HOUSE OF ASSEMBLY

Wednesday, October 19, 1966.

The SPEAKER (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

COTTAGE FLATS BILL.

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

QUESTIONS

TRANSPORT DRIVERS.

Mr. HALL: From British migrants in my district I have learnt that people who have come to South Australia to work as drivers of heavy vehicles have difficulty in obtaining a licence to carry on their normal form of employment as transport drivers. I am told that, although they can obtain a class "B" licence if their stated qualifications satisfy the Motor Vehicles Department, they are unable to obtain a class "A" licence without undergoing a test to satisfy the department of their proficiency. However, I am told that it is extremely difficult for migrants to obtain a vehicle in which to undergo this test. Apparently they are faced with an impossible situation as they are unable to find employment of this nature and are thus unable to obtain the use of a vehicle to prove that they are capable of using it. It has been put to me that great hardship is occurring to some of these people who consider that their main qualification is in this type of work and who are capable of handling these vehicles, as they have done for so many years in England. Will the Premier take this matter up with his colleague with a view to finding some better means of assisting these qualified migrants from England to obtain this licence?

The Hon. FRANK WALSH: I take it the Leader is referring to a class "A" licence which will cover all vehicles. I am willing to take the matter up with my colleague.

NAIRNE PYRITES.

The Hon. G. G. PEARSON: Has the Premier a report which he undertook to obtain for me regarding Nairne Pyrites?

The Hon. FRANK WALSH: Yes. The Deputy Leader on October 13 last raised the question of whether Nairne Pyrites Proprietary Limited may have been permitted to retain a greater proportion of the loan of which it has agreed to repay to the Savings Bank a considerable amount during the course of this month. He has suggested the finance may have been used to increase the company's output of sulphuric acid. The Deputy Leader is apparently unaware that the functions of Nairne Pyrites are restricted to the mining, preparation and supply of pyrites, and that the company is not concerned in the manufacture of acid. The manufacture of acid is carried out by another company owned by the fertilizer producers called Sulphuric Acid Proprietary Limited. The loan in question was given and guaranteed for Nairne Pyrites and not for the other company, and it would not have been open to Nairne Pyrites to pass over any surplus of the finance to the other company, even if it had so desired. However, Nairne Pyrites has at no time sought to use the guaranteed loan to help its associate. As the House was previously informed, Nairne Pyrites was never pressed to repay more than it found convenient to repay. I would add that I have no reason to think that Sulphuric Acid Proprietary Limited is in any way being impeded in its activities through lack of finance. I have no doubt it can secure through the ordinary banking and commercial channels, and through its principals, adequate finance to meet its current and anticipated requirements.

The Hon. G. G. PEARSON: This is the second time in two days that, in reply to questions, Ministers have suggested that I was ignorant of the topics on which I asked the question. I have been a member in this place for 15 years, and I am not entirely ignorant of the subject matter of my questions. Yesterday the Minister of Works did me the honour of answering a question, but today the Premier, or the writer of the report, has used perhaps a lack of specific directions in my question to put up a smokescreen in order to avoid answering the question. The Premier knows that I know that Nairne Pyrites Proprietary Limited and the sulphuric acid company are two separate concerns and that their finances are separate. He also knows that I know that one supplies the ore and the other does the manufacturing. Therefore, if Nairne Pyrites is in any way inhibited in the production of the raw materials the production of sulphuric acid must suffer. I again ask the Premier whether the financial arrangements which were required of, or agreed upon with (I do not mind which way he puts it), Nairne Pyrites had any effect upon or in any way curtailed a possible increase of activity by that company. As a result of the

company's being unable to increase its output, is there any diminution in the output of sulphuric acid by the acid manufacturing company?

The Hon. FRANK WALSH: I shall not be drawn into a debate with the honourable member. Whether he knows these matters or not is not my business. I gave the answer to the question.

The Hon. G. G. Pearson: No, you did not.

The Hon. FRANK WALSH: If the honourable member is not satisfied with my reply, I ask him to put his question on notice so that I can get an exact answer.

UNIVERSITY QUOTAS.

Mr. MILLHOUSE: My question arises out of the announcement that, because of lack of money, quotas in all faculties will be restricted at the University of Adelaide in the coming year and probably thereafter. I refer also to the answer given to the Leader of the Opposition by the Minister of Education yesterday to the effect that unless the Commonwealth was prepared to give more money for education nothing could be done about it. It has been reported to me that in the Senate yesterday Senator Gorton told that body that the South Australian Government could not expect the grant after it was unable to match the Commonwealth grants that other States had matched. In view of the fact that South Australia is prepared to match comparatively less than the other States, in view of the great importance of allowing as many matriculants as possible to go to the University of Adelaide (and I guess the same will apply to Flinders), and in view of Senator Gorton's answer in the Senate yesterday, I ask the Premier whether the Government will reconsider its financial priorities with a view to making more money available to the universities to avoid, if possible, the quotas (or at least to minimize their impact) which it has been announced will be necessary from next year on.

The Hon. FRANK WALSH: This question is associated with the finances of the State. The honourable member has already approved the Budget, and the other place has also approved it. As I have been asked for information on the allocation of Government expenditure from one avenue to another, I shall have a further investigation made, and hope that the result of my efforts will be accepted by the House. Beyond that I have nothing to add.

CHANDLER HILL MAIN.

Mr. SHANNON: Has the Minister of Works further information on progress made on the Chandler Hill to Heathfield main being constructed to augment the water supply to the Onkaparinga Valley scheme?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief has reported that the laying of this main is well advanced and should be completed by the end of November this year. Because of the delay in the provision of the permanent pumping plant in the two pumping stations, and the need for water to be available from the main during the coming summer to augment the supply in the Stirling-Crafers area, arrangements have been made for the erection of a temporary tank at Ironbank and the installation of temporary pumping plant. These should be ready for operation by the time mainlaying is completed and so enable the scheme to be in part operation by the beginning of the coming summer. Direct services could be granted to those landholders abutting the main. At the present stage, it is hoped that the permanent tank at Ironbank will be completed by mid-1967 and that the permanent pumping plant will be installed by early 1968, when the scheme could be fully operating.

HOLDEN HILL INTERSECTION.

Mrs. BYRNE: Has the Minister of Lands a reply from the Minister of Roads to my question of October 5 about plans the Highways Department may have for making safe the junction of the Main North-East Road and Grand Junction Road, Holden Hill?

The Hon. J. D. CORCORAN: The Minister of Roads reports that design plans for this intersection are currently being prepared. The proposal is to install a roundabout at the intersection, and it is expected that construction work will be commenced early in the new year.

COMPANIES ACT.

Mr. COUMBE: The Attorney-General may recall that I asked about two months ago a question about a revision of the Companies Act, to which he replied that he would probably be attending a conference, in Perth, of Attorneys-General. Can the Attorney-General say whether that conference has taken place, and whether it is now planned that amendments to the Companies Act will be introduced here this session?

The Hon. D. A. DUNSTAN: Although I informed the honourable member that I was attending a conference in Perth, I think I

must have been suffering from hindsight, because at that time the conference in Perth had taken place (about two months ago, at any rate). It was mooted that a conference would be held in Adelaide this month, but that has now been postponed until December. The question of the uniform Companies Act amendments will be discussed at the conference of the standing committee held in Adelaide early in December, arising out of which it could be expected that some amendments would be made to the Companies Act.

COUNTRY ELECTRICITY.

Mr. HEASLIP: Has the Minister of Works a reply to the question I asked last week about the supply of electricity to rural properties?

The Hon. C. D. HUTCHENS: The Acting General Manager of the Electricity Trust reports:

The trust has always had a general rule that a supply of electricity shall be made available to each consumer at only one point on his property. Any reticulation of power around the property is the responsibility of the consumer. An exception to this rule was introduced some years ago in the case of rural consumers, mainly because country electrical contractors did not always have appropriate facilities to carry out the work, whereas the trust had the equipment on the site. Arising from the extensive use of plastic-covered cables, it is now much easier to have this work done by contract, and in view of the fact that country consumers now pay the same tariffs as apply in the metropolitan area, it has been decided that they should conform to the same policy regarding the provisions of supply.

The Hon. Sir THOMAS PLAYFORD: I have received several inquiries and complaints from my constituents and those from a neighbouring district regarding the problem of rural properties not necessarily being together. Will the Minister of Works ascertain from the trust the position in regard to a rural producer who has properties that extend over one or two blocks that may not necessarily be adjacent? Is the method restricted to the person or to a title?

The Hon. C. D. HUTCHENS: As I understand it, the supply is restricted to the property or a title and not to the owner, but I shall inquire and bring down a report as soon as practicable.

Mr. HEASLIP: Can the Premier say in what country areas of the State, and to what extent, extensions of electricity have been curtailed?

The Hon. FRANK WALSH: Although the trust has a record budget for this financial year of $35,000,000, it has been necessary to postpone some country extensions because of the particularly high rate of expenditure needed for the Torrens Island power station, which will come into service next year. The trust will be pleased to advise the present position of any particular country electricity extension.

SHEEP INSPECTION.

Mr. FREEBAIRN: Having recently asked three questions about quarantine restrictions applied by the Western Australian Government at Kalgoorlie in respect of sheep entering Western Australia from the Eastern States, I thank the Minister of Agriculture for the trouble he has taken to investigate this matter. Has the Minister any further information on the subject?

The Hon. G. A. BYWATERS: As reported earlier, I arranged for Mr. Smith (Chief Inspector of Stock) to visit Western Australia to ascertain whether he could iron out some of the problems, and he reports:

The results of the discussions with the Western Australian officers were most satisfactory. The figures for sheep from South Australia which needed treatment at Kalgoorlie were quite low. Only 31,160 out of 266,450 which passed through Kalgoorlie during 1965-66 were held for shearing or picking. Over-length wool accounted for 13,000 of these. The 18,000 that were shorn or picked because of bathurst burr or horehound, represented only 6.8 per cent of the total which compared very favourably with 25 per cent and 33 per cent from other States. In all instances, infestations were very light and in some cases, could have been picked up accidentally after inspection.

As a result of the discussions, a set of conditions satisfactory to the Western Australian authorities and practicable for us were agreed upon. Some of these conditions will require amendments to Western Australian legislation before they can be implemented. As soon as we have received this advice from the Western Australian authorities, the revised conditions will be circulated to all parties concerned.

NOOGOORA BURR.

Mr. QUIRKE: Can the Minister of Agriculture say whether the regulations that operate against the introduction of noogoora burr from New South Wales into South Australia are still being rigidly policed, for some evidence has recently been conveyed to me that it is again sneaking into South Australia?

The Hon. G. A. BYWATERS: The regulations are strictly policed and much activity is being undertaken by the weeds officers of my department. Recently an outbreak of noogoora burr occurred where it has been evident for a long time, north of Port

Augusta. After I inspected this area with the Director of Agriculture and weeds officers, certain work was demanded to be carried out under notice. The work was done, and much spraying took place at quite a cost to the landowner, and continual negotiations are taking place between the department and the Stockowners Association about this problem. Recently I received a report of further minor outbreaks of noogoora burr, which were quickly checked. I assure the honourable member that every precaution regarding this pest is being taken and will continue to be taken. What happens in future on a station where a major outbreak of noogoora burr takes place is something we will watch with interest, as climatic conditions in the area are conducive to the spread of the pest.

Mr. Quirke: I feel a bit sorry for that chap.

The Hon. G. A. BYWATERS: So do I, but we cannot differentiate between one case and another. The matter is being watched carefully, and I have promised to give sympathetic support in any way I can to the person concerned. The honourable member may rest assured that every precaution is being taken to ensure that noogoora burr does not get a hold in this State.

SOUTH-EASTERN DRAINAGE.

Mr. RODDA: Last week I raised with the Minister of Lands the matter of Drain C and the concern felt in the area at the decision taken to extend the drain to control Victorian water. As I understand the Minister has had representations made to him, will he say what he intends to do regarding the matter raised by constituents in the area?

The Hon. J. D. CORCORAN: As the honourable member has indicated, this matter has been the subject of further investigation by officers of the South-Eastern Drainage Board. In fact, only last week I received a report from the Chief Executive Officer of the board. I referred the matter to Cabinet on Monday and, as a result of Cabinet's deliberations, it will be referred to the Land Settlement Committee for further investigation. Of course, the committee will undoubtedly have to visit the area again, which will afford an opportunity to those people who have complained about the previous recommendation to give evidence in support of their more current view.

RURAL ADVANCES.

Mr. NANKIVELL: On Friday evening, a young gentleman told me that he had applied to a manager of a branch of the State Bank for an application form under the Rural Advances Guarantee Act and had been told that the manager had been instructed not to accept any more applications under the Act at present. I do not know whether or not that is true—I hope it is not. However, will the Premier (if he is unable to reply now) get in touch with the State Bank to see whether it has issued a policy instruction to that effect?

The Hon. FRANK WALSH: I will obtain the necessary information.

HIGHWAYS VEHICLES.

Mrs. STEELE: Can the Minister of Lands, representing the Minister of Roads, say whether it is true that the Highways and Local Government Department has purchased, or is purchasing, four new Valiant cars in which eight police officers will be employed to apprehend offenders under road maintenance tax and axle weight legislation? Is this another load being placed on the finances of the Highways Department in that those finances are being directed to finance the activities of another Government department?

The Hon. J. D. CORCORAN: I will take up the matter with my colleague.

SUCCESSION DUTY.

Mr. HUDSON: Has the Attorney-General the information I sought regarding estates recently assessed for duty by the Public Trustee, and including a comparison of the duty payable under the existing Act with the duty payable under the legislation now before the House?

The Hon. D. A. DUNSTAN: I asked the Public Trustee to take out a list of the last 50 estates administered by him and to examine them to see what duty was payable under the present legislation, what duty would be payable under the Bill now before the House, and the effect on these estates. The effect of his conclusion was that from the 50 estates $17,052.57 was paid in duty. Under the Bill $17,689 would be payable in duty, but in every case where the estate passed to a widow or to children under 21 years of age there would be either no change in the duty or a reduction. In most cases where the estate passed to a widower or children over 21 or to an ancestor there would be a reduction in duty; in a few cases there would be a small increase. The increases for the most part took place in relation to persons of collateral consanguinity or strangers in blood. As members will see from the table, it will be clear that in no case is there an enormous increase in duty; in some cases there is a significant reduction.

