HOUSE OF ASSEMBLY

Thursday, December 2, 1965.

The SPEAKER (Hon. L. G. Riches) 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:

Harbors Act Amendment,

Housing Improvement Act Amendment,

Land Tax Act Amendment.

PETITIONS: TRANSPORT CONTROL.

Mr. NANKIVELL presented a petition signed by 74 electors residing in the Victoria and Albert Districts. It urged that no legislation to effect any further control, restriction or discrimination in the use of road transport be passed by the House of Assembly.

Received and read.

Mr. QUIRKE presented a petition signed by 818 electors residing in the Burra, Light, Gouger, and Rocky River Districts. It urged that no legislation to effect any further control, restriction or discrimination in the use of road transport be passed by the House of Assembly.

Received and read.

Mr. RODDA presented a petition signed by 65 electors residing in the Victoria District. It urged that no legislation to effect any further control, restriction or discrimination in the use of road transport be passed by the House of Assembly.

Received and read.

QUESTIONS

BREAD PRICE.

Mrs. STEELE: In view of the announcement that the price of wheat and flour is to be increased by 8d. a bushel, and that the price of bread is likely to be increased by 1d. a loaf, can the Premier confirm whether that is so, and explain the position concerning the increase in the price of bread?

The Hon. FRANK WALSH: I am obtaining a report from the Prices Commissioner on this matter, and I intend on Monday to ask Cabinet to consider the report (which I hope will be ready in time). That is the only information I can give at this stage. It would appear that an increase in the price of bread has been forecast, but by how much I do not know at this stage.

MOTOR VEHICLE REGISTRATION.

The Hon. T. C. STOTT: Some time ago I raised in the House the matter of difficulties arising in relation to the registration of motor vehicles. The Attorney-General will appreciate that, when a person applies to register a motor vehicle, he completes the necessary form and is allotted a number for the vehicle by the Registrar. However, the Registrar does not inspect the vehicle concerned or actually obtain proof that that person, in fact, owns a motor car. Recently at Loxton there has been a bad case of the registration of motor vehicles, involving fictitious hire-purchase agreements taken out on the motor cars concerned, showing the wrong ownership. A person can go to the Registrar, receive a certificate of registration, with the number stamped on it by the Registrar, go across the border, steal a motor car, and place the registration plates (the number having been issued by the South Australian Registrar of Motor Vehicles) on that vehicle, and it is difficult to trace. The present procedure for the registration of motor vehicles needs overhauling. Will the Attorney-General raise the matter with the Registrar to see whether it is not possible to introduce some provision whereby an inspection of vehicles is made and proof of ownership is established before the Registrar issues a certificate of registration?

The Hon. D. A. DUNSTAN: The Registrar of Motor Vehicles is not under my jurisdiction. Requests have been made by the trade and by the public for an improved method of registration to prevent fraud. After receiving the report of the Registrar that it was not practicable to adopt for motor vehicles a similar mode of registration as exists for lands, I had an investigation made and obtained a report from the Registrar-General, who agreed with the Registrar of Motor Vehicles on that score. However, we are having investigations made in other States in respect of their methods of registration to see whether something cannot be done in South Australia to tighten up on the type of transaction to which the honourable member has referred. At the moment we have not come up with any conclusion that shows a cheap and effective method of providing the protection the honourable member seeks. I hope we may have a better answer within a few months.

BERRI WORKS.

Mr. CURREN: Various works are projected in the Berri district by the Lands Department, namely, improvements to the Berri town

water supply, the piping on the headworks of the 120ft. channel, and the chlorination plant for the town water supplies of Monash and Glossop. Can the Minister of Irrigation obtain information on when these works will be proceeded with and on their expected completion dates?

The Hon. J. D. CORCORAN: As I have recently examined dockets on the first two proposals referred to by the honourable member, I know that it will not be long before decisions are made on them. I have not seen anything on the final matter to which the honourable member referred, but I will obtain a report on it and forward it to him as soon as possible.

BULK HANDLING.

Mr. FERGUSON: Has the Minister of Agriculture a reply to my question of November 9 about when the report of the Bulk Handling of Grain Committee would be presented to Parliament?

The Hon. G. A. BYWATERS: I spoke to the chairman of this committee and he informed me that the verbal evidence had been completed but that correspondence still coming in contained suggestions that the committee was examining. This work is expected to be completed within a day or two. However, because of the Christmas holidays it may be about two months before the committee can submit its report to me. As soon as I get the report I will present it to the House.

TEA TREE GULLY SCHOOL.

Mrs. BYRNE: I have received correspondence from the Tea Tree Gully Primary School Committee regarding a delay in the payment of school subsidies on application. Has the Minister of Education a report on this matter?

The Hon. R. R. LOVEDAY: On September 29 I announced in Parliament that a policy for ensuring that available subsidy funds were equitably allocated was being investigated. In order to conserve funds which are essential for the success of the proposed scheme, many applications were held. Yesterday I advised honourable members of the new proposals for dealing with subsidies which involved the allocation of amounts to schools on the basis stated. Arrangements are now under way to grant approvals for subsidies within this limit, and the Tea Tree Gully School Committee will be informed shortly.

EDUCATION REPORT.

Mr. COUMBE: The Minister of Education earlier this week released a report which dealt with the Martin Report on tertiary education and which had been prepared by the committee formed under the South Australian Institute of Colleges. Possibly the Minister is aware that the latest report created much interest because of its new outlook and the major steps that it recommends for technological education in South Australia. Has the Minister had an opportunity to thoroughly study the recommendations in that report, and can he say what is the next step in the implementation of the recommendations? I should also like to know whether this report will require legislative action next year, because many parents and students will require to plan ahead for 1967 or 1968 in respect of the courses that are recommended. Will the Minister consider this matter soon?

The Hon. R. R. LOVEDAY: I can only say that I have read the report and given it some consideration. The Government will now have to consider whether it will approve of the recommendations of the committee, and when Cabinet has made that decision the question of whether legislation is necessary will be examined. Also, the Commonwealth Government will have to be informed regarding the implementation of the Martin Report's recommendation in respect of tertiary education in this field.

RAIL STANDARDIZATION.

Mr. McKEE: Has the Premier a reply to a question I asked some time ago regarding railway gauge standardization between Port Pirie and Adelaide?

The Hon. FRANK WALSH: I have a reply on this matter, about which the Leader of the Opposition and the honourable member for Rocky River have also asked questions. A preliminary report has already been submitted by the South Australian Railways Commissioner to the Commonwealth Railways Commissioner on the provision of a standard gauge railway between Adelaide and Port Pirie. The Commonwealth Railways Commissioner is making his own investigations into this problem, and no doubt he will shortly be reporting to his Minister.

ANZAC HIGHWAY.

Mr. QUIRKE: I address this question to the Attorney-General, for I think he would be best able to deal with it. Adelaide is a very beautiful city, and its gardens and median

strips reflect great credit on the authorities responsible for them. The little box plantations in King William Street are some evidence of that. However, it is distressing to find that many people have a careless disregard of their civic duties in relation to their appreciation of such amenities. I draw attention particularly to the Anzac Highway, which I have occasion to use fairly regularly. That highway has a wide median strip with shady trees, and the people from adjacent factories are in the habit of having their lunch under those trees. Nobody wishes to stop that; in fact, I like to see those people there. These people come to have a mid-day meal at a place that is swept and garnished, and then leave it in a shocking condition. Their civic pride is conspicuous by its absence, and these conditions were noticeable recently. If it is within the province of the Attorney-General, I suggest that a public relations officer or a highly experienced officer of the Police Force, which does such a magnificent job in these matters, could give these people one or two talks after which the desecration of this amenity might be reduced. Then, perhaps after these people had had their lunch the median strip would look the same as it looked before they went there. Will the Attorney-General inquire whether something can be done in this matter?

The Hon. D. A. DUNSTAN: I do not know of any power under which anyone in my departments can take action about this, although I sympathize with the honourable member's point of view. In many oversea countries it would be considered a social enormity to litter public places as many Australians have a habit of doing. I shall take up the matter with the Minister of Local Government to see whether co-operation cannot be exercised between the Government and councils. If councils and the Police Department were to co-operate in enforcing by-laws with an occasional warning visit and a campaign by councils and the Government to induce people to be more tidy, this might achieve something desired by the honourable member.

EDUCATION FACILITIES.

Mr. CASEY: For several years I have been advocating to the previous Minister of Education the desirability of improving secondary education facilities at Hawker. Although this is the centre for a large district in the Far North, people are finding it increasingly difficult to obtain secondary education there. As I spoke recently to the Minister of Education about it and he promised to consider the matter, has he anything to report?

The Hon. R. R. LOVEDAY: The Government has decided to supplement the system of secondary education now provided in country districts in area schools by establishing secondary classes in a number of existing primary schools to be known as special rural schools. This proposal is a first step in giving effect to the Government's policy "of reviewing education in country centres to ensure that standards and facilities are on a par with those in the metropolitan area". Area schools provide education from grade 1 to Intermediate standard in 40 country centres where, for a number of reasons, it has not been considered practicable to establish a high school.

There is a need to provide facilities for secondary education in other areas which have not yet reached the stage where area schools can be established. In some of these, requests have been made for the establishment of an area school, or the need for more improved secondary facilities has been recognized. It has been decided that the following existing primary schools be made special rural schools as from the beginning of 1966, namely, Darke Peake, Hawker, Penneshaw, Poochera, Port Kenny, Ungarra and Wirrulla. The proposal essentially is that the position of headmaster of each of these schools be made "Special" and that appointments be made in accordance with the regulations governing other special provisions with the following advantages:

(*a*) The teacher appointed as head of the school would be younger than the general run of class 4 heads and would have an interest in and the ability to teach secondary as well as primary children.

(*b*) The head would work under the direction of the Superintendent of Rural Schools and have the advice of the Inspector of Area Schools and other secondary inspectors who visit area schools.

(*c*) There would be a tendency for more children to remain in the school for their secondary education rather than board away from home for this purpose or leave school altogether.

(*d*) The expected growth could result in the school becoming an area school when the numbers warranted it.

I should emphasize that it is not intended to provide full area school courses or facilities

in these schools while they remain special rural schools, but at the same time I believe that the measures outlined will result in a significant improvement in the provision of secondary education for children living in the districts served by these schools.

RADAR SETS.

Mr. MILLHOUSE: Has the Premier a reply to my question asked last Tuesday about the use of radar traps in this State, following the judgment by Mr. Badenoch, S.M.?

The Hon. FRANK WALSH: The Chief Secretary reports:

The judgment handed down by Mr. Badenoch, S.M., is being considered and relevant material collated prior to seeking the advice of the Crown Law Department as to whether an appeal should be lodged. In the meantime, the radar set has been withdrawn from use. The portable electronic traffic analyser (radar set) as used by the S.A. Police Force is the most up-to-date machine of its type for speed detection work, and we should be pleased to be informed of any more modern set available for this work.

AGINCOURT BORE SCHOOL.

The Hon. T. C. STOTT: Can the Minister of Education amplify his recent announcement regarding the reference concerning the Agincourt Bore school being submitted to the Public Works Committee?

The Hon. R. R. LOVEDAY: A report from the Director of the Public Buildings Department states that it is expected that sketch plans for the proposed new area school at Agincourt Bore will be completed in January next. An estimate of cost, which will take about two to three weeks to complete, will be prepared immediately after completion of these plans. Reference to the Public Works Committee is dependent on the estimated cost. As soon as this is known, the project will be referred to the Education Department for approval and for submission to the Government for reference to the Public Works Standing Committee if required.

WOODVILLE HIGH SCHOOL.

Mr. RYAN: Following the policy announced by the Minister of Education last Tuesday concerning the payment of school subsidies, has the Minister information about the application for a subsidy for the building of a new canteen at the Woodville High School.

The Hon. R. R. LOVEDAY: As I said in replying yesterday to a question on subsidies by the member for Barossa, a number of applications were held pending a decision on policy for the allocation of available funds. Now that this has been determined and announced, the Superintendent of High Schools intends to recommend approval for the application for subsidy lodged by the Woodville High School Council for the erection of a canteen. In view of the amount involved, this will have to be submitted to Cabinet for approval, but as soon as a decision has been made, the school council will be informed.

PARAFIELD GARDENS TRANSPORT.

Mr. HALL: I received a letter from the Secretary of the Parafield Gardens Progress Association in which I am asked to support a move made by the association, through the Minister of Transport, for the local transport operator to be allowed to operate beyond the 10-mile limit imposed by the Transport Control Board. Freedom of transport has been enjoyed within the 10-mile limit. I have pointed out to the association that, now that the Municipal Tramways Trust controls the area north of Adelaide to Elizabeth, the 10-mile limit no longer applies. However, as I wish to support the association's move, will the Premier take up with his colleague the matter of extending the local bus service at Parafield Gardens, and urge the Minister of Transport to allow this extension to be approved by the trust?

The Hon. FRANK WALSH: I point out that a Bill is now before the House concerning the Municipal Tramways Trust's intention to extend its service to Elizabeth, but I shall discuss the matter with my colleague and ascertain what can be done.

CATTLE VIRUS.

Mr. NANKIVELL: I was alarmed to read in this morning's *Advertiser* that an outbreak of blue tongue might occur in Queensland, there having been some indication that certain material had by-passed quarantine authorities as it was brought into Australia. Can the Minister of Agriculture say how this material was introduced into the country, and can he assure the House that the matter is being closely watched, so that there will be no possibility of a similar occurrence in South Australia?

The Hon. G. A. BYWATERS: Yes. Like the honourable member, I was concerned to read the article. I immediately took the matter up with my department, and asked it to furnish me with any possible further information. The department contacted the Queensland authorities this morning, and was informed that the occurrence was the result of a farmer, who had enjoyed a world tour, bringing back some semen on the cheap, to try to introduce a good

strain of stock. The material was brought into the country in a thermos flask, which was declared to the customs officials who were not told of its contents. Unfortunately for the gentleman concerned, but fortunately for Australia, the gentleman talked, and somebody pimped on him (as usually happens in such a case) and it was not long before the Queensland authorities and the Commonwealth quarantine authorities caught up with the man, and rightly so. I assure the honourable member that the position is being closely watched in South Australia, and that the Queensland authorities took immediate action as soon as the matter was discovered. The Army will spray the area to kill flies, and to prevent a spread of this virus, and the Queensland department is fairly confident that it will be presented with no difficulties. Because of the risk involved, the man's herd will be destroyed. Unfortunately for others in the vicinity they, too, will suffer in the same way and no cattle compensation is provided in Queensland. Naturally, the person to blame would not deserve any compensation, anyway. Indeed, if this had occurred in South Australia I would have seen that the person concerned was not compensated through our cattle compensation fund.

Mr. Quirke: He would have got adequate compensation!

The Hon. G. A. BYWATERS: Yes. Innocent people in Queensland may suffer financial embarrassment not only because of this matter but also because of the serious drought occurring there. This shows the folly of anyone trying to contravene our quarantine legislation, and I believe that such an occurrence should be widely publicized to ensure that it does not happen again. Knowledge of the damage that could have been caused should surely have deterred the person concerned (and anybody else with similar intentions). I assure the honourable member, too, that, like the New South Wales Minister of Agriculture, I am concerned about the possibility of the introduction of foot and mouth disease into Australia. A real threat exists in this regard, because of modern transport methods, particularly air transport. I am sure that this will be a hot subject at the next meeting of the Agricultural Council.

The Hon. G. G. PEARSON: The possibilities of the introduction of these exotic diseases are still real, and I think everyone must appreciate the problem it is to keep them out of the country. The Deputy Director of Agriculture (Mr. Marshall Irving) is well known for his zeal in advertising these problems and endeavouring to combat them. Co-operation with the customs authorities, both at the point where travellers enter the country and through the postal department is necessary. Can the Minister inform the House of the penalties for an infringement of the quarantine regulations, such as has obviously been deliberately committed by the person introducing this serum into Australia? Are those penalties sufficient to act as a deterrent? Not only the person to blame suffers but many innocent people associated with the industry must also suffer. Had there not been a slight outbreak of an unusual fever in the stock, the trouble would not have been discovered until the damage had become much more widespread. Will the Minister ascertain the penalties involved, and see that publicity is given to them?

The Hon. G. A. BYWATERS: I cannot offhand tell the honourable member the penalties, but I have been assured that they are strict. I shall ascertain the exact penalties and inform the honourable member by correspondence.

The Hon. G. G. Pearson: Or through the press?

The Hon. G. A. BYWATERS: Yes, that would be another avenue of publicity in respect of the danger of exotic diseases coming into the country, which danger cannot be stressed sufficiently.

PANITYA LAND.

Mr. BOCKELBERG: Has the Minister of Lands a reply to the question I asked last week concerning land in the hundred of Panitya?

The Hon. J. D. CORCORAN: As the honourable member asked his question in three parts I have the reply in that form. First, four blocks have been allotted, and two small areas have been used to augment existing small adjacent holdings. Secondly, one comparatively small section remains unallotted, and this will be allotted to a suitable applicant. Thirdly, no more land is available for allotment at present, but the Land Board is investigating other land.

SHEEP DRENCHES.

Mr. FREEBAIRN: Has the Minister of Agriculture a reply to my question of last week regarding sheep drenches?

The Hon. G. A. BYWATERS: All worm drenches for sale in South Australia must be registered under the Stock Medicines Act, 1939. The Stock Medicines Board checks the advertising claims as submitted by the applicant before

approving of registration. It has deferred approval on many occasions on the grounds that the claims made are misleading or extravagant, or not in accordance with the recommendations of the South Australian Agriculture Department. The control in South Australia over the claims made is stricter than appears to be the case for any other State. The board is bound to make its decisions in accordance with published scientific evidence, and although it may in some cases have personal doubts as to the merits of the claims made, it must adhere to a standard policy. Although the claims approved by the board may be satisfactory, on occasions advertisements appear which contain statements not acceptable to the board. This is due to the advertising personnel in another State preparing an advertisement for Australia-wide use, and then distributing it in all States without first checking with local representatives or the Stock Medicines Board as to its acceptability. When such cases come to the notice of the board, the firm concerned is written to and asked to show cause why the registration of the product should not be cancelled, as provided for in the Act. This action invariably draws an apology and assurance that the offence will not be repeated.

A considerable amount of investigation into the value of worm drenches and the importance of intestinal parasites has been undertaken by Mr. Banks of the Institute of Medical and Veterinary Science in co-operation with the veterinary staff of the Agriculture Department. These investigations show that while the worm drenches may be efficient in removing the parasites as claimed, there is considerable doubt as to whether the parasites were doing much harm to the sheep. All previous recommendations for the use of worm drenches have been based mainly on work done in New South Wales where different climatic conditions prevail. Local investigations have largely discounted the validity of much of the interstate work when applied to South Australia, and in consequence sheepowners are now advised not to drench their sheep unless a definite diagnosis has been obtained that intestinal parasites are in fact responsible for the loss of condition or deaths which may be occurring. Routine worm drenching is seldom an economic procedure in South Australia.

HUNDRED OF WOOLUMBOOL.

Mr. RODDA: Has the Minister of Lands a reply to my recent question concerning settlement in the hundred of Woolumbool?

The Hon. J. D. CORCORAN: In March, 1963, the settlers petitioned the Minister of Lands requesting that they be given two years free of instalments on Crown improvements. This is being done. The present state of accounts of this group of settlers is as follows: 12 are not in arrears; three owe minor amounts, less than £10; and four are in arrears for one year's rent (three of these are also in arrears for one year's improvements instalments). Of the four in arrears, two are not original lessees but have purchased their interest since the original allotment. Of the remaining two in arrears, one appears to have reasonable production of his lease, and the difficulty encountered by the other lessee could be related in some respects to lack of progress in bringing into production good land that was fallowed when the land was allotted.

ROAD MAINTENANCE FUND.

The Hon. T. C. STOTT: Has the Premier, representing the Minister of Roads, a reply to my recent question regarding the one-third of a penny ton-mile tax and its application to local district councils?

The Hon. FRANK WALSH: My colleague, the Minister of Roads, states that the road maintenance contributions during the financial year 1964-65 were substantially greater than anticipated and therefore the balance of road maintenance costs to be debited against the Highways Fund was correspondingly lower. As a result of this position, approval was given for two special allocations of grants from the Highways Fund to local authorities during that year. All moneys received under the provisions of the Road Maintenance (Contribution) Act must be paid to the credit of the Road Maintenance Account and applied solely for the maintenance of public roads. No fixed percentage of the contributions is allocated to local authorities, but the total estimated receipts are taken into consideration in determining the roadworks programme for the financial year, including the grants to councils.

NATURAL GAS.

