HOUSE OF ASSEMBLY

Tuesday, October 25, 1966.

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

QUESTIONS

INSTITUTE OF TECHNOLOGY.

Mr. HALL: On September 21 I asked a question of the Attorney-General concerning a rumour that I had heard of a proposal to establish new buildings for the Institute of Technology at The Levels at Pooraka. The answer I received included the following:

As yet, no firm proposals have been made and matters are still being negotiated, so I cannot say there are any firm proposals by any Government department, or indeed by any institute such as the Institute of Technology, for the development of this land.

Exactly one month later, on October 21, an article in the *Advertiser* set out in detail a map as a result of negotiations of which, apparently, the Government, one month before, had no knowledge. Can the Minister of Education say whether the report in the *Advertiser* on October 21, concerning the possible site for the Institute of Technology at The Levels, was correct? If it was, has there been an attempt to keep this matter quiet so that no concern would be expressed by citizens about the building of this institute on land that most people thought was to be reserved as part of the green belt?

The Hon. R. R. LOVEDAY: There has been no desire by the Government to keep any information from the public for other than good reasons. When the first question was asked it was not in the public interest to say anything about the proposed removal of the institute's site to The Levels. This site has since been considered by the institute, and I expect to receive a letter from it this week in relation to its consideration of that site.

INADMISSIBLE QUESTIONS.

The SPEAKER: For the information of honourable members, I draw their attention to the practices and Standing Orders, particularly regarding matters listed as inadmissible questions. Amongst inadmissible questions are those asking whether statements in the press or of private individuals or unofficial bodies are accurate.

CHILD'S RESCUE.

Mr. SHANNON: First, I ask the Premier whether he will convey to the Commissioner of Police and the officers of the Rescue Squad, under the control of Superintendent Lenton, my appreciation of the excellent work carried out by the men engaged in the search for the missing child, Wendy Pfeiffer who, happily, has been found and is still alive, the full story still remaining to be told. Also, will the Premier thank members of the Emergency Fire Services and the public generally who took part in the search? I can say from first-hand knowledge that some of Superintendent Lenton's officers spent 30 hours in the search without a break; how they withstood the strain, I do not know. I am sure their fine effort is greatly appreciated by people in the area concerned and, I hope, by the State generally.

The Hon. FRANK WALSH: I shall be pleased to convey the honourable member's message to the Commissioner of Police, as well as to the members of the Emergency Fire Services, who joined in the search. I have already indicated to the child's parents the Government's concern and sympathy in this matter, and have requested the Chief Secretary to obtain a report on the matter from the Commissioner of Police, so that Cabinet may know the full details of the investigation. However, I would ask those who have seen the headlines in the *News* today to read the small print underneath and to take no notice of the headline itself.

ABDUCTION PENALTIES.

The Hon. B. H. TEUSNER: Does the Attorney-General consider that the penalties under the Criminal Law Consolidation Act for the abduction of children are adequate and, if he does not, can he say whether the Government intends to bring down legislation amending the Act to make the penalty fit the seriousness of the crime?

The Hon. D. A. DUNSTAN: Although the Government has not considered this matter, the honourable member will know that specific offences are created not only by the Criminal Law Consolidation Act but by the Kidnapping Act in South Australia, which provides severe penalties indeed. However, I will examine the matter for the honourable member.

CONSCRIPTION AND VIETNAM.

Mr. McKEE: Yesterday's *News* states:

It is now almost certain that Australia will step up its military commitment to Vietnam as soon as possible after the Federal elections on November 26.

Will the Premier obtain from the Prime Minister a report on the Commonwealth Government's plans to step up recruiting, and on whether it is intended to increase the age group in regard to conscripts?

The Hon. FRANK WALSH: As the question relates to Commonwealth Government policy, I will take up the matter with the Prime Minister.

The Hon. D. N. BROOKMAN: This question is obviously designed to obtain political advantage for the honourable member's policy of abandoning to their fate the free people in South Vietnam. Because this question is outside our constitutional responsibility, and because the Premier has undertaken to ask the Prime Minister for a statement, will the Premier also ask that the Prime Minister, in his reply, outline the salient points in favour of Australia's participation in the struggle to keep South Vietnam free?