PUBLIC TRUSTEE

TABLE OF LAST 50 ESTATES ASSESSED FOR SUCCESSION DUTIES

File No.	Net Value of Property Chargeable with Duty	Value Passing to Inheritors				Duty Charged under Present Legislation	Duty Chargeable under Proposed Legislation
		Widow or Children under 21	Widower Children over 21 or Ancestor	Persons of Collateral Consan-guinity	Strangers in Blood		
	$	$	$	$	$	$	$
55029	11,069.33	—	11,069.33	—	—	233.66	Nil
55923	197.64	—	197.64	—	—	Nil	Nil
55882	6,108.40	—	6,108.40	—	—	Nil	Nil
55627	8,388.16	8,388.16	—	—	—	Nil	Nil
53828	8,833.68	—	—	8,833.68	—	827.52	1,018.08
55459	1,836.58	1,836.58	—	—	—	Nil	Nil
55860	15,654.28	—	15,654.28	—	—	1,206.79	1,148.14
55886	1,161.84	1,161.84	—	—	—	Nil	Nil
56004	8,584.58	8,584.58	—	—	—	Nil	Nil
55930	338.73	—	338.73	—	—	Nil	Nil
55138	4,550.34	—	—	4,550.34	—	368.80	596.31
55903	7,129.03	—	6,929.03	—	200.00	20.00	20.00
55513	7,346.71	—	—	500.00	6,846.71	1,034.34	1,246.68
55613	6,263.21	—	6,263.21	—	—	282.90	Nil
55618	60.91	—	—	60.91	—	3.04	3.04
55805	7,482.04	7,482.04	—	—	—	Nil	Nil
55944	355.50	—	355.50	—	—	Nil	Nil
55788	777.87	777.87	—	—	—	Nil	Nil
56118	467.30	—	467.30	—	—	Nil	Nil
55920	3,375.72	3,375.72	—	—	—	Nil	Nil
55869	9,067.60	3,799.66	5,267.94	—	—	Nil	Nil
55756	12,432.30	—	12,432.30	—	—	989.36	964.84
55724	877.18	—	877.18	—	—	Nil	Nil
55555	753.80	—	753.80	—	—	Nil	Nil
55890	1,530.32	—	1,530.32	—	—	Nil	Nil
56059	4,279.21	4,279.21	—	—	—	Nil	Nil
55717	4,439.48	4,439.48	—	—	—	Nil	Nil
55403	16,052.50	—	—	16,052.50	—	1,577.89	1,909.18
55428	11,020.28	—	—	11,020.28	—	1,283.90	1,728.55
55851	10,493.61	—	10,493.61	—	—	Nil	Nil
55564	2,922.91	—	—	—	2,922.91	382.29	530.73
55319	24.690.20	24,690.20	—	—	—	1,566.91	1,548.48
55875	7,890.03	7,890.03	—	—	—	Nil	Nil
55554	16,753.23	—	16,753.23	—	—	1,594.15	1,612.98
55844	8,916.01	—	8,916.01	—	—	614.50	408.14
55530	9,323.48	9,323.48	—	—	—	41.17	Nil
54918	19,743.15	19,743.15	—	—	—	1,404.29	658.04
55719	458.79	—	—	458.79	—	22.95	22.95
55902	6,178.05	—	6,178.05	—	—	Nil	Nil
55626	9,254.25	—	9,254.25	—	—	656.78	488.13
55675	2,439.04	2,439.04	—	—	—	Nil	Nil
55674	11,895.67	—	11,895.67	—	—	486.96	Nil
55801	851.51	—	—	—	851.51	85.15	85.15
55848	785.50	—	785.50	—	—	Nil	Nil
55847	694.22	694.22	—	—	—	Nil	Nil
55507	4,252.14	—	—	1,559.64	2,692.50	494.46	579.09
55580	13,284.35	—	—	—	13,284.35	1,874.76	3,121.08
55677	2,158.06	2,158.06	—	—	—	Nil	Nil
55879	4,204.09	4,204.09	—	—	—	Nil	Nil
55936	7,966.35	7,966.35	—	—	—	Nil	Nil
Total	325,589.16	123,233.76	132,521.28	43,036.14	26,797.98	17,052.57	17,689.59

Mr. Millhouse: What is the size of the largest estate?

The Hon. D. A. DUNSTAN: The largest estate is $24,690.

Mr. Millhouse: It is not very large.

The Hon. D. A. DUNSTAN: The Public Trustee administers more estates than any other trustee in South Australia, and he took the last 50 as a sample, so this obviously shows the effect of the Bill on estates of modest succession.

Mr. Hall: It is not representative.

The SPEAKER: Does the Minister seek leave to have the schedule inserted in *Hansard* without reading it?

The Hon. D. A. DUNSTAN: Yes, Mr. Speaker.

Leave granted.

Mr. McANANEY: When taking a Gallup poll to arrive at a scientific answer a cross-section of the community is used. Does the Attorney-General consider that the figures he has given are of any value, because they were not an average cross-section? This is proved because the estimate is an increase of 15 per cent of succession duties, but the Attorney-General maintained that there was a reduction in practically every case.

The Hon. D. A. DUNSTAN: A sample of the 50 estates administered by the Public Trustee Department is a fair indication of the effect of the measure before the House—

Mr. Millhouse: On smaller estates.

The Hon. D. A. DUNSTAN: —on estates administered by the Public Trustee Department. These are the vast majority in kind of the estates administered in South Australia. True, this would not be an accurate sample of the most wealthy estates, but it is an accurate sample of what the average citizen will face in this State.

ELECTRICIANS.

Mr. LANGLEY. Last session a Bill was passed for the licensing of electricians and electrical contractors. As the regulations under this legislation are now coming forward, can the Minister of Works state the names of the members of the committee to be appointed under the Act, and can he say when licensing will be commenced in this State?

The Hon. C. D. HUTCHENS: The names of the people on the committee have been published. Although I cannot recite them from memory, I will get the information for the honourable member. He will recall that the regulations have to lie on the table of both Houses for 14 days, and provided those regulations are not disallowed they will become operative after that period. The regulations were tabled yesterday, and we will have to wait for 14 sitting days to elapse.

UNEMPLOYMENT.

Mr. MILLHOUSE: My question arises out of the question I asked the Premier yesterday regarding the unemployment percentage in this State compared with the percentages in other States. The honourable gentleman said that he did not have that information yesterday but that he would obtain it by today. I therefore ask him whether he would give me that information.

The Hon. FRANK WALSH: I have not got the information with me today.

Mr. Millhouse: You said you would have it.

The Hon. FRANK WALSH: Had the information been here I would have given it, and there is no need, in my book, for the innuendoes that have been forthcoming because I have not been able to give it.

AERIAL PHOTOGRAPHY.

Mr. CURREN: My question of the Minister of Agriculture refers to the need for an aerial photographic survey in the irrigation areas. Three times last session I asked the Minister a similar question on this subject, and the main tenor of his replies was that the statistics available at that time were adequate and that it was rather an expensive business to carry out this aerial photographic survey and to check the photographs. During the last few days I discussed this matter with the Chairman of the Australian Canned Fruits Board and another member, and yesterday these gentlemen interviewed the Minister and presented a request to him. The Chairman of the board (Mr. Adams) pointed out that it was most essential for the canned fruits industry, and particularly for the marketing of the product, that Australia-wide statistics of tree numbers and production trends be available. Will the Minister of Agriculture investigate this matter to see whether finance can be arranged through the Commonwealth Government by extension grants or by grants from the Australian Canned Fruits Board?

The Hon. G. A. BYWATERS: I shall be pleased to do this. If the honourable member has a particular trait it is that of persistency, as he has brought this matter to my notice several times. I met Mr. Adams, who gave me details of what takes place in other

States. This is valuable information, and I shall be pleased to re-consider this matter.

MURRAY RIVER SALINITY.

Mr. FREEBAIRN: It was reported in the Commonwealth Parliament last week that the River Murray Commission at its last meeting, I think early last week, had discussed salinity in the Murray River and formed a future policy. The meeting was chaired by the Minister for National Development. Can the Minister of Irrigation say whether the South Australian representative (Mr. Beaney) has submitted a report to him and has he any information about the commission's policy on salinity?

The Hon. J. D. CORCORAN: Although the question has been referred to me, it would be more appropriate if it were directed to the Minister of Works, who controls the River Murray Commission. However, I am sure that the Minister will be pleased to obtain the information requested by the honourable member.

ATHELSTONE SCHOOLS.

Mrs. STEELE: Has the Minister of Education a reply to the question I asked last week about the department's purchase of sites for schools in the Athelstone area?

The Hon. R. R. LOVEDAY: Sites have been purchased by the Education Department for future schools in the general area near Athelstone as follows: Thorndon Park Primary School (Bells Road, Thorndon Park); Paradise Primary (Silkes Road, Paradise); Campbelltown Boys Technical High (Gorge Road, Paradise); Dernancourt East Primary (Lyons Road, Dernancourt); Glynde Primary (Davis Road, Payneham); East Marden Primary (Mines Road, Campbelltown); Highbury Primary (Payne Road, Highbury).

HILLS FREEWAY.

Mr. SHANNON: Has the Minister of Lands further information in answer to my question about a plan of the proposed freeway through the hills to be exhibited?

The Hon. J. D. CORCORAN: The Minister of Roads reports that when construction of the Crafers-Stirling freeway was commenced, this department considered the erection of a plan of the area as suggested by the honourable member. However, as neither the up nor down tracks near the Crafers Depot could provide parking bays where the travelling public could safely stop to view such a plan and the plan would need a glass fronted, weatherproof notice board which would be very prone to damage by vandals, it was decided to seek the co-operation of the Stirling District Council. A plan of the area was supplied to the council and is exhibited in the foyer of the council chambers.

NARRUNG WATER SUPPLY.

Mr. NANKIVELL: For about three years I have negotiated with the Minister of Works and his predecessor for a water supply for Narrung Peninsula. Some time ago I received a letter from the Minister indicating that this proposition would be approved by Cabinet if it were a combined plan incorporating both Point McLeay and the Narrung township. I have received confirmation from the District Council of Meningie that it will accept this offer, as there are additional consumers who wish to connect with this scheme. In the circumstances, and because of the long-standing nature of the application, can the Minister say whether this work can be provided for under miscellaneous estimates for this financial year?

The Hon. C. D. HUTCHENS: True, this scheme has been the subject of long negotiations, but now that satisfactory arrangements have been made I am confident that the department is anxious to do practical work as soon as possible. I will forward the request to the department to see whether it can be acceded to.

STATUTES.

Mr. MILLHOUSE: On August 31 last I asked the Attorney-General a question about the progress being made with the consolidation of the South Australian Statutes. As I am sure the Minister must have a reply by now, will he give it to the House?

The Hon. D. A. DUNSTAN: In regard to the general consolidation of Statutes, so far, the Law Book Company has been unable to obtain the services of an alternative draftsman to Mr. Cartledge. Mr. Cartledge had undertaken much work in preparing for the consolidation, but no further contracts have been made. I expect to have further conversations with Mr. Caithness of the Law Book Company shortly. The honourable member also asked me some time ago about the reprint of the Social Welfare Act, as amended. The consolidation had been prepared by Mr. Cartledge before his death, and it is now in the hands of the Parliamentary Draftsman for checking. As soon as the proofs are returned the Government Printer will proceed with the printing, and copies are expected to be available to the public in four to six weeks' time.

AUBURN WATER SCHEME.

Mr. FREEBAIRN: About a year ago I submitted to the Minister of Works a petition from a group of Auburn farmers for a reticulated water service. Will the Minister ascertain what progress has been made in this matter?

The Hon. C. D. HUTCHENS: I remember the petition and thought the honourable member had received a reply.

Mr. Freebairn: Not actually.

The Hon. C. D. HUTCHENS: I am sorry about that, and I shall follow up the question and get an early reply.

RAIL STANDARDIZATION.

Mr. HEASLIP: On October 6 last I asked the Premier a question about a statement he had made regarding the link connecting the Broken Hill to Perth railway line with Adelaide, to which the Premier replied:

It is felt that as a first step an integrated standard gauge system on the Peterborough Division would be more advantageous, followed by a co-ordinated system leading into Adelaide.

Has the Premier a reply to my question?

The Hon. FRANK WALSH: The Railways Commissioner reports that the proposals envisage a standard gauge line from Port Pirie to Adelaide, and not *via* Peterborough, as suggested.

RAILWAY SIGNALLING.

Mr. NANKIVELL: During the Estimates debate I asked the Treasurer, representing the Minister of Transport, whether it was intended to provide money this year for the electrification of signalling equipment along part of the Adelaide-Melbourne railway line, specifically the section between Tailem Bend and Serviceton. I believe the department intends to carry out this important work in two stages. Has the Treasurer any information on the matter?

The Hon. FRANK WALSH: The allocation of funds totalling $210,000 to commence electric signalling between Tailem Bend and Wolseley is as follows: signalling materials, $200,000; a new building and central traffic control equipment at Murray Bridge, $10,000.

DISALLOWANCE OF REGULATIONS.

The Hon. Sir THOMAS PLAYFORD: This afternoon, Mr. Speaker, the Chairman of the Subordinate Legislation Committee (Mr. McKee) gave notice of a motion for the disallowance of a regulation, but, when tabling the report he indicated that he was doing so to obtain further information. If I understand the position correctly, the motion is moved only to cover the committee's position whilst further information is obtained. Does that preclude another member from giving notice of motion to disallow the regulation? If that happens, which of the two motions for disallowance proceeds; do both motions appear on the Notice Paper; and once a motion is on the Notice Paper is it then the prerogative of the House and not able to be removed except by leave of the House?

The SPEAKER: I shall have the matter examined and give an answer in due course.

VICTORIA SQUARE INCIDENT.

Mr. MILLHOUSE: On September 14 last I asked the Premier a question arising out of the unpleasant incident in Victoria square in which a United States flag was partly burned and then rescued, and the import of my question, based on a letter I read at the time, was that those involved were not necessarily university students but that one at least was a person with Communist sympathies. The Premier said that there might be merit in making further inquiries, and that he would see what the position was and consider the need for a further inquiry. As well over a month has passed, has the Premier had a chance to consider the matter and made further inquiries? If he has, can he indicate the result?

The Hon. FRANK WALSH: Reports to the Government indicate that some university students were present, as well as some members of the Communist Party who were not university students.

STANDING ORDERS.

The Hon. J. D. CORCORAN (Minister of Lands) moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the consideration of paragraphs 2 and 3 and the appendix of the Report of the Standing Orders Committee, 1964 (Parliamentary Paper No. 106 of 1963-64).

Motion carried.

In Committee.

The Hon. J. D. CORCORAN: The motion is restricted to the adoption by the Committee of paragraphs 2 and 3 and the appendix of the Standing Orders Committee's report; that is, those parts

of the report dealing exclusively with proposed alterations to the Standing Orders. Members of the Standing Orders Committee in 1964, which adopted this unanimous report, were the then Speaker (Hon. T. C. Stott), the then Minister of Lands (Hon. P. H. Quirke), the Hon. B. H. Teusner and the then Leader of the Opposition (Mr. Frank Walsh). Together, their Parliamentary service aggregates more than 100 years.

The report was tabled on February 20, 1964, at the end of the 1963-64 session. No action was taken in relation to this report in Parliament during that session or in the subsequent session, later in 1964. On July 1, 1965, the Premier (Hon. Frank Walsh) moved:

That the report (including proposed amendments to Standing Orders) made by the Standing Orders Committee, as contained in Parliamentary Paper No. 106 of 1963-64, be adopted.

The debate was adjourned on the motion of the Hon. G. G. Pearson, and the motion lapsed at the end of the 1965-66 session. Paragraph 2 states:

The committee recommends that the House adopt the proposed amendments to the Standing Orders as set out in the appendix to this report.

Paragraph 3 states:

It is recommended that the Standing Orders, if and when amended, be re-numbered consecutively, and a new index be prepared and that the volume of Standing Orders be reprinted.

The appendix sets out clearly the proposed amendments, and also gives an explanation of each proposed change. The 1964 Standing Orders Committee held 11 meetings.

The committee members were able to view the proposed amendments in the light of their own considerable and varied experience in the House of Assembly, and were able to exercise their judgment after full consideration of the relevant practice in the House of Commons and in other Parliaments of Australia. As a result of their extensive deliberations, the Standing Orders Committee recommended unanimously the proposed amendments which I now ask the Committee to adopt. In general terms, the proposed amendments clarify or simplify procedure and the opportunity has been taken to prune out a little dead wood. For example, the cumbersome and largely meaningless preliminary procedure of founding every money Bill in Committee is to be eliminated.

Adoption by the Committee of paragraph 3 of the report will provide the authority to reprint the Standing Orders and to incorporate all amendments made since 1940, the year of the last reprint. The Standing Orders will be renumbered consecutively. Where the existing numbers are altered, the former numbers will be indicated in brackets below the marginal notes. The Government Printer's supply of volumes of the House of Assembly Standing Orders is exhausted, and the House has no copies, for example, to supply to new members or to the public or institutions. Members will readily agree that this is an undesirable state of affairs, and I ask them accordingly to give to this matter expeditious and favourable consideration.

As the committee's report, made in the previous Parliament, was unanimous, I am prepared to move the adoption of paragraphs 2 and 3 and the appendix as a general motion, but if any member so desires, the recommendations contained in the appendix to the 1964 report (that is, the detailed changes proposed in Standing Orders) could be considered page by page.