The Hon. Sir THOMAS PLAYFORD: Recently I had a rather lengthy discussion with the Premier of Victoria and I was agreeably surprised at the rapid progress being made on plans for the introduction of natural gas into Victoria. These plans are extremely well advanced and will undoubtedly be of great advantage to that State. Can the Premier say whether he will take up with Cabinet the advisability of sending a Minister overseas,

particularly to America (perhaps accompanied by an officer of the Electricity Trust) to get first-hand Ministerial knowledge of what is being done overseas so that the South Australian Government can be fully apprised of what can be done in this connection?

The Hon. FRANK WALSH: When I returned from Alice Springs I said that there seemed to be a great potential for natural gas, not necessarily in this State but in the Northern Territory. I also indicated that we were awaiting a report from the Bechtel company that was expected to be submitted some time this month. As yet we have not received that report. Some discussion has taken place in Cabinet on the matter of an oversea visit but no finality has been reached. Now that the Leader has raised the matter it will probably be revived in Cabinet and further consideration given to it. When a decision is made I will advise the Leader.

FORRESTON SCHOOL.

Mrs. BYRNE: Today I received a letter from the Forreston Rural Primary School Committee, which states:

At a meeting of parents of children attending the Forreston Rural Primary School on Thursday, July 1, a vote was taken *re* the closure of the above school on the understanding that a school bus be provided to transport the children of the district to Gumeracha Primary School. As revealed in the voting, a big majority of parents were in favour of closing the school, as it was felt that the children's education would be of a higher standard and much easier for them in a larger school with more teachers. In the Forreston district, some parents are already sending all their children to the Gumeracha school, while other parents are sending their younger children to Forreston School and the older ones to Gumeracha. Also, the newly-married members of the community have said that they would prefer to have their children educated in Gumeracha. Furthermore, it is essential that secondary school children be transported on the proposed school bus to connect with Birdwood High School transport . . . The committee hopes this application will be viewed favourably.

I understand that the school committee has already made representations to the Education Department direct regarding this matter, and that the request has been refused. Will the Minister have this request re-investigated, so that the matter can be clarified before the schools resume on February 8 next year?

The Hon. R. R. LOVEDAY: Yes, I shall be pleased to do that.

LOXTON INSECTORY.

Mr. RODDA: Last week an announcement was made that an insectory had been established at Loxton. I understand this insectory practises the technique of sterilizing male insects for the control of insect pests, and that it will be used in horticultural pursuits. The Minister of Agriculture knows my interest in the sterilization of the male wasp for the control of the sirex wasp. Can he say whether the establishment of such premises at Loxton will assist in any way in agricultural pursuits throughout the State?

The Hon. G. A. BYWATERS: This insectory that I opened at Loxton a little over a week ago is for horticultural purposes only: it will be used for the biological control of insects associated with horticulture in the Upper Murray areas and the other horticultural districts. The pleasing feature of this insectory is that the entomologist up there, a young man by the name of Richardson, was so keen to have a research centre for this purpose that he inspired other members of the group at Loxton to build this insectory with voluntary work. I would say that it would have cost at least £5,000 or £6,000 if it had been built on contract, but they built it for less than £1,000. They used material from the Blackwood centre, which has recently been closed, and they purchased other material. Mr. Richardson's father donated the windows for the centre. Therefore, it can be seen that a combined effort was largely responsible for this work being carried out, and I think it is most commendable when we have officers of this calibre who are so keen on their work that they are prepared to go much further than their duties require them to go. As much of this work was done outside normal working hours, the Government was saved much money. Also, it will provide a service for people in the horticultural areas in the river districts which will be second to none in Australia.

This is the first time that red scale has been considered in respect of biological control. By the use of rays these people can sterilize the male, and this will not detract in any way from the services he renders; in fact, it may even increase them. The eggs that are laid will, of course, be infertile, and this, in turn, will have a great effect on the eradication of red scale. In fact, from what Mr. Richardson said to me it seems that he is confident that red scale can be eradicated, and if that is so it will save citrus growers a colossal sum, because annually their bills for spraying and for fumigation are burdensome. If this can bring about the control of other pests associated with horticulture, it will have a tremendous effect on the industry throughout Australia. The first

thought of treating red scale like this came about through the attendance of Mr. Richardson at a school on the eradication of fruit fly. This is, of course, in the experimental stage, but so enthused was he with the things he learned at this school in New South Wales that he is now working on red scale. This is very pleasing to me, and I am sure it will greatly benefit the whole of the State.

RAIL STANDARDIZATION.

Mr. CASEY: Has the Premier an answer to a question I asked recently regarding the setting up of a committee to look into the economic aspect of a direct rail link between Adelaide and Broken Hill *via* Terowie and Peterborough?

The Hon. FRANK WALSH: The question of choosing the most suitable route for connecting the standard gauge railway between Port Pirie and Broken Hill with a standard gauge line to Adelaide has been investigated and reported on on previous occasions. The question of the route being from Peterborough to Adelaide has been examined but, having regard to the details of geography and traffic it is quite apparent that this route should not be the one to be chosen, and I am confident that the Commonwealth Government will agree that it would be preferable to provide the standard gauge link with Adelaide generally on the Port Pirie route. The matter of the connection with Adelaide is at present under active consideration by the Commonwealth Railways Commissioner in collaboration with the South Australian Railways Commissioner, and it would not be helpful to adopt the suggestion that a special committee be appointed. I can inform the honourable member that proposals envisage the installation of a bogie exchange depot at Peterborough for the movement of goods between the 5ft. 3in. gauge and the 4ft. 8½in. gauge. This bogie exchange will remove the greatest objections which occur at a break-of-gauge station.

URRBRAE HIGH SCHOOL.

Mr. MILLHOUSE: Recently I asked the Minister of Education a question about the new school buildings for Urrbrae Agricultural High School, in which I regretted the fact that there had been little progress. Has the Minister a reply to that question?

The Hon. R. R. LOVEDAY: The Director of the Public Buildings Department advises that tenders close on December 14 for the new workshop block at Urrbrae Agricultural High School. Provision has been made on the Loan Estimates for 1965-66 for the construction of this block and it is not proposed to depart from the programme. Provision is also made on the 1965-66 Loan Estimates for expenditure on the design of the new major additions estimated to cost £250,000. These buildings were not planned to be under construction during the current financial year. Progress on them will depend on the availability of funds in future years.

PARKING METERS.

The Hon. Sir THOMAS PLAYFORD: Some time ago I asked the Premier a question about the many parking meters being established in the city of Adelaide and in the approaches to the city. Will the Premier consult with the Road Traffic Board to see whether some limit can be placed on what seems to be an imposition on the travelling public?

The Hon. FRANK WALSH: The board has no jurisdiction in the control of parking meters. Parking meters are not a traffic control device under the Road Traffic Act and, as such, any council can install meters on any road without reference to the board. The board consequently has never investigated the installation of parking meters in the city of Adelaide. To do so would mean the delay of investigations into matters for which the board is responsible. Furthermore, it would appear to local government that the board is usurping its powers and such is not the intention of the board. Accordingly, the board requested the Town Clerk to supply the details requested in the Parliamentary question and he answered in the following terms:

The number of parking meters installed in the city of Adelaide is 3,218. Meters are the most efficient known means of policing time restrictions on the use of kerb space. Actual surveys have shown that more people use the same space each day after meters are installed and the supervision cost is less. It is presumed the meters to which Sir Thomas Playford referred were the 20 intended for Bartel Road. This is a rather unusual case, where the meters are proposed to make some parking space available for tourists and other visitors to inspect Rymill Gardens, which is now surrounded by vehicles parked for long periods.

SUPERANNUATION.

Mr. LANGLEY: Has the Premier an answer to my question of yesterday about superannuation payments?

The Hon. FRANK WALSH: The President of the Superannuation Fund Board has reported to me that under the amending Bill now before Parliament fortnightly payments of pension cheques will be made commencing from

February 1, 1966. The first fortnightly cheques will therefore be payable on Monday, February 14, 1966, and at fortnightly intervals thereafter. The Superannuation Fund Board hopes to arrange for the first cheques to be posted on Friday, February 11, 1966, so that they will be in the hands of pensioners by Monday, February 14, the date on which they become payable. It is true that in these circumstances, as mentioned by the honourable member, metropolitan pensioners will receive their cheque on a Saturday morning. However, as this is two days before the amount actually becomes payable it is considered preferable that they receive them then rather than wait until the Tuesday which would be the position if the cheques were not dispatched until the last day of the fortnightly period ending on a Monday.

ADELAIDE POLICE COURT.

Mr. COUMBE: Has the Attorney-General further information about the question I asked recently concerning the refurnishing of and improvements to the No. 6 Courtroom of the Adelaide Police Court?

The Hon. D. A. DUNSTAN: I am informed by the Minister of Works that work will be commenced on December 7 and is expected to be completed within two weeks.

POLIOMYELITIS.

Mrs. STEELE: In recent days considerable publicity has been given in the press to the number of people who have not been immunized against poliomyelitis. An attack of this disease can be a great personal tragedy to the individual and also an economic scourge within the community. Because of this, will the Premier ask the Minister of Health whether it is intended to mount a planned campaign to combat public apathy on this matter?

The Hon. FRANK WALSH: I consider that the honourable member has made a valuable point, and I will take up this matter with the Minister of Health to see whether it can be brought to the notice of the public.

OBSCURED NUMBER PLATES.

Mr. NANKIVELL: On October 7 I asked the Premier whether he would obtain from his colleague a report about the charge made by Mr. Harvey A. Burns that he was being victimized by the Police Commissioner. As there has been no reply, I have been requested by Mr. Burns to ask whether the Premier now has a reply to this question?

The Hon. FRANK WALSH: To the best of my knowledge the matter is *sub judice*, but in the event of its being otherwise I shall see what information I can get.

TEACHER'S PROMOTION.

Mr. MILLHOUSE: Has the Minister of Education a reply to the question I asked yesterday concerning the use of war service marks by teachers who are ex-servicemen or ex-servicewomen?

The Hon. R. R. LOVEDAY: On inquiring into the circumstances of this case, I am surprised that it should have come through the honourable member, because usually, when honourable members have a case of this sort, the first question they ask is whether the complainant has referred the matter to the department. This complainant, the teacher, has not, as far as I am informed, referred the matter to the department. Had he done so, he would have received a full explanation and would have saved the time of the House and much trouble for reporters and others. This practice should be followed in the future.

The honourable member has asked whether war service marks had ceased to be credited to an ex-serviceman and whether this was done by the Minister's authority or by some authority within the department. This inquiry concerns a scale of criteria used by the Primary Branch since 1963 for compiling lists for promotion to special defined positions. Such criteria include personal qualities, academics, length of service in the department, nature of experience and war service. The academics include only those subjects actually passed by the teacher. The equivalent of one degree unit for each year of service is used for classification purposes and is still being used. There have been no changes in this policy. At no time have teachers been credited with additional subjects for war service for special positions. Actually, concessions are granted to an ex-serviceman as follows:

(1) He is credited with marks for war service in the ordinary promotion lists after he leaves the base mark and this is reflected in his position on the special list in the number of marks allotted to him for nature of experience.

(2) For purposes of promotion he has already been credited with one degree unit for each war service mark but he must have actually passed in a minimum of two degree units.

(3) He is credited with two marks for war service in the special lists if he was a teacher in this department on enlistment.

(4) An ex-serviceman appointed as Deputy Headmaster Class 2 from the special lists in 1964 was again credited with marks for war service if he was an applicant for Deputy Headmaster Class I in 1965.

From this it can be seen that considerable and very definite preference has been given to ex-servicemen in the Primary Branch. The range of marks gained by those who reached the special list this year was small, *e.g.*, in the Deputy Headmaster Class 2 list for which the officer was an applicant, the range of marks was from 29 to 41 in a list of 45 names, and in point of fact six applicants would not have gained a position on the list without the two marks allotted for war service. One teacher was 16 positions higher on the list by reason of these marks. The officer was nine positions higher by reason of the addition of the two marks. It is surprising to note, in view of regulation XXVIII, section 10, that no correspondence on this matter has been received in this office from the officer. He lodged an appeal against his position on the special list but the Appeals Board decided that he did not have a strong enough case for it to hear him.

ADVERTISER LETTERS.

Mr. LANGLEY: Further to a question asked by the member for Port Adelaide (Mr. Ryan) which mentioned several matters relating to a column that appears in the *Advertiser* (not that anyone minds freedom of speech and opinion), it seems apparent that people hide behind a *nom-de-plume*. I have always been willing to come out in the open, and I assume that these people lack the backbone or guts to express their opinions openly. Can the Attorney-General say whether the names of these *nom-de-plume* writers are available to the police or Crown Law authorities, if an infringement of any law or Act is committed?

The Hon. D. A. DUNSTAN: I do not imagine that a newspaper is forced to reveal the names of correspondents whose letters it publishes under a *nom-de-plume*. I think it would be up to the newspaper concerned to question any allegations of a breach of the Electoral Act or any other Act. The newspaper proprietors would have the same right as would any other citizen to refuse to answer questions, if it chose to do so. I do not think I can take the matter further than that. The complaint that is under investigation relates to the provisions of the Electoral Act, which require that, during an election period, any electoral advertisement which on the judgment of the Supreme Court would include any letter or material relating to any issue, person or candidate at an election, should be properly authorized. The name and address of the person concerned publishing these views must appear. I cannot forecast what will transpire at any investigation.

ASSURANCE INVESTMENTS.

The Hon. T. C. STOTT: Has the Attorney-General further information regarding the Mutual Life and Citizens Assurance Company and H. G. Palmer?

The Hon. D. A. DUNSTAN: The first question asked by the honourable member was: "What safeguards does the South Australian law provide for policy holders in life insurance companies for the investment of their funds?" In reply to that, certain liabilities and duties of life insurance companies in relation to policy holders are provided for in the Commonwealth Life Assurance Act, 1945-1961. This Act specifically excludes the operation of State laws in relation to life insurance business, so that the State has no legislative power in respect of investment of the funds held by life insurance companies in connection with life insurance business.

The second question was: "Is the range of investments allowable to life insurance companies from moneys collected in the State regulated by law and, if it is, what securities are permissible?" The answer is: There is no law of this State which regulates the manner in which an insurance company may invest its funds, whether or not such funds have been collected in this State. There are provisions in Commonwealth legislation which provide for companies carrying on life insurance to deposit with the Treasurer of the Commonwealth moneys or approved securities up to the value of £50,000. Such approved securities include the debenture or stock of Australian companies approved by the Treasurer. A company carrying on life insurance business must maintain a statutory fund out of amounts received in respect of life insurance business. The assets of a statutory fund may, subject to any provisions in instruments constituting such company or other rules of the company, be invested in such manner as the company thinks fit.

The third question was: "What steps can the Government take to compel the Directors of the Mutual Life and Citizens Assurance Company to replace the £6,000,000 to £8,000,000 lost by those directors by their investments in H. G. Palmer?" The reply is: Records filed in this State show that the

only shareholder in the Mutual Life and Citizens Assurance Company Limited is the M.L.C. Limited. There are 53 shareholders shown on the South Australian register of the M.L.C. Limited. They hold 18,500 shares in all. At the present time, the directors of M.L.C. Limited are J. H. Ashton, Hubert Vaughan, Sir Charles McDonald, F. H Berryman, Sir James Kirby, R. W. Cadwallader, A. F. Deer, B. J. D. Page, and J. L. Dowling. There are five directors of H. G. Palmer Consolidated Limited. All but two have been appointed on or after July 30, 1965. The relationship between the companies in so far as the directors are concerned and the relationship between the companies themselves, the nature of transactions between them, and transactions involving the lending of moneys to H. G. Palmer Limited would require lengthy and detailed investigations before this question could be answered.

The fourth question was: "Does the Government intend to inquire into the affairs of this company, that is Mutual Life and Citizens Assurance Company Limited, which must have lost millions of pounds belonging to South Australian shareholders?" The reply is that no decision will be taken by the Government on that score until information has been obtained from other States as to whether a joint investigation pursuant to the Companies Act is advisable.

The fifth question was: "What other moneys has this company, *i.e.*, Mutual Life and Citizens Assurance Company Limited invested in non-trustee securities?" The answer is that returns filed in this State do not give specific and detailed particulars of moneys invested by the company, except as to differentiation between Government and other securities, loans on mortgage and other general particulars. However, the last returns of the company filed shows an amount of £39,387,254 invested in shares in companies, which are not investments authorized by the Trustee Act, 1936-1950 of this State. There are other amounts not specifically described which are probably also invested in "non-trustee" securities. However, as I have pointed out, the provisions of the Commonwealth Life Insurance Act permit investment of funds in shares in companies formed in Australia and do not limit the investments to "trustee" securities.

NORTHERN RAILWAY STATION.

Mr. JENNINGS: Has the Premier a reply to the question I recently asked about a new railway station just off Grand Junction Road?

The Hon. FRANK WALSH: It seems that a further stopping place just north of the Grand Junction Road is not justified at present, but the matter will be reviewed periodically to ensure that the position in the vicinity is not overlooked.

SAMCON SCHOOLS.

Mr. CURREN: On November 18 I asked the Minister of Education to consider the use of a Samcon-type building at the proposed Renmark Primary School. Can the Minister say whether consideration has been given to the matter and, if it has, what is the result?

The Hon. R. R. LOVEDAY: Consideration is already being given to the general question of having Samcon schools constructed wherever primary schools are required. This does not necessarily mean that the Renmark Primary School will be of Samcon construction. In this respect the problem arises that many primary schools are well advanced both from the point of view of planning and from the point of view of plans having to be submitted to the Public Works Committee. It might be impracticable in cases such as that to change over to Samcon in view of the expenditure already incurred in the preparation for the building of such schools. I have asked my officers to examine the whole question of the primary schools that are to be built with a view to providing Samcon schools wherever possible because we consider they will be more economical to build and that they will have the advantage of being able to be expanded or contracted at will according to the movement of population in a particular area. It has been decided to proceed along those lines. The question whether the Renmark Primary School will be built in Samcon will still be under consideration but will be determined in accordance with the factors to which I have referred.

Mr. NANKIVELL: Apart from the advantage in Samcon construction with regard to air-conditioning, can the Minister of Education say what other advantages this construction has over the pre-fabricated buildings now used?

The Hon. R. R. LOVEDAY: The honourable member refers to a comparison between the Samcon and the pre-fabricated type of school. I assume that by pre-fabricated the honourable member is referring to the wooden type of classroom. The advantages are that the wooden-type classroom has much higher maintenance costs than the Samcon buildings. Wooden classrooms are separate units that cannot be joined together satisfactorily, whereas the Samcon units, when connected,

form a connected whole school. Repairs can be much more easily effected on a Samcon school than on a temporary wooden structure, because the panels can be easily replaced if broken and do not require a highly skilled person to replace them. In addition, each unit of a Samcon school has within it its own toilet facilities, so that, if a school were to be expanded, the unit would contain the necessary toilet facilities for the expansion. If the school were to be contracted the toilet facilities could be taken away when the unit was removed. Therefore, there is no waste either way. I think those are the main advantages.

EDUCATION ACT AMENDMENT BILL (SERVICE).

The Hon. R. R. LOVEDAY (Minister of Education) obtained leave and introduced a Bill for an Act to amend the Education Act, 1915-1962. Read a first time.

The Hon. R. R. LOVEDAY: I move:

That this Bill be now read a second time.

Its purpose is to amend the Education Act, 1915-1962, so as to provide that where a person has been or is appointed, whether before or after the commencement of this legislation, as a teacher of the South Australian Government and his service as a teacher is continuous with his service:

(*a*) as a teacher under the Council of the South Australian Institute of Technology or the South Australian School of Mines or the Townsend House for Deaf and Blind Children; or

(*b*) as an employee (whether as a teacher or otherwise) of the Commonwealth or of any State,

the continuous service of that person under any such body or Government shall, for the purposes of long service leave under section 18c of the principal Act, be regarded as service as a teacher. In other words, the amendment to section 18c of the principal Act contained in clause 3 ensures that a person appointed as a teacher in this State, who, at any time before his appointment, was employed by any of the bodies or Governments abovementioned, should retain his accrued long service leave privileges. The amendment is designed to apply to persons already in the service of the State who have transferred from such bodies or Governments as well as the persons who transfer in the future. It is a simple Bill and in accordance with the Government's policy in similar directions. I commend it to the House.

Mr. McANANEY secured the adjournment of the debate.

CITRUS INDUSTRY ORGANIZATION BILL.

Returned from the Legislative Council with the following amendment:

Clause 32, page 15, after line 13, insert the following subclauses:

(4) The Committee shall, as soon as possible after the close of each financial year, prepare a report of its proceedings during that financial year, including a statement showing its receipts and expenditure during that year, and shall present the report and statement to the Minister.

