18 Ayes and 18 Noes. There being an equality of votes, I give my vote in favour of the Ayes. The question therefore passes in the affirmative.

Amendment thus agreed to.

## PRICES ACT AMENDMENT BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 3, lines 20 and 21 (clause 6)—Leave out "upon demand and tender of that cash price".

No. 2. Page 3, line 25 (clause 6)—After "which" first occurring insert "with his knowledge".

No. 3. Page 3, line 25 (clause 6)—After "which" second occurring insert "to his knowledge".

*Amendment No.* 1:

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): This amendment has no legal significance. I move:

In new section 33e(1) after "person" to insert "but notwithstanding anything contained in subsection (2) of this section no proceedings for an offence under this section shall be taken without the consent in writing of the Minister".

Amendment carried; Legislative Council's amendment, as amended, agreed to.

*Amendments Nos.* 2 *and* 3:

The Hon. Sir THOMAS PLAYFORD: It will be virtually impossible ever to get a prosecution if the words inserted by the Legislative Council are included in the measure, as knowledge cannot be proved. I understand that the Legislative Council was trying to guard against a case, which I do not think is likely to occur often but which may conceivably occur, where there is a sale in a big department store, many people are gathered around the counters, and someone picks up an article and places it on a table bearing a label giving a lower price. We do not want to penalize any person who would be charged for some action of which he had no knowledge. However, I ask the Committee not to agree to these amendments, as they will make it impossible to police the provisions of this legislation.

Amendments disagreed to.

The following reason for disagreement with amendments Nos. 2 and 3 was adopted:

That the amendments remove an essential safeguard of the Bill.

Later, the Legislative Council intimated that it had agreed to the House of Assembly's amendment of its amendment No. 1 and that it did not insist on amendments Nos. 2 and 3, to which the House of Assembly had disagreed.

## FESTIVAL HALL (CITY OF ADELAIDE) BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 1, line 10 (clause 2)—After "furniture," insert "instruments,".

No. 2. Page 1, line 16 (clause 3)—After "furniture," insert "instruments,".

No. 3. Page 1, line 16 (clause 3)—After "thereof," insert "or therefore".

No. 4. Page 2, lines 8 and 9 (clause 3)—Leave out "Notwithstanding any provisions of the Local Government Act, 1934-1963, to the contrary" and insert in lieu thereof "In addition to its other borrowing powers".

No. 5. Page 2, lines 9 and 10 (clause 3)—Leave out "is by this Act authorized to" and insert in lieu therof "may, from time to time, without further or other authority or consent than this section."

No. 6. Page 2, line 10 (clause 3)—After "money" insert "not exceeding £600,000".

*Amendments Nos.* 1 *and* 2:

The Hon. Sir THOMAS PLAYFORD (Premier and Treasurer): These amendments enable the council to provide musical instruments in the festival hall and are acceptable to the Government.

Amendments agreed to.

*Amendments Nos.* 3 *to* 6:

The Hon. Sir THOMAS PLAYFORD: The effect of these amendments will be that the City Council will be able to raise only £600,000 outside the normal provisions of the Local Government Act. These provisions include general limitations on the amount which can be borrowed by reference to rating capacity

and, more importantly, the right of ratepayers to demand a poll. The figure of £600,000 was inserted because this was the amount which, on the estimated cost of £1,000,000, the council would have to pay. If the cost exceeds that, the council has to bear the whole of the excess. I do not think this will impair this project because the £1,000,000 plus the £100,000 that the Government is providing towards the purchase of land should be ample to provide the hall. If the City Council goes beyond this it must, of course, have the consent of its ratepayers.

Amendments agreed to.

## LOCAL GOVERNMENT ACT AMENDMENT BILL.

In Committee.

(Continued from October 21. Page 1586.)

New clause 7a—"Power to contribute to purchase of land by Housing Trust for residential development."

The Hon. G. G. PEARSON (Minister of Works): I move to insert the following new clause:

7a. The following section is inserted in the principal Act after section 287 thereof:

287a. (1) In addition to the powers conferred by section 287, but subject to any provision of this Act relating to any particular revenue, a metropolitan council may expend its revenue in paying to the South Australian Housing Trust such portion (not exceeding £35,000 in any financial year) as the Minister shall approve of the purchase price of any land within the area of the council purchased or to be purchased by the said trust for the purpose of development or redevelopment as a residential area in accordance with conditions approved by the Minister: Provided that no payment shall be made under this section unless the Minister is of the opinion that the land purchased or to be purchased is underdeveloped or insufficiently developed and that the development or redevelopment thereof by the said trust will substantially increase the assessed value of the land and the revenue from rates in respect thereof.

(2) Any such council may in addition to its other borrowing powers and without further or other authority or consent than this section borrow money for the purpose of making any payment pursuant to subsection (1) of this section.

The Chairman of the Housing Trust, Mr. Cartledge, has furnished the following explanation of this clause:

The purpose of the new clause is to enable a metropolitan council to contribute towards the price of land purchased by the Housing Trust within its area. The amount which the council can expend for this purpose in any financial year is limited to £35,000 and the contribution can only be made subject to the conditions set out in the clause. In the first place the council's contribution must be approved by the Minister. The purpose of the purchase must be for the development or redevelopment of the land as a residential area in accordance with conditions approved by the Minister. And the Minister must be satisfied that the land to be purchased is underdeveloped or insufficiently developed and that its development by the trust will substantially increase the assessed value of the land and the resultant rate revenue from the land. The effect of the clause is that the council's contribution may come either from its revenue or from a borrowing by the council. There are many areas in the metropolitan area suitable for redevelopment where the land is now underdeveloped, usually occupied by old and inferior or substandard houses. Invariably the rate revenue from these areas is low. Often the allotment areas are too small to permit a redevelopment of the area allotment by allotment and the only way in which the area can be improved is for an authority such as the Housing Trust to purchase all the allotments and to redevelop the area as a site for flats or other forms of high density housing. The localities in which the trust is interested for flat development are the inner suburbs where the existing buildings are old and often run down. The areas are eminently suitable for high density housing and have the most important effect of preventing what is sometimes unfairly described as the suburban sprawl.