The Hon. FRANK WALSH: There is a difference between the two questions, and before I commit myself on the latter portion of the honourable member's question I wish to examine it. The honourable member introduced a further matter of political advantage—

The Hon. D. N. Brookman: So did the honourable member for Port Pirie.

The SPEAKER: Order! The Premier is replying to a question and not debating it.

The Hon. FRANK WALSH: Before I commit myself I will examine the honourable member's question, and if I consider that further information should be obtained from the Prime Minister I will ask him for it.

DEMONSTRATION.

Mr. MILLHOUSE: Last Friday a number of young men and women were charged with an offence under section 63 of the Lottery and Gaming Act.

The SPEAKER: Order! I think I must rule that that matter is *sub judice*.

Mr. MILLHOUSE: You do not yet know what it is, Sir.

The SPEAKER: The honourable member referred to charges under the Lottery and Gaming Act.

Mr. MILLHOUSE: I have not asked the question yet, Sir.

The SPEAKER: The honourable member cannot refer to cases that are at present before the court.

Mr. MILLHOUSE: Will you allow me at least to frame the question before you rule it out of order?

The SPEAKER: Yes.

Mr. MILLHOUSE: I desire to ask whether the Government intends that these charges be pursued.

The SPEAKER: I do not intend to allow that question. While I am on my feet, I point out that I have been giving thought to two other questions raised this afternoon. Having regard to "Rulings" from Erskine May and to practices observed in other Parliaments, which state that it is inadmissible to raise by way of question matters under the control of bodies or persons not responsible to the Government, I rule out of order the question asked by the member for Port Pirie (Mr. McKee) and the question asked by the member for Alexandra (Hon. D. N. Brookman).

LOTTERY AND GAMING ACT.

Mr. McANANEY: My question relates to the one you have just ruled out of order, Sir. I intended to ascertain the Commonwealth Opposition's policy on Vietnam. As the Attorney-General, when in Opposition, was strongly opposed to the loitering provision in the Lottery and Gaming Act, can he say whether he intends to remove the relevant section and place it in another Act?

The Hon. D. A. DUNSTAN: The Premier has already announced Government policy on that matter several times, during both the last and present sessions.

Mr. McAnaney: Actions are better than words.

The Hon. D. A. DUNSTAN: If honourable members opposite would give the Government time to get its legislative programme through, they would find there was an opportunity to discuss these matters. We have 30 years' neglect to catch up on.

ELECTRICAL ADVISORY COMMITTEE.

Mr. LANGLEY: As many people in the electrical industry, workers and merchants alike, are interested in the functioning of the Electrical Workers and Contractors Licensing Advisory Committee, can the Minister give the names of the personnel on that committee (in respect of which I asked him a question recently)?

The Hon. C. D. HUTCHENS: Notice of the appointment of this committee appeared in the *Government Gazette* on July 4 this year, with the following membership:

A representative of the trust, who shall be the Chairman, ordinary member, Francis Victor Charles Walters, and alternate member, Solomon Gerald Rickard; a representative of the Minister, who shall be the Deputy Chairman, ordinary member, Geoffrey Thomas Virgo, and alternate member, Maurice Albert Frederick Johnson; a representative of the Electrical Trades Union of Australia (South Australian Branch) (one year) ordinary member, Robert Murray Glastonbury, and alternate member, Frank John Fahey; a representative of the Electrical Contractors Association of South

Australia Incorporated under the Associations Incorporation Act, 1956-1957 (two years) ordinary member, John Hamilton Williams, and alternate member, Reginald James Down; a representative of the Minister of Education (three years) ordinary member, Kenneth James Russell, and alternate member, George Thomas Clark.

DEAF STUDENTS.

The SPEAKER: Before calling on the member for Flinders to ask the next question, I wish to make an unusual request. I note with much pleasure that, on the left hand side of the gallery, are deaf children; they can follow proceedings only by lip reading. If members could do them the courtesy of facing them on this one occasion, I think it would be appreciated by the children and possibly by members of the House, too.

SCHOOL WINDOWS.