(5) The Minister shall, as soon as possible after receiving the report, cause it to be laid before both Houses of Parliament.

Consideration in Committee.

The Hon. G. A. BYWATERS (Minister of Agriculture): I recommend that the amendment of the Legislative Council be agreed to. It provides that the committee shall as soon as possible after the close of each financial year prepare a report of the proceedings during that financial year, including a statement showing its receipts and expenditure during that year, that it shall present that report and statement to the Minister, and that the Minister shall as soon as possible after receiving the report cause it to be laid before both Houses of Parliament. The Government sees no objection to this being added to the Bill. In fact, I think perhaps it could be something that members would like to see, particularly in the first two years of the committee's operation. Perhaps we could examine the matter again after that time. This Bill has created a wide interest in the community. I have been very pleased to see the ready co-operation that has been given in this matter by both Houses, and I have also been pleased at the general commendation the Bill has received.

Amendment agreed to.

OIL REFINERY (HUNDRED OF NOAR LUNGA) INDENTURE ACT AMENDMENT BILL.

The Hon. C. D. HUTCHENS (Minister of Marine) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT.

The Select Committee to which the House of Assembly referred the Oil Refinery (Hundred

of Noarlunga) Indenture Act Amendment Bill on October 12, 1965, has the honour to report:

1. In the course of its inquiry, your Committee met on two occasions and took evidence from the following persons:

Mr. J. R. Sainsbury, General Manager of the S.A. Harbors Board;
Mr. A. E. Daniel, Assistant Parliamentary Draftsman; and
Mr. R. G. Blain, General Manager, Adelaide Refinery, Petroleum Refineries (Australia) Ltd.

2. Advertisements inserted in the *Advertiser* and the *News* inviting interested persons to give evidence before the Committee brought no response.

3. The committee is of the opinion that there is no opposition to the Bill and recommends that it be passed in its present form.

Bill taken through Committee without amendment. Committee's report adopted.

The Hon. C. D. HUTCHENS moved:

That this Bill be now read a third time.

The Hon. D. N. BROOKMAN (Alexandra): I wish to say a few words to make it clear that the amendment to this Act is to bring it into line with what would have been done in the original Act had the particular set of circumstances been envisaged. As was stated in the report of the Select Committee, there was no opposition to the Bill. The committee heard all the relevant witnesses and advertised for any others who wished to give evidence, and the witnesses who attended had no qualifications about the matter. In the course of the inquiry it was quite clear to me (and I think probably to other members on the committee) that South Australia was fortunate to have this oil refinery. The company has done a good job; it has honoured its side of the agreement extremely well, and it has been a great industrial asset to this State.

We also learned on this committee that by no means did this State have to make all sorts of unreasonable concessions in order to get this refinery to come to South Australia. Some States have bent over backwards to get a refinery, and have given all sorts of terms which were quite unnecessary in this case. In other words, it is a good example of co-operation between Government on the one hand and a private company on the other. As the refinery is situated in my district, I was appointed to serve on the Select Committee, and I thought I should say a few words on this subject. I consider that this refinery is an asset to the State. Both parties to the agreement have fully honoured the agreement, and both are satisfied with the results that have ensued.

Bill read a third time and passed.

NATIONAL PLEASURE RESORTS ACT AMENDMENT BILL.

Second reading.

The Hon. D. A. DUNSTAN (Attorney-General): I move:

That this Bill be now read a second time.

It contains only one operative clause which deals with the barring of claims against the Crown in connection with Hazelwood Park. This park was acquired by the Minister in about 1914 as a national pleasure resort under the principal Act, section 6, which empowers the acquisition by agreement of any lands "for the purpose of being used by the public as a pleasure resort, park, or recreation ground, or for any purpose incidental thereto". In 1963, by agreement with the Corporation of the City of Burnside, the park was transferred to the corporation which agreed to hold it subject to the condition that it would manage, develop and maintain the park as a pleasure resort park and recreation ground for the use, recreation and enjoyment of the general public pursuant to the National Pleasure Resorts Act. A deed of trust setting out the conditions was made between the corporation and the Minister.

Recently, as honourable members are aware, the council of the corporation decided to undertake certain works in the park. There was much controversy regarding the plans of the council, and indeed two polls of ratepayers were held to decide whether the council should borrow certain moneys in connection with the proposals. I need not enter into details regarding the polls. All that it is necessary for me to say is that the Government has been informed that the proposals, if carried out, could give rise to legal action against the corporation. Under the deed to which I have referred, the Minister has certain powers of resumption if the terms of the deed are not adhered to and any breach of the terms by the corporation could lay the Government open to legal proceedings. This Government has not, since assuming office, given any undertakings to the corporation concerning its plans nor has it expressed any view to the corporation as to its attitude to the plan.

It is not the wish of the Government to enter into or become embroiled in public controversy on the question. But it is concerned as to the possible position of the Government if the council should decide to go ahead with

its plans and such action were held to be in breach of the conditions on which the park is held by the council. Accordingly the Bill provides that no action, suit or legal proceeding shall lie against the Crown or any Minister in respect of anything done or omitted to be done by the corporation in the park, and it annuls any rights of action which might otherwise arise. This leaves any question of litigation to be decided between the council and any person who seeks to bring action concerning the corporation's plans for the park.

Mr. McANANEY secured the adjournment of the debate.

ABORIGINAL LANDS TRUST BILL.

Second reading.

The Hon. D. A. DUNSTAN (Minister of Aboriginal Affairs): I move:

That this Bill be now read a second time.

It takes a significant step in the treatment of Aboriginal people not only in this State but in Australia. The Aboriginal people of this country are the only comparable indigenous people who have been given no specific rights in their own lands. The Maoris, the Eskimos and the American Indians all had treaty rights and ownership and control of lands in their countries. The Aboriginal people in this State, as elsewhere, have had certain areas of land reserved for Aborigines, but these have been Crown lands not owned or controlled by the Aboriginal people and from which they could be removed. It is not surprising that Aborigines everywhere in this country have been bitter that they have had their country taken from them, and been given no compensatory rights to land in any area.

The Government therefore proposed to ensure land rights to Aborigines in this State, but to go further, and as a matter of specific compensation to the Aboriginal people to ensure to them control of mineral rights in any lands held as Aboriginal lands, beyond those given to other citizens. It was essential for us to avoid the difficulties which have arisen in the United States of America, Canada and New Zealand concerning land rights for the indigenous people, for the constitutional difficulties, fragmentation of title, difficulty of calculation of inheritance of tribal assets, have beset the administrations. Careful consideration to all of these problems was given before the present plan embodied in the Bill was formulated. The Bill creates an Aboriginal Lands Trust consisting entirely of members who are Aboriginals or persons of Aboriginal blood within the meaning of the Aboriginal Affairs Act.

At the outset the trust will consist of three members nominated by the Governor. To these it is intended to transfer all unoccupied reserve lands in the State, and all occupied reserve lands which are not supervised either by the Government or by a mission when the residents of those lands indicate that they wish the lands to be held by the trust. Thereafter, reserve lands which are in the supervised reserves may be transferred, apart from the administration buildings and staff homes, to the trust when the Aborigines Council established on these reserves indicates that it wishes the reserve lands to be held by the trust. At such time, the council may recommend to the Governor the appointment of a member to represent it on the Trust Board, and the Governor may appoint the recommended Aboriginal to the board.

The secretary of the Trust Board will be the Director of Aboriginal Affairs. The Minister of Aboriginal Affairs may use the officers of his department for work for the trust in his discretion but the trust may also employ its own officers who will not be members of the Public Service. The Minister may grant or lend money to the trust from moneys provided by Parliament for Aboriginal welfare in South Australia, and the trust is to hold all moneys received by it for development of trust lands or the acquisition of further lands or for assistance to Aborigines in relation to trust lands. The trust may exercise its own discretion as to development of the lands but may only alienate the land with the consent of the Minister. The Minister's consent is not to be withheld if he is satisfied that the benefits and value of the land being alienated are being preserved to the Aborigine people so that the purposes of the trust are carried out. The Governor may, by proclamation, transfer any Crown lands or any other lands reserved for Aborigines to the trust. Some additional lands are necessary for Aborigines in South Australia, and it is hoped that in due course these may be provided to the trust.

The plan of having a trust for the whole of the Aborigines of South Australia will provide a flexibility which will avoid the difficulties experienced in other countries, which I outlined. As the trust must report publicly and have its books audited by the Auditor-General, sufficient public surveillance of its duties can be ensured.

I know that there are Aborigines in South Australia with the necessary qualifications and abilities properly to discharge the functions of the Trust Board, and I am confident that South Australia in taking this step is doing something of significance not only here but for the whole of the Commonwealth. I now turn to detailed consideration of the clauses of the Bill. Clause 5 constitutes the Aboriginal Lands Trust in the usual form. Clause 6 provides for a membership of at least three members with provision for the appointment of up to nine additional members upon the recommendation of Aborigines Reserve Councils, each of which may recommend only one member at any one time. An important provision in subclause (1) is that each member of the trust is to be an Aboriginal or person of Aboriginal blood. The term of office is three years, and a member is eligible for re-appointment for one more consecutive period. Subclause (4) provides for the filling of vacancies. Clauses 7, 8 and 9 provide for casual vacancies, remuneration of the members and the validity of the acts of the trust in the usual form.

Clause 10 provides for meetings at which the chairman or acting chairman is to have both a deliberative and a casting vote. Subclause (3) provides that no meeting of the trust may be held in the absence of the secretary who, by clause 14, is the Director of Aboriginal Affairs. In his absence, or if he is unable to act, another officer of the department may be appointed by the Minister to act in his place. Clause 11 provides for the quorum at meetings. Clause 12 provides that the trust is not to be a department of the Government or to represent or accept when so authorized to be an agent or servant of the Crown. Clause 13 provides for the making of annual reports to be laid before Parliament.

Clauses 14 and 15 deal with the secretary and staff of the trust, clause 14 providing that the Director of Aboriginal Affairs is to be the secretary and clause 15 enabling the trust to appoint officers and employees on terms approved by the Minister. At the outset, the trust will need to have moneys provided for it from departmental funds for its initial work. It is necessary that some control be exercised over the expenditure of moneys of this kind for the employment by the trust. It is hoped that eventually when the trust is fully in working order (when it has its own funds under its control, and is able to budget effectively) the approval of the Minister in relation to certain of these preliminary matters may be removed from the Act. At this stage it is obviously necessary that that approval be required.

Clause 16 empowers the Governor by proclamation to transfer to the trust any Crown lands or other lands reserved for Aborigines, but in the case of reserves such a transfer can only be made with the consent of a reserve council if one has been constituted. Subclause (2) makes special provision that all metals, minerals, oil and gas shall pass to the trust and that the Mining Acts shall not apply unless the Governor by proclamation applies the provisions of those Acts with or without modification. Such a proclamation can be made only on the recommendation of the trust. This therefore places Aboriginal trust lands in a special position, as compared with other lands held in the State, but it will ensure to the Aboriginal people of the State that the kind of development that is taking place in Aboriginal reserve lands elsewhere in Australia, where Aboriginal people have been deprived of the full right to royalties or returns from mineral or ore development, etc., in their areas cannot occur here, and that actual mineral development will take place only with the consent of the trust. It can be expected, of course, that where there is a clear benefit to the Aboriginal people from the development of minerals on their lands, they will be eager to have those particular benefits, but at the same time we must safeguard areas, such as the North-West Reserve, where in certain cases the Aboriginal people would not want a development that interfered with their tribal situation. We have to ensure that their tribal rights in this matter are maintained.

Clause 16 (4) empowers the trust to sell, lease, mortgage or deal with lands vested in it but only with the consent of the Minister which is not to be withheld unless the Minister is satisfied that the dealing fails to preserve the benefits and value of the land to the Aboriginal people of the State. Subclause (4) enables the trust to develop lands vested in it. The mode of development is, of course, not subject to the consent of the Minister; it is at the discretion of the trust. Clause 17 provides that the moneys of the trust subject to administrative costs are to be held and used for the development and improvement of the trust lands and for the purposes of clause 18. Clause 18 enables the trust, with the Minister's approval, to grant technical or other assistance or advance moneys to Aborigines and persons of Aboriginal blood or recognized Aboriginal groups for such purposes in connection with trust lands as the

trust thinks fit. There is a proviso that members of the trust cannot obtain assistance or grants, nor can any of their relatives except with the Minister's consent. Clauses 19 and 20 deal with financial arrangements and annual audit of the trust's accounts by the Auditor-General.

Mr. NANKIVELL secured the adjournment of the debate.

MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 25. Page 3193.)

The Hon. G. G. PEARSON (Flinders): An outstanding feature of the Bill relates to the suitability of roads in an area where the Municipal Tramways Trust intends to operate its vehicles, or where it has jurisdiction. As members may know, it is an obligation of the trust, where it intends to operate its vehicles, to ensure that the roads over which it intends to operate are suitable for the vehicles to be used. However, this Bill aims (for the time being at least) only to extend the licensing of private operators whose vehicles have already been operating over the roads in the area concerned, and who are likely to continue to use them in future. There is no objection to this proposal, and I therefore offer no formal opposition to the Bill, for I think it has substantial justification. The rapidly developing areas of Salisbury and Elizabeth, particularly the area east of the Main North Road, are remote from any form of direct transport to the city, and there is therefore ample justification for extending the scope and control of the trust in that area. I support the second reading.

Mr. HALL (Gouger): I also support the Bill, realizing that the extension of the Municipal Tramways Trust's control applies directly to some of the area in the southern part of my district. I cannot say that the extension of that control and the substitution of something inadequate for an existing unsatisfactory state of affairs is necessary. As far as I can gather, before the expansion of this area took place, trust control extended as far as Gepps Cross (north of the city). There, the 10-mile radius in relation to the Transport Control Board began. With the development that has taken place in the areas concerned, services naturally desire to operate outside their existing limits. Much difficulty existed between opposing bus operators on the question of which operator would get the job. I know of one operator who was operating freely in a non-restricted area and of another who was operating mainly from the local government licensed area, and both were operating slightly over the 10-mile line. Strong opposition developed between these two firms. The provision of one controlling authority is fair to all concerned. However, this authority will have difficulty in sorting out the matter at first.

As areas grow, more and more extensions of services are required. Today I asked the Premier about a small but badly needed extension of a service operated by Lewis Brothers in Parafield Gardens. I am not sure of the wisdom of the amendment of section 94, which provides that no one shall, within the prescribed area, drive any motor omnibus for the purpose of carrying passengers for hire or reward on any route not mentioned in the licence or otherwise in accordance with the terms and conditions of the licence. There was a proviso to this section that it should be a defence to a charge if it could be proved that each passenger paid more than 2s. 6d. for a single journey and more than 5s. for a return journey. The amendment will remove this proviso and, therefore, it appears that every journey within an area will be controlled, without exemption. This will affect picnic parties and sporting groups, and they may have to pay a much higher fare than they would pay for an ordinary daily service. Under the present proviso these trips could be made at less cost provided the fare for a single journey were more than 2s. 6d. and the fare for the return journey more than 5s. I do not know that it is necessary to control every single journey; perhaps it would be better if only general services were affected.

The extension of control to Elizabeth must inevitably lead to a proper bus service from Elizabeth to Adelaide. The fact that no adequate bus service has been provided has been a sore point with the people of Elizabeth and especially with those who live a fair distance from the railway line. The reason always given for not providing an adequate service has been that it would detract from the railway system and that a bus service operates to take people from the city centre of Elizabeth to the railway station. However, it is inconvenient to travel two miles to the city centre, wait perhaps 10 minutes for a bus, and then wait for a train at the station. Of course, this procedure must be repeated on the return journey. It would be much more convenient for people to be able to board a bus and go express from

Elizabeth to Adelaide. Such a service cannot be denied any longer in the face of the commonsense arguments in favour of it. Although Elizabeth is not in my district, I have been approached by people about this question. I urge the Government to approve an express bus service from Elizabeth to the city, because this would greatly benefit people in Elizabeth who come to Adelaide for business or for shopping. Although I have my doubts about whether the Bill goes too far in striking out the proviso in section 94, I support the second reading.

The Hon. FRANK WALSH (Premier and Treasurer): The Municipal Tramways Trust generally defines a route and states whether it will supply a bus service itself or permit a service by a licensed operator. It defines the routes, services and fares. Many metropolitan services are defined as cross-country services. One service operates in the districts of Mitcham, Burnside, Edwardstown and Glenelg, and is most convenient for children attending primary and secondary schools. Another service operates in the eastern suburbs. I do not see any difference between a service to link up the district of Barossa and a similar service in Elizabeth. It is feasible that many cross-country services are needed in these areas. As members opposite are more interested in their own conversation I shall not, at this stage, reply to the queries raised.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Penalty for offences relating to unlicensed motor omnibuses."

Mr. HALL: I did not hear the last few remarks of the Premier, but I have been told that I was taken to task for not listening to him. I apologize for not listening. I had understood that this Bill was a simple one, but I have now studied it and I find that it does certain things in which I am interested. While the Premier was concluding his remarks, I was discussing with a colleague the contents of the Bill. I did not intend any slight to the Premier.

The Bill removes the proviso to section 94 (1), which provides a defence to a person operating an omnibus in the prescribed area without licence or approval if he charges a fare of more than 2s. 6d. for a single journey or more than 5s. for a return journey. I appreciate that in the newly prescribed area these figures are not realistic. All I am saying is that I am not certain now what the effect of the removal of this proviso will be. I understand that the Transport Control Board has had no jurisdiction within 10 miles of the General Post Office. My interpretation of the Act at present is that a bus load of people could travel without hindrance from a point almost 10 miles north of the city to a point almost 10 miles south of the city, provided each passenger paid a fare greater than the fares shown in section 94. There is no point in any authority controlling this odd individual trip, for it is not in any way connected with the regular services of the trust nor does it impinge upon those services. As the prescribed area is now extended to Elizabeth, I should like to see the same facility afforded as exists in the principal Act. Why in the circumstances I mention should people have to go to the Municipal Tramways Trust to get permission? I should like to see this proviso remain, with a realistic fare limit inserted.

The Hon. FRANK WALSH: Because of the necessity for the trust to charge certain fares for a journey, it was necessary to alter the amounts prescribed in the Act. What the member for Gouger has spoken about relates to something that we have already passed. When the trust provides a service it sticks to a defined route. The member for Gouger appears to be talking about cross-country travel. If the trust wished to establish a service from, say, Modbury to Elizabeth, that would be such a service. The question of travel to such things as picnics and football matches is something entirely different, for the Transport Control Board gave permits for that type of thing.

Mr. Hall: But not within a 10-mile radius of the city.

The Hon. FRANK WALSH: The committee has already agreed that the trust be empowered to fix routes and fares, and that is what we are concerned with here.

Mr. HALL: Section 94 stands stronger now than it did before, for it provides:

No person shall, within the prescribed area as defined by section 29, drive any motor omnibus or any motor vehicle drawing a motor omnibus, etc.

I understand that the prescribed area will now take in Elizabeth. This will be not a route proclaimed but an area proclaimed, and no-one may drive an omnibus and carry passeners for hire in that area without the approval of the trust. The outlet has been the proviso.

The Hon. FRANK WALSH: I am unable to give further information about this. As a result of conferences that were held with the

M.T.T., this Bill has been introduced. Nothing in the Bill affects the 10-mile radius. The trust has asked for this measure so as to be able to provide a bus service and, having provided the service, it defines what shall be done with the service.

The Hon. G. G. PEARSON: Can the Premier say whether this amendment affects only services that may be licensed by the trust within the prescribed area, or whether, if the proviso is removed, an offence is created by any passenger service that comes into the prescribed area from any point in the State?

The Hon. FRANK WALSH: I have a recommendation from the trust that applies to sections 30, 32 and 94, and also a statement from the Chairman of the Transport Control Board referring to the same sections. If any opposition is raised to the bus service after all this time, something is wrong.

Mr. HALL: I move:

To strike out "proviso at the end thereof" and insert "words 'two shillings and sixpence' and 'five shillings', and substitute in lieu thereof the words 'five shillings' and 'ten shillings' respectively".

The Premier is placing a misconstruction on statements made by members on this side of the Chamber. We support this measure, but the Premier has apparently not studied it sufficiently, for he cannot explain this clause. We do not wish to hinder the provision of additional transport that does not conflict with regular services operated either by private organizations or by the trust. There should be freedom of movement for parties hiring buses that are not competing with the general running and orderly services of the trust or of operators licensed by the trust. This was provided for by the proviso in the original Act. The amendment doubles the fares allowed from 2s. 6d. to 5s., and from 5s. to 10s., and meets the needs of all concerned.