It is obvious that the purpose the Housing Trust and the Local Government Association have in mind is to remove (and to improve by so removing) the older buildings from a given area and to overcome the problem that is so apparent in every growing city of any size where the suburbs of 100 years ago have now become inner suburbs and are enclosed again by a secondary growth of suburbs around the perimeter which, in some of the larger cities, are again being enclosed by a third development area outside again. Obviously, what were the original suburbs of a city 60, 70 or 100 years ago are now the areas which, generally speaking, are ripe for this kind of redevelopment. The report continues:

The merits of providing high density housing on the fringe of the city or near its inner suburbs are well known. It reduces transport problems, eases the burden on the Engineering and Water Supply Department, renders new roadworks unnecessary, and brings people close to the heart of things in the city.

It goes much further than that rather modest statement would take us. Not only is the provision of water and sewerage services simple, but the provision of gas, electricity, and transport services is also materially advantaged. The report continues:

The trust might site up to 24 to 28 flats on an acre and still have ample room for gardens, open spaces, and garages. In order to keep

its rents at a reasonable figure the trust can only afford to pay up to £10,000 an acre for a flat site. In many cases the trust can obtain land at this figure when there will be no question of a council subsidy. Where a council desires the trust to develop an area with a greater purchase price, it is in such a case that the trust will need the council's assistance. The minimum area needed by the trust for good flat development is about three acres. Often up to five or more acres is used. Thus, the limit of £35,000 as the council contribution is a realistic figure, in view of the type of development carried out by the trust. The financial benefit to the council from trust development can be readily seen. The land acquired will usually be occupied by from four up to 10 houses or so an acre; if the latter figure is the case, the houses will inevitably be small and substandard and of a very low rating value. If these are replaced with up to 30 flats, it is obvious that the council's revenue will increase very substantially. Obviously whether a council will benefit financially in a particular case will be determined by the circumstances of that case and after taking into account the council's payment to the trust. If no financial benefit will accrue, then obviously the Minister will not consent to the transaction.

Apart from the financial benefit from the increased rate revenue, it will happen, in some cases, that the council will be able to secure land for road widening as a result of the trust's purchase. The new clause provides that if a council borrows under the provisions of the clause it will not be necessary to give notice of the intention to borrow or to have a ratepayers' poll. I regard this as a must. When the trust buys land it finds it necessary to act quickly, and frequently it must pay straight away to do a deal. Many owners of small properties are not willing to give options. Then again, the publicity, if public notice had to be given by the council, would inevitably send up prices and perhaps make the proposition uneconomic. I am of opinion that without this power to borrow as provided by the clause, the clause would be of little value to the trust.

I shall interpolate here to emphasize again that the letter is written by the Chairman of the Housing Trust, Mr. Cartledge, who is known as the architect of the Local Government Act. In addition to this he has had long experience as an operator in land purchase and development. I believe that the Committee can accept with some confidence Mr. Cartledge's assurance in the paragraph I have just read. The report continues:

The council can only contribute if the Minister is satisfied that the proposal will be financially profitable to the council and this should be sufficient safeguard for the ratepayers. In most parts of the world it has been found that an authority redeveloping run-down areas needs a subsidy. This new clause will enable the trust to receive such a subsidy which could make all the difference to the trust proceeding with a particular project. However, I would point out that, whereas the council's contribution is limited to a maximum of £35,000, the cost to the trust of a relatively small block of flats would be in the order of £250,000 and that if the full subsidy of £35,000 were paid, the trust's commitment would probably exceed £500,000.

I think that that report gives cogent reasons for the acceptance of the clause.

Mr. FRANK WALSH (Leader of the Opposition): I ask the Minister to adjourn further discussion of this matter. This is another Bill that has come before us late in the session. A similar provision was introduced in another place. It contained certain references about consideration by the Walkerville Council and that the council had indicated that it was prepared to go to the extent of £27,000 and would not need to borrow this money until such time as the trust commenced building. The council probably thought that the trust would build flats worth about £750,000. I do not know what other councils in the metropolitan area are concerned, but if one council can make an approach such as this to the Government then I think that the same position should apply to all councils. This matter should be referred back to the Municipal Association and that association should make the decision. I am not disputing Mr. Cartledge as the authority for drafting this proposal but I do dispute the fact that this measure has been introduced so late in the session. The Housing Improvement Act of 1940 provides all the safeguards that are necessary and I cannot understand why these amendments are necessary. Why try to duplicate something that is already on the Statute Book? Unfortunately, no attempt has been made by the present Government to carry out the provisions contained in the Act of 1940. These amendments do not have the protections and safeguards that were included in the Housing Improvement Act nor those suggested by a deputation that waited on me and my colleagues. If any emergency arises it is provided for in the 1940 Statute. I ask the Minister to adjourn the discussion so that members may be able to examine the matter more thoroughly. Local government authorities should be given the opportunity to consider the provision before it is implemented. If the Minister is not prepared to adjourn the matter, I shall oppose the clause entirely.

The Hon. G. G. PEARSON: I regret that I cannot bow to the Leader's request and adjourn this matter, for his reasons are not valid. This Bill was introduced in another place on September 29 and, as the Leader himself admitted,

it contained a provision similar to the one I am asking the Committee to accept. There has been much discussion of this provision in Parliamentary and local government circles for a long time and, indeed, this provision is urgently required by a certain council. To suggest that the matter be adjourned until another Parliament can deal with it would have the effect of negating the provision, for which the council concerned and the Housing Trust are not prepared. I am not prepared to defer this matter and I now ask the Committee to accept the clause.