Mr. HALL (Leader of the Opposition): I understood that these matters would be considered page by page.

The Hon. J. D. CORCORAN: I suggest that the report be dealt with *seriatim*.

The Hon. B. H. TEUSNER: As the Minister said, the Standing Orders Committee had many sittings in 1963 and 1964 and, as a result of its deliberations, the 1964 report, to which the Minister referred, was presented. In reviewing the Standing Orders, the committee was guided to a great extent by the Clerk of the House of Assembly (Mr. Gordon Combe) who, as members know, was overseas early in 1963. For several months he was attached to the House of Commons, where he had the opportunity of seeing the Mother of Parliaments in action and of studying the procedure there. I believe we are greatly indebted to him for the report that he furnished to Parliament on his return.

Mr. Combe was able to make a number of recommendations to the then Standing Orders Committee. Some of those recommendations were accepted by that committee and embodied in its report, and I think members will find that practically all the recommendations will be of advantage to us. To some extent they will further streamline Parliamentary procedure and will help in the smoother running and functioning of Parliament. Also, I believe that a few anomalies have been ironed out and, although some alternatives recommended by the Standing Orders Committee may be debatable and not acceptable to all members, I believe that by

and large the Standing Orders as amended should meet the requirements of the House for many years to come.

In particular, the House of Commons procedure has been followed in new Standing Orders Nos. 59C, 189, 190 and 438A, and by the suggested repeal of Standing Order No. 327. I agree with the Minister when he says that there is some urgency in adopting these amendments to the Standing Orders because, at present, I understand several members do not have a copy of the Standing Orders simply because they are not in print. The last time the Standing Orders of this Chamber were put into print was in 1940, and I think it is highly desirable that the Standing Orders as amended (as I hope they will be) go into print at an early date so that members who are not in possession of them in a booklet form can have them as soon as possible. I trust that consideration will be given by this Committee to the Standing Orders that are embodied in the report, and that we can at an early date bring them together and have them available for honourable members.

The CHAIRMAN: If there is no further general debate, I intend to deal with the amendments *seriatim*.

The Hon. D. N. BROOKMAN: Mr. Chairman, a number of these amendments are designed purely to shorten the procedure of Parliament, and to the extent that they do that, and only to that extent, I support them. However, some amendments do more than that, and I oppose them because I consider they restrict members in various ways. Situations could easily arise where members would be handicapped as a result of the changes. I know that these matters will be dealt with *seriatim*. I merely wish to say now that the principle we should follow is that where we are removing unnecessary or obsolete rules and replacing them with more efficient ones, but doing no more than that, we could support such action. However, where we are in any way restricting the present rights of members, I think we should look very carefully at such amendments or not accept them at all.

Amendments to Standing Orders Nos. 16, 17, 18, 20, and 44 agreed to.

New Standing Order No. 44A agreed to.

New Standing Order No. 59A—"Extension of sitting beyond six o'clock."

The Hon. D. N. BROOKMAN: I oppose this amendment, because it provides a means whereby a debate can be interrupted in contravention of the wishes of a member speaking at the time. I know that the occasions on which a member may be interrupted are seriously restricted, and rightly so. He can be interrupted on matters of points of order and one or two other things. I do not think it right that he could be interrupted by a motion of this nature.

Since I have been a member I have never known a case where this matter arose and the sittings had to be extended without the wish of the member who was speaking. This has always been arranged courteously. Often a member has been permitted to continue speaking for a few minutes after six o'clock to round off his remarks, and that is fair enough, but now we are introducing a rule whereby, whether the person speaking likes it or not, he can be interrupted by a Minister moving this motion. I would not take any different attitude on this matter if I was on the other side. This is a matter for the Committee, and we all have to consider the point of view of every member of the Committee.

We know that there are occasions when members get stirred up over something, and therefore this provision could be abused. Although I do not suggest that this will happen, it is possible that in a fairly heated situation somebody could say, "If you like to go on talking about the subject you can go on talking about it through tea-time." When a man is speaking he has the right to go on speaking until he finishes, but it is now proposed that a Minister can get up during the course of a member's speech and move this motion. I suggest that this is a matter that can still be arranged by agreement between the speaking member and the Minister, so I do not think this amendment is necessary. At the same time, I believe what is proposed is taking away the rights of members.

The Hon. J. D. CORCORAN: The explanation given sets out that when the bells ring a member must cease his remarks. He is certainly interrupted on that occasion. It has happened, although not often during my experience here, that a member's remarks were being wound up and it would have taken him two or five or 10 minutes to complete them, and I think it would be with the general agreement of every member that time after six o'clock should be extended on a motion by a Minister who, no doubt, would interrupt the speaker. What about when members of the Commonwealth Government are speaking and move for an extension of time, isn't that an interruption to the speaker?

The Hon. D. N. Brookman: How has the present system worked against the interest of the House?

The Hon. J. D. CORCORAN: In my experience it has not been necessary to extend the time past six o'clock, but on occasions the point has arisen. This alteration would not have been discussed by the committee if it were not convenient to facilitate something with which honourable members agree. I know that the member for Alexandra is suspicious that it will be used in the wrong way, but it is not my intention or that of the Government to do this. I am certain it would be in the best interests of members to remain rather than come back after dinner to conclude business of extreme importance to the Government, and if the time could be extended for a few minutes this would be acceptable. This alteration will not be used frequently, but it allows the Government or those in charge of the House the opportunity to do so. I am prepared to stand by the judgment of the Standing Orders Committee, the members of which have a variety of experience. It is a reasonable provision, and I do not think the member for Alexandra need be suspicious that it will be misused.

The Hon. D. N. Brookman: I could give the Minister instances of how it has been worked.

The Hon. J. D. CORCORAN: I shall listen, but this is a convenient alteration and one that can be used to the advantage of members.

Mr. MILLHOUSE: The Minister has mistaken the ground on which the member for Alexandra opposes this alteration. I support the stand taken by the honourable member. The Minister said that it was not his intention or that of the Government to abuse this: that may be so and I accept his assurance, but the present Standing Order has stood for a long time and the alteration may stand for a long time, and we do not know what will happen in the future and who may want to abuse it. The Minister has taken the point that this is a convenience to avoid bringing members back at 7.30 p.m. if the business of the Chamber can be finished a few minutes after 6 p.m.

In November, 1955, the then Leader of the Opposition left the Chamber because he was sick and the then member for Edwardstown (now the Premier) assumed the position of Leader. That was the night of the Lord Mayor's Ball in Adelaide, but apparently the honourable gentleman did not want to go to that (whether he was invited or not I do not know). He was speaking between 5 p.m. and 6 p.m. on that Thursday, and it was expected that the House would rise as usual and not sit after dinner. The present Premier and many other members will remember this incident, and I can remember some of the things said by the member for Norwood about it. The member for Edwardstown decided that we would sit that night and he went on speaking until 6 p.m.: we stayed until 10 p.m. much to the chagrin of members on both sides. If this amendment had been in force he could have been thwarted in his desire to make members sit that night by being interrupted by a motion for the extension, and his bluff called.

Mr. Hudson: Would you have been delighted if that had happened?

Mr. MILLHOUSE: I was disappointed because it was the first time I had been invited to a Lord Mayor's Ball, and I arrived very late. I did not have time for dinner because I had to come back here and attend to my duties. This incident was an undesirable example of its use, but that was done by the present Premier. In future, an individual or a Party in Opposition may want the House to sit at night.

The Hon. D. N. Brookman: It is a member's right.

Mr. MILLHOUSE: Yes, as it was the right of the member for Edwardstown to keep us here then. This amendment would take away that right of a private member.

The Hon. J. D. Corcoran: Why?

Mr. MILLHOUSE: Because it would have been competent for the then Premier to have interrupted the member for Edwardstown and moved for the extension after six o'clock. To keep us here, as he wanted to, he would have to speak for the intervening $1\frac{1}{2}$ hours of the dinner adjournment, and longer.

The Hon. J. D. Corcoran: That is not difficult, as you well know. If he had wished to do that he could have done it anyway.

Mr. MILLHOUSE: Let me put to the Minister that he is being a little obtuse. It would be far more difficult for him to do that than what he had to do then, which was to talk it out until six o'clock.

The Hon. J. D. Corcoran: It will be more difficult.

Mr. MILLHOUSE: Luckily, this has happened only once in the $11\frac{1}{2}$ years I have been here, but we never know when a member, for some better reason than the member for Edwardstown had, may want this to happen in future. If this amendment is passed we are making it more difficult for a member to get

his way, and it is the undoubted right of a member to do this. We should not take away the rights of private members to act in this way.

The Hon. J. D. Corcoran: You are not taking this away.

Mr. MILLHOUSE: The Minister has acknowledged that it makes it more difficult for a private member to exercise this right if the alteration is made. I do not think it should be made more difficult, and the experience of the man who is now the Leader of the Government underlines what I have said. I am not using an example from my own Party but one from the experience and actions of the Premier of the State. For those reasons I support the member for Alexandra.

The Hon. J. D. CORCORAN: I think the member for Mitcham has advanced an excellent argument for the Standing Order to be altered. Had the Standing Order been available to the then Premier, the honourable member would have been in order in moving that the House sit beyond 6 p.m., which I do not think would have thwarted any attempt by the then Acting Leader of the Opposition to keep members sitting after dinner. It would have made no difference, had the Standing Order been in force because, if the honourable member's intentions were genuine (and I am sure they were), he would still have brought the House back after the dinner adjournment.

New Standing Order agreed to.

New Standing Order No. 59B agreed to.

New Standing Order No. 59C—"Earlier meeting of the House in certain circumstances."

The Hon. D. N. BROOKMAN: In the 100 years that the House has functioned, the occasion to which this Standing Order refers has, to my knowledge, never arisen. The amendment would simply load the Speaker with the responsibility of deciding whether it was in the public interest that the House should meet earlier. Members know where they stand when an adjournment takes place, and make arrangements accordingly. As I believe this is an unnecessary provision, I oppose the amendment.

The Hon. J. D. CORCORAN: With the recent practice of the House sitting for a period of time and then adjourning until several months hence, it is conceivable that an occurrence of major importance could necessitate Parliament's sitting before the stipulated time. At present, the current session would have to be prorogued and a new session called, necessitating the Governor's attendance to make a speech comprising, say, two or three paragraphs, in order to open Parliament.

The Hon. D. N. Brookman: Give us an example!

The Hon. J. D. CORCORAN: No. I think the amendment is perfectly reasonable. The House of Commons, which has been functioning much longer than the 100 years to which the honourable member refers, has this particular Standing Order. Contrary to what the honourable member says, I think the Speaker would be guided mainly by information received from the Leader of the Government who, no doubt, would not capriciously seek to call the House together.

The Hon. B. H. TEUSNER: I supported this amendment when it was considered by the Standing Orders Committee and, as the Minister has said, it is based on House of Commons procedure. The committee's decision was fortified by the Report of the Clerk of the House of Assembly on House of Commons Procedure, page 22 of which states:

We have no such Standing Order—

that is, the House of Commons Standing Order—

If the circumstances encompassed by subsection (1) of the above House of Commons Standing Order were to arise in South Australia, it is arguable, in my opinion, whether we could invoke the Commons procedure pursuant to our own Standing Order No. 1 . . . and it appears it would be necessary to prorogue the session of Parliament which had been adjourned and commence a new session of Parliament with a Governor's opening speech, etc. This would be a most cumbersome procedure. The customary pattern of a session in South Australia does not include a very long adjournment, the greatest period of adjournment being usually four to five weeks between the opening in June and the resumption in July.

This is not to be confused with the period of prorogation, that is, the time between the prorogation of one session, say, in December, and the commencement of a new session usually in the following June. However in 1960 one session was divided into two parts separated by an adjournment of three months' duration: there is current advocacy for the sittings of the House to be spread over a greater period of the year, and the adoption of this suggestion would lead to longer periods of adjournment and a shorter period of prorogation. In an arrangement of a session which involved its division into two or more parts separated by an adjournment of some months, a Standing Order enabling the House to meet earlier than a distant date to which it may stand adjourned could conceivably prove of value in an emergency or in the event of unforeseen circumstances arising which would make an earlier resumption of the session desirable.

No doubt in Great Britain it often became necessary to rely on the corresponding House of Commons Standing Order, particularly in the war years when an emergency occurred from time to time. Here we are making provision for the case of an emergency, although we hope no such emergency will arise. However, there could be exigencies which are not necessarily associated with times of war but could involve great disasters of some nature which would make it desirable and necessary to call Parliament together earlier than was originally intended when the adjournment was moved. In view of that I support the adoption of this Standing Order.

New Standing Order agreed to.

Repeal of Standing Orders Nos. 68 to 74 and 76 agreed to.

New Standing Order No. 76 agreed to.

Amendment to Standing Order No. 82 agreed to.

Repeal of Standing Order No. 86 agreed to.

New Standing Order No. 94A agreed to.

Amendment to Standing Order No. 119 agreed to.

New Standing Order No. 127A—"Questions on first day of session."

The Hon. D. N. BROOKMAN: It seems that the first day of a session would be a day on which members might wish to ask questions for longer than two hours. I remind the Committee that question time is not all questions and answers and that some questions and answers are too long. The first day of a session comes about when the Parliament has probably been in recess for several months, and it may be that members would want to ask questions for longer than two hours. I do not recall question time exceeding two hours on an opening day and I see no reason for this restriction. If we are simply streamlining obsolete verbiage or making amendments to Standing Orders that have become obviously outdated, I have no objection, but if we are going to restrict the rights of members then these matters should be carefully examined. I should like to know the reason for this restriction.

The Hon. J. D. CORCORAN: On the contrary, there is no restriction. In fact, this provision extends to members something they did not have before. At present the Standing Orders do not provide for question time to take place on the opening day of a session. This provision is simply providing for what has been the practice in the past.

The Hon. D. N. Brookman: Questions are officially recognized.

The Hon. J. D. CORCORAN: Not on the opening day. For that day the Standing Orders fix no time for the commencement and conclusion of questions.

The Hon. D. N. Brookman: We do have questions on opening day.

The Hon. J. D. CORCORAN: Only as a matter of custom, but no provision is made for question time in the Standing Orders and it would be quite in order if it were decided not to allow it.

The Hon. D. N. Brookman: Who would decide not to allow questions?

The Hon. J. D. CORCORAN: No doubt, the Leader of the Government. At present, if he wished to do so, he could decide not to allow question time, but the new Standing Order will give members the right to ask questions on the opening day of a session.

The Hon. B. H. TEUSNER: I support what the Minister has said. Nothing is provided in the Standing Orders at present to allow for question time to take place on the opening day. However, it has been a matter of practice over many years for question time to be allowed on opening day, and I believe it has also been a matter of practice to allow a maximum of two hours for this purpose. No doubt that is because on normal sitting days, when questions are allowed pursuant to Standing Orders, the maximum time allowed for the presentation of petitions, notices of motion and questions is two hours, from the time prayers have concluded shortly after 2 p.m., until 4 p.m. Therefore, I consider there is actually no restriction to members' rights by this provision but that, on the contrary, a maximum of two hours will now be allowed for question time on opening day. I can see nothing detrimental to members' rights by the inclusion of this Standing Order.

New Standing Order agreed to.

Amendments to Standing Orders Nos. 129, 139, 146, 155, 182 and 183 agreed to.

Repeal of Standing Order No. 189 agreed to.

New Standing Order No. 189 agreed to.

Repeal of Standing Order No. 190 agreed to.

New Standing Order No. 190 agreed to.

Amendments to Standing Orders Nos. 213, 218, and 248 agreed to.

New Standing Order No. 249A agreed to.

Amendments to Standing Orders Nos. 251 and 253 agreed to.

Repeal of Standing Order No. 283—"Money Bills founded on resolution of Committee."

The Hon. D. N. BROOKMAN: I should like to hear the reason for the repeal of Standing Order 283 and its replacement by a new Standing Order.