The Hon. FRANK WALSH: I said that the Committee had agreed to amendments contained in clauses 4 and 5 of the Bill, which provided that the trust establish this particular route and the fares. I have discussed this matter with the Minister of Transport, in company with the Parliamentary Draftsman, the three of us being in complete agreement on the existing clause, and I ask the Committee to reject the amendment.

Mr. HALL: I do not see how the proviso can be considered to be different from the rest of the provisions in the Bill, and I ask the Committee to accept my amendment.

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall (teller), Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke and Rodda, Mrs. Steele, and Mr. Stott.

Noes (17).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pairs.—Ayes—Messrs. Shannon and Teusner. Noes—Messrs. Clark and Hughes.

Majority of 1 for the Noes.

Amendment thus negatived; clause passed.

Title passed.

Bill read a third time and passed.

PHARMACY ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from December 1. Page 3353.)

Mr. MILLHOUSE (Mitcham): The Bill is an innocuous sort of document, and there is nothing in it really, except one drafting matter, to which one can take any exception. I think every honourable member knows that the matter of controversy is not yet in the Bill in this House, because it was knocked out in another place. However, we do know from the notice given by the Attorney-General yesterday that the Government intends to re-insert that provision in the Bill, and I shall hold my fire in that respect. The various provisions are set out succinctly enough in the second reading explanation which the learned and honourable Attorney-General was pleased to give. One of the important things (and I assume the precipitating reason for the Bill) is the question of qualifications of pharmacists—the introduction of the degree course at the Institute of Technology, a degree to be conferred by the University of Adelaide. I point out that as 1965 was the first year in which students did the course, it will be two years yet before any students graduate and, therefore, before this provision in the Bill has to come into force.

I regret several omissions from the Bill. As those who have had anything to do with the Pharmacy Act know, it is not in a particularly satisfactory form. I understand that the pharmaceutical profession and the Pharmacy Board have been pressing for amendments to the Act for many years. I do not blame only this Government for the omission of the amendments, because the previous Government did

not amend the Act. I think the last amendments were made in 1952. Nearly every amendment in the Bill was sought by the Pharmacy Board and I am at a loss to know why other amendments sought by the board have been omitted. The main respect in which the Act is defective at the moment is that the board is not a corporate body, and I know the board has been anxious to be incorporated for some time. Another complaint is that it is still possible, under the Act, for pharmacies to be owned by persons not registered pharmacists. Section 26 provides:

No company or association of persons incorporated or unincorporated shall—

and then paragraphs (*a*) and (*b*) are set out—

Unless that shop or place of business is constantly supervised and managed by a registered pharmaceutical chemist.

Because of the condition attached at the end, it is possible for other than a pharmacist to own a shop, and I am told that this causes much difficulty. One of the most serious consequences of that (and I am sure the Attorney is aware of it) is that owners who are not pharmacists are not subject to the discipline of the board imposed pursuant to section 19 of the Act, which states that the board may cancel or suspend the registration and revoke the certificate of any person as a pharmaceutical chemist. If people do not have a certificate there is nothing to revoke.

Section 19 (2) provides that if any registered pharmaceutical chemist is guilty of unprofessional conduct and so on the board can take action. Again the same thing applies: if there is no registration the board cannot deal with these people. Admittedly they can be prosecuted for offences under the Act, but what happens in the case of registered pharmacists is that, if they commit an offence, they are dealt with not only by the court but also by the board, and the consequences of being dealt with by the board, under this section, are more far-reaching in their effects.

Mr. Shannon: Such things as unprofessional conduct are involved, and they are difficult to get at in court.

Mr. MILLHOUSE: That is right. This is one of the grave disadvantages of allowing non-professional people to own pharmacies. I am sorry the Government did not see fit to provide in the Bill that only registered pharmacists should own pharmacies, or that it did not at least clothe the Pharmacy Board with disciplinary powers over businesses that were not registered pharmacies. However, those things have been omitted and at this stage there is nothing I can do about them except to regret their omission.

Rather unwillingly I must take the Attorney-General to task for not doing his homework. A drafting error occurs in the Bill which I am surprised escaped his eagle eye and, in deference to members of another place, I am surprised it escaped their eagle eyes.

The Hon. D. A. Dunstan: The explanation was given at a time when the Bill was not on the file.

Mr. MILLHOUSE: Yes, with his characteristic impatience the Attorney made the second reading explanation before we had the Bill in front of us. Perhaps if he had been a little more patient he would have seen this drafting error. I point out that the Fifth Schedule of the Act was repealed in 1952 (13 years ago), but we find under the schedule to this Bill that there is a purported amendment to the Fifth Schedule. This is a bit of untidy drafting which, had the Attorney been more alert, would not have crept into the Bill. I hope that when the Bill reaches the Committee stage, with the co-operation of members on both sides, this can be rectified.

The Hon. G. A. Bywaters: Perhaps you could be more alert about your questions.

Mr. MILLHOUSE: I resented the remarks of the Minister of Education this afternoon on that matter. I believe that if a constituent comes to a member for help and representation to a Minister, the member has to answer this request, and I resented the Minister's insinuations. However, I hope that the drafting error in this Bill will be corrected. I support the Bill as it stands but I am sorry it does not go further. I have already shown, I hope, that I am completely opposed to the clause that the Attorney intends to insert and I will give my reasons for that in due course.

Mr. COUMBE (Torrens): I support the Bill. As I understand it, most of its provisions have been sought by the interested parties working under the Act, the Pharmacy Board, the Pharmaceutical Service Guild in South Australia, and the Pharmaceutical Society of South Australia. As the member for Mitcham rightly pointed out, the first provision concerns a higher status for members of this profession. Now they will be able to undertake and qualify for degrees in pharmacy, a position that has not applied before in South Australia. I believe this merits the approval of all members of the House and all

people in the community generally. As the board made certain requests to the Government for amendments to the Act, I am rather surprised that no move was made to make the Pharmacy Board of South Australia a corporate body. I should have thought this would be an elementary provision which could have been agreed to, and I believe it would have been worth while. If a reply is made, I should appreciate a reason why this has not been done.

One or two aspects concerning qualified ownership should be examined. As I understand it, the great bulk of chemists practising in South Australia are almost vehement in their belief that, from a professional point of view, the profession should be run as one chemist, one shop; that is, a chemist should run his own shop.

Mr. Shannon: The Pharmacy Board agrees with them.

Mr. COUMBE: Yes. It seems to me also that some rather undesirable or questionable practices could come into this matter regarding ownership. I mention to the Attorney-General now the possibility that the pharmacies could be introduced into the larger and more numerous supermarkets and such types of selling outlets in the community today. We all know of one particular outlet in many suburbs, where an organization has bought up shops and old theatres. It would be undesirable from the ethical point of view as well as the professional point of view for such places to introduce pharmacies into their emporia. We know that the larger stores in Rundle Street have this type of thing, but I do not believe it is necessary or desirable for these to be introduced in suburban supermarkets. For one thing, it would be detrimental to the man who has worked hard and set up his own business perhaps adjacent to or near one of these places. Another aspect is that these supermarkets close at 5.30 p.m., and therefore a pharmacy would also have to close. Many pharmacists keep open later, and many are resident chemists.

Personally, I rather deprecate the fact that today there are not so many resident chemists of the type we knew years ago to whom families could go and get service after hours when somebody was sick. I understand there is a distinct possibility that pharmacies may be set up in some of these establishments that I mentioned, and it would appear to me to be rather lowering the professional standards and tending rather to commercialize the profession. I point that out to the Attorney-General and hope that he will have a look at this matter so that we can get back to the principle of ownership of one shop by one man. I realize that under the Bill companies are definitely restricted. At the same time I rather wonder whether some of the pharmacists today who promote this principle of one shop for one chemist are perhaps doing themselves some slight disservice, because we know that in many walks of life today a husband and wife are setting up a company, sometimes a £1 or a £2 company, for taxation purposes, and it seems to me that under this the pharmacists would be prohibited from doing that. I had hoped that the Government might see fit to incorporate the Pharmacy Board, which I understand was requested. I had also hoped that this principle of qualified ownership would be strictly adhered to. I support the Bill.

Mr. SHANNON (Onkaparinga): I support what both my colleagues have said. Under the existing Act we permit a qualified person to own four shops. I understand that most of the complaints by the public about the standard of service arise in the case where managers are put in to operate these shops, and that obviously pinpoints what my colleague, the member for Torrens, said. In order to raise the standard of this profession, we should give some thought to making it obligatory for a pharmacist to own only one shop, for in that way his professional conduct would be easy to regularize. If there were any attempt by a pharmacist to depart from the normal professional conduct, it would be a simple thing to tidy up that problem. However, if he had two or three managers in other shops—

Mr. Coumbe: A manager could be an ordinary businessman.

Mr. SHANNON: That is true. The honourable member also envisages that this could extend to supermarkets, and in my opinion that would be most undesirable. A fully-qualified chemist can give very useful advice, and in fact in many cases he should give advice. Certain drugs and proprietary lines are freely available over the counter, and certain precautions should be taken. The chemist knows all about that, whereas an unqualified person would not know and possibly would not even care about what happened to the unfortunate purchaser in the use of those

drugs. This is a profession, not a business. These people have to undertake a tedious university course in order to become fully qualified, and, having done so, they become professional people. Actually, they are an auxiliary to our medical profession. They have to know as much as the doctor does, and they have to know more in some aspects of the effects of various drugs. Of course, a doctor is trained along the same lines, and for a portion of his training he takes exactly the same course as the chemist. These two things are closely allied. It beggars description to think of an unqualified person setting up in the medical profession, having a series of depots, and employing doctors to operate from them, which is exactly what we are permitting under this Act. I think it was when Boots first threatened to come to Australia that we amended this law.

Mr. Millhouse: In 1942.

Mr. SHANNON: Yes. We amended it then, and I think we rather supinely agreed to permit one owner to operate four shops. I believe there were some such owners then, and we did not want to upset the arrangement. That was the argument used at that time, and I think it was a bad argument because I do not think it assisted the standard of pharmacy. In my view, the sooner we get away from it the better. I would have liked to see something done now along those lines. I support the Bill, which is a step in the right direction. I hope that the people concerned with the administration of this law will take note of the comments made by my colleagues, which were very much to the point, and that when we bring the matter up again we will do some of the things regarding the features about which I know the Pharmacy Board is concerned.

Mr. QUIRKE (Burra): I have a few lingering doubts about what has been said concerning one man one shop, because of personal experience. Pharmacy is an exacting and expensive course at the university and people have spent much money that they could ill afford putting a young man through this course. They do it to set him up, but when he is qualified it is an expensive proposition for him to get a shop of his own. He has to get a job and often works in another chemist shop to gain the necessary experience, and then eventually obtains his own shop. In the country a chemist will visit a town some distance from his shop for perhaps one afternoon or so a week in order to give service, and this leaves his own shop unoccupied while he is away. These people have given country folk good service. It is seldom that hard and fast dicta can be laid down in these matters without causing hardship to people.

Bill read a second time.

The Hon. D. A. DUNSTAN (Attorney-General) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider amendments relating to the number of shops in which business may be carried on by the Friendly Societies Medical Association Incorporated.

Motion carried.

In Committee.

Clauses 1 to 9 passed.

New clause 5a—"Restriction on friendly societies."

The Hon. D. A. DUNSTAN (Attorney-General): I move to insert the following new clause:

5a. Section 26d of the principal Act is amended—

(*a*) by striking out the proviso to subsection (1) thereof;

(*b*) by inserting therein after the said subsection (1) thereof the following subsection:—

(1*a*) Notwithstanding the provisions of subsection (1) of this section the body known as The Friendly Societies Medical Association Incorporated may, after the commencement of the Pharmacy Act Amendment Act, 1965, carry on the business of selling goods by retail in not more than thirty-six shops.

; and

(*c*) by inserting after the expression "(1)" in subsection (2) thereof the passage "or (1*a*)".

The purpose of the amendment is to restore to the Bill the right of the Friendly Societies Medical Association to increase the number of shops through which it will carry on business in South Australia. The number of shops operated by this association was fixed many years ago, but in the intervening period there has been a considerable increase in the population and in the number of members entitled to use the association's shops. The association is a co-operative, and on the face of it there should be no clear reason why a co-operative of this kind should not be able to carry on work normally associated with friendly societies in the giving of medical and pharmaceutical benefits to members.

However, objections have been raised. The case against having such co-operatives in operation is that it is alleged by members of the Pharmaceutical Guild, the guild chemists, that certain benefits were given to friendly societies by the Commonwealth Government

in that fees for prescriptions were to be charged in the case of shops conducted by other than friendly societies but not in the case of shops conducted by friendly societies, and this gave a clear advantage in the cost of prescribed medicines to persons using the Friendly Societies Medical Association's shops. Until this stage the societies' shops were not well patronized. It is alleged that this change in the Commonwealth law gave them an advantage that led to a considerable increase in membership (that increase certainly took place), and that while there is now a restriction on the people who may take advantage of this original gift of the Friendly Societies Medical Association Incorporated, nevertheless the increase in the intervening period has meant that more people are using the friendly societies' shops, that this will continue for some years, and that it interferes with the business of individual chemists. That was the case against increasing the Friendly Societies Medical Association's shops, because it was said that this put individual proprietors at a disadvantage. With great respect, I do not think that is a fair argument. Co-operatives can always show advantages to members.

Mr. Quirke: Hasn't that changed since?

The Hon. D. A. DUNSTAN: Yes, it has changed but, as I said, it has not changed as far as the families that join up during the period of advantage are concerned. Again, that is the case of the Chemists Guild. After all, the children of present families will have the right to this advantage for some time to come. However, I do not think it can be fairly claimed that people who are in competition with co-operatives should limit co-operatives simply because co-operatives give a clear advantage to purchasers.

Mr. Nankivell: It is an unfair advantage.

The Hon. D. A. DUNSTAN: I do not know whether honourable members opposite believe that their colleagues in Canberra have been violently unfair. If the new shops are established in areas where there are not members to make use of them, then the advantage will not obtain. How are we to say that the shops will be established in areas where the friendly societies already have many members? Those are the areas where the shops are now established, and where members can take advantage of their existence. It is possible for a chemist to set up now in competition with other individual chemists, and the fact that a co-operative shop is set up in an area where an individual chemist is already situated is nothing more than straight competition. Where the new shop is going into the area, and where the Friendly Societies Medical Association has not had a large group of members who have previously joined, they will not get the advantage of that differential between the cost of the prescription and the present cost that originally existed.

Mr. Nankivell: It is the selling of other proprietary lines that is involved.

The Hon. D. A. DUNSTAN: If that is the argument, I do not think there is any basis at all in it, because if any group of people is able to obtain an advantage in the selling of proprietary lines, it is the Pharmaceutical Guild. The guild chemists in South Australia sell certain lines on which they have restrictive trade agreements, and it is possible for them to sell, and to exclude others who are in competition with them from obtaining those lines.

Mr. Broomhill: On a large scale!

The Hon. D. A. DUNSTAN: Yes. I do not think there is the slightest argument by the guild in relation to that kind of competition, and I should have thought that members opposite were keen to see competition in this area. I do not think anything is wrong with having a co-operative society competing with individual traders, and I do not believe that the stories that young chemists will be ruined by this sort of thing really have any sound basis in fact, at all. The average member of the Pharmaceutical Guild is making a very good return at the moment—a much better return than that of most professional men in South Australia—a very much better return, on average, than that of the members of the profession to which the honourable member for Mitcham and I belong.

Mr. Millhouse: I certainly wouldn't change places with them.

The Hon. D. A. DUNSTAN: The Friendly Societies Medical Association was formed 50 years ago by a group of friendly society men who believed that people ought to have the right to protect themselves against the cost of medicine by the principle of self-help through an entirely co-operative organization. It is not operated for the purpose of supplying cheap medicine for members in indigent circumstances; it is a co-operative organization. The association has not departed from its aim; it is truly co-operative, being owned and controlled by its members. The profits are disbursed to its members in the form of increased benefits. Members of the Friendly Societies Medical Association must be contributors to one of the 14 friendly

societies registered under the National Health Act, which pass on their contributions to the Friendly Societies Medical Association. The societies are controlled by the Friendly Societies Act. This Parliament legislated for the creation of friendly societies in South Australia, and for their control. It is a requirement of the Act that contributions of funds of each benefit must be kept distinct and separate, and cannot be used for the advantage of any other fund. The association now operates 25 retail pharmacies in the metropolitan area, and one in Port Pirie. Each is managed by a registered pharmacist responsible to the Pharmacy Board to see that it is operated within the provisions of the Pharmacy Act, and the managers are under the control of the General Manager, who is also a registered pharmacist. It is said that the association receives a taxation concession; the association is taxed on 10 per cent of its sales at company rates, and at the time that was fixed the Commonwealth Government claimed that it brought parity with private pharmacies. It has been stated that the Friendly Societies Medical Association is able to invest in the wholesale druggist business, and is able to buy at 20 per cent better than private pharmacies are. It is true that the association is able to invest in the wholesale druggist business. So are the guild chemists, who have a shareholding in the local pharmaceutical wholesalers well in excess of £200,000 from which they receive a yearly dividend of up to 15 per cent and a monthly rebate on purchases of about 5 per cent. The guild itself owns a co-operative company handling, amongst other things, its own guild lines.

The second part of the statement regarding the association's being able to buy at least 20 per cent better than the private chemists is quite untrue, first, because of the factors I have mentioned and, secondly, because many of the leading manufacturers including Parke Davis, Burroughs Wellcome, Abbott Laboratories, Nicholas, Sterling Pharmaceuticals, F. H. Faulding, and Drug Houses of Australia trade with the F.S.M.A. on exactly the same terms as they do with guild pharmacists. It has been submitted that the F.S.M.A. does not provide an after-hours service. In fact, the Adelaide pharmacy is open from 8.30 a.m. to 10.30 p.m. every day of the year to dispense urgently-required medicines. The Port Pirie manager is on call after hours to provide urgent services. I know that the guild chemists were anxious to maintain one after-hours pharmacy generally in the Adelaide area although there were to be certain other after-hours services elsewhere. However, the central pharmacy after-hours services was to be restricted to one, and one of the bases on which they made submissions was that they did not want competition from other people who were running night chemist services.

The Hon. G. G. Pearson: I think they have five in the metropolitan area.

The Hon. D. A. DUNSTAN: Yes, and there are others outside the guild who run night services, and that competition is apparently not welcomed. It was alleged by the guild chemists that the friendly societies conducted unethical advertising campaigns in attracting members. The friendly societies were faced by the advertising of competitive organizations such as the guild (with its own lines), Burdens, Cacas, and Ravesi. They all advertised widely, and the friendly societies had to combat the activities of guild chemists aimed at getting friendly societies' members to transfer to medical benefit organizations for which those chemists were agents. Advertisements about medical, hospital and medicine benefits were submitted to the Commonwealth Health Department and received its approval before they were used.

The membership of the societies increased steadily over the years with an increase shown in 1952, when the guild, which had been dispensing for many individual friendly societies under contract, decided to terminate its agreement and become an agent of the competing hospital and medical benefits society. I can make that statement in a completely disinterested way because I happen to be a shareholder holding a bold family interest in that competing medical benefits society! It is a non-profit-making organization and it only costs me money. Association membership has increased only slightly ahead of the population increase, from 17.8 per cent of the State's population in 1949 to 21.7 per cent in 1964. It is natural that the association controls about 30 per cent of the business in the areas where it operates, as this is comparable with its membership in the metropolitan area.

The guild suggested that the friendly societies should operate a rebate system through guild pharmacies instead of trading in the existing manner. It should be remembered that the guild did contract with the friendly societies, as I previously stated, and terminated the contract of its own volition. It should be remembered also that it is an offence under the National Health Act to pay benefit on the 5s. charge for a Government

prescription under such a proposed system. As 80 per cent of the prescribed medicine falls within this category, it is obvious that for this reason alone the suggestion has no merit. This apart, the F.S.M.A. has never suggested that the guild should handle its affairs in certain ways. Therefore, I think that the F.S.M.A. might be left to decide how it should conduct its affairs. It is true that no restrictions are placed on "members only" pharmacies under the Act, but these present problems which do not permit effective trading. In "members only" pharmacies the association is not able to sell so much as a bottle of aspirin, a tube of toothpaste or a roll of film to a non-member without breaking the law, although these things can be readily obtained from any grocer or delicatessen. All the association's pharmacies dispense within the provisions of the Pharmacy Act.