The Hon. G. G. PEARSON: I have asked several questions regarding the cleaning of school windows and the deductions that are made from contractors' accounts in those cases where the cleaning of windows is no longer required. Some complainants have alleged that they had no contract to clean windows, and that therefore they should not be eligible for any reduction in their contract prices. As I understand the Minister of Education has a statement on this matter, I ask him whether he will give it now.

The Hon. R. R. LOVEDAY: This matter has been fully investigated. The method of paying for school cleaning work prior to the decision to cease cleaning windows was adopted many years ago, and the last detailed review in the method of calculating the rate was in 1953. Under this method a flat rate a square foot was paid for the total area of the floor and window space cleaned. At the time this method was adopted the window area represented only a small proportion of the total area to be cleaned, and for this reason it was considered expedient to adopt a method which gave a fairly generous rate for window cleaning. Some time after the adoption of this method, pressure was brought to bear on the Education Department to increase the rates for cleaners who had no window cleaning. The argument advanced in favour of the increase was that, as windows had to be cleaned only three times a year, the cleaners of the windows were receiving money in return for far less effort than those with only floor area. Eventually it was agreed that an allowance of 8 per cent on the rates of cleaners who were required to clean floors only should be paid.

Modern trends in building, with greatly increased window space in relation to floor area, resulted in the old method of payment becoming quite unrealistic in relation to the work done. However, no action was taken to adjust the rate of payment until the decision was made to cease window cleaning. When window cleaning ceased, the payment to those who previously cleaned them was naturally reduced by the window area. This, of course, reduced their remuneration to the true floor area rate for the floor area only. The rates for cleaners who were previously without window area was also reduced to the true floor cleaning rate so as to put them on exactly equal terms with other cleaners. The previous basis on which the payment for school cleaners was fixed is not now appropriate under the conditions applying in schools at present.

Because of the previous basis adopted, cleaners previously required to clean windows and who are not now required to clean windows have suffered a reduction in total rate which may appear disproportionate. Further, cleaners who previously received a loading of 8 per cent because they were not required to clean windows now clean the same area for less payment. The present payment appears to provide a reasonable remuneration to school cleaners required to clean floor area only having regard to the existing award rates and conditions. A check was made on a cleaning area for which the rate is about $1,400 and, when the old rate was compared with the existing award rates and conditions, there was only $2 difference.

BROOKER TERRACE BRIDGE.

Mr. LAWN: Will the Minister of Lands, representing the Minister of Roads, say whether it is intended to rebuild the bridge at Brooker Terrace and, if it is, can he say when the work will proceed?

The Hon. J. D. CORCORAN: I shall obtain that information from the Minister of Roads.

HOSPITALS.

Mrs. STEELE: At the weekend the Minister of Health, in opening the residential seminar of the South Australian Branch of the Australian Institute of Hospital Administrators, spoke of the value of community hospitals and said that a community hospital of, say, 100 beds could provide many of the services

required of a modern hospital. Because plans to establish a community hospital at Tea Tree Gully to serve the residents of the north-eastern suburbs were not proceeded with early last year in spite of Labor's stated intention, if it were elected to office, to erect 500-bed hospitals in the north-eastern and south-western suburbs, will the Minister representing the Minister of Health say whether the recent Ministerial statement indicates abandonment or a further adjournment of the Government's plans for major hospital commitments?

The Hon. D. A. DUNSTAN: Regarding the two major Government hospitals, land has been bought, planning committees have been established, and plans are currently being drawn up. No postponement is intended in regard to these two major Government hospitals. The hospital in the south-western district will be urgently required to provide teaching hospital facilities to expand the provision for training of medical students in South Australia. As the member will know, the medical faculty at the University of Adelaide has for a long time had a quota system. As this State has had fewer trained medical personnel to population than any other State for many years, the Government considered it urgently necessary to erect a teaching hospital, and plans for it are well under way. The plans for the Tea Tree Gully hospital are also being prepared and this measure is expected to go forward with all the speed that the Government announced 18 months ago. There has been no delay.

Mr. Nankivell: Are you implying that it was never intended to establish a medical school at Flinders?