The Hon. J. D. CORCORAN: From memory, the purpose behind this alteration was to dispense with the somewhat unwieldy and cumbersome procedure of introducing a Bill in Committee as is done now. This was a recommendation by an all-Party committee, which, I point out, was functioning during the previous Government's term of office: it is not a recent innovation of this Government. The whole purpose of the amendment is to streamline some of the procedures, without doing anything to restrict the rights of members. I do not think it interferes in any way with a member of the House. It simply dispenses with what appears to me (and no doubt to many other members) to be rather an unwieldy and cumbersome procedure. If the amendment is agreed to it will mean that a Minister can introduce a money Bill in the same way as he can introduce any other Bill, instead of having to form a Committee which is supposed to meet as a Committee to consider the Bill, even though it knows nothing about it. It seems unnecessary, and I think it was for this reason that the committee decided on the amendment.

The Hon. D. N. BROOKMAN: Well, I am not happy about it. The procedure of going into Committee and founding a Bill in Committee may appear cumbersome. In all, it probably wastes at the most a couple of minutes, because there is never any discussion. I point out that there are many more two-minute periods wasted during normal sitting days than are wasted by a little bit of procedure. If the procedure is completely unnecessary and useless, then discard it by all means; but in my view it is not unnecessary or useless, because it provides an opportunity for members to make a protest about it, although I cannot remember when this has been done.

The practice in my experience has always been to give members a good opportunity to air their views in many different ways. Members have never felt the need to use this particular procedure in which to make their views heard, but that does not mean that this opportunity should be taken away from them simply in the interests of what appears at best to be a very small saving in time. I believe the right of members to discuss the motion should be left with them in case they want to use it. We pride ourselves on the opportunities we give members to put forward their views and on the debates that take place. Even though we have not used this particular right in the past and may not use it in the future, I still say that right should not be removed.

Repeal of Standing Order agreed to.

New Standing Orders Nos. 283 and 283A agreed to.

New Standing Order No. 285A—"Explanatory memorandum."

The Hon. D. N. BROOKMAN: I consider that this amendment is totally unnecessary. The terms in which the Standing Order is framed are so subject to debate in themselves that I believe they can be the cause of more trouble than good. It is not difficult for a Minister introducing a Bill to make a statement on it at any time he likes; Ministers have done that, and they will do it in future. They will make statements outside the House or wherever they like about their Bills, and nobody can object to that procedure. This proposed Standing Order stipulates that the memorandum has to be brief. Well, it would not be brief in the opinion of everybody in the House; it may not be brief at all, so that is one word that is subject to interpretation.

Secondly, the memorandum has to be framed in non-technical language. That again is a matter of opinion. It must contain nothing of an argumentative character. Well, for the most part Bills are controversial things, and it is difficult to imagine an explanation of a controversial Bill that could not be attacked by members as being a statement of an argumentative character. As I said earlier, I am not sniping at the Government. I am prepared to recognize that this is a matter affecting the rights of all members of the House. We know that on the first reading of a Bill a Minister does not have the right to make a statement about it, and that he only has that right when giving the second reading explanation. However, there is nothing to stop him making statements outside the House, and they do not have to be non-controversial, brief, or non-technical: he can say what he likes, and that is the place to say it.

The first reading is traditionally a reading where there is no controversy, and if there are going to be explanatory statements is it not conceivable that the Opposition would also like to make non-argumentative, brief and non-technical statements on the first reading about what they think of the Bill? This has no advantage because there is nothing to stop the Minister making the statement anyway, and he can issue it to members if he wishes.

The Hon. J. D. CORCORAN: It is suggested that this would give an ambitious Minister the opportunity to push his case. The Speaker would be the judge of whether it was non-technical or argumentative. In 1962, this innovation was used when the Companies Act was introduced, and it made it easier for members to understand the Bill. Therefore, Standing Orders should provide for this.

The Hon. B. H. TEUSNER: This does not make it obligatory on a member or a Minister. This procedure was adopted when Bills such as the Companies Bill of 1962 were introduced. On this matter Erskine May states:

A member, bringing in a Bill, may prepare a memorandum explanatory of the contents and objects of the Bill. The memorandum should be framed in non-technical language and should contain nothing of an argumentative character, and when approved by the Public Bill Office, is printed and circulated with the Bill.

Of course we do not have a Public Bill Office but, no doubt, the corresponding officers here would be the Clerks of Parliament. Such a memorandum would be of inestimable value to members in respect of debate in Committee. I support this amendment as it simply enables a member, if he desires, to have an explanatory memorandum attached.

The Hon. D. N. BROOKMAN: I do not know the form in which this memorandum was presented for the Companies Act in 1962, but I should think it consisted of about 20 pages of typed foolscap sheets. Would that qualify as being brief?

The Hon. J. D. Corcoran: It is still brief compared with the size of the Bill that was introduced.

The Hon. D. N. BROOKMAN: Definitions of the words "brief", "argumentative", and "non-technical" can be debated, and this is what will cause trouble. I am more convinced than ever that the amendment should not be made.

New Standing Order agreed to.

Amendments to Standing Orders Nos. 293, 295, 297, 319, 323 and 325 agreed to.

Repeal of Standing Order No. 327 agreed to.

Amendments to Standing Orders Nos. 373 and 376 agreed to.

New Standing Order No. 409A—"Report on unpresented Papers."

Mr. NANKIVELL: Can the Minister say when these Papers will be presented to the House? Generally, the financial year is completed on June 30, but it may not be possible to present annual reports to Parliament during its session.

The Hon. J. D. CORCORAN: The Printing Committee will be responsible to ascertain which reports have not been laid before the House as required.

Mr. Nankivell: When is it to report?

The Hon. J. D. CORCORAN: I should imagine the time would be stipulated, although it would not be necessary (in fact, almost impossible) to specify a time in the Standing Order itself.

New Standing Order agreed to.

Repeal of Standing Order No. 410 agreed to.

New Standing Orders Nos. 434A, 437A, and 438A agreed to.

Repeal of Standing Order No. 462 agreed to.

New Standing Order No. 462 agreed to.

The Hon. J. D. CORCORAN: I move:

That paragraphs 2 and 3 and the appendix of the 1964 Report of the Standing Orders Committee be adopted.

Motion carried.

Committee's report adopted.

The Hon. J. D. CORCORAN moved:

That the alterations to the Standing Orders as adopted by this House be laid before the Governor by the Speaker for approval pursuant to section 55 of the Constitution Act, 1934-1965.

Motion carried.

The Hon. J. D. CORCORAN moved:

That the Speaker do now leave the Chair and the House resolve itself into a Committee of the Whole for the consideration of the Report of the Standing Orders Committee, 1966.

Motion carried.

In Committee.

The Hon. J. D. CORCORAN: Copies of the report of the present Standing Orders Committee, 1966, showing proposed alterations and explanations thereof, were made available in duplicated form to honourable members two weeks ago. The recommendations were unanimous and relate, I believe, to non-controversial matters. In brief, they deal with the regulation of Government business, the conversion to decimal currency and the increase in certain fees which have remained unaltered for 80 years, the postponement of a notice of motion without sacrificing the right of reply, the recommittal and the expedition of the adoption of the report from the Committee of the Whole House of an amended Bill, the elimination of some formalities in Committee and the enlargement of the Standing Orders Committee by one member. I move:

That the Report of the Standing Orders Committee, 1966, be adopted.

The Hon. D. N. BROOKMAN: Can the Minister say whether Standing Order 94B authorizes a Minister to interrupt a member when speaking?

The Hon. J. D. CORCORAN: It does not give a Minister that right.

The Hon. B. H. TEUSNER: I refer the member for Alexandra to new Standing Order 155, dealt with in the Standing Orders Committee's report of 1964, which provides:

No member shall interrupt another member whilst speaking, unless (1) to request that his words be taken down; (2) to call attention to a point of order; (3) to call attention to the want of a quorum; or (4) to move a motion in pursuance of Standing Order 59A or 152.

Motion carried.

Committee's report adopted.

The Hon. J. D. CORCORAN moved:

That the alterations to the Standing Orders as adopted by this House be laid before the Governor by the Speaker for approval pursuant to section 55 of the Constitution Act, 1934-1965.

Motion carried.

MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Received from the Legislative Council and read a first time.

CROWN LANDS ACT AMENDMENT BILL.

Returned from the Legislative Council with amendments.

SUCCESSION DUTIES ACT AMENDMENT BILL.

In Committee.

(Continued from October 18. Page 2362.)

Clauses 3 to 6 passed.

Clause 7—"Amendment of principal Act, s.7."

Mr. MILLHOUSE: I am totally opposed to the Bill but, as it has passed the second reading, I suppose we must make the most of it. This is the most obnoxious clause of the lot because it provides for the aggregation of successions for the purposes of computation of succession duty. This clause fundamentally alters the basis on which succession duty has been levied in South Australia since the Act was first passed in 1893. I believe it is fundamentally unfair to change the basis of computation of succession duty because those who have settled their affairs on the basis of the present law (which may have been done many years ago and over a period of years) will now find that what they have done is rendered nugatory by this Bill. It may not be possible for them properly to re-arrange their affairs. It is totally wrong that this should be done and, more than that, it is unnecessary for the Government, in its scramble for money, to do it.

If the Government must have more money from succession duty, it can achieve this by the simple method of increasing the rates of duty payable. That would be odious enough but at least it would not disturb the principle on which duty has been levied in this State for a long time, and it would bring the same results in dollars and cents as a disturbance of the system will bring. I remind the Government of the reason originally for the introduction of a succession duty rather than an estate duty. The whole idea of succession duty was to encourage people to divide their inheritance amongst a number of people, which was done by levying duty on succession on a sliding scale. As a result, the greater the number who succeed, the less duty is paid. If the basis is changed we will be going a long way towards turning our traditional system of succession duty into a system of estate duty, and this I do not believe we should do for the reasons I have given. It is this clause, which amends section 7 of the Act, which brings this about. The clause is unfair, unnecessary and undesirable, and I oppose it.

Mr. HALL (Leader of the Opposition): I thoroughly agree with the member for Mitcham in his objection to the clause. Many children look after their relatives or parents for many years and yet, under this provision, the rights of Form U benefits on succession will be refused. The Government has placed a cloak over the effects of this provision by putting emphasis on the provisions as they relate to the matrimonial home. However, the clause will result in great hardship to people all over South Australia.

The Hon. B. H. TEUSNER: I, too, voice my objection to the aggregation proposal in the clause. It is well known that hundreds of people throughout the State have, over many years, arranged their affairs in such a way that there would be ample provision for sons and daughters or other relatives at the date of their death. They have put away savings to meet their own needs and the needs of their children on their death. In many cases land property has been transferred in the joint names, and in other cases moneys have been put in a joint bank account so that the survivor could benefit immediately on the death of one

party and could use such moneys either for maintenance or for payment of duties on the estate.

Regarding estates that exceed the value of $40,000, under this aggregation provision in many cases there will be considerable additional duties payable. One section of the community will be penalized additionally. Those persons who have, in previous years, transferred land jointly will be penalized to the extent that when the land was transferred jointly there was stamp duty paid in respect of the joint tenancy created. Let us assume that a father transferred land and property to himself and his son and, as a result of the father's death, the son's increase in benefit was to the value of $8,000. The point I make is that at the time the joint tenancy was created stamp duty was paid, and under the rate that has been applicable up to the present this would have been $80. Under the law at present, on the death of the father the son succeeds to the entire land involved in the joint tenancy, and no further stamp duty is payable. Of course, under the aggregation provisions in this Bill, succession duties as specified in the Bill will be payable.

Let us now assume that another member of the family inherited $10,000 or $20,000 under the father's will. In that case the normal succession duty is payable, and that is all. If land is inherited by any member of the family under the will, succession duty but no further stamp duty is payable. The only fee payable in respect of the transfer of that land pursuant to the will is at present $4 registration. The son to whom I referred who owned land in joint tenancy has been penalized in the past, inasmuch as he had to pay the additional $80 stamp duty when the joint tenancy was created, whereas, if he would have inherited that land under his father's will, there would only have been the present $ fee payable on the transfer.

Under the new rates of stamp duty provided in the legislation which passed this Chamber a few days ago the stamp duty would have been $100. The Treasurer will see that the son in such circumstances who has been the joint owner of land with his father, and who becomes the sole owner of the land at the demise of his father, has paid an extra $100 under the new rate or $80 under the old rate of stamp duty in respect of the transfer which would not have been payable had it been inherited under the will. I think it would be a fine gesture on the part of the Government to provide in this Bill that in such a case the amount paid in stamp duty when the joint tenancy was created will be deducted from the amount of succession duty that will be payable following the aggregation of the joint tenancy or the increase in benefit as the result of the death of one joint tenant. I consider that the stamp duty paid should be deducted from the total amount of succession duty that would be payable by the son in such a case.

The Hon. FRANK WALSH (Premier and Treasurer): This matter is not new.

Mr. Millhouse: Did you get a mandate for it at the last election?

The Hon. FRANK WALSH: We have many mandates. No matter what this Government did, it would not satisfy the member for Mitcham.

Mr. Clark: You would have to be Mandrake to satisfy him.

Mr. Millhouse: All you have to do is what you said you would do.

The Hon. FRANK WALSH: No doubt the honourable member wants the Bill further amended. It is the Government's intention to proceed with the Bill as drafted, for it considers there is much merit in this aggregation, in the light of what has occurred over a period of 70 years or so. I do not know what consideration the member for Angas desires me to give to the matter. I understand that in regard to this property he is speaking of both parties are still alive.

The Hon. B. H. Teusner: I have given an example of where the father dies and the son becomes the absolute owner of all the land that was previously jointly owned.

The Hon. FRANK WALSH: When I tried to get some information a short time ago I found that the Parliamentary Draftsman was being used to the fullest extent by the Opposition. This Committee has been privileged to have the Parliamentary Draftsman or his assistant present. We are now in Committee on this Bill, yet I am denied the information I seek.

Mr. Rodda: I thought you had precedence.

The Hon. FRANK WALSH: I do not know about that. This afternoon when I went over to the Draftsman another honourable member was there, and when I asked him whether he had finished he said he had not. Mr. Chairman, if we are going to have anything like assistance I think I should at least be able to get the necessary information without having to wait. I am prepared to further examine the point the member for Angas has raised. What the result will be I could not tell him at this stage.

The Hon. B. H. TEUSNER: I realize from what the Treasurer has said that he may not have understood the point I made. Perhaps I

can explain it this way: if a person, the son of the testator, inherits land under his father's will he has to pay succession duty. If the value of the land he inherits is $8,000 the succession duty may be negligible or even nothing under this Bill. He may be inheriting other assets, but the only stamp duty he pays when the land is transferred is $2. If, some years ago, the son had a joint tenancy with his father, the total value of which was $16,000, on his father's death his increase in benefit would be $8,000 and under this legislation that would be aggregated to his other inheritance, and duty assessed. When the joint tenancy was created, the son had to pay stamp duty for the transfer of the land and, having paid that, he has now to pay duty again on the inheritance, whereas other beneficiaries pay the ordinary succession duty. I suggest that where there was a joint tenancy the amount of stamp duty paid when it was created should be deducted from the succession duty the surviving joint tenant has to pay.

Mr. HUDSON: By creating the joint tenancy there would be a considerable reduction in succession duty. If the value of the land was $40,000, and that land was passed entirely by will, the amount of duty payable under the existing Act would be $5,000. When the joint tenancy was created stamp duty paid on $20,000 would be, on the previous rate, $200, and at the current rate $300. The cost of creating the joint tenancy, allowing for the payment of gift duty, would be $800 but now, if the gift to the son is land only, instead of $40,000 passing under the will, $20,000 passes by survivorship, and on that the son pays, under the existing Act a duty of $2,000. Under the new Bill it would be $2,100, assuming nothing else was involved. The creation of the joint tenancy involved a reduction in succession duty of $3,000. That is why the joint tenancy was created.

The Hon. B. H. Teusner: It need not necessarily be a gift: they could have contributed equally to the payment for the land.