Although it is true that at one time there was some concern about the number of unqualified staff employed by the association, an examination of the number of unqualified staff and the proportion of qualified staff and the methods of supervision completely explodes any argument that it is conducted in a way contrary to the Pharmacy Act or in unfair competition with registered pharmacists. There are 90,000 members of the association and I should think it is proper for us to allow these people to proceed to proper co-operative activities. As I have said, I do not believe the increase in the number of shops will provide any sort of unfair competition to people in private enterprise. It will be no different in kind from competition with other co-operatives that provide individual traders. I believe that it is proper for us to encourage co-operative effort, and that it is proper in the circumstances to make an increase in the number of shops which, as a matter of fact, is less than would be justified by the increase in population since the number of shops was originally fixed, and by the increase of members since the number of shops was fixed.

Mr. MILLHOUSE: I oppose the new clause although I am not opposed to the friendly societies or to members of the friendly societies. However, after having listened attentively to the remarks of the Attorney-General, I am still strongly opposed to extending the unfair competition to which private pharmacists are now subjected by the F.S.M.A. I believe this is unfair competition and that is why I am opposed to any extension of it. The Attorney-General implied that the situation in South Australia was peculiar to this State and not the same as that in the other States. In South Australia, we have the Friendly Societies Medical Association, which is a united association of the friendly societies. They came together about 50 years ago and formed the one association to conduct pharmacies. In the other States, separate lodges have their separate shops. We all know the saying that unity is strength, and that is so, and it has been proved in this case. The fact that there has been a united Friendly Societies Medical Association has been of tremendous benefit to the association in its growth, and that has been, as I say, in the last few years anyway, to the detriment of the private chemist.

As I understand the position, the private pharmacists had no complaint about the F.S.M.A. prior to the introduction of the 5s. fee for prescriptions in March, I think it was of 1960. Up to that time, under the National Health Act prescriptions were free, whether a person got them filled by a private chemist or through the F.S.M.A. However, in 1960, under the Commonwealth National Health Act, private chemists were obliged by law to make a charge of 5s. a prescription, and the friendly society chemists here and elsewhere throughout the Commonwealth were exempt from making that charge. In fact, they themselves fixed a charge of 1s., so there was a differential of 4s. between the same prescription filled by a private chemist and one filled by a F.S.M.A. shop. Naturally, it was a very great inducement to people to join the association to get that benefit. It is a natural thing that that should happen. However, what was wrong with it was that the private chemists were put compulsorily by law at such a signal disadvantage to the F.S.M.A., which set out deliberately to make the most of the situation. It accepted members who were not associated with lodges, people who joined the National Health Services Association. Those people received their ordinary benefits, and for the payment of an extra 3d. a week (6d. a week for a family) they also got the medicine benefits. The F.S.M.A. and the National Health Services Association set out on an extensive advertising campaign for new members, using this as their bait, and their membership soared as a result. A friend of mine conducted a chemist's shop at Kilkenny, and there was a friendly society pharmacy, one of these 26 shops, fairly close to him.

The Hon. D. A. Dunstan: Who squatted in that case?

Mr. MILLHOUSE: That is not the point. I do not know who came first. Do you?

The Hon. D. A. Dunstan: No.

Mr. MILLHOUSE: Then why on earth are you interrupting?

Mr. Jennings: He interrupted to relieve the boredom.

Mr. MILLHOUSE: I think he interrupted to stop me putting over the point.

The Hon. D. A. Dunstan: Someone from your side interjected and said that when a friendly society shop is set up, that is squatting. I wanted to know who came first.

Mr. MILLHOUSE: That is not the point of this particular occurrence. This man was in his shop and a person whom he knew as a customer came in and made a purchase, not of a chemist line but of something else. He did not seem to be in a hurry, so they got yarning and chatting. Time went on and after about 15 or 20 minutes my friend the pharmacist said to the customer, "You seem to have plenty of time to spare: what are you doing?", to which the customer replied, "I am waiting for the F.S.M.A. to make up a prescription; I can get it for a bob there, so I am not going to pay you 5s. for it." He went to this pharmacy to get other things and to pass the time of day, while the F.S.M.A. made up his prescription. That, Mr. Chairman, is the sort of thing that is so utterly and grossly unfair.

Mr. Casey: What has that got to do with it?

Mr. MILLHOUSE: It has a lot to do with it. That is the way the F.S.M.A. got so many new members.

Mr. Hurst: Who is to blame for that?

Mr. MILLHOUSE: The Commonwealth Government; I do not hesitate to say so. I believe the private chemists, especially in this State because of the peculiar circumstances here, were treated disgracefully by the Commonwealth Government between 1960 and 1964. It was not until the middle of 1964 that the Commonwealth Government was prepared to acknowledge the injustice that had been done to the private chemists. The late Senator Wade was at that time Minister for Health, as I believe he had been during most of this period. The National Health Act was amended to provide that members joining the friendly societies after April 24, 1964, would have to pay the full 5s. fee and not 1s. that all members paid before that. However, that did not redress the damage that had been done, because all those members who joined before April 24, 1964, go on getting the advantage. This applies not only to those members themselves but the members of their families, even those who may as yet be unborn. That is the reason why there has been such a tremendous spurt in the membership and, therefore, the profitability of the F.S.M.A.

The Hon. D. A. Dunstan: Why didn't you try to get the Commonwealth Government to do something about its policy?

Mr. MILLHOUSE: I do not know why the Attorney-General (unless he knows how weak his case is) keeps on interjecting. He knows as well as I do that we cannot here in this State affect the policies of the Commonwealth Government in this regard. All we can do is take them as we find them, base our own ideas of justness and fairness on them as we find them, and try to do the right thing. It is no good saying that these chemists should go to the Commonwealth Government and get a fair go. The fact is that they are in a certain position which I have described, and we must accept that and model our own legislation accordingly. That is the position today. The F.S.M.A. dispensaries are dispensing (this is an estimate, and I have not heard this denied; in fact, I think the Attorney-General said it himself) 30 per cent of all the prescriptions in the metropolitan area and probably 15 per cent or 20 per cent of those throughout the State. They are doing that from 26 shops.

Mr. Rodda: Are they qualified chemists?

Mr. MILLHOUSE: Yes, they must be, and there must be a qualified manager at each shop. As I say, 15 per cent to 20 per cent of all the prescriptions in South Australia and 30 per cent of those in the metropolitan area are done by these chemists, whereas the rest of the prescriptions (85 per cent of those in the State and 70 per cent only of those in the metropolitan area) are being done from 460 shops of the private chemists. If these figures are at all accurate, one sees the enormous disproportion between the amount of prescribing being done by friendly society pharmacists and that being done by private pharmacists. As I said before, I do not object to competition in pharmacy or in any other profession, occupation, or trade; indeed, I believe in it and I will support it, so long as it is competition on fairly equal terms for everybody. I suggest that in five respects that competition is not fair competition between the F.S.M.A. and the private chemists. The first advantage I have already referred to. There is a united group of 26 shops, 25 of them in the metropolitan area and one

at Port Pirie. They are banded together in one organization, and naturally their overhead is lower; they have a minimum of qualified staff; they have a buying advantage; and they have the advantage of centralized control. Our law restricts a private chemist to having four shops. The guild has 386 members, who are master chemists, controlling 460 shops, compared with a group of 26 shops operated by the F.S.M.A. In 1942, Parliament legislated to keep out another large organization because it was considered that this should not come in and swamp individual chemists. The Attorney-General said that the guild could form its buying organization, but those concerned have said that this has been tried and found impracticable. These people have done everything they can within the law to meet the competition that has come from the F.S.M.A.

The second advantage is that under the National Health Act only members joining after April 24 last year have to pay the 5s. fee for prescriptions the same as others do. Members who joined before that date and the children of those families who are members get prescriptions for 1s. Prescriptions outside the National Health Act are dispensed at one-third the cost of the guild chemist, and this is below the wholesale price. The third respect in which the F.S.M.A. has an unfair advantage, is the financial aspect on the question of taxation. The explanation given by the Attorney-General was not convincing. Under section 121a of the Income Tax Assessment Act the F.S.M.A. pays income tax on only 10 per cent of its income, at company rates. This is a tremendous advantage.

The Hon. G. G. Pearson: That is 10 per cent on the gross.

Mr. MILLHOUSE: That is still a tremendous advantage for income tax. The fourth advantage is that it is outside the control of the Pharmacy Board. The board can discipline registered pharmacists but the F.S.M.A. is not one. Its managers are and they can be disciplined, but not the association. This has given it a great advantage with respect to advertising. Pharmacy is a profession, and its members regard themselves as members of a profession and stick to professional ethics. For pharmacists there is a code of advertising, which is binding on private chemists, but I doubt whether the F.S.M.A. sticks to it. It is obvious that many of the conditions of this code are ignored by the F.S.M.A. in its advertising campaign for new members and business, and this is a grossly unfair advantage.

The fifth advantage is that the F.S.M.A. has an assured clientele through the National Health Services Association and lodges, and cannot lose it in present conditions. It is because of these five advantages that the competition which the chemists are suffering is unfair and should not be extended. What is the ultimate factor on these matters? Surely it is whether or not pharmacy as a profession and means of earning a livelihood returns more than the community regards as a fair return for the work and training put into it. The Attorney-General asserted (but his statement was not backed up by figures) that pharmacy was a well-paid profession. I do not believe it is. I know a number of pharmacists who do not seem to me to have become wealthy—far from it.

Mr. Casey: Do you know the figures?

Mr. MILLHOUSE: Yes. The average turnover of a chemist's business is about £18,000, but I am informed that in the metropolitan area it is substantially lower—probably about £13,000. If one takes 20 per cent of that as the profit, then it gives an income of between £3,000 and £4,000 a year. That is not much for a professional man, as the Attorney-General knows. Members of the legal profession, after a few years of training, are entitled to expect to do far better than that. Let us remember that before that income can be forthcoming at all, there is a capital investment in the business of something up to £10,000, something that is not needed in many other professions. It is not a particularly profitable profession, and yet a difficult course is involved; the hours of work of pharmacists are not short, and they have to open their shops at times when most professional men are not working—and constantly!

These are the things that I suggest members of the Committee should bear in mind. If chemists were making enormous profits and being grossly overpaid, compared with other professions, perhaps there would be something in this but, in fact, they are not and, as I have suggested, they are being subjected to unfair competition in five respects in regard to the F.S.M.A. Even though we cannot stop that altogether, I do not believe we should extend it, and we shall certainly be extending it if we give an additional 10 shops to the F.S.M.A., as this clause provides. It is for those reasons that I am entirely against the clause, and I hope the Committee will vote against it.

Mrs. STEELE: The status of the pharmacist has now been raised to that of graduate rather

than diplomate, which is a good thing. Unfortunately, however, this Bill is making some distinction in respect of the F.S.M.A., which is, of course, to the detriment of the private pharmacist. As the member for Mitcham said, the situation in South Australia is not comparable to that of any other State, and because of that the F.S.M.A. operates at a great advantage over the private pharmacist.

[*Sitting suspended from* 5.57 *to* 8 *p.m.*]

Mrs. STEELE: The advantageous position of the friendly societies was made possible by legislation of the Commonwealth Government. For 10 years before 1960 anyone could go into a chemist shop of his or her choice and have a prescription, which came within the National Health Act, made up for which nothing was paid. In 1960 legislation was introduced that resulted in all except pensioners having to pay 5s. for a prescription. However, in South Australia the friendly societies were able to continue supplying members with prescriptions at a charge of 1s. This position continued until 1964 when the Commonwealth Government realized that South Australian private chemists were at a disadvantage compared with F.S.M.A. chemists. Between 1960 and 1965 the friendly societies built up their membership by 132,000. The association also advertised and offered these benefits to the public. This advertisement had the approval of the Commonwealth authorities. Because the F.S.M.A. is not subject to discipline by the Pharmacy Board in South Australia it can engage in this advertising, which has meant so much to it, without restriction at all. I have nothing at all against the friendly societies, and I think they do a wonderful job, but they are at a distinct advantage.

By way of interjection I mentioned the word "squat". I am sure most members are familiar with that word because it is used extensively in the medical profession. It applies to doctors who set themselves up in practice in an established district in opposition to doctors who have bought into practices and paid a considerable sum for them. The term is also applied to dentists. The F.S.M.A. chemists do not intend to pioneer areas but to establish shops in areas where they would be in competition with existing chemist shops.

Mr. Broomhill: How can you be sure of that?

Mrs. STEELE: That is the sort of thing that happens when people realize that they can cash in on a situation and make something out of it.

The Hon. G. A. Bywaters: What about a chain store that comes into a district?

Mrs. STEELE: The effect of supermarkets is well known. All members know what this does to small shopkeepers.

Mr. Rodda: I notice that chain stores do not go to Lucindale, Copeville, or such places.

Mrs. STEELE: They go where there is the greatest concentration of customers. The F.S.M.A. operates under a co-operative system. One qualified person is in charge of a chemist shop, and it meets the requirements of the Act by having a certain number of qualified people who move around. Actually the people who dispense the prescriptions are unqualified, whereas private chemists own their own shops and do their own dispensing thus providing a valuable service to the public. These people could be called family chemists. They set up business in a district, get on well with the local medical practitioners and provide a personal service to young families. They are generally practical men, and give advice to young people who seek it. In this way they provide a very good service to the public, and in addition they provide an after-hours service which very often the F.S.M.A. does not provide.

The Hon. C. D. Hutchens: Don't you call 24 hours a day seven days a week a good service?

Mrs. STEELE: We know they do not all do this. Another point I want to make is that the F.S.M.A. operates as a co-operative. Because of its huge membership, it is able to act almost as a co-operative wholesaler. It can buy in greater quantities, and therefore it can provide these medicines and prescriptions at a very much lower rate than can the private pharmacist. I said earlier that we have recently seen a new development in South Australia where the chemist has obtained a new status through being able to obtain a degree, yet at the same time we see these chemists being put at a distinct disadvantage. I think it was in 1942 that Boots, the great drug company, came here to South Australia with the idea of setting up chain store pharmacies. So great was the concern of the Government of the day that it introduced legislation that prevented that from being done. However, I suggest that the legislation we have before us tonight is bringing to light again just the same sort of thing that we legislated to prevent in 1942.

I am very sorry for the private pharmacist, who is working very hard to provide a service

to the community. I have had many discussions with chemists in my district. I spoke today with the President of the Pharmaceutical Guild, who explained to me the concern of his organization at the legislation now before us. I, like other members, have received communications over the past week putting up a case and asking the members who represent them in Parliament to vote against the legislation.

Mr. COUMBE: I think the Committee should ask itself one or two questions. Why is the Government introducing this to give a particular benefit to the F.S.M.A.? It was the Pharmacy Board that promoted the main clauses of this Bill and opened it up for discussion, but I do not for a moment believe that the board suggested this clause to the Government. This seems to me to be a brainchild of some member of the Government, and the Government has taken this opportunity of trying to slip it into the Act. Has the Government introduced it to undermine the financial stability of the many small and private chemists who are, after all, the great majority of the practising chemists in our community today? On the other hand, is it to preserve the position of a privileged group? The F.S.M.A. is definitely a privileged group because of past benefits (which I agree may diminish in the future) and because it has been able to induce so many people to enrol as members as a result of the action of the Commonwealth Government. I point out, too, that the benefits enjoyed by those who became members some time ago apply to those members' children and even to children who are not yet born. It is a privileged group because it has secured many customers who are financially obligated through their lodges to deal with the F.S.M.A. chemists.

Why does the F.S.M.A. itself want an increase in the number of shops in South Australia? Is it to increase the service to its own members, or is it to put out of business the legitimate private chemist who is practising today? I could also ask: why does the F.S.M.A. today not take advantage of the provisions already contained in the Pharmacy Act? I refer to section 26e which, as we all know, gives the friendly societies the undoubted right to conduct an unlimited number of dispensaries to trade exclusively with its own members. It has had this right for many years, but it has not taken advantage of it. I suggest the answer is that it obviously could not make a financial success of this undertaking unless it filched customers from private chemists who were already established.

The F.S.M.A. could easily get over this in another way. We know that it is permitted to operate 26 shops in South Australia. Twenty-five shops are in the metropolitan area and one is at Port Pirie. What happens to the many thousands of society members who reside in the country? They go to their private chemist who makes out a receipt and fills out a form, and it is sent to the friendly society for a rebate. This is a service given in the interests of members and has been operating for many years. This provision could be extended to the metropolitan area.

The Hon. G. A. Bywaters: What country towns does this operate in?

Mr. COUMBE: I am merely suggesting to the Minister of Agriculture and others that this is a simple way of overcoming the problem. I am sure the private chemist will co-operate in this scheme because it will not involve him in any more paper work than he does at present. If the F.S.M.A. is sincere why doesn't it extend this service to its members to enable them to get prescriptions from existing private chemists, rather than the association going to the trouble of setting up other shops? Why has the Government introduced this measure? Is it to preserve the position of a privileged few in the community? Does the F.S.M.A. want an increase in the number of shops to increase services to its members or to push out of business legitimate private chemists? These questions merit considered answers from a responsible member of the Government.

Mr. HEASLIP: I agree to the Bill as it was, but disagree to the new clause for two reasons: first, it is unfair competition, and I do not believe in that; secondly, these people to whom we are giving concessions are not prepared to go into the country and do something for country people. Almost all the shops are in the metropolitan area.

Mr. Hurst: How many friendly society shops are in the country?

Mr. HEASLIP: None.

Mr. Burdon: What about Mount Gambier?

Mr. HEASLIP: That is not the country—that is a city. The friendly societies go only where the people are. Private chemists are prepared to go to small areas and provide a service. Private chemists must charge 5s. for prescriptions and the friendly societies charge 1s.; the difference is made up by the Commonwealth Government and the taxpayers have to pay it.

The Hon. G. G. PEARSON: I support the amendment. I have listened to the champions of private enterprise and I have never heard them in a more lugubrious frame of mind. It seems that suddenly private enterprise has fallen over on its face in the light of a small amendment that would give something to a co-operative society. Apparently private enterprise is scared it cannot stand up in competition with that. The member for Mitcham was particularly doleful in his outlook. I could not understand the subdued anticipation with which he spoke and how he apparently was completely submerged under the avalanche of co-operative activity. I think a little competition is a good thing. At present in this field are two competing factions: the guild chemist and the friendly societies. Admittedly the friendly societies are a tightly knit organization bound together for a purpose. Equally, the chemists guild comprises a group of people that is probably the tightest and most solid band of people that exists in Australia, because in every State it is organized in the most efficient, precise and regimental manner. This is not a case where an organized group is competing against an unorganized group.

Much propaganda has been directed to members from one set of contenders, and I do not think it has been wisely organized. Some of the accusations that have been levelled by the guild chemists against the F.S.M.A. would not do credit to any organization, let alone a professional organization. I do not know whether there is an attempt to bolster up a weakness in logic with a strength in feelings. I believe the people concerned have done despite to their cause by some of the statements they have made. Much has been said about unfair competition that is alleged to exist. I do not accept that it is unfair competition. Some members of the friendly societies can pay 1s. whereas outsiders pay more. Although this disparity exists, it is not a disparity that we ought to be attempting to remedy by a back-door method in this place. The Commonwealth in its wisdom passed certain legislation and conferred certain benefits on some people. Are we to try to remedy that, if it is something that needs remedying, by legislative action in this place for an entirely different purpose and with an entirely different method? I know that the guild chemists have made representations to the Commonwealth Government on this matter not once but over a long period of time. I say to my colleagues in all sincerity that I think the action they propose is highly improper and that they are backing the wrong horse entirely. They are seeking to punish somebody for something they are alleged to have committed, and it is nothing to do with this place whatever.

Mr. Casey: The Commonwealth Government admitted it was wrong.

The Hon. G. G. PEARSON: I say it is not the function of this place to attempt to put right something that it may believe to be wrong in this matter. If my colleagues are so enthusiastic about it, then I think they should make representation to their colleagues in the Commonwealth House and not come in here to try this sort of action.

Mr. Heaslip: But this amendment extends it.

The Hon. G. G. PEARSON: It does not extend it at all. What it does is to try to remedy a situation. The limitation that has existed in this matter for many years took no account of the increase in population or the growth of the State. It is now proposed to take these things into account and to amend the limitation which this Parliament in its wisdom placed on friendly society shops many years ago. I believe that the alleged taxation benefits and benefits of bulk buying by the friendly societies do not, in fact, exist. If the societies are taxed, as the Commonwealth Act requires, on 10 per cent of their gross turnover that would equate any other form of tax that might be levied against them on income in the normal way. Each of the competing groups can buy on equal terms. The friendly societies have been pegged down to a fixed number of shops for many years during which time the population has grown and their membership has grown. It was said that the membership had grown because they had enjoyed certain conditions. At one time the friendly societies asked chemists to render a service to them and the chemists refused. I know of no country town where the service referred to is available. The fact that it was not available prompted friendly societies to act in self defence and in order to give a service to members they established the funds. In all equity I think the new clause provides for justice to a reputable body, and I support it.