The Hon. D. A. DUNSTAN: The previous Government had only announced, with regard to the intention of creating a second medical school, that that would be associated with a third university to be created some time in the late 1970's in the Tea Tree Gully area. That was the only announcement made by the previous Government, and when this Government took office there were no plans for a further teaching hospital.

MODULAR CLASSROOMS.

Mr. CASEY: For several months I have communicated with the South Australian manufacturers of modular transportable classrooms. Those firms have negotiated with the New South Wales Government for the construction of these classrooms in New South Wales under licence to Lysaght's. This morning I was informed that a contract had been signed by the New South Wales Government to the value of about $1,385,000 for the construction of this modular-type classroom. It is claimed by the manufacturer here, who has benefited by gaining a large part of this contract, that the cost of these classrooms is about 50 per cent cheaper than the present type of classroom constructed in this State. This would seem a sweeping statement but, as these people should be given the opportunity to present details of this type of classroom to the Government, will the Premier meet these people, who are prepared to submit plans to him so that they may come to an agreement with the Government on the use of these classrooms in South Australia?

The Hon. FRANK WALSH: I believe that certain circumstances surrounding this matter need much investigation. We have to consider that the Education Department, with the assistance of the Public Buildings Department, is providing a type of classroom known as the Samcon. The merits or otherwise of this new classroom can be examined, but I desire to have further information from the department before interviewing or receiving a deputation from these people. I will take the matter up with my colleagues as soon as possible, probably on Monday, to ascertain the pros and cons of the matter.

SCHOOL SUBSIDIES.

Mr. MILLHOUSE: There have been disturbing reports recently of the failure of the Education Department to make actual payments on subsidies to school bodies, and last week I asked a question of the Minister about a particular case. Since the House sat last Thursday, I have had another report of such an occurrence where a subsidy limit of $1,800 had been placed on a school for 12 months but no payment had been made to the committee, even though application had been made. Can the Minister of Education say whether his department has commenced, in this financial year, making actual payments of subsidies and, if it has not, when payments are likely to begin?

The Hon. R. R. LOVEDAY: To the best of my belief, some payments have already been made, but I will check to make sure. I have had no complaints except the one made by the honourable member last week, and, as yet, I have not received a report on that matter. This has not been a matter on which I considered that I had to make special inquiries. Generally, I have received favourable comments about the way in which the subsidy allocation is working, and I have received many expressions of satisfaction from school bodies as a

consequence of the change in policy. However, I shall inquire about this particular matter.

WALLAROO MOTEL.

Mr. HUGHES: I understand that the Wallaroo corporation has informed the Minister in writing that it is prepared to surrender another section of park lands known as Kohler Park for the building of a motel, which, in the opinion of a new syndicate which met me last Thursday at Kadina (the previous syndicate having failed), is a better site than the land previously surrendered by the Wallaroo corporation and resumed by the Lands Department on behalf of the Crown. I understand that the Lands Department made every effort to assist the corporation in having section 1847 hundred of Wallaroo inspected, surveyed and gazetted but no applications were received.

In the event of the Minister of Lands resuming the land known as Kohler Park on behalf of the Crown, to be gazetted for motel purposes, will the Minister have the price submitted by the Land Board, subject to his approval, inserted in the *Government Gazette* when calling for applications to purchase?

The Hon. J. D. CORCORAN: In answer to the specific question, it is normal (in fact, I think it is a requirement) that the price set down by the Land Board is shown in the *Government Gazette*, and this occurred previously and will occur on this occasion. True, no applications were received for section 1847 hundred of Wallaroo, which was gazetted open for application for motel purposes, and consequently, a new syndicate has been formed, and the council has indicated to me in writing that it wishes to have the area known as Kohler Park resumed and made available for motel purposes. If this occurs, I have already been requested by the honourable member to consider the re-dedication of section 1847 as park lands, and this will be done. The problem is that the previous syndicate was not prepared to take up section 1847 hundred of Wallaroo, but the new syndicate is willing to take advantage of any offer in relation to Kohler Park. At present, my department is considering the resumption of the area and its gazetting for motel purposes, and I assure the honourable member that the price fixed by the Land Board will be shown in the gazettal notice.