Mr. HUDSON: If the father owned the land in his own name and created a joint tenancy, much succession duty would have been eliminated. In answer to the member for Mitcham, to implement the policy of the Government without providing for aggregation would have meant raising the exemption to $12,000 for a widow and child under 21, and without aggregation the extent of increase in rates in order to get any increased revenue would have been enormous. This would have been unfair to people who passed property by will, compared with those who had taken advantage, in some way, of the existing Act. The sharper the rise in rate when providing for aggregation the greater the disadvantage imposed on people who pass property by will or by survivorship. The member for Mitcham misled members when he said that the purpose of succession duties was to encourage people to pass their property to more than one person so that there would be more than one succession. His comment implied that what was being aggregated was successions to different people, but that is not so.

Mr. Millhouse: Of course it is not so; nobody said it was.

Mr. HUDSON: When referring to aggregation, the member for Mitcham said that the purpose of having a succession duty was to give a greater advantage to people who left estates to a number of people, so that a number of successions occurred. That feature remains in the Bill. Successions to different people are not being aggregated.

Mr. Millhouse: I said it was a step on the way to an estate duty.

Mr. HUDSON: An aggregation establishes only the natural meaning of the word "succession".

Mr. Millhouse: What is the meaning?

Mr. HUDSON: The amount that one person receives as a result of the death of another. Under the existing Act, the amount one person receives as a result of the death of another may be more than one succession; because of a disaggregation, it may amount to four, five or even more successions.

Mr. Nankivell: What about section 21a in those circumstances?

Mr. HUDSON: Under the existing Act, various things are charged with duty according to the Second Schedule. Section 20 (1) is separately treated, as are also sections 20 (2), 32, 35 (1), 35 (3), and 39a. There are seven separate instances in the existing Act, including section 8, that provide that property will be charged with duty according to the rates set out in the Second Schedule. This is mainly an advantage where there is a significant exemption, because aggregation in the existing Act benefits somebody only where there is a significant exemption; it benefits widows and children under 21 particularly, because the exemption of $9,000 in the existing Act can be repeated a number of times. That is why the emphasis in the Bill is on special treatment, in order to protect to some extent those receiving smaller successions below $40,000. The emphasis is placed on widows and children under 21.

When property passes, under the existing Act, to descendants over 21, the exemption is only $4,000, and the duty avoided by disaggregation under the existing Act is so much less. It is worth noting that the disaggregation provided for in the existing Act benefits the wealthy; the greater the value of the estate that passes, the greater the value of the duty avoided. If the total value of the property given or taken is $60,000, and if it is all left by will under the present Act, the duty payable by a widow is $8,150. If that property were left in four different ways to the one person (the widow) in equal amounts of $15,000, the duty payable would be reduced to $3,600. The reduction in duty, by taking advantage of the existing Act, is therefore $4,550. In the case of a succession involving $420,000 (which I regard as a wealthy estate), if it all passed by will to the widow, under the present Act the duty would be $85,150. If that estate passed to a widow in four ways, instead of purely by will, the duty would be $64,600, resulting in a reduction of $20,550.

Mr. Heaslip: How often would that happen?

Mr. HUDSON: It is not just or equitable as between widows who receive the same amounts of property, one by will and one in other ways. Neither is it equitable at the $60,000 or $40,000 level. It is not equitable, as far as the present Act is concerned, in any way at all. If a widow received a property by means of a will, she would pay substantially more duty than if the advantages given by the existing Act were used. These advantages are not fully known.

Mr. Millhouse: Oh, no!

Mr. HUDSON: The member for Mitcham may snort. He and his colleagues have merely talked about Form U, which means disaggregation into two parts. In fact, under the existing Act, disaggregation is possible into more than two parts, up to even seven parts, but no member of the Opposition apparently knows about that! In opposing aggregation, the member for Mitcham is supporting the reductions in duty that are available to those who take advantage of the existing Act, and if the reduction in duty is greater, the greater the value of the property that passes to the widow. He is saying that the existing Act is right, and that the more property that passes to the widow the greater the benefit that should accrue to her by taking advantage of the Act. There is no just and equitable principle in the proposition that he supports.

The provision for aggregation in the Bill is equitable, because it treats successors to property identically, whether they receive property as a result of the death of another, by means of a settlement, whether they receive it by will, by survivorship, by gift, by a trust, by a gift with reservations, or by a deed of gift. The assessment is made only on the amount of succession and not on the form in which the succession is received. The aggregation extends only to different classes of property being received by one person. It does not extend to successions being received by different people, which has been misunderstood by many people in the community and needs to be clearly understood.

Mr. MILLHOUSE: What the member for Glenelg is saying, in effect, is that it is unfair for some people to take advantage of the provisions in the Act to avoid what they can, and that therefore this should be stopped so that it will be fair to everybody because everyone will pay more duty. That must be the effect of what he is saying because he knows that this measure is designed to drag in more money from the community than does the present Act. His argument is hypocritical. He is definitely writing down the ability of the legal profession if he thinks that there is one solicitor in South Australia who practises in this field who does not know what the provisions of this Act mean and what is entailed in them.

Mr. Hudson: Why don't you explain it, then?

Mr. MILLHOUSE: I am not a practising solicitor and even when I was in amalgamated practice I hardly practised in this field at all. However, the member for Angas (Hon. B. H. Teusner) is not in the same position as I am, and I imagine that a substantial part of his practice is concerned with in these provisions. When a person consults a solicitor about his affairs he is advised of the best way in which he should order his estate to pay the lowest possible amount of duty. Let us take an analogy—the Commonwealth income tax legislation, which also provides ways and means of reducing the amount of tax payable by an individual. Some people take advantage of it—some people do not. I do not know whether the member for Glenelg thinks that it is bitterly unfair of those who take advantage of it. However, it is perfectly proper and the courts, in cases, have described this not as evasion but as avoidance of taxation, something that is perfectly proper. To say that this is unfair and that the whole income tax law should be changed because of it is absurd.

The same applies in relation to succession duty. All people in the community have the opportunity to take advantage of the way the Act is drawn, if it is worth their while to do so and if they wish to do so. It is a duty, which is invariably carried out by members of the legal profession, to advise people who seek their advice along these lines. The member for Glenelg is taking entirely unreal cases and weaving around them unreal circumstances.

Mr. Hall: He is taking the advice of the Attorney-General.

Mr. MILLHOUSE: I would not be prepared to say that, because the Attorney-General is a competent legal practitioner—in private practice. The member for Glenelg has bolstered up a weak argument indeed in favour of what he calls disaggregation. If he is right, then why is there such an outcry in the community about the aggregation provisions in the Bill? Why are they not accepted by members of the legal profession? A letter on this subject from one solicitor appeared in the press yesterday.

The Hon. Sir Thomas Playford: Why were these provisions first introduced?

Mr. MILLHOUSE: Yes; let the member for Glenelg, as one who was a sponsor of this legislation (I believe the Treasurer seeks his advice), answer the points I have made now, if he can.

Mr. HUDSON: The point I made about the legal profession was that some members of it were more familiar with this Act than were others, and that many were more familiar with it than the member for Mitcham. As I do not think he added anything to what he said before, I do not believe there is any necessity for me to reply to his arguments, which were based almost entirely on insults of the usual Mitchamesque variety.

The Committee divided on the clause:

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

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

Pair.—Aye—Mr. Jennings. No—Mr. Freebairn.

Majority of 2 for the Ayes.

Clause thus passed.

Clause 8—"Property subject to duty."

Mr. MILLHOUSE: Even though we were defeated on clause 7, which is the crux of the aggregation provisions, I still oppose this clause, which carries out the aggregation. This is just as objectionable in my eyes, on the same grounds that have been given in the last few minutes in this Chamber, as clause 7. I am therefore opposed to it because it carries out the principle of aggregation.

The Hon. B. H. TEUSNER: The provisions of this clause deal with, amongst other things, property owned jointly. It appears that this legislation is retrospective, whereas usually the operation of legislation is not retrospective. Many persons over many years past arranged their affairs in certain ways, but now they are suddenly placed in a different situation. This will result in alterations to thousands of wills in this State. I suggest that the provisions of this clause should come into operation as regards joint tenancy and settlement of property made after the Bill has become law.

This clause will affect joint tenancies created years ago and settlements made years ago. It will affect wills made in the past by persons, some of whom are at present in an infirm condition. Some of these people, because of their state of health, would be handicapped at present in making a fresh will. Some people who made wills 10 or 15 years ago and may now be in a mental home are faced with legislation that has this retrospective operation. I ask the Treasurer to seriously consider deleting this retrospectivity provision.

The Hon. FRANK WALSH: I draw the honourable member's attention to paragraph (i). I told the honourable member the other day that a reasonable time would be associated with this matter. If we are going to keep on talking about the Bill we are not going to get it through, so we will not have an opportunity to put anything into operation.

The Hon. B. H. Teusner: It will affect property in respect of which joint tenancies and settlements were made years ago. It is retrospective.

The Hon. FRANK WALSH: I do not dispute that. I have made certain provisions about where my assets, if any, should go on my death. I believe this legislation is in the interests of people who still have assets. What is a reasonable proposition regarding retrospectivity?

The Hon. B. H. Teusner: It will affect transactions that took place years ago.

The Hon. FRANK WALSH: Surely the honourable member does not want me to go right back.

Mr. Hall: You are certainly doing it with this legislation.

The Hon. FRANK WALSH: I do not want to be personal in this matter, but I know the honourable member for Angas has a fairly good clientele in certain areas.

The Hon. B. H. Teusner: Will you exempt that district from duty?

The Hon. FRANK WALSH: I suggest the honourable member's clientele get in touch with the honourable member on his return to Tanunda, probably tomorrow night.

Mr. HALL: It is amazing how the Government goes to the Eastern States for all their high taxation but we do not go there for the advantages they give. Although it has gone to Victoria for a comparison of a per capita yield of succession duty, it forgets how favourable Victoria's legislation is regarding insurance policies. It is very clever to choose the thing we want and throw aside the forms of encouragement that exist in other States. We use certain things as examples for formulating legislation, but we throw aside the beneficial things.

I believe the Attorney-General this afternoon answered a question in a most misleading manner, thus continuing the Government's policy of misleading the people of South Australia. This policy will not wash in this place. I protest at the stupid answer given by the Attorney when he quoted cases in which the duty would not be any more than it is at present. He quoted 50 average estates, but it is claimed that this legislation will provide $1,000,000 revenue. How can it when the cases quoted yielded no increased taxation, although the Treasurer explained that the tax will be increased by 15 per cent? I vigorously oppose this clause.

The Committee divided on the clause:

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

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

Pair.—Aye—Mr. Jennings. No—Mr. Freebairn.

Majority of 2 for the Ayes.

Clause thus passed.

Clauses 9 to 28 passed.

Clause 29—"Repeal and re-enactment of Part IVB of principal Act."

The Hon. FRANK WALSH: I move:

In new section 55e, in the definition of "dwellinghouse", after "which" to insert "the Commissioner is satisfied"; after "principal" to strike out "place of residence" and to insert "permanent matrimonial home"; and after "widower" to insert "and the deceased person".

These amendments aim to clarify the definition of a dwellinghouse, and seek to remove a complication.

Mr. HUDSON: I support the amendments, for they will enable a significantly larger group of people to benefit from the exemption relating to the matrimonial home, who, under the existing wording and in the definition of a dwellinghouse, will not otherwise benefit. In respect of any person not living at the place of residence that he owned at the time of death, because of his particular employment, the existing exemption would not apply.

Mr. McANANEY: The amendments certainly widen the scope of the exemption, but I am concerned about people employed by, say, banks or insurance companies, etc., who, by the nature of their employment, are provided with a house, but who have to save to buy a house for their retirement. Such people would not be covered if they died during the period of their employment. The exemption should be widened in this regard.

Amendments carried.

Mr. SHANNON: I move:

In new section 55e, in the definition of "land used for primary production", after "been" to strike out "during the whole period of five years immediately preceding the death of a deceased person".

This is a prior amendment to the one to be moved by the Leader. I am concerned that no time factor is included in this clause; a dwellinghouse could be owned for six months or 60 years.

Mr. Hall: It is in the Commissioner's hands.

Mr. SHANNON: Yes. If the house were secure within a few months of the death of the testator, the Commissioner would have no alternative but to agree that this was the house concerned. However, the same position would not apply in the case of a farm.

The Hon. FRANK WALSH: Section 55e of the Act contains the same provision. What is in the Bill is therefore exactly what is in the Act.

Mr. SHANNON: I thought that the purpose of the Bill was to improve the Act so that it would be fairer to all parties. If a valuable house were involved, it could be a succession

approaching the worth of some farms. It does not appear to me to be fair.

Mr. HUDSON: I fear that the honourable member has not been correctly advised. Under his amendment, the phrase "that person" would be completely undefined. In the honourable member's re-wording "that person" now refers back to the Commissioner.

The Hon. FRANK WALSH: The point at issue is what is a reasonable period in which the land should have been used as primary-producing land. It is adequately defined in the Bill. We considered there was much merit in nominating the five-year period, which, incidentally, is consistent with what was done by a former Government. The Commissioner has to be satisfied that the land in question has been used as primary-producing land during the whole period of five years immediately before the death of the person.

Mr. Shannon: I maintain that the definition should apply to land as long as it was being used as a farm at the time of death.

The Hon. FRANK WALSH: I cannot agree with the honourable member. We are making some concessions in respect of primary-producing land, and we must stipulate some period of time in this matter. I believe that would have been considered in 1963 when legislation was introduced on this matter. As a result of the demand for houses, the primary-producing land in our metropolitan area is gradually disappearing.

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

Mr. SHANNON: After reconsidering my amendment I ask leave to withdraw it for the purpose of moving another.

Leave granted; amendment withdrawn.

Mr. SHANNON: I move:

In new section 55e, in the definition of "land used for primary production", after "been" to strike out "during the whole period of five years".

The Hon. FRANK WALSH: I was prepared to accept an amendment reducing the period from five years to three years and, if that is the desire of the honourable member, I shall move it.

Mr. SHANNON: In the circumstances, I ask leave to withdraw my amendment with a view to moving the amendment suggested by the Treasurer.

Leave granted; amendment withdrawn.

Mr. SHANNON: I move:

In new section 55e, in the definition of "land used for primary production", after "of" first occurring to strike out "five" and insert "three".

Mr. McANANEY: I support this amendment. If the land is entitled to obtain a reduction of duty it should remain in primary production after its transfer.

The Hon. FRANK WALSH: As I am concerned to help the genuine primary producer, I accept the amendment.

Mr. HALL: If the land is used for share-farming or is being used for primary production in the name of a person but that person does not do the work, I assume that the provision will be satisfactory.

Amendment carried.

Mr. HALL: I move:

In new subsection 55g (*a*) to strike out "two thousand five hundred" and to insert "six thousand".

This sum relates more to present-day values and will encourage insurance as a method of saving from income. Perhaps $10,000 would be a more realistic figure.

The Hon. FRANK WALSH: In all cases a rebate for insurance kept up for a widow, widower, ancestor or descendant to a sum of $2,500 is provided for. In addition, there are rebates in respect of matrimonial homes. The effect will be to enable a widow to succeed to an interest in a dwellinghouse valued at up to $9,000 together with other property of the value of up to $9,000 without payment of any duty. In these circumstances she would have a clear exemption up to $18,000, and I cannot accept the amendment.

Mr. MILLHOUSE: I cannot accept what the Treasurer has just said. Why did he choose a figure of $2,500? No explanation at all having been given of that figure in the second reading debate, the Treasurer has now simply reproduced a few of the sentences that he used in his second reading explanation.

The Hon. Frank Walsh: I've already told you that.

Mr. MILLHOUSE: Yes, I know that. Why did the Government choose this figure as the limit? Furthermore, why is it opposed to the limit suggested by the Leader? Personally, I should have preferred to see a limit of $10,000. I think it is incumbent on the honourable gentleman to give us an explanation, and I respectfully ask the Treasurer to explain the figure in the Bill and why he is opposed to the Leader's suggested $6,000.