Mr. HALL: I support the new clause, although I sympathize with the chemists. My local chemist has put a case to me on why we should not increase the number of outlets of the friendly societies. Although I appreciated his views, I cannot see that he personally will be affected. It seems to me that many people wish to use the services of

the friendly societies and that this is a simple conflict of business interests. I do not consider that we are putting people out of business by passing this amendment. Perhaps we may be introducing a little more competition in certain areas. I agree with the member for Flinders. We appear to be getting our attitude to private enterprise a little bit mixed. Where is the private factor in this: is it the private chemist, or is it the private person paying his subscription to his society?

I agree that there is a privilege here, but it is a privilege that has been gained by people standing together. As they form these associations and pay something for it, I cannot see why they cannot reap the benefit from their belief in a co-operative effort. It seems to me that the same standard is required of a chemist working for a friendly society as is required of a chemist working in his own business, and if that is so it is only the business interest that we can consider. That being so, why do we limit the co-operatives in this field and not in others. For instance, various co-operatives such as the Eudunda Farmers Co-operative operate in country towns, yet we do not restrict them. We know that the small town grocer still exists because some people consider that he gives a better service.

Mr. Millhouse: Do you know that thousands are going out of business every year?

Mr. HALL: I do not deny that. Why pick on this particular field of friendly societies? One person told me that he had not been to a chemist to get medicine for four years, that when he last went he could go to a guild chemist, have his prescription filled by that chemist, and then send his receipt to the friendly society and be reimbursed for it. Now he has to go 11 miles past his guild chemist to his friendly society chemist, and he is prepared to travel that far. Why?

Mr. Millhouse: That is what I want to know. He would waste more in petrol.

Mr. HALL: Why should he not have the right to go where he can get something more cheaply? Many people pay subscriptions to their friendly society, and if they do not draw on the benefits it forms a pool on which others can draw. Those who want medicine can get it at a cheaper rate.

Mr. Millhouse: And that is tax free.

Mr. HALL: Of course it is, and so it should be. Is the payment on a fortnightly or yearly basis not the same as going to a guild chemist and paying cash, in which event the person gets a taxation allowance for his medicines? According to the member for Mitcham, apparently, a person should be penalized if he pays into the society in instalments over a year. We are getting a little bit twisted in our approach to this.

I understand that the reimbursement from the Commonwealth Government is the same for a friendly society as it is for a guild chemist. There is a great demand for the service given by this type of society. If the service is not there, as some people claim, why does the public want it? If people are prepared to accept a less comprehensive service at a cheaper rate, it is because they see the savings as an advantage. There has to be a balance here. A person could probably get a better service than he would get at the South Australian Farmers' Union, for instance, by going somewhere else and paying 10 per cent more, while on the other hand he may prefer to by-pass Woolworths and go to the Farmers' Union. It is a matter of degree. I do not deny the customer this opportunity. The guild chemist should approach the Commonwealth Government, which is responsible for some of the advantages available to the friendly societies. If the guild chemist gives a better service why does he need protection? I sympathize with a person operating a business, but until greater proof can be presented that we are doing the wrong thing, I support the new clause.

The Hon. Sir THOMAS PLAYFORD: In answering the question why a restriction was placed on the number of friendly society pharmacies in the first place, I point out to the member for Gouger that the matter was first considered in Parliament in 1942. At that time a powerful oversea company had announced its intention of establishing branch company pharmacies throughout the more populated areas of the States of Australia. As a result of that announcement, Parliament considered what would be the best service to the public, and decided almost unanimously that pharmacists had a personal relationship with their clients, and that that was important to the client. It also agreed that a pharmacist service should cover the whole of the State and not be established in the areas of dense population. Parliament amended the Act and prohibited chain-store pharmacies, as it considered that they would not give the type of service which could be given by the personal relationship between the chemist and the public. Parliament exempted friendly societies that had set up a number of branches, but placed an overall limit on expansion. The family chemist gives a service where it is not so profitable and

where the population is not so great. The F.S.M.A. chases the most populated and profitable centres, and has no hesitation in changing from place to place to suit its own requirements. Why did we place a complete embargo on the establishment of country pharmacies in South Australia? That law is not challenged tonight, because it is a good law.

The CHAIRMAN: Order! I have allowed too much latitude. In Committee honourable members must address themselves to the clause, and I ask the Leader and other honourable members to do so.

The Hon. Sir THOMAS PLAYFORD: In moving his amendment, the Attorney-General covered Commonwealth legislation and other things, and no objection was made then. I am dealing with the clause that established the friendly societies—

The CHAIRMAN: Order! I allowed the Leader to explain his reasons in reply to the member for Gouger, and I now ask him to restrict his remarks to the clause.

The Hon. Sir THOMAS PLAYFORD: The Attorney-General's amendment seeks to increase the number of friendly society branches, which I say is against the general policy of the Bill. The Bill generally seeks to make pharmacy in South Australia a personal service, but the Attorney-General's amendment seeks to increase the scope of an impersonal service. I do not support the amendment.

Mr. SHANNON: Without doubt, the intention of the Bill is to improve the professional status of pharmacists, with which I am in complete agreement. I have no sympathy at all for multiple numbers of shops. I am all in favour of having one fully-qualified pharmacist to one shop. The member for Gouger had the effrontery to suggest that if people were prepared to accept a lesser service for less money, why should they not be permitted to do so, but I ask: when the F.S.M.A. shop is closed (which frequently it is) and only the guild chemist is available, where does the person (to whom the member for Gouger refers) go when sickness in the family requires urgent service? Where are the 26 shops operated by the F.S.M.A.? We find 25 of them in the metropolitan area. The friendly societies set up their businesses where they compete with other chemists—in areas where there is the greatest congregation of people. They are supposed to supply a service to the community, but is there one friendly society shop that provides a 24-hour service? If the clause is passed it should have added a proviso that the friendly societies establish shops in areas where people require a service.

Mr. McANANEY: As I believe in co-operatives, I am disappointed that I must oppose the new clause. However, in this case there is one set of rules for friendly societies and one set of rules for an ordinary chemist.

Mr. QUIRKE: I support co-operation. The co-operative movement has been of tremendous benefit to both the producer and the consumer, and it is considered absolutely necessary in many parts of the country. We are now considering an association of people who are in competition with the guild chemist, with both getting their living from the consumer. The co-operative is definitely a protection to the consumer. I believe it is necessary for a co-operative and for a private business to be near and in competition with each other, because then they are both kept on their toes.

Seeing that our population has increased in leaps and bounds, why is it necessary for the guild chemist to seek protection against the people who band together in a co-operative interest for their own benefit? Do those people not have the right to so band together? The expansion will only take place where the greatest expansion in population has occurred, and that is legitimate expansion. I admit that they are most unlikely to go into the country, but it has always been difficult to get any form of chemist in a country town. I am not very enamoured of this argument about personal service, for I consider that the service rendered by a friendly society chemist would be exactly the same as that rendered by a guild chemist. The friendly societies organization is not a monoply that is extracting vast profits and handing them out to shareholders. I support co-operation because I know its advantages, and where the population is so these societies expand. The friendly society has a right to give people a co-operative service, and I support the expansion of this organization. It is the only co-operative organization on which a restriction of expansion has been placed. It gives a service, and, as it does, it should be allowed to expand.

The Committee divided on the new clause:

Ayes (21).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan (teller), Freebairn, Hall, Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Pearson, Quirke, Ryan, and Walsh.

Noes (12).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Heaslip, McAnaney, Millhouse (teller), and Nankivell, Sir Thomas Playford, Mr. Rodda, Mrs. Steele, and Mr. Stott.

Majority of 9 for the Ayes.

New clause thus passed.

The Schedule.

Mr. MILLHOUSE: I move:

To strike out "Fifth Schedule . . . Strike out "Apprentice" and insert "Trainee"; strike out "apprenticeship" and insert "traineeship".

In my second reading speech I suggested to the Attorney-General that a mistake had been made, and respectfully chided him for not scrutinizing the Bill more carefully.

The Hon. D. A. DUNSTAN: I am both co-operative and grateful, and accept the amendment.

Amendment carried; schedule as amended passed.

Title passed.

Bill read a third time and passed.

Later:

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

The Hon. D. A. DUNSTAN (Attorney-General) moved:

That this House insist on its amendments.

Motion carried.

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

The House of Assembly granted a conference, to be held in the Legislative Council conference room at 8 a.m., at which it would be represented by Messrs. Brookman, Broomhill, Hutchens, Lawn, and McAnaney.

At 7.55 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 11.11 a.m. The recommendations were:

As to Amendment No. 1:

That the House of Assembly amend its amendment No. 1 by striking out the word "thirty-six" at the end of proposed new subsection (1a) and inserting in lieu thereof the word "thirty-one" and add after "shops" the passage:

> "; but the Association shall not establish or maintain any such new shop after the commencement of the Pharmacy Act Amendment Act 1965 unless the situation of that shop has been approved by the Minister"

and that the Legislative Council agree thereto.

As to Amendment No. 2:

That the Legislative Council do not further insist on its disagreement.

Consideration in Committee.

The Hon. C. D. HUTCHENS (Minister of Works): I move:

That the recommendations of the conference be agreed to.

As the Committee will recall, we re-inserted in the Bill the clause which the Legislative Council had deleted and which extended the permissible number of friendly society shops to 36. After some discussion, the conference compromised on a figure of 31, which means that the friendly societies will now be permitted an additional five shops. We have agreed that these five new shops can be built only on sites approved by the Minister.

Regarding amendment No. 2, the Committee will remember that our amendment was made on the recommendation of the honourable member for Mitcham, who pointed out a drafting error which he said the Attorney-General had missed. Obviously, the Legislative Council did not see the purpose of it, and it disagreed with the amendment. However, when it was pointed out that the section in question was repealed in 1952, the Legislative Council very readily agreed not to insist on the amendment.

Motion carried.

Later, the Legislative Council intimated that it had agreed to the recommendations of the conference.

PRICES ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

EXCESSIVE RENTS ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments.

REGISTRATION OF DOGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 25. Page 3192.)

The Hon. R. R. LOVEDAY (Minister of Education): I had virtually concluded my remarks when the debate was adjourned, and I have nothing more to say, because I think the matter is clear.

Bill read a second time.

The Hon. R. R. LOVEDAY (Minister of Education) 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 the use of guide dogs.

Motion carried.

The Hon. D. N. BROOKMAN (Alexandra) 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 to amend section 11 of the principal Act.

Motion carried.

In Committee.

Clauses 1 to 5 passed.

New clause 2a—"Time for which registration to continue in force."

The Hon. D. N. BROOKMAN: I move to insert the following new clause:

2a. Section 11 of the principal Act is amended by inserting at the end thereof the following subsection (the preceding portion of the section being designated as subsection (1) thereof):—

(2) Upon the request of any person registering a dog and payment of a fee of two shillings and sixpence at the time of registration a Registrar shall, not less than fourteen days before the thirtieth day of June next ensuing, send to that person a notice that the registration of the dog will expire on that day.

This means that, by paying an extra 2s. 6d. (which is, in effect, to cover costs) a person wishing to receive a notice to register his dog (rather than having to rely on his memory) may receive a reminder. Many annual fees include an extra charge so that a reminder may be sent. This does not apply to the registration of dogs, and fines may be imposed on those who forget to register their dogs.

The Hon. R. R. LOVEDAY (Minister of Education): The Government is not happy about the amendment, because the registration of dogs rests with the local government bodies, from which no expression of opinion has been obtained on this matter. Such a provision will necessitate extra work on their part in the way of clerical duties, postage, etc.

The Hon. T. C. Stott: It is only on request.

The Hon. R. R. LOVEDAY: Yes, but the councils will have yet another job to perform in respect of those who make the request.

The Hon. T. C. Stott: What about people who don't make requests?

The Hon. R. R. LOVEDAY: One person will not receive a notice because he does not pay the 2s. 6d.; the person who does pay it will receive a notice, and this could lead to much confusion on the part of those who imagine they will naturally receive a notice, when they may not even have paid the extra fee. The local governing bodies should be consulted, to see whether the 2s. 6d. is sufficient to meet the extra work involved, and to see what they think of the proposal generally.

Mr. MILLHOUSE: I do not oppose the amendment but I see one difficulty, as it now stands. If by some confusion, mistake, sheer laziness or inefficiency, a council does not send a notice after the 2s. 6d. has been paid, the owner of the dog is no better off than he is now. I think it would have been better to have provided that if a notice were not sent it would be a defence to a prosecution to prove that the 2s. 6d. fee had been paid to have a notice sent.

The Hon. D. N. BROOKMAN: I should like to point out that the vote on this matter will not be on hard Party lines. I examined the matter of providing a defence for a person who spent 2s. 6d. and did not get a notice, but the more I looked at it the more complicated it became. For instance, if a motor car is not registered it is not a defence for the owner to claim that the Registrar of Motor Vehicles did not send him a renewal notice.

Mr. Millhouse: He would not pay a fee to have a notice sent. The Registrar is not obliged to send a notice.

The Hon. D. N. BROOKMAN: I do not see the significance of that point. However, I should pay my 2s. 6d. and trust in the council clerk. I should not take the matter to court. People who would take the matter to court on principle would find this amendment unacceptable to them and would be better off not to take advantage of the provision. Many people would take advantage of this provision because so often people forget to pay for the registration of their dog. I considered the possibility of a dog's dying within 12 months. As there is no provision for a refund of a dog registration fee I do not think there need be a special refund of the 2s. 6d. either. The amendment has no inherent danger in it and I believe it is acceptable.

Mr. HEASLIP: I support the amendment, which will be of assistance to many people. It will not cost councils anything; on the contrary, they will make money out of it. It is not compulsory for anybody to ask for a notice to be sent. I believe many people would spend 2s. 6d. to make sure that they would receive a notice that their dog's registration fee was due. I do not think the councils would make many mistakes because they would make money from each notice they sent.

The Hon. R. R. LOVEDAY: The Government does not feel strongly about this matter. However, there is no evidence that councils have been consulted on it. I have been in local government for 20 years, and the complaint always made is that councils are not consulted as to their opinion on matters like this. I will undertake to consult councils on this matter and if they are happy about it I will bring it forward next year by way of an amendment to the Act.

Mr. Shannon: I think a better suggestion would be to load the fee on registration so that the councils would be paid for sending out a notice.

The Hon. R. R. LOVEDAY: That may be. If the councils are in favour, I will bring forward an amendment next year.

The Hon. D. N. BROOKMAN: I am happy to accept the Minister's assurance. However, the amendment is not necessarily bad even if the councils do not favour it. Dog owners also have rights in the matter and the convenience of the public must be considered. If the councils were strongly against the amendment I think we should look for some other way out. I believe something needs to be done about the matter. I ask leave to withdraw my amendment.

Leave granted; amendment withdrawn.

New clause 3a—"Guide dog."

The Hon. R. R. LOVEDAY: I move to insert the following new clause:

3a. The following section is inserted in the principal Act immediately after section 37 thereof:—

38. (1) Notwithstanding anything in any Act, regulation or by-law—

(*a*) a person who is wholly or partially blind shall be entitled to be accompanied by a guide dog into any building or place open to or used by the public or into any vehicle used for the carriage of passengers for hire or reward and shall not be guilty of any offence by reason only that he takes that dog into or permits that dog to enter any building or place open to or used by the public or into any such vehicle;

(*b*) an occupier or person in charge of any building or place open to or used by the public or in charge of any vehicle used for the carriage of passengers for hire or reward shall not refuse entry into any such building, place or transport to any person who is wholly or partially blind by reason only that that person is accompanied by a guide dog.

Penalty: Twenty-five pounds.

(2) In this section "guide dog" means a dog used as a guide by a person who is wholly or partially blind.

The purpose of the amendment is obvious. A guide dog is, of course, the eyes of a person who is blind or partially blind, and surely a person should be able to have the benefit of the eyes when he goes anywhere. This is a reasonable and humanitarian amendment to ensure that blind people are at no disadvantage wherever they may move in the community, and I commend it to the Committee.

Mr. HEASLIP: Although I favour the amendment, I should like some clarification of it. Is a dog to be allowed to remain with a blind person at all times while he is dining or sleeping at a private hotel or boarding house? Is some facility to be made available for the dog in a place other than the room the blind person is occupying? I do not think a dog should be allowed to remain in a place where people are eating or sleeping.

The Hon. R. R. LOVEDAY: Is the honourable member speaking of the situation in which a dog might be taken into a hotel and the blind person is staying in the hotel?

Mr. Heaslip: Or eating there.

The Hon. R. R. LOVEDAY: I must confess that this point is not clear in the amendment, and I think it deserves attention because obviously that is a point that could be raised in this situation. In a restaurant, a dog could be put under the table. As the amendment is now framed, I think that if a person were staying in a place overnight the dog would have to stay with the person.

Mr. MILLHOUSE: I agree that the amendment as it stands is not drafted particularly clearly. In fact, I think it is unsatisfactorily vague. However, I do most strongly support the spirit behind the amendment. We cannot separate a blind person from his or her guide dog; it is like a part of that person, and it goes wherever that person goes. It would be literally cruel to both of them to separate them, and it must not be done. As the Minister says, the guide dog is the eyes of a blind person, and I suggest that in any redrafting or re-examination this should be borne in mind. It would be absolutely useless enacting anything that would try to separate the two at any stage.

The Hon. R. R. LOVEDAY: Both honourable members have raised a problem, and I agree with both points of view. We cannot by any stretch of the imagination separate the dog from the person. I think we should have another look at the matter in order to meet the opposing objections, both valid ones, that have been raised. No doubt the problem can be overcome if the amendment is framed

properly. In the circumstances, I ask that progress be reported.

Progress reported; Committee to sit again.

ALSATIAN DOGS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 25. Page 3192.)

The Hon. R. R. LOVEDAY (Minister of Education): Mr. Speaker, I had concluded my remarks on this Bill when we discussed it before, and I have nothing further to add.

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

COMPULSORY ACQUISITION OF LAND ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments.

INHERITANCE (FAMILY PROVISION) BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 31 (clause 5)—After "person" add the following words—"and who at the date of death of such deceased person was receiving, or entitled to receive maintenance from such deceased person".

No. 2. Page 3, line 5 (clause 5)—After "spouse" add the following words—"being a child who was being maintained wholly or partly or was legally entitled to be maintained wholly or partly by the deceased person immediately before his death".

No. 3. Page 3, lines 6 and 7 (clause 5)—Leave out paragraph (*h*).

No. 4. Page 3, line 9 (clause 5)—After "person" add the following words—"if such deceased person dies without leaving a spouse or any children".

No. 5. Page 3, lines 10 to 13 (clause 5)—Leave out this paragraph and insert new paragraph (*j*) as follows:—

"(*j*) where the deceased person was an illegitimate child who dies without leaving a spouse or any children—the mother of the deceased person".

No. 6. Page 3, line 22 (clause 6)—After the word "may" insert "at its discretion".

No. 7. Page 3, line 34 (clause 6)—After "Act" add the following words—"or on any other ground which the Court thinks sufficient".

No. 8. Page 4, line 8 (clause 7)—Leave out "twelve" and insert "six".

Amendment No. 1.

The Hon. D. A. DUNSTAN (Attorney-General): I ask members not to agree to this amendment. The Legislative Council has endeavoured to write into the Bill a provision that persons who are to be entitled to make claims before the court are persons who were receiving or were entitled to receive maintenance from the deceased person. This is a completely unworkable provision, and is absurd. It would make the task of the court a truly impossible one.

Mr. SHANNON: This was a problem that I attempted to deal with by defining "dependant". If the other place had inserted a definition it would have made the matter more simple. I have reservations about the statement of the Attorney-General that a court cannot interpret this section, as it is not so difficult to assess whether or not the person making the claim on the estate had some assistance during the deceased's lifetime. Generally, in these cases, it will be a fairly substantial estate involved.

The Hon. G. G. PEARSON: This amendment follows closely, in principle, that which the member for Onkaparinga and I sought to insert in the Bill here. It attempts to preserve the principle of dependants, and I agree with that. The Committee should agree to this amendment.

Mr. MILLHOUSE: I must agree with the Attorney-General. If this amendment is included, the court will have two substantial decisions to make. This would be almost impossible and would lead nowhere. The court looks at all the circumstances before it makes an order and this, it seems to me (as the Attorney-General has said) will make the provision so difficult as to be tantamount to being unworkable.