Mr. DUNSTAN: This matter, or one similar to it, was before the Legislative Council some time ago, in its present form. This Party believes we should redevelop certain suburban areas, but we do not believe it wise to saddle local government with part of the basic redevelopment cost in a way that might place a burden on existing ratepayers. We believe that the proper procedure is under the Housing Improvement Act. This Party has often urged the Government to use that Act more extensively for this purpose. We believe that it is vital that inner suburban redevelopment take place, but we were not happy that there was to be under this proposal a burden on the existing ratepayers of the council, and in consequence members in another place were not disposed to accept this proposal.

Now, Sir, when it had been rejected in another place the Party received a deputation from members of local government. One member of that deputation, a prominent member of the Walkerville corporation, was able to explain to us that the proposal of the council was not precisely in accord with the provisions of the clause. The proposal of the council was that a financial device be used by which the Housing Trust might be able to get additional capital finance which it could not get under the Commonwealth-State Housing Agreement, that is, capital beyond that at the moment available for the Housing Trust and taken up in its present proposals would be made available to the trust, and it could be made available so that there would be no burden on existing ratepayers. The device was this: that the loan raised by the council would be of such a size that it could be repaid entirely within a reasonable period (and the suggestion was 15 years) from the increase in rate revenue from the development project itself, and that therefore the council would be faced with no difficulties regarding its existing ratepayers: they would be in no way disadvantaged and no possible burden could arise to them. For that purpose three safeguards were suggested by the members of the deputation: first, a limitation on the proportion of contribution by the council; secondly, that the amount should not be borrowed until such time as the Housing Trust's foundations were down; and thirdly, that the scheme must be such that the increase in rate revenue would repay the whole amount of the principal and interest on the loan within a reasonable period.

Now, Sir, when that had been discussed with members of my Party and certain additional safeguards which our Party considered should be in any such proposal as this were discussed with the members of the deputation, they said they must do more homework on this and come back with a proposition acceptable to all parties. They agreed that additional safeguards should be provided. The next thing we heard was a suggestion that the Minister was prepared to reintroduce the provision in this Bill if we would undertake to support it. Well, we said, "Let us see what the proposition is and let us discuss it if a further proposition is to come forward." We never saw a proposition until this thing appeared on members' files yesterday. We did not see the proposition that was to be introduced. We did not know whether it was what was referred to in the council or whether or not additional safeguards were needed. We then found ourselves in the position that we were not happy with the provision as it stood (we had made that perfectly clear originally) and we did not have time to thrash out in Party meetings a series of amendments that would provide the safeguards we required. Therefore, we were faced with an unhappy situation, because we would have liked to assist redevelopment of the inner suburban areas urgently. The member for Hindmarsh, the member for Unley and I are vitally concerned about any suburban redevelopment; we want to see it go ahead at the earliest possible opportunity. Our criticism of the town planning has been that there has been insufficient provision in it for high density inner suburban redevelopment. However, what is the position under this proposal at the moment? We have no guarantee that the sum to be provided in additional rate revenue will repay the whole of the loan within any set period and that no burden will fall on ratepayers outside the scheme. We have a discretion by the Minister, but it is a discretion that could be exercised so that there would be some burden on ratepayers outside the redeveloped area. Although the sum to be borrowed is limited, that limit

is £35,000 a year. If this were a three-year project that could amount to a considerable sum to be borrowed.

Without the guarantee that there is to be no additional burden on ratepayers outside the redeveloped area, the Labor Party would be unhappy with the proposal that other ratepayers could not demand a poll. We are also unhappy with the suggestion that this could be used for entirely new development. We believe that if this provision is to be used, it must be confined to inner suburban redevelopment, because sufficient rate revenue cannot be provided to repay these moneys in an entirely new area. Such problems faced the Labor Party. We made it perfectly clear in our original approach that if we could be shown a provision, we would be willing to try to work something out. However, we were not, and we were not shown what was to be introduced in Committee until yesterday. Under those circumstances we are not happy with the clause as it stands and we have been unable to work out redrafting of the clause to cover all the contingencies wanted by members of the Party and we cannot support the clause.

Mr. LAUCKE: I am sorry to hear the remarks of the Leader and of the member for Norwood about the clause. I regard it as desirable. It is providing a facility for councils if they desire to do certain things in co-operation with the Housing Trust to improve housing within their municipal areas. The member for Norwood says that he does not like to see local government saddled with responsibility, liabilities, and so on, but this is not a saddling operation: it accedes to a request by councils for permission to do certain things.

Mr. Shannon: And profitable things from their point of view.

Mr. LAUCKE: If a worn-out or an undesirable area could be rebuilt, this would undoubtedly increase rate revenue. Although the servicing of loan moneys for some years can present a problem to the council before it receives its income from the benefits accruing from improved structures on a given area, I do not doubt that in the long run the interests of the councils entering into this type of activity will be well served. I do not suggest that rates would be lowered throughout the council area because of redeveloping, but rates could well be held without increase over the whole municipal area.

Mr. RICHES: I am disappointed that the Minister will not accede to the reasonable request by the Leader. The Housing Improvement Act, introduced following an investigation into housing conditions in the metropolitan area, provides machinery to do everything desired to be done under this clause. Why has the Government not implemented the provisions of that Act? Initiative under the Housing Improvement Act can be taken by local councils, which can declare a house unfit for habitation, and which can proceed under that legislation. Is the reason for not implementing the Housing Improvement Act the Housing Trust's lack of funds? Why could not the money used by the Housing Trust to build factories at Elizabeth be used to implement the provisions of the Housing Improvement Act? Once this clause becomes law we shall never see any work undertaken pursuant to the Housing Improvement Act.