Mr. McANANEY: I support the amendment. I have referred to bank clerks and others who die during their period of employment and whose beneficiaries do not receive the benefit of a house as an exemption. I understand that it is compulsory for bank

officers to take out a life assurance policy on joining the bank, the proceeds of that policy to be received at the age of 62. That applies also to many private superannuation schemes, under which a policy involving $6,000 or more is taken out and eventually used to finance a house. A widow should at least be as well off as a pensioner who, in addition to receiving, I think, $12 a week, is allowed to have a house of any value, a motor car, an insurance policy with a surrender value up to $1,500, as many personal effects as desired, and free hospitalization and transport.

Mr. HUDSON: With most superannuation schemes under which a lump sum is paid to the employee's widow or beneficiary, that payment is non-dutiable. Such schemes are specifically drawn up in this way so as to give their trustees a discretion as to whom the superannuation should be paid on the death of a contributor. Even though that discretion is always exercised in favour of the widow, its existence is sufficient to ensure that the superannuation payment is not at law part of the contributor's estate, and therefore not subject to duty. However, I know the honourable member was not trying to suggest that superannuation in these circumstances would be subject to duty.

In a significant number of cases, comparing the Bill with the existing Act, an insurance benefit does not exist in the Act. In some cases, where nothing else came under section 32, it would exist, but in some other cases of joint tenancy, in which the exemption of $9,000 was already taken up, any type of insurance referred to here would be subject to duty. Obviously, the Government has to strike a line between the exemptions it can afford to provide at present. Anyone in sympathy with people who succeed to a property on the passing of a loved one obviously wishes to provide as big a minimum exemption as possible, but it has to be judged in terms of the revenue position facing the Government at a particular time.

Mr. Millhouse: Can you give us the figures on $2,500?

Mr. HUDSON: No, because I do not have them with me, but I am sure the Treasury would have examined this matter carefully.

Mr. Millhouse: The Treasurer should know.

Mr. HUDSON: The honourable member would do well to remember that we are not merely talking about $2,500 for a widow. Many amendments will follow if this one is successful, and we are considering $2,500 of assurance that can be assigned to a widow and children under 21 as well as descendants over 21. The deceased person may have assigned insurance to his widow and three children, in which case the accumulative exemptions applying to that insurance would be $10,000 altogether, with other exemptions provided. The Leader's amendment would take that total to $24,000.

Mr. Millhouse: These are true successions; you are arguing against what you said this afternoon.

Mr. HUDSON: When looking at the amount of insurance that a person may provide for his family, a $2,500 exemption going to one person may not seem much—

Mr. Millhouse: It isn't!

Mr. HUDSON: —but spread over a number in the family it is $2,500 for each, which may represent a substantial sum.

Mr. Hall: You are arguing on estate duty.

Mr. HUDSON: An estate is broken up into successions, and one likes to see what all these exemptions total for a widow and two children to see whether a particular proposal is fair. Lawyers are aware that an insurance policy taken out on the life of another person is not dutiable if the premiums are paid by other than the deceased. The widow merely has to have a separate income to enable her to claim that she paid the premiums. The insurance in such a case is not subject to duty either under the existing Act or under this Bill. The Bill provides that, where an insurance policy on the deceased person's life has been paid partly by the deceased and partly by somebody else, only that part of the policy that can be attributed to the premiums paid by the deceased is dutiable. I oppose the amendment.

Mr. MILLHOUSE: I am sure everyone is indebted to the member for Glenelg for his lecture, but he did not try to answer my question about why $2,500 was preferred to the $6,000 suggested by the Leader. The honourable member came to the Treasurer's rescue and said that he would have these figures, but we were not given them. This figure of $2,500 was arrived at in some way, and the reason should have been mentioned in the second reading explanation. Can the Treasurer explain how he and his advisers decided on the figure?

The CHAIRMAN: The member for Glenelg.

Mr. MILLHOUSE: I asked the Treasurer—

The CHAIRMAN: Order! The honourable member for Glenelg.

Mr. HUDSON: If the figure were raised from $2,500 to $6,000, in each instance where

this applied the reduction in revenue would be between 15 per cent and 27½ per cent of the $3,500 and, taking the average of about 20 per cent, this would mean a reduction of $700 in revenue in each case. The member for Mitcham shakes his head, thus confirming that ne explanation will ever satisfy him, because he does not want to be satisfied. If the reduction of revenue is $700 in each instance and there are 1,000 instances each year, there will be a total loss of $700,000. If there were 2,000 instances for the year in which the exemption were claimed, the loss to revenue would be $1,400,000; and if there were 500 instances the loss would be $350,000. I do not know how many instances there are but I have no doubt that information could be obtained.

Mr. Millhouse: That is what we want.

The Hon. D. A. Dunstan: I gave you information from the Public Trustee this afternoon and you did not seem to want that.

Members interjecting:

Mr. HUDSON: I suggest that even if the information were given to the member for Mitcham he would put on a performance similar to that which he put on when he heard that magnificent information on estates from the Public Trustee this afternoon.

Mr. HALL: The Treasurer may not know much about this Bill but I must say that the member for Glenelg is a poor substitute for him. It is capricious and silly for the member for Glenelg to trail figures around as he has done. This debate on a serious amendment requires better treatment than the foolish approach by the member for Glenelg, who appears to be covering up for his Leader. The Government has given no facts to show what this will cost, whether a small amount or not. Also, it has not given any figures on how many estates are affected.

Mr. SHANNON: I refer to the duty placed on the administrator to select an amount. I asked for advice on this matter from an officer of a trustee company whom I know and was told that an alarming position could arise. On a reasonably sized estate of $50,000 or $60,000, one selection by the administrator could mean a difference of $3,000 to $5,000 from another selection. If a beneficiary could prove that the administrator of an estate had made a bad selection that had resulted in a considerable additional cost to an estate, the administrator could be held responsible for such a shortage in the beneficiary's accounts. If it is so, I think a simple amendment would meet the case.

Unfortunately, if the Leader's amendment were carried it could aggravate the position to which I am referring. If the administrator had an opportunity to lodge a Form B before he had to make a selection, this would give him a chance of being right; he could then hardly be wrong in his selection of which of the various reliefs should apply to an estate. However, if he does not lodge Form B he could easily be wrong and be left in the invidious position of being shot at by certain beneficiaries. Plenty of people will help them do that very thing. I believe there is a trap here that need not exist.

Mr. MILLHOUSE: Mr. Chairman, I will try once more and ask the Treasurer once more whether he could possibly give members the basis of the calculation of the figure of $2,500. It is rather amazing that every time I have asked the Treasurer for this information the member for Glenelg has popped up to try to protect him and has talked around the point to try to fob off the inquiry. Can he give the Committee the basis for this calculation of $2,500?

The Hon. D. A. Dunstan: Can you explain the basis for the $6,000?

Mr. MILLHOUSE: I ask the Attorney not to interrupt me. Unless we know the basis on which the Treasurer is working it is impossible to say whether we should support him or support the Leader. The Treasurer is the man in charge of the Treasury of this State, and he is the man who is responsible for this Bill, the figures it contains, and the calculations that are made. Surely, it is his job to know the answer to this and be able to give it to the Committee. I ask him again most respectfully (and I have emphasized that every time I have spoken) whether he will give members the calculations or whether, if there are no calculations and it is simply the broad axe approach, he will tell us that.

The Hon. FRANK WALSH: A similar Bill that was before members about 12 months ago provided for an exemption of $2,000. The Government, with a more generous approach, has determined that the amount should be increased to $2,500.

The Committee divided on the amendment:

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

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey,

Clark, Corcoran, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Freebairn. No—Mr. Jennings.

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. SHANNON: I again refer to the duty of the administrator to select an amount. This matter should be looked at by the Parliamentary Draftsman. We cannot do anything about it at this stage but, if I get a promise that the matter will be looked at, I will leave it at that. All it means is that the administrator himself if he makes a wrong election can be liable for a considerable sum if it is a large estate and a reasonable sum of money if it is a small estate.

The Hon. FRANK WALSH: Let us have confidence in the administrator. If the work is to be performed by the Public Trustee Department, the administrator will not make any mistakes there. Private administrators will do the job effectively and will see that estates are administered effectively.

Mr. McANANEY: I raise the point of unfairness to people living in rental houses. A letter from a constituent of mine points out clearly the difficulties confronting him. The Government has spoken strongly against this non-aggregation of estates: it maintains it is unfair and unjust, but replaces it by something equally unfair and unjust. There is discrimination between sections of the community: one section gets an advantage while another does not. If the Government wants to introduce a fair provision, let it be a flat exemption of an amount comparable with a pension. This Bill discriminates against postmasters, railway station masters, police officers, schoolteachers, stock and station agents, insurance agents, employees of the Electricity Trust, the Railways Department, the Lands Department and the Agriculture Department; and bank officers and others. I object to that. If I could eliminate these concessions without upsetting the whole Bill I would.

The Hon. B. H. TEUSNER: I move:

In new section 55g (*d*) to strike out "twelve" second occurring and insert "twenty-four".

Under new section 55g a widow who derives property from a deceased person can claim a deduction of $2,500 in respect of an insurance policy, and the administrator has a choice of making one of three other deductions: an amount of $12,000 (55g (*b*)); or the value of the asset stated in (55g (*c*)); or, as stated in new section 55g (*d*):

where the property so derived includes any beneficial interest in land used for primary production, the sum of $12,000 and either the value of such beneficial interest or $12,000, whichever is the less.

Assuming that the administrator makes a choice of the property mentioned in paragraph (*d*) (that is, property in which the deceased has a beneficial interest in land used for primary production), the widow would then be entitled to $12,000 and the value of the land used for primary production if that value does not exceed $12,000. In the Barossa Valley dozens of primary producers would be unable to buy a living area for less than $30,000 to $40,000. That would apply also to primary producers in Chaffey engaged in activities similar to those of the viticulturists and horticulturists in the Barossa Valley. I have every confidence that the Treasurer will support me, because in March last year in his policy speech he said:

Our policy of succession duties provides the exemption of $6,000 for the estate inherited by widows and children. It also provides that a primary producer will be able to inherit a living area without the payment of any succession duties.

A living area a widow would inherit in many cases would be valued at much more than $12,000, which is the deduction that can be claimed under this clause. Where the widow inherits a living area valued at less than $24,000 (for which I am claiming exemption) this clause provides that she can only claim the lesser sum.

Mr. Hudson: There is no restriction on the form of property that the $12,000 takes.

The Hon. B. H. TEUSNER: She has a maximum exemption of $24,000, but in most cases it would be impossible for a primary producer to acquire a living area for $24,000 these days. I seek to increase the exemption in respect of the living area, and I ask the Treasurer to remember the promise made in his policy speech, as I am sure many primary producers were impressed by what he said.

The Hon. FRANK WALSH: The most difficult proposition that we had to consider before introducing this Bill was the valuation of a living area. We are trying to solve problems confronting the Government. The honourable member suggests a total exemption of $36,000, but what is the position if we consider other primary producers? It would be desirable to accept the honourable member's proposition if it were possible, but we are unable to do so.

The Hon. B. H. TEUSNER: Poultry farmers and other primary producers use land valued at less than $24,000, or even $12,000. That does not affect the succession duty to be derived by the Treasurer, because this clause stipulates that the claimable deduction in respect of the interest in primary producing land is either the value of such beneficial interest or $12,000, whichever is less.

Mr. HUDSON: Absolutely no restriction is placed on the form of property in the first $12,000.

The Hon. B. H. Teusner: I am dealing with the second $12,000.

Mr. HUDSON: If the value of the land is less than $12,000 and if it is a living area or part of one, provided the beneficial interest is greater than $12,000, this exemption allows a claim of $24,000. For example, where a property was left to a son with a life interest to the widow, two successions would be involved, the widow being able to claim $24,000, or an extra $2,500 in the case of assurance.

Mr. Hall: This is another devious argument.

Mr. HUDSON: Of course it is not. The honourable member doesn't know what he is talking about.

The ACTING CHAIRMAN (Mr. Ryan): Order!

Mr. HUDSON: The Leader is making a song and dance and trying to do a bit of grandstanding. Plenty of cases would exist in which a rural property was left by will to a child or two children, with a life interest to the widow. If a son is under 21 and the life interest of primary-producing land to the widow is valued at $6,000, she still has a claim of $18,000, forgetting about insurance, and the son under 21 still has a claim of $24,000, again, forgetting about insurance. The claim for a son over 21 would be $6,000 plus $12,000 as an exemption, and for the widow, $12,000, plus whatever was the value to her of the beneficial interest, as a life interest. If it were $6,000, a total of $18,000 could be claimed. If more than one child is involved in a succession, total exemptions can amount to $60,000 or $70,000. How often would it be true that the equity of the owner of land representing a living area was $40,000? The value of land is not subject to duty: it is the value of the equity that passes in succession.

Mr. HALL: The member for Glenelg continues to use the principle of estate duty, and refers to total exemptions applying to the whole of an estate. We are merely dealing with estates being passed to individual beneficiaries, and not with the whole value of an estate. It is wrong to justify an inadequate provision referred to in the Treasurer's policy speech by saying that over a total estate a substantial figure is involved. Examples of life interests have been given, but these are not typical of the farming community.

Mr. Hudson: Is joint tenancy more typical?

Mr. HALL: If he knew the cases I know, he would know what was typical. Whether there are two sons or three sons does not affect the principle.

Mr. Hudson: Of course it does.

Mr. HALL: It does not. The honourable member is trying to justify the Government's move by dealing with the matter on an estate duty basis. The amendment gets somewhere near what the Government promised. In referring to horticultural and vegetable-growing properties, the honourable member is referring only to a small percentage of the properties affected.

The Hon. B. H. TEUSNER: When I moved the amendment I took into consideration that the widow would be entitled to the additional exemption of $12,000. Otherwise, I would have sought a higher exemption, as many primary producers would be unable to obtain a living area for even $36,000. It is obvious that in his policy speech the Treasurer meant that, in addition to the deduction of $12,000 in an estate inherited by a widow, if she were a primary producer she would be entitled also to a deduction commensurate to the value of a living area. That is made clear in new section 55g, which provides that in addition to an exemption of $2,500 a widow is entitled to $12,000 free of duty. Surely a widow who is a primary producer should be entitled to a deduction of $12,000 under paragraphs (*b*) and (*d*) plus an extra exemption of the value of the primary-producing land. The previous Government allowed the primary producer a rebate of duty of 30 per cent of that portion of the inheritance that was primary producing land to a value of $40,000. If the inheritance exceeded $40,000, the rebate became proportionately less.

Mr. Hudson: But the concession we are giving is $40,000, which is considerably more advantageous.

The Hon. B. H. TEUSNER: It was a liberal concession. If a widow, widower, son or daughter inherit primary-producing land, in each case there should be the extra concession applicable to a primary producer, which should be the value of a living area. My amendment

provides for an exemption of $24,000 in addition to the $12,000 already provided. This would be inadequate in many cases, but it would go towards meeting the situation. Many primary producers operate on living areas valued at less than $24,000 or $36,000, and under this clause they would be able to claim an exemption only in respect of the actual value of the primary-producing land, if that were less than the value of the concession.

Mr. McANANEY: For a widow inheriting land used for primary production the concession would not really amount to the $12,000 provided because there is already provision in the Bill for an exemption of $18,000 for a house property and other assets. Therefore, this is really an exemption of only $6,000. Only 2.6 per cent of people who die have a farming background and, when it is considered that many of these people have left the land before they die, the percentage is even less. Therefore, I do not think the increased concession proposed in the amendment would amount to much in total.

The Committee divided on the amendment:

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

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

Pair.—Aye—Mr. Freebairn. No—Mr. Jennings.

Majority of 2 for the Noes.