The Hon. G. G. PEARSON: I respectfully submit that the honourable member's remarks are contradictory. If, as the honourable member says, the court looks at all the circumstances before making an order, no difficulty should arise.

Mr. SHANNON: Is it our duty to permit appeals to a court in such a way that the door is left so wide open as to allow anybody to appeal to a court for a share in a deceased person's estate? Appeals will delay the distribution of an estate to the beneficiaries, often to the widow. To have no qualification at all will unnecessarily hamper the administration of the Bill.

Amendment disagreed to.

Amendment No. 2.

The Hon. D. A. DUNSTAN: This amendment is in similar terms and for similar reasons, and I ask that it be disagreed to.

Amendment disagreed to.

Amendment No. 3.

The Hon. D. A. DUNSTAN: I ask that the amendment be disagreed to, for it deprives a grandchild (or a grandchild who has been legally adopted and therefore put in the position of a grandchild) of any rights to claim on an estate. As to the distinction between a grandchild and one who has been legally adopted either by a child or by a legally adopted child, I do not think this is a distinction that we should draw. Our law considers, quite rightly, that where children have been legally adopted they should be treated for all purposes as children. The only question that arises is whether a grandchild should be able to claim on an estate. In numbers of instances a grandchild will have a perfectly proper claim on an estate, where, in fact, they have contributed to the care and upkeep of the grandparents, and contributed directly to the moneys contained in the estate. To deprive them of the right to claim seems to me improper, and I see no valid reason for the Legislative Council's making this amendment.

Amendment disagreed to.

Amendment No. 4.

The Hon. D. A. DUNSTAN: I recommend that the amendment be disagreed to. The Bill provides that where the deceased person was an illegitimate child a parent of that deceased person may claim, and the Council seeks to write in a restriction "if such deceased person dies without leaving a spouse or any children". Therefore, a parent cannot claim where there is a widow and children, despite the fact that circumstances may exist where the court, on examining the conduct of the widow and children, could allow for that. This seems to me to be a strange restriction; it places an arbitrary restriction on the court, and would rule out a parent on whom the deceased person had been dependent, with whom he had had a close relationship, and to whose estate the parent had contributed.

Amendment disagreed to.

Amendment No. 5.

The Hon. D. A. DUNSTAN: I recommend that the amendment be disagreed to, for, where the deceased person is an illegitimate child who dies without leaving a spouse or any children or mother, it would leave out the right of a father to claim. In fact, there is no reason to leave out the father. There are numbers of cases where a father of an illegitimate child is properly caring for that child, has had the child dependent on him, and has contributed to his estate. There are numbers of cases (including cases that were discussed in this Chamber during the debate on the Maintenance Act Amendment Bill) where there are illegitimate children who cannot be legitimated, and where there is a close relationship between them and the parents. Why is the father to be ruled out in circumstances such as this, where a father in other circumstances may claim on an estate of the child? It could be a gross interruption of a close relationship to have members of the Children's Welfare and Public Relief Department inspecting the home; yet we are to treat the father in these circumstances as being completely different, and to restrict the claim of a mother just in the same way as we disagreed to the previous amendment.

Amendment disagreed to.

Amendment No. 6.

The Hon. D. A. DUNSTAN: I ask the Committee to agree to this amendment. Although I am loath to depart from the words used elsewhere, I think this amendment makes little difference. It is mere surplusage but if the Council feels there is significance in the verbiage I do not think there is any point in our disagreeing to it.

Amendment agreed to.

Amendment No. 7.

The Hon. D. A. DUNSTAN: I suggest that this amendment be disagreed to. It may put a court in a difficult position because it gives no real criteria to the court. Criteria which are laid down in the Bill are criteria which exist in other Acts of this kind and have been interpreted on many occasions. This amendment widens the discretion of the court to such an extent that there would be difficulties of interpretation. As a matter of fact, I have discussed this with some of the people who will have to interpret this section and they are decidedly unhappy about this further widening of the provision. I can see no good grounds for widening the discretion in this way. The court has sufficient grounds already to refuse a claim if there is any proper reason to do so. Adding this is simply going to make for difficulties in interpretation without providing any benefits to the community at all.

Mr. SHANNON: The court should be able to look upon this matter with care and caution. There may be factors known to the court at the time of the appearance of the appellant. Other factors may have a bearing on the conditions of conduct and character. There may be something on which the court would like the right to determine its decision. If there

are peculiar circumstances in a case I cannot see any harm in giving the court further discretion.

Amendment disagreed to.

Amendment No. 8.

The Hon. D. A. DUNSTAN: I ask the Committee to disagree to this amendment. This goes to the very root and purpose of the original exercise of introducing a Bill of this kind. This amendment is to limit the time for claims to six months, as provided under the Testator's Family Maintenance Act at present, instead of providing for 12 months which is provided in the Bill. The exercise of getting the committees together and having submissions from the judges and the Law Society on a Bill of this kind arose from the difficulties and injustices that had been caused by the six months' limitation. My predecessor as Attorney-General approved that the measure should go ahead because of the complaints made to him, which he felt justified because of the time limitation. It is true that not all cases of injustice can be cured by extending the period in this way, but it will be much easier for the claims to be made within the proper time if the time limit is 12 months rather than six months. There seems to have been some misunderstanding in another place. I understand it has been suggested that since the court has power to extend the period of six months then there is no difficulty. In fact, the court has power only to make the order extending the period of six months within the six months. Once six months has expired the court has no power to extend the period. It is not a case where injustices that gave rise to the proposals before the Committee can be cured within a six months' period. I strongly urge the Committee to disagree to the amendment.

The Hon. G. G. PEARSON: This amendment is precisely the amendment that I sought to insert in this place. When we discussed the matter the Attorney-General alluded, as he has now, to a particular case where a problem arises because of the limitation in time. If the Attorney thinks about the matter again he should be prepared, in all fairness, to admit that the problem did not arise because of a limitation of time, but because of the failure of someone to be aware of the circumstances when that person should have been aware of them. I think I am aware of the discussion that took place with the Attorney's predecessor. I maintain that the limitation in time was not responsible in this case and that an extension of the time, as proposed in the Bill, would not necessarily solve the problem. Admittedly it would give a little more time for the particular circumstances to become known. In the case on which the Attorney has based his objection to the amendment, it was a pure accident that the matter was discovered when it was. It could have gone on indefinitely without being discovered.

The Hon. D. A. Dunstan: Once one claim was made everybody else had to be brought in.

The Hon. G. G. PEARSON: Precisely, but there was a lack of awareness on somebody's part that the matter should come on in the normal time and it could easily have come up within the six-month period. If everyone knew the time were 12 months this would tend to make them asleep to the need for action. I think the Committee should accept the amendment of the Legislative Council. I think everything that can be done should be done to facilitate the winding up of estates, for they are far too prolonged in many instances, to the detriment of beneficiaries.

Mr. SHANNON: This is a matter of who suffers the greatest hardship. Obviously, as the member for Flinders has said, whatever time is fixed some people will miss out. One thing that will happen for certain if we lengthen the time to 12 months is that every estate that falls in for distribution will be held up. No-one will start the distribution of a deceased estate, and a penalty will therefore be placed upon every beneficiary.

Mr. McANANEY: I support the Legislative Council's amendment. I consider that anybody who is close enough to the deceased person to have a rightful claim to a share in the estate would be well aware within six months that he had to lodge a claim.

Mr. MILLHOUSE: Speaking now as a former solicitor, I must agree with the Attorney in this matter. A period of 12 months goes quickly enough, and it is not a long period for claims to be made.

Mr. Shannon: If you were waiting for your share it would seem a long time.

Mr. MILLHOUSE: I think the honourable member may have overlooked the provisions of clause 13. This clause protects an administrator who *bona fide* distributes, and provides that a distribution made by an administrator without any knowledge of the claim will stand.

Mr. Shannon: What happens when a successful claim comes in?

The Hon. D. A. Dunstan: That person can only claim on the remainder of the estate.

Mr. Shannon: And it is bad luck if there is none left.

Mr. MILLHOUSE: If there is a distribution of the estate by an administrator who is not aware of a claim, then that distribution stands, and it does not mean that the estate is held up just in case there may be a claim in the future. Twelve months, as I know from my former practice as a solicitor, is a very short period. In my opinion, clause 13 covers the position.

The Hon. D. A. DUNSTAN: Clause 13 (1) removes the liability from an administrator who *bona fide* distributes the estate. The administrator is not then liable to account to a successful claimant for any distribution that he has *bona fide* made. The estate may be liable, but that, of course, is in the discretion of the court. The court does not in practice tend to get back from people moneys distributed to them, except in the most extraordinary circumstances. In actual fact, where somebody claims and the moneys have been distributed, the chances of that person's getting it back are negligible; but if in fact there has been an estate of £100,000 distributed and somebody has got £75,000 of that and it is proper for a provision to be made for another person out of it, then the court in those circumstances might say that provision ought to be made for that person. Honourable members may recall just recently a case reported in Victoria, where a lady was able to bring an action under similar legislation to this. It was found that proper provision should have been made for her, even though some of that estate had already been distributed. The administrator is not personally in difficulties if he has no *bona fide* claims notified. If a claim then comes in the court is reluctant to interfere with the completed distribution. There may be circumstances in which it would be proper to do so, but they are rare. The power is there for the court to make an order in those circumstances.

The Hon. G. G. PEARSON: In the case where an estate is dealt with promptly and all the proceeds distributed to beneficiaries, then 11 months after the granting of probate someone makes a claim, the court would be reluctant to open the estate if the proceeds were distributed. Why should one person's claim be disallowed? The simple thing to do is to make sure that people with legitimate claims should themselves, or through the people looking after their interests, ensure that the claim is duly lodged. I have much sympathy for the administrator, but the fact that he is exonerated does not remove the mistake. In all this, a strong case is made out for retaining what the original Act contained.

Mr. SHANNON: We have not had a proper explanation yet. Trustees under the Act have the right to deduct 5 per cent commission from the annual income of the estate they administer. The period of 12 months will encourage some trustee companies not imbued with the sense of responsibility to the beneficiaries to carry on a large estate for a further six months because of the commission. Because of this provision, are we going to measure justice by pounds, shillings and pence? Certain disabilities will face us if this amendment is not agreed to.

Mr. MILLHOUSE: There is no doubt, as the Attorney-General said, that subsection (3) gives the court the power to follow assets that have been distributed in an estate. However, that does not alter my view that 12 months is not a long period in which to allow claims. It is not out of line with other periods of limitation, but six months has been shown to be not long enough. I do not intend to go into that. I know from insurers who issue professional indemnity policies that this sort of thing often happens. The very fact that there are numbers of cases shows that this time is too short.

The Committee divided on the Legislative Council's amendment:

Ayes (15).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon (teller), and Mrs. Steele.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Corcoran, Curren, Dunstan (teller), Hudson, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Millhouse, Ryan, and Walsh.

Majority of 3 for the Noes.

Amendment thus disagreed to.

The following reason for disagreement was adopted:

Because the amendments nullify the efficacy of the essential provisions in the Bill.

DECIMAL CURRENCY BILL.

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, line 6 (clause 2)—After "2" insert—

"(1) The amendment made to section 5 of the Industrial Code, 1920-1963, by this Act shall come into operation on the day on which this Act is assented to.

(2) The other amendments made by".

No. 2. Page 2, line 11 (clause 3)—After "$" insert "or $".

No. 3. Page 4, line 10 (clause 6)—Leave out "4" and insert "5".

No. 4. Page 6, lines 57 to 59 (The Schedule)—Leave out "at the commencement of the Decimal Currency Act, 1965" and insert "on the fourteenth day of February, One thousand nine hundred and sixty-six".

No. 5. Page 6, lines 59 to 60 (The Schedule)—Leave out "commencement" and insert "date".

No. 6. Page 7, lines 22 to 24 (The Schedule)—Leave out "fourteenth day of February, One thousand nine hundred and sixty-six" and insert "day on which the Decimal Currency Act, 1965, is assented to".

No. 7. Page 7, line 26 (The Schedule)—After "affected" insert "or which will be affected".

No. 8. Page 7, line 30 (The Schedule)—After "affected" insert "or which will be affected".

No. 9. Page 7, line 38 (The Schedule)—After "affected" insert ": Provided further that no such award, order or determination published in accordance with this paragraph shall have any force or effect until the fourteenth day of February, One thousand nine hundred and sixty-six".

No. 10. Page 7, line 39 (The Schedule)—Leave out "section" and insert "subsection".

No. 11. Page 8 (The Schedule)—After line 24 insert the following:

Money-Lenders Act, 1940-1960	Section 21, subsection (1), paragraph IX—By striking out "ninepence" and inserting in lieu thereof "eight cents".
	Section 33, subsection (2)—By striking out "ninepence" and inserting in lieu thereof "eight cents".

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): I have been informed by the Parliamentary Draftsman that a request was made by the Government in the Legislative Council to include certain amendments. The first amendment (with amendments Nos. 4 to 9) will enable awards and determinations under the Industrial Code to be consolidated and published in both the old and new currencies before decimal currency is adopted.

x9

(*Midnight.*)

The Government received representations that this should be done to avoid confusion to both employers and employees. The awards will be available to all concerned before the changeover date. Amendment No. 2 was sought by the Government Printer who does not have a dollar symbol with two vertical lines in all fonts. Most of the remaining amendments are drafting amendments. Amendment No. 11 relates to the Money-Lenders Act and makes two amendments to amounts not readily convertible to decimal currency. Those two amendments provide for the striking out of 9d. in certain clauses therein and the inclusion of 8c. The same applies to section 33 (2) where 9d. is struck out and 8c inserted. The amendments were designed to make the Bill more acceptable, and I ask members to accept them.

Amendments agreed to.

SUPERANNUATION ACT AMENDMENT BILL.

Returned from the Legislative Council with the following amendment:

Page 1, line 16 (clause 4)—Leave out "repealed", and insert—"amended—

(*a*) by striking out the word "an" therein and inserting in lieu thereof the words "the Public";

(*b*) by striking out the word "competent" therein and inserting in lieu thereof the word "Public":

(*c*) by striking out the words "and willing" therein".

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): The amendment provides for the appointment of the Public Actuary to the Superannuation Fund Board. We have not had a Public Actuary in South Australia since the passing of Mr. Bowden. No person in this State is qualified for the position. A report must be obtained on the Superannuation Fund shortly and we will probably have to get assistance from another State to obtain such a report.

Mr. COUMBE: I am pleased that the Government is accepting the amendment. An actuary is desirable on the board, but I appreciate the Treasurer's difficulty in having no actuary available.

Amendment agreed to.

BUILDING ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from November 10. Page 2743.)

Mr. COUMBE (Torrens): I support and welcome the Bill. It raises the status of

certain officers who work under the Local Government Act. It is supported by the Local Government Officers Association which claims that building inspectors engaged by councils should have higher qualifications. This is only fair because clerks, engineers, building surveyors, overseers and health inspectors are all required to hold certificates of competency. Therefore, it is felt that building inspectors should have similar qualifications and certificates. Although in many councils the work of building inspectors is fairly routine, in other councils it is complicated. This has come to a head recently because of the advent of many subdivisions and much building, but more especially because of the new type of building that has come about. Not only do we have contemporary designs of houses that are different from the stereotyped cottage built in the past, but in many council areas, especially in the metropolitan area, there have been blocks of flats of two or three storeys built, some of them of unusual design. I am sure that many of the building inspectors who work under the old provisions would find some difficulty in keeping pace with these features that they have to look at in these unusual designs. No doubt there are times when they have to consult professional engineers or professional surveyors. It is only fair to the councils and the ratepayers concerned, as well as to the architects and the builders, that the inspectors (who, after all, have to administer the Act in this regard) should be more highly qualified.

We have today new material of different physical dimensions and sometimes greater strength. We have larger and more sprawling buildings. This amendment before us is based upon a recommendation of the Local Government Officers Association that building inspectors employed by the various councils should be properly qualified and hold certificates of competency. Therefore, the amendment extends the regulation-making power under paragraph (*j*) of section 83 (1) to include building inspectors, and the regulations will be made to prescribe the qualifications for building surveyors. The examining body for building inspectors will be the same as for building surveyors. I believe this is very fair. One important aspect is that those building inspectors who are at present employed by the various councils will be assured of their continuing employment. They will be protected and will be able to carry on their duties irrespective of the new qualifications required. However, from now on all new appointments will have to be made under the new provisions, and building inspectors will have to pass the requisite examination or hold the qualifications prescribed. I support the Bill.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I do not oppose the Bill or the motive behind it of raising the standard of competency of these officers. However, I point out that there is some difficulty in the State-wide application of this provision. Many of the small councils have now adopted the Building Act to enable them to exercise some control and some discretion over buildings. Even some small country councils have adopted this course. I think that under the Building Act a country council can elect to come under the Act or to remain outside it. If it petitions to come under that Act, the Governor in Council gives effect to that petition.

I know there is already some difficulty in councils desiring to come under the Building Act in that they cannot always get sufficiently qualified officers even under present conditions. I think the Minister will agree with me on that. If we apply this Act in its strictest sense, and if we raise the standard and make it uniform without providing any escape clause, we do either one of two things: we leave the position on a council staff vacant because the council is not able to get or retain an officer of this standard, or we make it difficult for a council to come within the provisions of the Building Act, for the attitude of a council will be "Well, in the circumstances we feel that the Act should not apply to us, so we won't petition to come under it." Therefore, there is a problem. I do not oppose the provision, but I should like it to be on record (and I should like the Minister to hear what I say on this) that I believe that when the regulations are made there should be no attempt to specify that an officer in a small country council should be qualified to the standard that would be necessary in a large city municipality.

Mr. Coumbe: Some officers carry out the duties in conjunction with their other office.

The Hon. Sir THOMAS PLAYFORD: Yes, often the district clerk carries out both duties. I think honourable members will realize that many councils today have difficulty in getting a sufficiently qualified district clerk. I emphasize to the Minister that there should be somewhere in the regulations a provision to meet the difficulty that is bound to arise. I could name a half a dozen councils that would have

difficulty now in meeting a standard that obviously would be required in a large municipality. While it is desirable to raise standards, it is also desirable that we encourage councils to come under the Building Act and not make it impossible for them so to do by having a regulation which in itself will prohibit them from getting an officer to carry out what, after all, are not nearly such important duties in the country as they are in a city where large and important buildings are being erected. I support the Bill, but I ask that the point I raised should be watched carefully when any regulations are being framed.

The Hon. R. R. LOVEDAY (Minister of Education): I have taken note of what the Leader has said. I agree that there is difficulty in finding sufficient officers who are competent to do the sort of work mentioned in this Bill. However, I have no doubt that the Leader realizes that the Bill does not lay down a particular period of training, or specify any time. The Bill actually establishes a regulation-making power, and the regulation will require a course of training to be undertaken by the building inspector. I am sure the Leader's remarks will be borne in mind when the regulation is framed.

It is true that the district clerk frequently does this job, although sometimes it is the health inspector who does it. I think the Leader will agree that it is most necessary that buildings have a more rigid inspection than they have had in the past in many places, so the need for building inspectors to be trained is quite an important one. I think it is essential that buildings should be checked properly, particularly at the time the foundations are laid. This is a most important matter. I know from my experience that unless reasonably good and efficient inspection is carried out where much building is being done, people suffer when they take over the house later. The regulations will be practical and workable.

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

TOWN PLANNING ACT.

Order of the Day: Other Business No. 2: The Hon. Sir Thomas Playford to move:

That the regulations under the Town Planning Act, 1929-1963, in respect of the Control of Lands Subdivisions, made on September 30, 1965, and laid on the table of this House on October 5, 1965, be disallowed.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I understand that substantial legislation is to be introduced, and I have agreed with my colleague in another place that this matter should not be debated tonight. Therefore, I move that this Order of the Day be now read and discharged.

Order of the Day read and discharged.

SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

[*Sitting suspended from* 12.28 *to* 12.57 *a.m.*]

PARLIAMENTARY SALARIES AND ALLOWANCES BILL.

Returned from the Legislative Council with the following suggested amendments:

Clause 1, page 1, line 6—Strike out the figure "15".

Clause 2, page 1, line 15—Strike out all words in lines 15 and 16.

Clause 5—

Page 4—

Line 13—Strike out all words in this line.

Line 14—Strike out "(*b*)".

Line 18—Strike out the word "determine" and insert in lieu thereof the word "recommend".

Line 21—Strike out the word "determine" and insert in lieu thereof the word "recommend".

Line 24—Strike out the words "make such recommendations to the Treasurer" and insert in lieu thereof the word "recommend".