Mr. COUMBE: I support the measure. I am disapponted at some of the opposition that has been expressed to it, as it has been requested and promoted by local councils. I understand the member for Stuart (Mr. Riches) has been a very prominent member of local government for years, that he was a delegate to the Local Government Association, and that he has done much to promote the interests of local government work in this State. I also understand that the Municipal Association has asked that this clause be introduced. I believe the clause will be of great advantage to local government. In my view, it does not in any way deleteriously affect the future operation of the Housing Improvement Act, which sets out specifically what can be done to improve certain areas. The clause is confined deliberately and expressly to the metropolitan area, for it is in the inner suburbs of the metropolitan area that redevelopment is most needed. Any scheme under this provision must be approved by the appropriate Minister. No council will recommend an unprofitable scheme that will not benefit the ratepayers. This clause will enable houses and flats to be built for letting at economic rentals to people who might not benefit from action taken under the Housing Improvement Act. I am surprised and disappointed that the Labor Party will not support this provision, because I understood it was its espoused policy. The rental for this type of house will be much cheaper than that provided for comparable houses built under other schemes. The member for Adelaide represents those people, and he is a Labor man. I am a Liberal member representing many workers of this State. The Government Party is a friend of

the worker in providing cheap rental houses, and I will be interested to hear what the Labor Party says early next year when asked why it opposed a scheme to provide cheap houses. I believe those opposing this Bill are doing a disservice to metropolitan councils who have asked for it. These councils consist of duly elected representatives of the ratepayers, and those who oppose this Bill are also doing a disservice to many people who want houses today.

Mr. HUTCHENS: I oppose the amendment. I am as interested as any member in redevelopment. I do not doubt that the councils that asked for a clause to be added to the Act to assist them in housing are interested in redeveloping areas. Representatives waited on members of the Opposition to explain their problems. They did not ask for the re-introduction of the clause as it was but wanted proper safeguards, and we would have agreed to such a measure. I support a proper redevelopment scheme under the Housing Improvement Act with the co-operation of local government, State Government and the Commonwealth Government.

[*Midnight.*]

Private enterprise has been carrying out redevelopment most unsatisfactorily, on small allotments and extending right to the boundary limit. The Housing Improvement Act more than adequately provides for redevelopment for high-density living. The Leader has made a reasonable request that this clause be withdrawn. We must have co-operation from local government, but this can be achieved only if both sides are able to write in a proper clause that will tie in with the Housing Improvement Act. Only then will we be able to put an unanswerable case to the Commonwealth Government for proper assistance. If the Commonwealth Government made money available to the State Government and to local government at a reasonable rate to enable them to embark on a proper policy of redevelopment, it would save money in the long run. This clause does not provide the safeguards at all. The provision we requested was that councils should contribute a certain percentage. I think our requests are reasonable and that the safeguards we suggest should be included.

I maintain that it is unfair to bring in such a clause that it is almost impossible to amend satisfactorily. It is ridiculous to suggest that it will provide for reasonable rents. An Act that has been in existence for 24 years would have done these things if it had been used. I am convinced that this clause has been introduced merely to nullify the provisions of the Housing Improvement Act.

The Committee divided on new clause 7a:

Ayes (18).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, Sir Baden Pattinson, Mr. Pearson (teller), Sir Thomas Playford, Messrs. Quirke, and Shannon, Mrs. Steele, and Mr. Stott.

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

Pair.—Aye—Mr. Nankivell. No—Mr. Hughes.

The CHAIRMAN: There are 18 Ayes and 18 Noes. There being an equality of votes, I give my vote in favour of the Ayes. The question therefore passes in the affirmative.

New clause thus inserted.

Clause 10—"Grant to council of City of Adelaide."

The Hon. G. G. PEARSON moved:

That clause 10 (in erased type) be inserted.

Clause inserted.

Title passed.

Bill read a third time and passed.

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

## NURSES REGISTRATION ACT AMENDMENT BILL (AGES).

Adjourned debate on second reading.

(Continued from October 21. Page 1558.)

Mr. CORCORAN (Millicent): I support the Bill. In his second reading explanation the Minister said that it was a simple Bill designed merely to reduce the age by one year at which a person could register as a nurse and from 21 years to 20 years of age in the case of a midwife. I can see no objection to this legislation. Clause 3 makes consequential amendments and removes the provisional registration that could apply to persons under 21 years of age. I was concerned whether the sections repealed might still be necessary, although the age by which girls could register had been reduced by one year, but I find that they are not. The legislation is in line with that in other States except New South Wales, where the introduction of similar legislation is contemplated.

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

## STATUTES AMENDMENT (LOCAL COURTS AND WORKMEN'S LIENS) BILL.

In Committee.

(Continued from October 8. Page 1370.)

Clause 5—"Amendment of principal Act, section 216."

Mr. DUNSTAN: The question that I raised with the Minister has been resolved. The necessary amendments had already been made in the Legislative Council, the point having been taken there.

Clause passed.

Remaining clauses (6 to 9) and title passed.

Bill read a third time and passed.

## ROAD TRAFFIC ACT AMENDMENT BILL (GENERAL).

Consideration in Committee of the Legislative Council's amendment:

Page 4. Line 31 (clause 17)—Leave out "Paragraphs (*b*) and" and insert "Paragraph".

The Hon. G. G. PEARSON (Minister of Works): This is a purely consequential amendment; the word "paragraphs" is merely to be made singular.

Amendment agreed to.

## STATUTES AMENDMENT (ORIENTAL FRUIT MOTH CONTROL, RED SCALE CONTROL AND SAN JOSE SCALE CONTROL) BILL.

Returned from the Legislative Council with the following amendments:

Page 2. Line 2. After clause 2 insert a new clause as follows:

2a. Section 3 of the principal Act is amended by inserting after the definition of "host tree" therein the following definition:

"keeper", in relation to an orchard, means a person who carries on the business of an orchardist thereon.

Page 3. Line 45. After clause 7 insert a new clause as follows:

7a. Section 3 of the principal Act is amended by inserting after the definition of "host tree" therein the following definition:

"keeper", in relation to an orchard, means a person who carries on the business of an orchardist thereon.

Page 6. Line 8. After clause 12 insert a new clause as follows:

12a. Section 3 of the principal Act is amended by inserting after the definition of "host tree" therein the following definition:

"keeper", in relation to an orchard, means a person who carries on the business of an orchardist thereon.

Consideration in Committee.