Amendment thus negatived; clause as amended passed.

Remaining clauses (30 to 38) and title passed.

The Hon. FRANK WALSH (Premier and Treasurer) moved:

That this Bill be now read a third time.

Mr. HALL (Leader of the Opposition): I should like to say how disappointed I am that the fears that we had for this Bill have been realized. Only two amendments have been accepted in Committee, and only one of those was of any significance, so they have had very little effect in allaying the fears that we had. Therefore, the Bill still contains the provisions to which we object. We have had no significant amendments affecting the aggregation provision. Assurance policies, subject to the $2,500 rebate, will be aggregated. Primary producers will not receive the benefits that were promised in the Treasurer's election speech, and we are not to receive the advantages of the provisions that apply in Victoria regarding assurance, even though the Government has taken examples from that State to provide the basis for this legislation.

As I said earlier, I believe this is another tax that will work very much against South Australia in its competition with other States, for we have not the wealth of the States we have used as an example in promoting this legislation. It is with regret that I see the Bill at the third reading with the objectionable provisions still in it.

Mr. MILLHOUSE (Mitcham): I, too, very much regret that this Bill has reached the third reading stage. I am just as strongly opposed to it now as I was in the second reading stage and during its passage through Committee. I had two great objections to this Bill and they have not been altered at all by its passage through Committee. The first is the gross unfairness of the aggregation provision. As I have said before during the debate on this measure, it is extremely unfair to change the whole basis upon which succession duty is to be levied in this State. It has stood since 1893 in the form in which it has been up to the present time. I do not know why the member for Port Pirie is laughing in such an extraordinary way. However, I see that the honourable member is being shut up literally, which is probably a good thing. The fact is that our succession duty arrangement has stood since 1893; many people in the community have ordered their affairs upon that basis, and they have done it perfectly properly. They have arranged their affairs and their estates to take the maximum advantage of what has been allowed by the law of this State.

The Hon. D. N. Brookman: And from very unselfish motives.

Mr. MILLHOUSE: Whether their motives have been selfish or unselfish, they have been perfectly proper arrangements so as to make provision for those who come after them. This is a human tendency and a very natural desire, and one with which we should not interfere. As all members know (although members on the Government side will not acknowledge this), this has been done over many years, and it will now not be possible in many cases for the affairs of families and individuals to be

re-arranged to meet the changed circumstances of our law. As I say, I think this is completely unjust and completely unwarranted. I do not believe that we should have changed the basis of our succession duty legislation in this way. Honourable members should know that the changes they have brought about in this matter in this place may very well prejudice the passage of the legislation in another place—

Mr. Hughes: That's a threat.

Mr. MILLHOUSE: — and they have deliberately taken—

The SPEAKER: Order! The debate on the third reading is more limited in scope than is the debate on the second reading, and is confined to matters within the Bill itself.

Mr. MILLHOUSE: I was dealing with one particular matter in the Bill, Mr. Speaker, contained in clauses 7 and 8. I have said all I want to say on this. The aggregation provisions are unjust and unwarranted, and I believe that they are unnecessary. Quite apart from that, the new scheme of the rates of duty and the rebates introduced in this measure constitute an incredible tangle of legislation, and this in itself makes it bad legislation. I suppose that is a matter that will be sorted out as best it can be by the legal profession, and probably to the pecuniary advantage of some. But more important than that, this Bill does mean a substantial rise in the rates of duty that will be paid. As I said in the second reading debate, the people who will pay this extra duty in South Australia are not the wealthy, to use the word beloved of the Attorney-General, even though he has left it undefined: the people who will pay the bulk of the extra duty are those with estates between $10,000 and $50,000. The figures I quoted yesterday show this. The great bulk of the estates in South Australia come in that bracket, and that, of course, is where the extra duty will have to be paid.

Are members on the Government side going to say now that the new arrangements in this Bill will not mean an increase in duty payable? Of course they will. The whole object of the jolly exercise is to increase the yield of succession duties, and inevitably, because that is where the bulk of the estates in South Australia lies, that is where the duty will come from. This, too, I believe to be unwarranted. I believe that succession duty is one of the most undesirable forms of taxation. It is certainly one to which every Government in one form or another, either as succession duty or estate duty, seems to have to resort, but it is one the basis of which should be changed only with the greatest hesitation; nor should the rates be changed unless it is absolutely necessary. I do not believe that that should have been done here, and that is why I am quite opposed to the third reading of the Bill.

The Hon. D. A. DUNSTAN (Attorney-General): I listened with great attention to the impassioned speech by the Leader of the Opposition and the jolly speech of the honourable and gallant member who has just resumed his seat. Mr. Speaker, I am astonished at the facility with which crocodile tears are wept upon the Opposition benches over this measure. It is suggested by the honourable member for Mitcham (the Leader of the Opposition was very much more vague in his comments)—

Mr. Clark: You know why.

The Hon. D. A. DUNSTAN: It is obvious why. The member for Mitcham said this extra succession duty to be levied would apply mainly to estates between $10,000 and $50,000. The honourable member for Mitcham has obviously not done his homework as carefully as has the Leader of the Opposition, because in no case in respect of widows and dependent children (and previously we have heard so much about what the Government is doing to the widows and the fatherless in this matter) has it been possible for the Opposition to instance an increase in duty in an estate of less than $40,000. The poor, impoverished people!

In fact, we know from having examined the Commonwealth estate returns that the extra moneys to come from succession duties in South Australia under this measure will come from strangers in blood who are getting an unearned increment, or from the very largest estates in South Australia that have been escaping succession duty by means of the very matter that the honourable member has referred to in such impassioned terms as being fair and proper; but, for some reason for which no basis in logic or justice has been advanced to this House, an individual successor from an estate should have a whole series of separate remissions of duty according to the class of property he inherits. On what basis in logic or justice can that be advanced?

Mr. Millhouse: On what basis can it be denied?

The Hon. D. A. DUNSTAN: On this basis: that the basis of assessing death duties is to require an individual to make some contribution from unearned increment to the community that has provided the possibility of the accumulation of that unearned increment.

Mr. Hall: Are savings earnings?

Mr. Nankivell: Why is it unearned?

The Hon. D. A. DUNSTAN: What is the basis for which members opposite are arguing? They cannot provide anything by way of answer except that it is right because it has been in existence since 1893.

Mr. McKee: And the member for Mitcham had the audacity to ask me why I was laughing about it!

Mr. Millhouse: And I am still wondering.

The Hon. D. A. DUNSTAN: The plain fact of the matter is that honourable members opposite have no basis for their opposition to the third reading of this measure other than that those who are paying largely into the coffers of the Liberal Party will now have to make some fair contribution to the revenues of this State.

Mr. Quirke: You haven't changed a bit!

Members interjecting:

The SPEAKER: Order! I am not going to repeat my call for order. I expect Standing Orders to be observed when a member rises in his place. I remind the House again that this is a third reading debate, and the debate is confined to the provisions of the Bill as it emerges from the Committee stages. The honourable the Attorney-General.

Mr. QUIRKE: I give you an apology, Mr. Speaker. I did not seek to rise to my feet. Had I done so, you would know that I would have subsided immediately.

The Hon. D. A. DUNSTAN: After that sudden subsidence, if I may resume the debate on the clauses of this Bill as they emerge from Committee, I point out that after the election the Government had a mandate for altering the incidence of this tax. We said clearly at the election, first, that more money ought to be paid in succession duties in South Australia and, secondly, that there was a just reason for our raising more money as additional expenditures were occurring that this State had a moral duty to undertake. We are often told that we ought to spend more money. Honourable members opposite have constantly demanded that the Government spend more money, even in those departments in respect of which the Leader of the Opposition has said that I have spent money as a drunken sailor spends money. The members for Mitcham, Burnside, Angas and Victoria have said that I ought to be spending more money in those areas. They are all keen for us to spend more money but they are also keen to reduce the ways in which we can raise it. So we said that it was necessary to raise more money in this area and we also said that it was necessary to alter the incidence of this tax—and that is what this Bill does. In it we have given substantial concessions to the average inheritor.

Mr. Millhouse: Where does his inheritance lie?

The Hon. D. A. DUNSTAN: In modest estates in South Australia.

Mr. Millhouse: That is not what we are talking about. Give the figures.

The Hon. D. A. DUNSTAN: This afternoon I gave the House a list of the last 50 estates administered by the largest trustee in South Australia, a trustee in whose hands there are estates for administration in excess of $63,000,000. Some big ones go there but, for the most part, the people who turn to the Public Trustee for assistance are the average citizens of this State—not the wealthy but the majority, not the rich but the average citizen who has either a middle or low income.

Mr. Quirke: "Rich" is a dirty word.

The Hon. D. A. DUNSTAN: "Rich" is not a dirty word. I think the rich are of great benefit to South Australia and they ought to provide for the community in which they accumulate their wealth.

Mr. Millhouse: What about giving us the figures?

The Hon. D. A. DUNSTAN: This afternoon I gave the House some figures, about which honourable members opposite have been angry ever since.

Mr. McKee: They cannot absorb them.

The Hon. D. A. DUNSTAN: What has emerged from those figures is that what the Government has said about the effect of this Bill is perfectly true, that the average inheritor in this State of a modest succession will get substantial benefits from this Bill and the money that will come from increases in duty will come from the very large estates. It will come in two ways: by an increase in rates on the large estates and by seeing that these large estates do not use a series of separate remissions to avoid the rates of duty that are levied. We cannot ensure that the larger estates in this State pay their fair share towards death duties in South Australia in the same way as they pay them in the other States without requiring that, if we are to maintain a succession duty, it is genuine succession duty, that each individual pays his succession duty from the estate. That is what this Bill provides. It is not turning it

into an estate duty: it is making the succession duty real.

Honourable members opposite say, "It is grossly unfair that we should not have some provision by which the larger estates (because the smaller estates cannot afford to do this; we shall not find it done in those estates listed by the Public Trustee this afternoon) can escape the full impact of succession duties." The smaller estates cannot afford to distribute their properties to take advantage of a series of separate remissions: that is an economic proposition only for the larger estates. In South Australia, under the previous Government, the average widow may have paid $600 or $800 in succession duty, whereas it was possible to inherit an estate of $100,000 without paying anything in succession duties. That was the kind of duty that that Government levied, and it was for that reason that we went to the electors and said that it was grossly unfair. We are now providing a redistribution of the incidence of taxation so that the average citizen shall pay as much as or a bit less than the average citizen pays in other States. But those who can afford to pay on a graduated system of taxation will pay.

Mr. McKee: It was Liberal policy to take from the poor and give to the rich.

The Hon. D. A. DUNSTAN: We have been accused of being like Robin Hood. I would prefer that to being Robin Hood in reverse and taking from the poor and giving to the rich which honourable members opposite did.

Mr. Millhouse: Don't be absurd.

Mr. Coumbe: Rubbish!

The Hon. D. A. DUNSTAN: That is what happened. In South Australia, under the previous measure, the poor were hit harder and the rich less hard than those in other States, and less money was raised on this basis of taxation, as a result of which we were providing the worst social services of any State. The former Treasurer boasted of that fact and said we should get some credit because we had tightened our belts on social services.

The Hon. Sir Thomas Playford: Don't tempt me to make a speech.

The Hon. D. A. DUNSTAN: I should be pleased to hear you: we are used to your speeches now. The former Treasurer asked me, as Minister of Social Welfare, what we were going to do about payments of public relief and was I going to deduct the amount increased in the Commonwealth social service pension, and I said, "No, because in this State we do not believe in taking from the poor the benefits this State gives them." His Liberal counterparts in Victoria have announced they are reducing their payment although they had increased estate duties. That is not the way to proceed: we should redistribute the income in such a way that those who can properly claim on the community are provided for. We have every justification for taking these measures. No injustice exists in this legislation: those who are required to pay extra are those who can properly afford to do so, and that great number of people, who are given remissions under this Bill, are those who are entitled to them. This Government believes it is proper to fight for those people and see that they get their just dues.

Mr. SHANNON (Onkaparinga): In a less impassioned manner than the Attorney-General, I refer to the schedules, which are enlightening. They refute the Attorney-General's contention about modest estates. I do not blame the Government for seeking more revenue: this is a taxation measure and I am not responsible for or concerned with raising money, as that is the Government's responsibility. However, I object to the approach that the middle incomes are going to be relieved of some responsibility. On the contrary, much additional revenue will be derived from these moderate estates.

Mr. Hudson: Have you applied exemptions to the schedule?

Mr. SHANNON: Various exemptions have been arranged under various headings but all the estates do not enjoy the same benefits from exemptions, as many are lucky if they obtain one exemption.

Mr. Hudson: Who is the property going to?

Mr. SHANNON: That remains to be seen. Some have no blood relatives and do not enjoy the family life that the honourable member and I do. In the change in incidence of taxation on moderate estates the increase has been proportionately greater than on wealthier estates. The regrouping in schedules 2 and 3 of the various values of estates has a marked effect on the overall income to be produced as a result of the increased rates of taxation. From what the Attorney-General said it seemed to be impossible to rebut this, but that is not so. This is not the first occasion where the point not favourable to the argument is adroitly omitted. People will know whether they want any more of this type of legislation: if they are happy to have money filched from their pockets, that is their business.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): The Attorney-General introduced into the debate the policy of the previous Government. True, it had a policy of low taxation, and I believe that that policy paid off for all sections of the community. As a result of that policy South Australia went ahead; the standard of living and employment rose; industries were attracted to this State; and the standard of low taxation encouraged enterprise. I do not believe this State will progress without enterprise. I make no apologies for the fact that my Government had a policy of low taxation that was maintained over a long period of years.

Mr. McKee: The lowest paid State!

The Hon. Sir THOMAS PLAYFORD: Our rate of taxation was about $8 a head below that in other States. Further, unless this State has a policy of low taxation it will stagnate. We have already seen the results of the changed policy in rising from the lowest unemployment figure in the whole of the Commonwealth to the highest number of unemployed.

Mr. Langley: What about 1961?

The Hon. D. A. Dunstan: What happened then?

The Hon. Sir THOMAS PLAYFORD: It is all very well for the Attorney-General to talk about looking after the underdog, but the underdog has no work.

Mr. Hudson: Tell us about 1961!

The Hon. Sir THOMAS PLAYFORD: Our policy of low taxation paid off.

Mr. McKee: With a low-wage State!

The Hon. Sir THOMAS PLAYFORD: I remember that under the previous Labor Government 20,000 of South Australia's natural population were migrating to other States, because the opportunities here did not equal those elsewhere.

The Hon. B. H. Teusner: That is happening now.

The Hon. Sir THOMAS PLAYFORD: It was rather significant that the Treasurer only this week said with a glow of pride that the influx of people into South Australia was second only to the influx in Western Australia, but he forgot to say that that influx was effected at a time when South Australia was a low-taxation State. The Attorney-General has had a few months in office and he will certainly have a few more months, but the time will assuredly come when people will say that they believe in high standards of living, enterprise and employment. South Australia can only achieve those high standards if it can compete industrially with the Eastern States. The Attorney-General said that the Government had a mandate for this legislation. Indeed, that mandate has been repeatedly quoted during this debate, but I shall quote it again, because if any statement has been incorrect it is the statement that a mandate exists for this Bill. In his policy speech, the Treasurer said:

Our policy on succession duties provides for an exemption of £6,000 for the estates inherited by widows and children.

I point out that it was not restricted to children under 21. The speech continued:

It also provides that a primary producer will be able to inherit a living area without the payment of any succession duty but a much greater rate of tax will be imposed on very large estates. This will be more in keeping with that in operation in other States.

There is no suggestion of aggregation in that. Incidentally, in referring to stamp duties in the next paragraph of the speech, the Treasurer said that the Government intended to block up loopholes in the relevant Act, but no suggestion was made that a system that had functioned since last century under Labor Governments as well as Liberal Governments would be radically changed. During the term of the previous Government people and industry were attracted to South Australia. This State had prosperity.