Line 36—Strike out the word "determine" and insert in lieu thereof the word "recommend".

Line 40—Strike out the word "determination" and insert in lieu thereof the word "recommendation".

Page 5—

Line 1—Strike out the word "determine" and insert in lieu thereof the word "recommend".

Lines 2 and 3—Strike out the word "determination" and insert in lieu thereof the word "recommendation".

Line 8—Strike out the word "determine" and insert in lieu thereof the word "recommend".

Line 9—Strike out the word "determination" and insert in lieu thereof the word "recommendation".

Line 12—Strike out the word "determine" and insert in the lieu thereof the word "recommend".

Line 16—Strike out the word "determined" and insert in lieu thereof the word "recommended".

Line 17—Strike out the word "determination" and insert in lieu thereof the word "recommendation".

Lines 18, 19, and 20—Strike out the whole of paragraph (*e*).

Lines 21-31—Strike out the whole of subclause (4).

Clause 8, page 6—Strike out the whole of this clause.

Clause 9, page 6, line 11—Strike out the whole of subclause (1) and insert in lieu thereof the following new subclause—

"(1) The tribunal shall prepare a report with its recommendations."

Subclause 2, page 6—

Line 17—Strike out the words "on a determination or recommendation" after the word "report" and insert in lieu thereof the words "with the recommendations".

Line 19—After the word "report" insert the words "and recommendations".

Clauses 10 and 11, page 6—Strike out both these clauses.

Clause 12, page 6, line 31—Strike out the whole of subclause (1).

Clause 12, page 7—

Line 1—Strike out "(2)" and the words "the tribunal" and insert in lieu of the words so struck out the word "Parliament".

Line 8—After the word "Act" insert the words "and such remuneration shall be paid out of the general revenue of the State".

Clause 15, page 7, line 14—Strike out the whole of this clause.

Clause 15a.—"Notwithstanding anything contained in this Act the tribunal may vary the basic salary of members but no determination made by the tribunal under the provisions of this Act shall provide for different rates of basic salary as between members."

Title to the Bill—Strike out the whole of the long title and insert in lieu thereof a new title to read—"An Act to make provision for the remuneration of Ministers of the Crown and officers and members of Parliament and for the establishment of a tribunal to make recommendations with regard to such remuneration of Ministers of the Crown and officers and members of Parliament, to repeal the Payment of Members of Parliament Act, 1948-1963, and to amend the Constitution Act, 1934-1965."

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): The list of suggested amendments alters the Bill to such an extent that I cannot recommend that they be agreed to, particularly as it is suggested that "determination" throughout the Bill be replaced by "recommendation", so that the tribunal to be appointed will not make determinations: it will make recommendations. I therefore ask that members disagree to the suggested amendments.

The CHAIRMAN: I have here a page and a half of amendments; they are not numbered, and there is only the one copy to serve the Committee.

Suggested amendments disagreed to.

The following reason for disagreement was adopted:

Because the amendments destroy the fundamental objects of the Bill.

Later:

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

The House of Assembly granted a conference, to be held in the Legislative Council conference room at 1.45 a.m., at which the House of Assembly would be represented by Messrs. Lawn, Loveday, Nankivell, Sir Thomas Playford, and Mr. Ryan.

A message was received from the Legislative Council agreeing to the time and place for the conference.

At 1.40 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 5.10 a.m. The recommendations were:

That the House of Assembly insist on its disagreement to suggested amendments No. 1 to No. 27 and No. 29 and that the Legislative Council do not further insist upon these suggested amendments.

That the Legislative Council amend its suggested amendment No. 28 by inserting after "Act" first occurring the words "the tribunal may vary the basic salary of members but" and by leaving out the word "recommendation" and inserting in lieu thereof the word "determination" and that the House of Assembly amend the Bill accordingly.

Consideration in Committee.

The Hon. R. R. LOVEDAY (Minister of Education): I move:

That the recommendations of the conference be agreed to.

The two matters which the Legislative Council brought to the conference related to the question of striking out the words "determination" and "determine" throughout the Bill, and substituting "recommendation" and "recommend". The suggested amendments all referred to this point. The managers from the House of Assembly intimated that they completely opposed these suggested amendments because, with those amendments, the Bill might as well be abandoned. It was not necessary for that to be done, as Parliament could always appoint an outside committee or tribunal that could recommend on salaries and allowances. However, the managers from the House of Assembly indicated that they would consider the other suggested amendment, which, after some discussion, was slightly amended by

the managers from the Legislative Council. The original amendment provided:

Notwithstanding anything contained in this Act no recommendation made by the tribunal under the provisions of this Act shall provide for different rates of basic salary as between members.

It was pointed out by the managers from the House of Assembly that we could not accept the word "recommendation", and after the managers from the Legislative Council had considered the matter they re-drew the amendment to read:

Notwithstanding anything contained in this Act the tribunal may vary the basic salary of members but no determination made by the tribunal under the provisions of this Act shall provide for different rates of basic salary as between members.

The reason given by the Legislative Council managers for the variation was that it should be made specific in the Bill that the basic salary as determined in the Second Schedule could be varied by the tribunal. The other point made in the amendment was to ensure that the tribunal should provide the same basic rates of salary for members of both Houses. This was accepted by the managers from the House of Assembly, and the conference ended on that note.

Motion carried.

Later, the Legislative Council intimated that it had agreed to the recommendations of the conference.

STAMP DUTIES ACT AMENDMENT BILL.

Returned from the Legislative Council with the following suggested amendments:

No. 1. Page 4, lines 5 to 14 (clause 10)—Leave out paragraph (*b*).

No. 2. Pages 4 and 5 (clause 13)—Leave out the clause.

No. 3. Page 5 (clause 15)—After line 23 insert the following paragraph:

"(*c*1) by inserting after the word 'society' in Item 8 of the *Exemptions* in the said paragraph commencing 'Bill of Exchange, Cheque, Order payable on demand' the words 'or by or on behalf of any community or subsidized hospital approved by the Chief Secretary'; "

No. 4. Page 5, lines 32 and 33 (clause 15)—Leave out "but under $100".

No. 5. Page 5, lines 34 to 36 (clause 15)—Leave out the passage—

"Every receipt for $100 or upwards but under $1,000	0.10
Every receipt for $1,000 and upwards	0.20".

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): I do not intend to deal with these amendments in any detail because we fully debated the matter earlier. The first amendment relates to stamp duty on receipts of $10 and upwards. The second suggested amendment is to delete clause 13, which amends section 84 of the principal Act. Amendment No. 3 is self-explanatory, and I intend to recommend that the Committee agree to this amendment. Amendments Nos. 4 and 5 relate to the stamp duty payable on receipts for various amounts. I recommend that the Committee agree to suggested amendment No. 3 but disagree to the other four suggested amendments.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): The amendments suggested by the Legislative Council, with the exception of one the Treasurer asked the Committee to agree to, were suggested by the Opposition in this place. We should not compel a person to place a duty stamp on a receipt and keep the receipt for two years if the person paying does not want a receipt. The Opposition supports all of the Legislative Council's amendments. I believe the Treasurer said in his second reading explanation that these provisions were not important to him from a revenue point of view. In those circumstances why put the community to this expense and inconvenience?

Suggested amendments Nos. 1, 2, 4 and 5 disagreed to; suggested amendment No. 3 agreed to.

The following reason for disagreement was adopted:

Because the amendments adversely affect the general revenue of the State.

Later:

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

The House of Assembly granted a conference to be held in the Premier's room at 1.30 a.m., at which the House of Assembly would be represented by Messrs. Dunstan, Heaslip, Hutchens, Pearson, and Walsh.

A message was received from the Legislative Council agreeing to the time and place appointed for the conference.

At 1.30 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 5.10 a.m. The recommendations were:

Suggested Amendment No. 1:

That the Legislative Council do further insist on its suggested amendment and that the House of Assembly amend the Bill accordingly.

Suggested Amendment No. 2:

That the Legislative Council do not further insist on its suggested amendment and that the House of Assembly make the following amendment to clause 13—

Page 4, line 19 (clause 13)—After "13" insert "(1)".

Page 5, (clause 13)—After line 9 insert—

(2) The following sections are inserted in the principal Act after section 84 thereof:

84a. (1) Any person carrying on any trade, business or profession may give notice in writing in the prescribed form to the Commissioner that he elects to pay duty under this section in lieu of being obliged to comply with the requirements of this Act with respect to the payment of duty on receipts pursuant to section 84 hereof, and any person who has given such a notice may revoke the notice by giving a notice of revocation in the prescribed form to the Commissioner.

(2) The Commissioner shall assign a number to every notice given to him under subsection (1) of this section.

(3) Where any person has given notice to the Commissioner pursuant to subsection (1) of this section, and has not given a notice of revocation such person shall not be liable to pay duty on receipts by impressed or adhesive stamps in respect of any receipt given by him after such notice has been given but shall be liable for the payment of stamp duty in accordance with the provisions of section 84b.

84b. (1) Where any person has given notice to the Commissioner pursuant to subsection (1) of section 84a of this Act and has not given a notice of revocation, such person shall either—

(*a*) forward to the Commissioner at such intervals as are prescribed a statement in the prescribed form verified in the prescribed manner summarizing the transactions for which but for this section a receipt would have been required to be made out and stamped pursuant to section 84 of this Act, or

(*b*) satisfy the Commissioner at such intervals as are prescribed that the number and nature of such transactions during such intervals were such that the amount assessed by the Commissioner would satisfy the duty on receipts for the transactions for which, but for this section, receipts would have been required to be made out and stamped pursuant to section 84 of this Act.

(2) Such person shall—

(*a*) pay to the Commissioner the amount of duty which but for this section would have been payable for the sum of the transactions summarized or assessed in accordance with subsection (1) of this section:

(*b*) endorse on every receipt issued by him "SD/" and the serial number assigned by the Commissioner to the notice given by that person to the Commissioner.

84c. (1) Every person who has given notice to the Commissioner pursuant to subsection (1) of section 84a and who refuses to give a receipt on which duty would have been payable but for this section or who fails to comply with any of the requirements of section 84b at any time before he gives a notice of revocation to the Commissioner shall be guilty of an offence and shall be liable to a penalty of not more than two hundred dollars and shall be liable to pay double the amount of the duty that would have been payable if that section had been complied with.

(2) Any person who endorses any receipt with the expression "SD/" and a serial number or a word "stamp duty paid" or with any similar words or expression unless he has given notice pursuant to subsection (1) of section 84a of this Act to the Commissioner and has not given a notice of revocation and unless the endorsement is made in accordance with this Act shall be guilty of an offence against this Act: Penalty two hundred dollars or imprisonment for a term of not more than three months or both.

and that the Legislative Council agree thereto.

Suggested Amendments Nos. 4 and 5:

That the Legislative Council do not further insist on its suggested amendments and that the House of Assembly make the following amendment in lieu:

Leave out all lines and insert—"every receipt for $50.00 or over .. .. .. 0.05" and that the following consequential amendment be made:

Page 4, line 4 (clause 10)—Leave out "ten" and insert "fifty".

and that the Legislative Council agree thereto.

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): I move:

That the recommendations of the conference be agreed to.

After some discussion on receipts, it was suggested that $50 be the commencing amount for receipts, and that the stamp duty payable be 5c, or equal to 6d. It would be compulsory to place in position a stamp to the value of 5c on any amount of $50 or more. Further discussion ensued and paragraph (*b*) of clause 10 of the Bill was struck out. The model amendment was prepared by the Attorney-General to allow a person or company to arrange with the Commissioner of Stamp Duties to pay a sum that would cover sufficient transactions, and he would be given a stamp or impress that would show "SD"

with a serial number, so that that would be impressed on the receipt in lieu of the 5c duty stamp. I think this will work out, but it may cause inconvenience for the time being. I think it was unrealistic to continue with a receipt and duty stamp for 2d. although we extended it to $10 or £5, as so much had been eliminated. It would be an imposition on industry and on the business section of the community to provide the necessary stamping, and it was considered that, if we were going to do anything, it should be worth while. Consequently, the conference agreed unanimously that it should try new methods.

Motion carried.

Later, the Legislative Council intimated that it had agreed to the recommendations of the conference.

ADJOURNMENT.

The Hon. FRANK WALSH (Premier and Treasurer): I move:

That the House at its rising do adjourn until Tuesday, January 25, 1966, at 2 p.m.

Although this is an adjournment only and not a prorogation, it at least gives me the opportunity to extend my appreciation to the Speaker, the Chairman of Committees and officers of the Parliament, including the staff, and to express my appreciation for the courteous way they have discharged their duties. I think the officers concerned have been very generous, particularly when they may have had good reason to be otherwise. I realize that it has been a heavy sitting. Indeed, I suppose it should well have been, for we can at least claim that we are keeping to the policy that we have enunciated. Whether we have achieved all that we desired is another question, but at least we have endeavoured to consider legislation that we thought necessary to introduce—completely new legislation in some cases. I extend to everybody concerned with the Parliament a Christmas greeting, and wish them a prosperous new year.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): Naturally, I support the motion. Indeed, I am thankful that we shall have a few moments off for Christmas. However, I should like to join with the Premier in thanking the officers of the Parliament, on behalf of members of this side of the House, for the efficient and courteous way in which they have executed their duties during this session; indeed, they have come up to the usual expectations. I believe that this is the most efficiently run Parliament in the Commonwealth in that respect. Everything that a member may desire is readily available to him, and members receive every assistance possible from the officers concerned. May I join with the Premier in extending to members and those associated with the Parliament the compliments of the season. It is inevitable in any Parliament where issues of importance are debated that differences of opinion will arise from time to time, and that those differences will be expressed forcibly at times. I have been associated with this Parliament for many years but, happily, the differences that exist are political and not personal. On behalf of members on this side, I express the hope that members opposite will have a happy Christmas break, and that they will return invigorated in the new year, so that we can debate issues on those important topics still left on the Notice Paper and, no doubt, any other topics that will arise between now and the time that Parliament resumes.

I hope also that during the Christmas interval the Parliamentary Clerks will enjoy some time off. Finally, I should like to make one personal reference: I know it is not easy in a Parliament to be out of office for a long time and suddenly to undertake all the responsibilities of administration and the conduct of the House. Indeed, I personally congratulate the Premier on the way he has applied himself to the problems that have confronted him in this new Parliament. Although I do not agree with the Government's policy in many cases, I appreciate the Premier's integrity and the way he has applied himself to the important task that he has undertaken. May I wish you, Mr. Speaker, the Chairman of Committees and officers of the Parliament the compliments of the season, and express my appreciation for the way in which the new Parliament has functioned.

The SPEAKER: I thank members for their co-operation in maintaining the high standards of debate and an atmosphere in which views have been exchanged adequately. This can be done, and the decorum of the House maintained, only with the co-operation of members. I thank members for the assistance they have given to me personally and for their kind references to the Clerks and members of the staff, from whom nobody has received greater assistance than I; and nobody has needed it more. I assure them that I am grateful for this assistance. On their behalf may I thank the Premier and the Leader for their expressions of goodwill for the Christmas season,

and I assure members that these expressions are heartily reciprocated.

Motion carried.

[*Sitting suspended from* 5.42 *to* 6.50 *a.m.*]

WORKMEN'S COMPENSATION ACT AMENDMENT BILL.

Returned from the Legislative Council with the following amendments:

No. 1. Page 1, line 14 (clause 3)—Leave out subclause (*a*).

No. 2. Page 1, line 18 (clause 3)—Leave out subclause (*c*).

No. 3. Page 2, line 15 (clause 3)—Leave out subclause (*i*).

No. 4. Page 2 (clause 3)—After line 22 insert the following new paragraph—

"(1) By striking out the words 'and during such absence is not guilty of any misconduct or breach of the employer's instructions, and does not voluntarily subject himself to any abnormal risk of injury' in paragraph (*d*) of subsection (2) thereof."

No. 5. Page 2 (clause 4)—After line 38 insert the following new subclause—

"(3) No compensation shall be payable in respect of any injury occurring in any of the circumstances referred to in subsection (2) of section 4 if the workman is guilty of any misconduct or breach of the employer's instructions or voluntarily subjects himself to any obnormal risk of injury."

No. 6. Page 3, line 2 (clause 6)—Leave out subclause (*a*).

No. 7. Page 3, lines 28 to 36 (clause 9)—Leave out all words after "contained," and insert "where—

(*a*) compensation has been paid to a workman pursuant to this Part;

(*b*) the workman has returned to work; and

(*c*) the workman subsequent to his return to work suffers death or incapacity as a result of the injury in respect of which the compensation was paid,

the amount of compensation payable pursuant to section 16 of this Act in respect of the death of the workman shall be computed and based upon the amount of compensation payable under that section at the time of the death of the workman or, as the case may require, the amount of weekly compensation payable in respect of the subsequent incapacity shall be computed and based upon the weekly rates of compensation payable at the time of the subsequent incapacity."

No. 8. Page 4 (schedule)—Leave out all words except:

Section 18a, subsection (6)—By striking out "and" first occurring and inserting in lieu thereof "or".

Section 82—By striking out "and" third occurring and inserting in lieu thereof "or".

Section 94e—By striking out "and" and inserting in lieu thereof "or".

Section 94f—By striking out "and" and inserting in lieu thereof "or".

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): I point out that amendments Nos. 1 to 6 of the Legislative Council should be disagreed to, and that No. 7 should be agreed to. Amendments Nos. 1 to 6 deal with "injury", which the Legislative Council has amended to "accident". Although we are prepared to accept amendment No. 7 (relating to clause 9), we disagree to amendment No. 8, relating to the schedule which has been amended to effect a reduction in compensation payments. Accordingly, I recommend that the Legislative Council's amendments (with the exception of amendment No. 7) be disagreed to.

Amendments Nos. 1 to 6 and 8 disagreed to; amendment No. 7 agreed to.

The following reason for disagreement was adopted:

Because the amendments adversely affect the essential provisions of the Bill.

Later:

The Legislative Council intimated that it insisted on its amendments Nos. 1 to 6 and No. 8, to which the House of Assembly had disagreed.

The House of Assembly requested a conference at which it would be represented by Messrs. Coumbe, Dunstan, Hurst, Millhouse, and Walsh.

The Legislative Council granted a conference, to be held in the Premier's room at 8 a.m.

At 7.55 a.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 11.11 a.m. The recommendations were:

That the Legislative Council do not further insist on its amendments, but make the following amendment in lieu thereof:

Page 2, after line 22 insert new paragraph as follows:

"(*l*)" by inserting therein after subsection (3) thereof the following subsection:

(4) It shall be a defence to a claim for compensation for the employer to prove that the employment did not in any way contribute to the injury. The employment shall be deemed to contribute to the injury in any case referred to in subsection (2) or subsection (3) of this section.

Consideration in Committee.

The Hon. FRANK WALSH (Premier and Treasurer): I move:

That the recommendations of the conference be agreed to.

In view of the time I hope the Committee does not want a lengthy discussion. I merely ask that the recommendations be agreed to.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I do not want to delay the proceedings, but I should like some information. The amendment under dispute between the two Chambers was whether the word "accident" or the word "injury" should be used. The word "injury" is used, but there is tied up with the use of it wording to the effect that it shall be a defence for the employer to prove that employment did not contribute to the injury, but in subsections (2) and (3) it appears that it is not. This may have some meaning but it sounds like mah jong to me.

The Hon. D. A. DUNSTAN (Attorney General): The managers of the Legislative Council were anxious to have included in the clause some limitation upon injuries arising out of or in the course of employment in that there must be some connection between the employment and the injury. The existing Act had, on this score, given rise to considerable difficulties of interpretation and a number of anomalies and injustices, and both Parties at the election had promised to make amendments to section 4 of the Act. It was decided that the defence that is allowed under this amendment was an appropriate way of dealing with this difficulty. The onus will be on the employer to prove that the employment did not in any way contribute to the injury. This means that he has a defence if he can show that, but it will be quite a heavy burden on him to show it. There are several cases that would clearly be affected if that clause were left unadorned. Those are the cases where we have said that liability will arise, for instance, in journeys to or from work or while there is a journey to a medical practitioner or something of that kind, and then injury may arise through the action of a third person and not directly through the employment at all. Therefore, it was necessary to exempt those particular cases from cases where the employer could show that the employment had no relation to the injury. It was agreed by the managers that this was necessary otherwise the defence which was being provided could run entirely counter to things to which the Committee had already agreed.

Motion carried.

Later, the Legislative Council intimated that it had agreed to the recommendations of the conference.

ADJOURNMENT.

At 11.44 a.m. on Friday, December 3, the House adjourned until Tuesday, January 25, 1966, at 2 p.m.