The Hon. D. N. BROOKMAN (Minister of Agriculture): These three amendments made by the Legislative Council insert three new clauses dealing with the definition of "keeper". It has been found necessary to define this term. The definition will make it clear that a keeper of an orchard is a person who carries on business as an orchardist on an orchard. Therefore, I ask that the amendments be agreed to.

Amendments agreed to.

## CONSTITUTION ACT AMENDMENT BILL (MINISTERS).

Adjourned debate on second reading.

(Continued from August 26. Page 631.)

The Hon. G. G. PEARSON (Minister of Works): I have been waiting a long time for the opportunity to address myself to this Bill which is not one to be considered lightly. Although certainly this is the place, I believe that this is not the time for a lengthy discourse on this matter, important though it be, and I will content myself with two or three remarks on it. Members of the Opposition have expressed themselves completely on this matter on a number of occasions. I believe that it is, in fact, a disservice to this State that the Government should not have been permitted by the Opposition to add to its strength in Cabinet for the purposes outlined in this Bill. Therefore, with considerable regret that the Opposition has not seen fit to co-operate in this matter and with some regret that the pertinent remarks that I was prepared to make on it will not now be made, I content myself with supporting the measure and again, at this late stage, asking the Opposition to assist in this matter. It would not be too late. Of course, if the Opposition again declines to co-operate in this matter, the Government will have to battle along until the next election, after which I have no doubt that it will be able to remedy this defect. Therefore, it is a matter of only about three or four months to wait until the matter can be remedied. In the meantime, the Government will carry on with its extremely efficient administration.

*The question "That this Bill be now read a second time" having been put:*

The SPEAKER: The Ayes have it.

Mr. FRANK WALSH: Divide.

The SPEAKER: Before a vote is taken I wish to make some observations concerning the nature of the Constitution Act Amendment Bill. Some time ago, publicity was given to

the Speaker's ruling on this Bill. The Speaker's ruling, particularly on a Constitution Act Amendment Bill, is very important because it becomes a precedent. This Bill aims to increase the maximum number of Ministers from eight to nine, and provides that not more than six (instead of the present five) shall at one time be members of the House of Assembly. Section 8 of the Constitution Act provides:

> 8. The Parliament may, from time to time, by any Act, repeal, alter, or vary all or any of the provisions of this Act, and substitute others in lieu thereof: Provided that—
>
> (*a*) it shall not be lawful to present to the Governor, for Her Majesty's assent, any Bill by which an alteration in the constitution of the Legislative Council or House of Assembly is made, unless the second and third readings of that Bill have been passed with the concurrence of an absolute majority of the whole number of members of the Legislative Council and of the House of Assembly respectively:
>
> (*b*) every such Bill which has been so passed shall be reserved for the signification of Her Majesty's pleasure thereon.

The question has been raised whether the Constitution Act Amendment Bill at present before the House is a Bill which in terms of the above quoted section 8 makes an alteration in the Constitution of the Legislative Council or House of Assembly.

It behoves me, as Speaker, to proceed with circumspection in deciding whether any Bill is a Bill to alter the Constitution of either House within the meaning of section 8 of the Constitution Act. I consider that if there is any element of doubt in my mind I should err in favour of deciding that the present Bill is a Bill to alter the Constitution of the House of Assembly, because to decide otherwise in the face of such doubt could mean a challenge in the courts and a possible invalidation of the Act, with the serious consequences such invalidation would entail. A comparatively recent example of a court challenge in relation to a Bill of a constitutional nature is afforded by proceedings in the Supreme Court of Victoria in 1953—Actions 1953—Nos. 553 and 554. Therein the plaintiffs sought a declaration from the court that it was unlawful and contrary to the Constitution Act for the Clerk of Parliaments to present to the Governor for assent the Electoral Districts Bill, 1953, as it had not passed in the Parliament of Victoria with the requisite absolute majorities. The actions failed, but they demonstrate that a court challenge is more than an academic possibility.

In our own Constitution Act, no express definiton of the Constitution of either House of Parliament is given, and to my knowledge, section 8 has not been the subject of judicial interpretation. For my part I do not intend to assay a legal interpretation of what is meant by the Constitution of the House of Assembly in section 8 of the Constitution Act. However, section 8 is designed to regulate certain proceedings within Parliament, and accordingly, I have resorted to a Crown Law opinion on the construction of this section, previously given to and acted on by the House, and I have also had recourse to precedents of the House when similar Bills to alter the number of Ministers have been before Parliament. A joint opinion of the then Attorney-General and the Crown Solicitor on the interpretation of section 8 (previously section 34) of the Constitution Act is given at length in Parliamentary Paper No. 112 of 1860. These Crown Law officers pointed out that in determining the true construction of this section, they were guided by the authority of eminent men who had written respecting the exposition of Statutes. These Crown Law officers gave it as their opinion that the Constitution Act appeared to have been framed for but one purpose—the Constitution of a Parliament for South Australia. "Such being the object of those who passed the Act, each clause of it should be taken to contain some specific provision relating to the Constitution of such Parliament."

It would be presumptuous of me to attempt to evaluate the merit of that opinion except to say that it served to guide the House in 1860, only four years after the Constitution Act (including section 8) was enacted, but I do suggest that it is authoritative enough to justify an attitude of caution on the part of any Speaker in deciding what the Constitution of the House means in the context of the Constitution Act. How has the House regarded the six previous Bills that were similar in nature to the present Bill? Bills to alter the Constitution Act to provide solely for additional Ministers to be appointed were introduced in the House of Assembly in the years 1919, 1924, 1926 and 1930, and in each case the second and third readings thereof were passed with the concurrence of an absolute majority and were defeated in the Legislative Council.