The SPEAKER: Order! I reminded the honourable member for Mitcham and the Attorney-General, in making this very point, that the third reading debate had to be confined to the clauses in the Bill. I ask the honourable member for Gumeracha to observe the same ruling as the one that I asked other members to observe.

The Hon. Sir THOMAS PLAYFORD: I am happy to do that, although I am replying to statements made by the Attorney-General, which he was permitted to make.

The SPEAKER: It was on those statements that I asked the Attorney-General to confine his remarks to the third reading of the Bill. As I have allowed the honourable member to reply, I ask him not to pursue this line.

The Hon. Sir THOMAS PLAYFORD: Thank you, Mr. Speaker.

The House divided on the third reading:

Ayes (19).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Langley, Lawn, Loveday, McKee, Ryan, and Walsh (teller).

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Hall, Heaslip,

McAnaney, Millhouse (teller), Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pair.—Aye—Mr. Jennings. No—Mr. Freebairn.

Majority of 3 for the Ayes.

Third reading thus carried.

Bill passed.

ADELAIDE WORKMEN'S HOMES INCORPORATED ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 18. Page 2332.)

Mr. COUMBE (Torrens): This is a modest Bill that I support, and members may find it slightly less exciting than the previous measure. It is simple in its concept: it seeks to remedy some archaic provisions made many years ago. Most members know that these houses are situated between Wakefield Street and Angas Street, Adelaide, and that they are a substantial type of modest house built for workmen. The original indenture under the trust deed of 1898, under the will of Sir Thomas Elder, set out to provide houses for workmen and work women. That description is now archaic. Many of these houses still exist, and North Adelaide has many of them. Such houses include the Bower Estate, the homes run by the Royal Institute for the Blind, the churches and various lodges, and the Wallaroo Homes.

The houses covered by this legislation were confined to workmen and work women in the original indenture. In those days there were no social services as we have them today. The main purpose of the Bill is to alter the 1933 Act so that pensioners can be housed in the houses covered by this organization. This has arisen because the Adelaide City Council wishes to purchase many of the houses so that it can proceed with road widening and building new roads north and south through the city. The trustees have bought land on which a different type of house will be built. So that pensioners and their families can be housed in these dwellings and so that the trustees can build a different type of house from that originally envisaged and described so quaintly in the original indenture, an amendment to the Act is necessary.

The original Act did a mighty job, but it is now out of date. The main clause of the Bill alters the type of house that can be built, and the limit of 10 miles from the General Post Office is changed to 100 miles. These are important provisions, and I agree with them. When Sir Thomas Elder made his will, he never in his wildest moments would have thought that the negotiations now proceeding would involve a scheme valued, with the Commonwealth subsidy of $2 for $1, at over $1,000,000, whereas the original bequest was for only $50,000. It is amazing how this fund has grown by careful husbandry.

As this is a hybrid Bill and will have to be referred to a Select Committee, I do not believe it requires further comment. I therefore have pleasure in supporting it.

Bill read a second time and referred to a Select Committee consisting of Messrs. Broomhill, Coumbe, Dunstan, and Lawn, and Mrs. Steele; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on November 1.

UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 13. Page 2295.)

Mr. QUIRKE (Burra): This Bill has already passed through another place, so I suppose it carries its imprimatur, but that does not prevent some members who have ideas about the preservation of underground water from voicing their views. We have recently been debating succession duties and the rich and the poor, but whether we are rich or poor and whether we are going to collect succession duties depends on one element alone—water. This is an element in which this State is very deficient.

This Bill relates to underground water. The only water we have is the rain which falls and that which is impounded underground. Some of the underground water has undoubtedly been there for millions of years and has been released by our activities in relation to artesian bores and other means of tapping it. A terrific flow comes from artesian bores in the North, such as those along the Birdsville track, where 8in. bores are running continuously at great volumes. The bore at Clifton Hills has water only a degree or two below boiling point. These bores have been running for many years, and generally they have shown no diminution of flow. Therefore, the underground reservoirs must be of vast proportions. As the water from the Clifton Hills bore is very hot, and as we know the depth from which it comes is 10,000ft. in places, the water must have been impounded millions of years ago. It has been suggested recently that the underground waters of Australia are fed by underground waters from New

Guinea. It is possible for that to be the origin of those artesian waters because, unless there is some high rainfall source, the prodigal use we are making of them today is such that they must be lowered eventually unless that supply is replenished. Furthermore, the rainfall that we have in Australia that could go underground to that basin is such now that it is highly improbable that it could ever keep up the supply at the rate it is being used. Nobody knows whether these suggestions are correct but we do know that vast quantities of water are being poured out on to the surface of the earth in that area.

It is hot water that is quite impossible for the stock to drink; it is not good water for use in growing things. It runs through channels that are sometimes miles long and, although they are wet, very little is grown on their banks. The water can be loaded with soda and is sweet and nasty to drink, but it is water, and it is stock water. Some attempts have been made to cap those bores but it would be an extremely costly process to do that. The bores have been there so long that it is known that below the surface the piping has perished, and if an attempt is made to cap the bores they will go into orbit with the pressure underneath. Capping has been done in a few cases but it is extremely difficult and costly because when a bore is capped on the top it blows out around the pipe.

The Bill provides that all running bores should be capped but I think it implies also that a provision should be made where they do not have to be capped. It would be a good idea to investigate them properly to see whether they can be capped, because water is so precious in Australia that no prodigal waste like that to which I have referred can be justified. If it is not justified then some expense is warranted in order to see that the waste is stopped or diminished. Probably if the flow were diminished and the pressure were taken off in that way it would be easier to cap the bores. I have been talking about bores in the North. The point I make is that, apart from those places underground and the sub-artesian basin which extends to Virginia, the rest of the bores depend on soakage from rainfall.

The Uley-Wanilla Basin and the Polda Basin on the West Coast are the sort of basin that depend on rainfall. They are not artesian but need soakage water. All the soakage water from the shallow wells around the Adelaide Hills and on the plains is soakage water. I think the member for Flinders suggested, when speaking to the Bill, that the reduced water available for use on vegetable gardens at Virginia resulted from the water that naturally gravitated into the basin being impounded in the hills in such places as the South Para reservoir. That could be correct. However, is it better to impound the water or to let it run down to the sea to waste, less the amount that goes underground? I prefer to take the opportunity to impound the water, knowing at least that that water is saved.

When one comes to growing vegetables on an intensive scale one is usually faced with the fact that, although there are beautiful alluvial flats at places like Virginia—that is magnificent soil—the water is under the alluvial soil. The land will always produce more than there is water available to accommodate what it is capable of producing. That is what has happened at Viriginia, where the water table is dropping. The water table has dropped all over South Australia. I can remember at Booborowie that the water table was so high that water came into every post hole sunk. Lucerne was put on it and now a hole can be sunk 50ft. or 60ft. before damp soil is reached. As an illustration of how little we know about water, I point out that on the apex of the range on the old Burra road (the original track) between White Hut and Burra is a spring where there is permanent water. All the laws of water finding its own level and of water having to be under pressure somewhere are confounded. Where is the level of the water that keeps it on the surface of that hill (and it is there all the time)? However, it, too, has gone down. At one time it ran down in a permanent stream across the White Hut road near Barinia. It does not do that now; it merely soaks down the hill a short way. The level has fallen but the spring is still perched on the top of the Great Dividing Range.

Mr. Curren: Does it come down now?

Mr. QUIRKE: It does not move, as far as I can see; the source could be many miles away. It was known that, on the range that runs east of Clare, wherever there was a saddle in the hill the water in the pass would come over it. There are still places where it does this. Water is behind the range and it is that water supply that keeps this little spring flowing at the top of the hill. This indicates just how little we know about water, and I fully favour conserving all that we have and tying down its use to what is required. There are one or two alternatives in the case of growers

at Virginia. They will have to reduce their production to the amount of water they can use without reducing the underground level, or they will have to have reservoir water, and at this juncture we simply cannot afford that.

The Hon. G. A. Bywaters: It is better to protect the ones there already than to put down more bores.

Mr. QUIRKE: Quite so. I understand there are some cases where the boring has been completely indiscriminate, and some growers have had more than their share.

The Hon. G. A. Bywaters: They do not use it properly at all.

Mr. QUIRKE: It must be regulated, and the only way to do that is by ensuring that they must regulate their growing to the water they are allowed, in the same way as this is done at Nuriootpa where the carrot growers use mains water; they get so much water with which to grow. They are all happy about this position and are a well ordered community. They do not protest and probably the people at Virginia will have to accommodate their production to the amount of water available to them.

Mr. Freebairn: The carrot grower is in the high income group.

Mr. QUIRKE: I know he is. I do not suppose any vegetable returns a better income on an equivalent area than one can get from a patch of good carrots.

Mr. Clark: If you know how to grow them.

Mr. QUIRKE: Yes, and an increasing number of people know how to grow them. Some of the alluvial land around Adelaide (some at Paradise, some in the western suburbs that grows good celery, and some around Virginia) is highly desirable land, but I do not think there is much future for it, for as the years go by the water is going to get farther and farther away from it. There is not the slightest doubt in my mind that the final supply of vegetables for Adelaide must come from where the water is situated.

The Hon. G. A. Bywaters: The Murray River.

Mr. QUIRKE: Yes. We can carry on as we are going but we shall be continually pinning these people down to prevent the rise of salt water. Salt water rises very easily.

Mr. Hall: Are you giving away the proposition of using sewage effluent?

Mr. QUIRKE: No, but I do not know that all of that can be used for vegetable growing.

Mr. Hall: We have not had a full report on it yet.

Mr. QUIRKE: Some of the sewage effluent contains about 80 grains of salt, which is all right for lucerne.

Mr. Hall: Some of the water now being used contains 80 grains of salt.

Mr. QUIRKE: I have not given away the idea to which the Leader referred. The Murray can produce these vegetables, although many of the soils in that area need a bit of improvement.

The Hon. G. A. Bywaters: They are growing very good carrots up there now.

Mr. QUIRKE: Yes, but the soils there need a bit of improvement. Many of the soils there are not as good as those near Adelaide, and in a way it is a pity soils cannot be taken to the water. However, that is impossible. It is a phenomenon that fresh water always sits on top of salt water; it has something to do with specific gravity. It reminds me of the three castaways miles out at sea at the mouth of the Amazon and dying of thirst; the people who rescued them tipped the water out of the ocean and gave them a drink. Those people did not know that for days they had been castaways on fresh water, which was the water floating on the sea miles out from the mouth of the Amazon. We see the same thing up in the islands of New Guinea, where one can get fresh water out at sea. Actually, there is fresh water on top of salt water in most places in South Australia. The salt water is not in an underground cavern: it is usually in the form of water impregnated sands, or something like that. When we over-pump (particularly where we have a multiplicity of pumps on a small area) we get what the hydrologist calls an inverted cone; we suck the water from the surrounding country and we leave that dry cone, and then the salt water underneath rises into that. When there is too much of that we gradually lift the salt water table until we have destroyed the whole basin.

That is what I would be afraid would be happening out at Virginia. We had that question tested down at Robe when the cut was made into Lake Butler in order to let the small fishing craft through. The people at Robe were rather disturbed at the idea that their fresh water, which sits on top of the salt water, would become more saline. Actually, the Mines Department officers, who knew the levels, said that this would not happen, and it did not happen. However, they said that it could happen anywhere where the overpumping of fresh water took place. It can be told precisely when water is being over-pumped at

Uley-Wanilla on Eyre Peninsula, and the draw of the water has to be regulated according to the way the basin can fill again.

These things are all factors, and I mention them only because in my opinion these are the things that warrant the introduction of a measure such as this. Our water supplies are inadequate. We are dependent upon a completely inadequate rainfall, and we do not have many storage areas, having already used the best of them. Those that we have available are probably too wide and too shallow to be worth anything at all, so we are dependent upon rainfall and underground water. If our underground water is in any danger, it must be protected, and this, as a measure for its protection, is something that I can support.

Bill read a second time.

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Terms and conditions in permits."

Mr. HALL (Leader of the Opposition): I have in mind two types of production. We have the production of potatoes on an area of anything between 20 acres and 40 acres, and next door we may have perhaps 30 glasshouses under one ownership, giving a comparable income. One of those growers would possibly use many times the quantity of water used by the other. Has the Minister any thoughts about how one would work out an equitable distribution of water in this regard?

The Hon. G. A. BYWATERS (Minister of Agriculture): I cannot say specifically what the Mines Department has in mind about the word "inequitable", but it seems to be fairly logical that, where a limited amount of water exists, it shall be distributed on a basis that will give the greatest return. The Leader of the Opposition referred to glasshouse tomatoes. That seems to be a most economical way of providing the greatest return.

Mr. Freebairn: Carrots also.

The Hon. G. A. BYWATERS: Maybe, but glasshouse tomatoes use very little water compared with outside crops: there is not the same evaporation rate. Glasshouse tomatoes would be watered only once in five or six weeks, even in the summer period, so I think they would be a better proposition if there was a shortage of water. We know, of course, that some vegetable crops grown outside use a great deal of water, and the return from that water is thus not so profitable. If we have a limited amount of water we shall endeavour to see that it helps the greatest production. I am not in a position to say exactly what the Mines Department has in mind here.

Mr. HALL: I know it is impossible at this stage to pin down the Minister and the department to exactly what they have in mind. I thank the Minister for his thoughts. Whatever course is adopted, difficulties will arise. I raise the question now because this is not an easy matter to administer. Large amounts of money are involved in large-scale production, and many people obtain their livelihood by this means. Difficulties will be experienced by the administrative authority in determining what amounts of water to permit in the granting of a licence.

Clause passed.

Clauses 9 and 10 passed.

Clause 11—"Artesian wells to be capped."

Mr. CASEY: I draw the Minister's attention to a reply given in another place by the Minister who introduced this Bill there who, when speaking on this clause, said:

> The situation in respect of artesian bores in pastoral leases is not affected by the principal Act or the amending Bill; it is possible only where the control is under the Pastoral Board.

That is not quite correct because, no matter where an artesian bore is, it will be the rule that it will be capped. It has been proved conclusively that where these bores have been capped only recently the pressure built up so greatly that it burst the casing. The problem here is that we shall have a type of explosion underground that will ruin many bores. The Government will probably in the near future be faced with sinking new bores in the Great Artesian Basin in the Far North of this State because of this. Many of these bores have been down for between 50 and 60 years.

The Hon. G. G. Pearson: Some have been down for 80 years.

Mr. CASEY: The casing is the original casing. Once we start to build up pressure by capping these bores, the casing will give way. I know of bores sunk by pastoralists as an experiment; they have become blocked by boulders the size of one's fist coming up and blocking the outlet valve. We can imagine the enormous pressure built up there. I agree entirely with the principle behind new section 20a (1). Tremendous amounts of water go to waste that could be regulated and conserved for further use.

Clause passed.

Clause 12—"Enactment of Part IIIA of principal Act."

Mr. HALL: In many districts we know that fresh water floats on top of salt water, resulting in low production. Those are difficult water areas. Frequent search is made by landowners to better their own water supplies. Under new section 23a (2) a landowner can have an extension to a posthole digger on the back of a tractor that will drill down 30ft. or 40 ft. Some neighbours do it for adjoining landowners. I ask the Minister for an assurance that, in low water yield areas where such a search is made without any danger of contamination, this provision will not restrict this activity.

The Hon. G. A. BYWATERS: I take the clause as it reads: it does not apply to people working their own land or on behalf of a neighbour. However, I shall obtain a report on this aspect. In some low return areas a person could easily upset the area by drilling through salt water to get fresh water and if the bore is not properly cased, danger of pollution exists. The prescribed depths will be according to the situation. They could be altered, but I should think the conditions prescribed would be in accordance with the location of the underground supply.

Clause passed.

Remaining clauses (13 to 18) and title passed.

Bill read a third time and passed.

ADJOURNMENT.

At 10.38 p.m. the House adjourned until Thursday, October 20, at 2 p.m.