ORANGES.

Mr. FREEBAIRN: I preface my question to the Minister of Agriculture by saying how much I enjoyed his address when he opened the Renmark show on Saturday. In the course of his remarks the Minister voiced what is at present a general regret at the salty water and dry seasonal conditions at present being experienced along the Murray River. Can the Minister say whether those two factors have been responsible for any reduction in this year's valencia crop and, if they have, to what extent?

The Hon. G. A. BYWATERS: There is a big valencia crop this year, although it is expected that next year's crop will be light because of defoliation. I cannot give an exact forecast at this stage, because the trees are only just flowering now. However, with this year's good crop, a record export has been arranged. It may be interesting to know that a departmental officer, having conducted a specific survey on the salinity of the Murray River, has brought down an excellent report, which is at present being studied by the department and will be of great assistance in the future.

MILE END INTERSECTION.

Mr. BROOMHILL: Since the Highways Department has widened Rowland Road and Cowandilla Road (at the boundary of Mile End and Cowandilla), motorists travelling from the direction of West Beach can travel on Burbridge and Rowland Roads into town on a fairly wide road. However, since the widening has taken place, people from other suburbs as far away as Glenelg and Henley Beach are using this route. As the thoroughfare is marred by a narrow corner at Rowland Road and Bagot Avenue, will the Minister of Lands, representing the Minister of Roads, ascertain whether it is intended to widen that intersection and whether the Commonwealth Government has been requested to forfeit some of its land at the post office at the corner to facilitate the widening?

The Hon. J. D. CORCORAN: I shall be happy to obtain that information and to give it to the honourable member as soon as possible.

BRICK-VENEER HOUSING.

Mr. McANANEY: As there has been a recent controversy about the cost of building brick-veneer houses, compared with that of solid brick houses, can the Premier offer any information on the matter, or, if he cannot, will he obtain a report?

The Hon. FRANK WALSH: I believe I have already given to the House a report from the Housing Trust to the effect that the costs for each method of construction are almost equal. It was customary some years ago to use fibre sheeting for interior wall linings in houses of brick-veneer construction,

but it was found that this sheeting deteriorated, whereas gyprock, which is at present used for interior lining, does not deteriorate. The trust has expressed a preference for the solid construction method but has found it necessary to use the brick-veneer method where the soil does not lend itself to the former. Houses have been erected on soil that has proved unsuitable for the type of construction method used, and tests have been made.

I know that the interiors of some of the houses erected for sale have been rebuilt and that many purchasers have asked permission to move out, to which the trust has agreed, and it has refunded a deposit. Because of the additional costs involved in repairing the interiors of such houses of solid brick construction, the trust has classified them as rental houses. I have every confidence in the trust's policy in regard to its house-building programme, especially where land is found to be unsuitable for the solid construction method which necessitates constant upkeep and results in anxiety on the part of residents.

In the light of reports made available to the House from time to time, I do not think I need add anything further. I know that clay brick manufacturers consider that an all-brick construction should be used, but, of course, that represents only one section of the building industry. If it is found that more scope should exist for the use of bricks in other building activities, it is up to the brick manufacturers to prove a case in their own interests. I would not attempt to alter a policy that has been established and propounded by the trust in connection with the use of the brick-veneer method, as against the solid construction method; the trust has the know-how to make the necessary tests. Indeed, I commend the trust for its outstanding effort in the interests of house purchasers generally.

FORESTRY OFFICER.

Mr. CURREN: Having often asked in the House for the appointment of a full-time forestry officer for the Upper Murray area, I was pleased to hear the Minister of Forests, when opening the Renmark show last Saturday, say that such an appointment was to be made. Can the Minister say when the appointment will be made and what will be the main project with which he will be associated in the Upper Murray area? Further, can the Minister say what areas of forest reserves exist in the river districts?