In addition to these four unsuccessful Bills, there have been two Bills which have dealt exclusively with the subject of additional Ministers of the Crown, and which have become

law. In 1873 the second and third readings of the Constitution Act Amendment Bill to provide for an additional Minister were passed by absolute majorities in both Houses and the Bill was reserved for Her Majesty's assent. The Bill became Act No. 5 of 1873. (Incidentally, the Speaker of the day was Sir George Strickland Kingston, one of the framers of the original Constitution, and the House of Assembly's first Speaker). Eighty years later —in 1953—a Bill to alter the Constitution Act to increase the number of Ministers from six to eight was introduced by the present Government in the House of Assembly. The second and third readings of this Bill were passed with the concurrence of an absolute majority in both the House of Assembly and the Legislative Council, and the Bill was reserved for Her Majesty's assent. Therefore, both Houses of Parliament as recently as 1953 considered that a Bill to increase the size of the Ministry was a Bill which required to be passed by an absolute majority in both Houses. The Bill was reserved for Her Majesty's assent, it appears, solely in pursuance of the requirements of section 8 of the Constitution Act, and presumably on the advice of the Crown Law officers.

In the absence of any statutory, judicial or other authoritative definition of the words "the constitution of the Legislative Council or House of Assembly" used in section 8 of the Constitution Act, I consider there is no warrant for me to depart from the uniformly consistent precedents of the House cited above. I am therefore of opinion that the Constitution Act Amendment Bill at present before the House requires to be passed by an absolute majority at the second and third readings. In addition to that I should be careful to observe the experience of men with greater knowledge than my knowledge of constitutional matters. If any member of this House dares to attack the opinion of the Speaker on these matters in future, let him be warned that I have had the best advice.

The House divided on the second reading:

Ayes (19).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Harding, Heaslip, Laucke, McAnaney, Millhouse, and Nankivell, Sir Baden Pattinson, Mr. Pearson, Sir Thomas Playford (teller), Messrs. Quirke and Shannon, Mrs. Steele, and Mr. Teusner.

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

Majority of 1 for the Ayes.

Second reading thus carried.

The SPEAKER: There are 19 Ayes and 18 Noes. There not being an absolute majority of the whole number of the House, and voting being in favour of the Bill, which is a constitutional Bill, the Bill cannot be proceeded with any further. It therefore lapses.

## PROROGATION SPEECHES.

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

That the House at its rising do adjourn until Tuesday, November 24, at 2 p.m.

In so moving, may I at the outset say to you, Mr. Speaker, on behalf of members of the House, that we greatly appreciate the manner in which you have carried out your duties as Speaker and the dignity you have given to the Chair in such an evenly divided House. It is not easy for anyone to conduct the affairs of the Parliament in such circumstances, but the proceedings during this session have resulted in much useful and sound legislation. This is the last session of this Parliament and the last meeting of the House before the State elections. I express to members opposite and to my colleagues on this side of the House my thanks for the assistance they have given in expediting matters. I realize that we have not always agreed with members opposite, but I realize that we on this side have mostly been right. Nevertheless, I think members opposite will agree that the Government has not hesitated to accept amendments and to accept assistance from the Opposition. Although we did not accept all the Opposition's amendments we accepted many of them.

Our Chairman of Committees (Hon. B. H. Teusner) is about to leave shortly to represent this Parliament overseas. I know I can speak for all members when I say to Mr. Teusner that we wish him God speed on that trip, which we hope will be enjoyable and beneficial. We know he will represent this Parliament with dignity, and I believe that as a result of his visit he will bring home to South Australia many ideas that will be useful here.

This Parliament has been very fortunate in the last few months in that we have had the benefit of what I believe to be the first reciprocal visit of an officer of the House of Commons to an Australian Parliament. I am not sure whether we have impressed him with the quality of our debates or our procedure, but, even if

we have not, I assure him that we have been delighted to have him here, and we hope that he has been pleased to be here. I can tell Mr. Taylor that there is in Australia a great affection for and admiration of the Old Country, and one of the main things that inspires that affection is our link with the Mother of Parliaments, of which Mr. Taylor is an officer. The British system of Parliamentary Government has been evolved by the British people and copied by peoples of other countries, I believe not very successfully in many instances. I do not think the system has been understood in some instances. However, I believe that that system of Government, with all its faults and all its procrastinations, and with what sometimes appears to be red tape, provides the fairest form of government ever devised.

Mr. Lawn: They have one vote one value, too.

The Hon. Sir THOMAS PLAYFORD: Of course, there are difficulties associated with Parliamentary Government, but I believe that it does something that no other form of Government can do. We hear, particularly from America, that democracy is government of the people, for the people, by the people, but I have always felt that we have something that we can add to that, namely, the words "with due regard to the rights of minorities." After all, I know that the member for Adelaide will agree with me on this—

Mr. Lawn: I do with the last part.

The Hon. Sir THOMAS PLAYFORD: I can see that with a little more persuasion I shall have the honourable member sitting alongside me. I believe that Parliamentary Government is not the blind exercise of a majority vote. Unless there is a regard for the rights and privileges of the minorities, we do not live up to the tradition of the House of Commons. At a critical time in the history of the Commonwealth, when we were not doing well in the First World War and when the House of Commons might well have been seriously engaged on a debate on that subject, that House debated a motion involving the individual liberties of a person. That is a tradition that we have to try to live up to in this Parliament. We express the hope that the visit of Mr. Taylor will not be the last visit we will have from oversea officers and we greatly appreciate the fact that our officers have been allowed to attend and see the procedure and practice of the House of Commons.

We have learned over many years to expect a very high standard of reporting from *Hansard*. The *Hansard* reporters make our speeches read much better than they sound and that is something for which I believe every member is thankful. I express to the ladies and gentlemen of the *Hansard* staff our thanks for the expeditious, efficient and accurate way in which the proceedings are recorded. I express appreciation to our domestic and library staffs and to our messengers. They are courteous and efficient and give members every assistance. I also thank the Clerks of the House and the Parliamentary Draftsman. Every member has to rely on their assistance and advice and I am sure that all members will agree that they never hesitate to give fair advice to all members and give the greatest assistance possible. We thank them for their help.