The Hon. G. A. BYWATERS: I am flattered that two honourable members heard my speech and remembered what I said last Saturday. True, the honourable member has often raised this matter, and I have taken it up with the Woods and Forests Department. In addition, I have been interested in establishing a red gum forest in the Upper Murray area, realizing that our hardwood reserves are gradually dwindling. This was another purpose for which the appointment of a full-time officer in the area was considered. We will be able next year to appoint such an officer to the area, who will supervise about 6,000 acres, as well as trying to establish a red gum forest and a reserve of poplars, which are quick growing and can be converted to timber when they are young. We believe this is something that is well worth while and suited to the area. Because of this, it has been decided that a full-time officer will start in the area early next year. His job will create much interest among people in the Upper Murray area, particularly amongst those anxious to preserve our native timbers. As we have this land available for forestry, it seems a pity to see it idle.

CLEAN AIR ACT.

Mr. COUMBE: Can the Minister of Works obtain a report on what progress has been made by the special committee set up under the provisions of the clean air Act.

The Hon. C. D. HUTCHENS: Of course, this matter comes under the jurisdiction of the Minister of Health.

Mr. Coumbe: You were the promoter of it.

The Hon. C. D. HUTCHENS: The honourable member knows that I took a keen interest in it and can claim some part in the setting up of the committee by the Government of the day. I have made several inquiries, from the last of which I understand that the committee is preparing regulations for submission to the Subordinate Legislation Committee. Because the matter has been raised again and because of the great need for regulations to control the pollution of the air, I shall be pleased to take up the matter to see what progress has been made.

WHEAT HARVEST.

Mr. RODDA: Last week I asked the Minister of Agriculture a question about the wheat harvest prospects. I understand that, after diligent research, he now has an answer that may not please me.

The Hon. G. A. BYWATERS: I hope that the answer will please the honourable member. His question was followed by a question from the member for Yorke Peninsula about the

1966-67 DEPARTMENT OF AGRICULTURE CEREAL ESTIMATES.

District.	Wheat.			Barley.			Oats.		
	Acres.	Approximate Yield Per Acre.	Bushels.	Acres.	Approximate Yield Per Acre.	Bushels.	Acres.	Approximate Yield Per Acre.	Bushels.
Central	430,000	18	7,750,000	385,000	26	10,000,000	90,000	19½	1,750,000
Lower North	620,000	22.5	14,000,000	185,000	24	4,500,000	85,000	17½	1,500,000
Upper North	170,000	10	1,750,000	10,000	10	100,000	10,000	7½	75,000
South East	65,000	27	1,750,000	25,000	24	600,000	70,000	25	1,750,000
Western	1,225,000	21	25,500,000	220,000	25	5,550,000	190,000	20	3,750,000
Murray Mallee	350,000	7	2,500,000	325,000	11.5	3,750,000	45,000	7	300,000
State.....	2,860,000	18.5	53,250,000	1,150,000	21.25	24,500,000	490,000	18.5	9,125,000

results for the various districts, to which I also have a reply. Good growing conditions on Eyre Peninsula this season have contributed greatly to the State's expected 53,250,000 bushel wheat harvest. This is practically the same as the record production of 53,900,000 bushels harvested in the 1963-64 season. Wheat production on Eyre Peninsula this year is estimated to exceed 25,000,000 bushels. The previous best wheat yield on the peninsula of nearly 18,000,000 bushels will be exceeded this year by more than 7,000,000 bushels and this is an indication of the important place Eyre Peninsula is taking in South Australia's cereal production. The barley crop is expected to be 24,500,000 bushels from 1,150,000 acres and more than 9,000,000 bushels of oats is expected from the 490,000 acres to be harvested. The phenomenal year on Eyre Peninsula has more than made up for the very low production expected from the Northern Murray Mallee where very little rain has fallen this year. The 5 per cent use in acreages of all three cereals sown this year is another factor in the higher production this year which should be 30 per cent or more above that of last year. I have a table setting out the districts and various wheat, barley and oat yields. I ask leave to incorporate that table in *Hansard* without my reading it.

Leave granted.

RURAL ADVANCES.

Mr. NANKIVELL: Has the Premier a reply to my question of October 19 regarding the policy of the State Bank concerning applications under the Rural Advances Guarantee Act?