I have been privileged to be a member of the Ministry for many years and I wish to thank the members of the Ministry for the great assistance they have given me, for the tremendous amount of work they have done, and for the way they have applied themselves to their portfolios. I believe that in South Australia, and in other States, Parliaments have a fine record of honesty and integrity in administration. Thinking back, I cannot remember any scandal concerning the conduct of public affairs in South Australia and I believe that the other States have equally good records. I was pleased to see tonight the ready acceptance of a provision that a Minister's written consent would be needed before the launching of a prosecution. The ready acceptance of that provision by members opposite and by Government members showed that they believed that the Act would be administered with integrity. Before we meet again we shall have had an election, and I assure members that after the election I shall be pleased to stand in my place and welcome them back.

Mr. FRANK WALSH (Leader of the Opposition): Mr. Speaker, I join the Premier in the vote of appreciation to you and others he has mentioned. To you, Sir, we say, "Thank you." We agree that with the closeness of numbers in Parliament one could have expected some heat to be engendered at times, but at least the session ends with a clear record that no member of Parliament had to be suspended. Whether we have behaved well enough or whether you, Sir, have treated us too tolerantly, we thank you. I join with the Premier and other members in thanking the Chairman of Committees and wish him a pleasant time during his coming trip. I believe that his visit will prove valuable to him and beneficial to the organization he represents at the conference.

I join the Premier in his remarks about Mr. Taylor. No doubt he appreciates that he has been absent from his normal duties for a few weeks and that, when he returns to Britain, he may find an entirely different atmosphere. I hope that will be to his advantage. I endorse the sentiments expressed by the Premier about the *Hansard* staff. There seems to have been an improvement in the return of *Hansard* proofs to members this session. I compliment the Government Printer on the organization of his department and especially thank Mr. Merrett who, I understand, is the gentleman in charge of the dispatch of the *Hansard* proofs, and his efficient colleagues in the Government Printing Office. The printing staff have performed well in the interests of all members. I refer to the Government staff outside Parliament, including the Parliamentary Draftsman and his staff, and to a splendid job well done. I cannot fail to refer to my staff, my secretary (Mr. Hourigan) and stenographer (Miss Nalty). I can truthfully claim that the work they have performed has been most beneficial in the interests of Parliament. Without their assistance I am sure that we should have often been delayed. I commend the staff who have assisted honourable members generally by typing their letters, as well as by helping in other ways. We cannot forget, of course, the services of the catering staff which has survived a major change extremely well and which has been under the direction of the new manageress.

I regret that it has been necessary to hold three by-elections during the life of this Parliament, and now we are to part company with two members of this House, namely, the member for Victoria (Mr. Harding) and my namesake, the member for West Torrens (Mr. Fred Walsh). From the Legislative Council three members will also be retiring, one of whom is a member of my Party who has been in ill health for several weeks. I wish them well. I regret that my colleague the member for Wallaroo (Mr. Hughes), whilst he has made some progress, continues to suffer ill health, and I think it will be some time before he has fully recuperated. I now join with the Premier in congratulating all those who have generally assisted in the smooth working of this Parliament.

The Hon. G. G. PEARSON (Minister of Works): I am grateful to the Leader of the Opposition for mentioning the retirement of honourable members. We on this side join with him in his expressions of appreciation to those members for their services, and we also regret the passing of another honourable member. We wish retiring members well. The Premier has asked me to say that, as these members will be members for some time yet, it would be appropriate if, later, both Houses could join to hold a function in their honour.

Mr. Frank Walsh: We will.

Mr. SHANNON (Onkaparinga): It is not usual for private members to speak at this stage, but the retirement of a member of the Public Works Committee compels me to do so. I refer, of course, to the member for West Torrens (Mr. Fred Walsh), who is the second most senior member in length of service on that committee. He is one of the most assiduous and conscientious men with whom one could hope to work, and I pay him a tribute for all that he has done. I have had the pleasure of working with Mr. Fred Walsh now for many years and, indeed, he is one of the men whom, I am pleased to say, I can always trust. That is most important when people are working together. In our discussions and consideration of projects submitted to the committee I have never had any doubt about where Mr. Walsh stood, and that is a great advantage to any committee that is trying to do the best it can for the State. Therefore, I think this is an occasion when I might be permitted to pay this tribute to a retiring colleague. I do not want to embarrass the honourable member, but I should like this Parliament to do as the Minister of Works has suggested and indicate our goodwill to these retiring members. It is strange that I should have to mention especially one of my colleagues from the other side of the House, but it so happens that I have had much more to do with him than with some other members, and my associations with him have made me appreciate his merits, his worth, and his real value as a member of Parliament. As Chairman of the Public Works Committee, I say that if I can have another Fred Walsh I shall be delighted.

Mr. LAWN (Adelaide): Although I do not support the Premier's remarks that next year he will be back in the same place as he is tonight, I support most of the remarks of previous speakers. The remarks of the member for Onkaparinga about Mr. Fred Walsh were fully justified. I have known Mr. Walsh for nearly 40 years. He has given a lifetime of service to the Labor movement, industrial and political, and I am sorry that when the next Parliament meets we will meet without him. I say "we", hoping that I will still

be here, and I think I will be. Certainly I am not afraid of being defeated by a Government candidate.

To all retiring members, I say that I hope they have a long life and that they enjoy the best of health and happiness. In fact, I wish them the same as I would wish myself. One reason that prompted me to rise this evening (the first time I have ever risen on prorogation) was the Premier's reference to the reciprocal arrangement whereby our Clerk (Mr. Combe) visited the House of Commons last year and whereby, at present, a Senior Clerk of the House of Commons (Mr. Taylor) is visiting our Parliament. I sincerely believe that next year my Party will occupy the benches on the other side, so I take this opportunity before the expiration of this Parliament to make another suggestion. I remind members that I have suggested at least twice previously that the Government of South Australia, irrespective of which Party forms it, should follow the practice followed by all other Parliaments in Australia, except the Queensland and Western Australian Parliaments, of sending delegations overseas. The Commonwealth Parliament sends more than one delegation overseas each year. The New South Wales, Tasmanian and Victorian Parliaments send delegations of members overseas every year. Of course, the same members do not go with all delegations because the object is to give members oversea experience that will benefit the State. I congratulate the member for Angas on his good fortune in being able to visit another Commonwealth country and I wish him the very best. I hope that his visit will be educational and that when he returns to South Australia he will be able to give us, on occasion, some benefits as a result of his trip. The member for West Torrens, who will leave the Parliament at the end of this session, has probably made more visits overseas to various countries than has any other member. Members should be sent overseas every year to gain experience, because that would benefit South Australia. I believe that more can be gained by sending members away than by sending only the Clerks of the Parliament. I wish all my colleagues well in the election in March and I hope that they will all return next year and that a couple of others will join them. I hope that we will occupy the Government benches. I wish each Government member all the best health and happiness for his future, but I hope that at the next election there will be a least a couple of casualties.

The Hon. P. H. QUIRKE (Minister of Lands): In 1941 I came into this House and few members who were here then are left now. I pay a tribute to the member for West Torrens, with whom I have been associated in the same industry. Although he represented ostensibly the employees and I the management, we both represented the whole industry. Fred Walsh has enjoyed unique recognition, as he has been the representative of the employees in that industry and has had their complete allegiance. Further, the management of that industry has had 100 per cent confidence in him. In industrial relations no greater tribute than that can be paid to any man. If there were one, I would pay it to Fred Walsh. He has kept the peace in industry and a peace in which everyone was pleased to participate. The other retiring member, Les Harding, has been, since I have been a Minister, what one might call a "mixed blessing". I can say that, quiet as he may appear here, he is a man of absolute tenacity of purpose, and I am the victim. He has been tenacious in the interests of the people he represents. That is his purpose in this place and, because it is, he has upheld that purpose faithfully and has followed it and represented the people who put him here. At this stage I concede the palm to him, because if there is anyone who, by insistent persistence, could wear away stone, it is Les Harding. He is remarkable in his own capacity for getting things done, and I know the people in his district will recognize that. Although he is retiring, he does so with full honours. Two members are retiring, one from the Opposition and one from the Government side. I am certain and am proud to subscribe to the qualities of both of them. They both retire knowing full well that the people of their districts fully recognize the qualities that have enabled them to represent those people so well for so long.

The SPEAKER: I support the remarks of the Premier, the Leader of the Opposition, the members for Onkaparinga and Adelaide, and the Minister of Lands. We have been honoured this session by the presence in our midst of a distinguished member of the House of Commons staff, Mr. John Taylor. We in South Australia are privileged to have the first exchange of officers between the House of Commons and Commonwealth Parliaments. Nothing but good can accrue from the operation of such exchange visits between the Parliaments of the Commonwealth. We in South Australia have been fortunate in receiving such a fine emissary and ambassador, and we trust that his sojourn amongst us has been interesting and beneficial.

Mr. Taylor has asked me to acknowledge his deep gratitude for the courtesies extended to him during his sojourn in South Australia.

To the Chairman of Committees I add my great appreciation for his wonderful help as Deputy Speaker and as Chairman of Committees. He has done a wonderful job in his quiet and efficient way, and I endorse every member's remarks in wishing him a great trip to Jamaica. I hope that, while there, he does not have to play cricket against a West Indian we all know, Garfield Sobers. I look forward to hearing his experiences on his return. As Chairman of the Joint House Committee, I pay a tribute to Mrs. Catton who has done a magnificent job in supervising the dining room and kitchen. This is not an easy task, and honourable members often do not know just what goes on behind the scenes, but Mrs. Catton has certainly lived up to expectations. I pay a tribute, too, to the messengers, both inside and outside the Chamber, who are always courteous and eager to help, and who carry out their duties with such dignity and decorum. The Parliamentary Library staff is most courteous and obliging and I endorse the remarks of previous speakers in paying my tribute to them.

The *Hansard* staff has done a marvellous job. Indeed, the Premier said that the *Hansard* reporters make our speeches read much better than they sound. I do not know just how they found my long dissertation on the Constitution Bill tonight, but we are assured of something that will read well. The Clerk and his assistant have done a wonderful job. Indeed, we are fortunate in having the services of Mr. Combe and Mr. Dodd, and honourable members realize just how beneficial to the House Mr. Combe's oversea trip has been. The Parliamentary Draftsman and his officers have been most courteous and obliging, despite their difficult task in drafting Bills and in incorporating the legal phraseology required. I endorse the remarks made regarding the member for West Torrens, whom I have known for many years, and whom I have always admired for his commonsense approach to problems. He is a great worker and has never let up in his loyalty to his Party. Young people who have the same cause as he has at heart would do well to emulate his example. The member for Victoria has played his part well too, for he is a tenacious person, who has always shown a great interest in matters concerning his district. This is shown by his frequent questions in the House covering a variety of subjects. This has been a tragic Parliament, for we have been shocked by the loss of several honourable members.

I believe that this Parliament is unique in its constitution. As Speaker, I have always tried to carry out the difficult task in presiding over such an evenly divided House, and I thank the Premier and the Leader of the Opposition for their kind remarks. I have always tried to maintain the dignity of the House, but I could not have done this without the co-operation of honourable members. I thank them for that co-operation. The fact that no member has been suspended during this Parliament is a record of which I am indeed proud. I wish the two retiring members the best of health and I hope that they will visit us on future occasions. It has been said that we should have a special function to pay a tribute to the members retiring from another place and from this House. This has already been taken care of by the Joint House Committee, which intends to arrange a special dinner for this purpose, and I hope to be able to make an announcement about that soon. I thank members once again for their eulogistic remarks.

Motion carried.

[*Sitting suspended from* 1.39 *to* 2.28 *a.m.*]

## PROROGATION.

At 2.28 a.m. on Friday, October 23, the House adjourned until Tuesday, November 24, at 2 p.m.

Honourable members rose in their places and sang the first verse of the National Anthem.