The Hon. FRANK WALSH: The State Bank has given no policy instruction that further applications under the Rural Advances Guarantee Act would not be received at present. In fact, several applications have been received recently and are now being examined. The State Bank does, however, advise persons who cannot qualify for advances, either by virtue of the Act or because of lack of a living area, not to proceed, and when applicants are customers of another bank it is suggested that they seek the guaranteed loan through their own bank.

KANGAROO CREEK RESERVOIR.

Mrs. BYRNE: Has the Minister of Works a reply to my question of October 18 about fruit trees on properties at Paracombe and about certain lands being acquired in the district as a consequence of the Kangaroo Creek reservoir project?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief of the Engineering and Water Supply Department has informed me that, because of certain legalities, Mr. C. W. Verrall has continued to possess a half interest in the property, which is in the process of being acquired by the department for reservoir purposes. Consequently, it has not been possible for the department to carry out any work on the land without Mr. Verrall's consent. Following the honourable member's representations concerning the fruit trees, the department contacted Mr. Verrall, who advised that he had no objection to their removal. Arrangements to carry out this work have accordingly been made.

ELECTRICITY POLES.

Mr. HALL: I have raised previously (as I believe have some other members) the matter of the extensions of electricity services, by placing poles on rural properties, farther than the installation of the transformer on the original poles supplied by the Electricity Trust. In past years the trust has been careful to see that it has offered a service to consumers in country areas especially, which has led to much use of electricity by these people. In other words, the trust has acted as though it wanted to sell its product.

The trust has acted as any private organization would have acted in promoting the sale of electricity. Now there seems to be a change of policy: the trust is no longer willing to install further poles to suit the consumer even if the consumer is willing to pay the full costs involved. If it were a question of money and if the trust were being asked to keep a tight rein and consequently to reduce the service, that would be given as a reason for this change in policy. However, when the consumer is willing to pay, why is the Minister of Works supporting this policy of a reduction of service to the consumer? Such a service would certainly be available from any private industry and it would assist the consumer and increase sales of electricity. Will the Minister investigate with a view to having the service reinstated?

The Hon. C. D. HUTCHENS: I obtained a report earlier. The Electricity Trust said (without influence from the Government) that it had changed its policy. The present policy is the installation of the first pole and thereafter the consumer must erect additional poles. In view of the honourable member's statement that the trust previously carried the line further if requested, I shall have another talk with the trust. However, I claim that for

efficiency and a desire to supply a service the Electricity Trust cannot be excelled anywhere.

TREES.

Mr. LAWN: Two months ago there was much discussion by members opposite and by Opposition members in the Legislative Council concerning the uprooting of trees on Montacute Road. Residents of the area later described the many protests made as those of outsiders. On August 25 the member for Burnside said:

Will the Minister obtain a report on this matter? In case the member for Adelaide (Mr. Lawn) believes he is being left out on a limb (I am referring to the fears expressed that the axe may fall on the trees in Victoria Square), I inform the Minister that I have received complaints about this matter from people who have said that, first, they will take up the question with the Adelaide City Council.

Will the Minister of Lands ascertain whether the Minister of Roads and Local Government has received protests from the member for Burnside, from other members opposite, or from Opposition members in the Legislative Council, concerning the felling of trees in Victoria Square, and will he ask the Minister to ascertain from the Adelaide City Council whether the council itself received any such protest from the people I mentioned?

The Hon. J. D. CORCORAN: Yes.

STEEL PIPES.

The Hon. G. G. PEARSON: Has the Minister of Works a reply to the question I asked on October 11 concerning the supply of steel pipes for the reticulation of gas?

The Hon. C. D. HUTCHENS: I submitted the honourable member's question to the Supply and Tender Board. The Chief Storekeeper, who is the board's executive officer, states that the two major pipe-producing companies in South Australia have the ability and capacity to manufacture pipes to the required standard. Public tenders would no doubt be called for such pipes, and any tender submitted by either or both companies would receive consideration in the normal way.

DUTTON WATER SUPPLY.

Mr. FREEBAIRN: I understand the Minister of Works has a reply to my recent question about the Dutton water supply.

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief has reported that an examination of the request has been made and, to supply the large area covered by the petitioners' properties, it would be necessary to extend mains from the Truro system, which is of limited capacity. Apart from isolated properties which have been excluded because of either supply levels or for obvious unsatisfactory financial reasons, the petitioners fall broadly into two groups: first, those in and around the township of Dutton, and, secondly, those near the boundary of the hundreds of Dutton and Anna. To extend water to the latter group, and to those further north of Dutton, would necessitate the enlargement of the mains and pumping plant of the Truro scheme at a cost which could not be justified, having regard to the insufficient return of revenue which would be derivable from properties *en route*. The department has therefore confined its investigations to supplying the area where most properties are concentrated, that is, between the southern boundary of the hundred of Dutton and the township of Dutton. A scheme to supply this area has accordingly been prepared by the laying of mains from the Truro system. The northern supply limit of this proposal would serve the property of Mr. W. J. H. Hahn. The estimated cost of this scheme is $51,000 and the present position is that a return of revenue on the capital cost will now be prepared, following which full consideration will be given to the economics of the proposal by the Director and Engineer-in-Chief, who will then submit his report and recommendation to me.

BLASTING.

Mr. MILLHOUSE: At dinnertime on Friday I was telephoned by a resident in the area west of Waverley Ridge complaining about the very severe shock that had been experienced consequent on blasting at a quarry in the area. I have now received a petition addressed to the Minister of Mines from residents of that area. The petition is signed by 30 residents some, at least, of whom (particularly Dr. Donald Dowie) would be well known to members opposite. The petition protests against the explosion and sets out in detail the damage caused. It asks that the use of explosives in the quarry be prohibited in the future. I shall in due course send the petition on to the Minister of Mines, but I ask whether the Premier has obtained from his colleague a report on the circumstances of the blasting. If he has, will he be kind enough to give it to the House? If he has not, will he get one?

The Hon. FRANK WALSH: Knowing the importance of this matter, I asked the Minister of Mines for a short statement, and he reports:

The report from the Mines Department inspectors following investigation of a blast at the quarry, indicates that, in addition to insufficient planning of blasting techniques in this quarry, the manager breached the Mines and

Works Inspection Act on two counts: first, no warning was given to people in the danger area; and secondly, no guards were posted to prevent entry to the danger area. The following action has been taken by inspectors:

(1) No further explosive is to be used in this quarry;

(2) The permit of the shot firer, Mr. P. Harbutt, has been suspended.

I fully support these actions and recommendations, and recommend these papers be forwarded to the Attorney-General for urgent consideration of the Crown Solicitor.

It may be of interest to members that at about 5 p.m. on Friday, October 21, a firing took place in the quarry. A total of 24 face holes loaded with about 1,900 lb. of ammonium nitrate-quilox mixture, and detonated by 2in. gelignite, using a cordtex relay system was fired, and stones and debris went flying. It is a wonder that there was anything left of the Mount Lofty Ranges.

PARA VISTA SCHOOLS.

Mrs. BYRNE: Has the Minister of Works a reply to my question of October 13 about the letting of tenders for the erection of an infants and primary school at Para Vista?

The Hon. C. D. HUTCHENS: The Director, Public Buildings Department, has informed me that, although tenders were scheduled to close on September 20, they were in fact extended by one week to September 27. The tenders received are now being considered and the Director hopes to be able to make a recommendation for the acceptance of a suitable tender during the next few weeks.

SPEED LIMITS.

Mr. McANANEY: Some fatal accidents and near misses have occurred in my district because of the speed at which trains travel through Strathalbyn and other towns, and concern has been expressed at the speed. Will the Premier ascertain from the Minister of Transport the regulated speed limit of trains through towns and, if it is thought to be too high, will he take steps to modify it?

The Hon. FRANK WALSH: If the honourable member will name the towns, I will try to obtain the necessary details.

SERVICE PAY.

Mr. HALL: Has the Premier a reply to my recent question about service pay and its effect on the salaries of certain officers in the Railways Department?

The Hon. FRANK WALSH: The question of service pay for railway salaried officers is one which was discussed with the Minister of Transport by representatives of the Australian Railways Union and the Australasian Transport Officers' Federation in May this year. On July 7, 1966, both organizations were informed that service pay would not be granted to other than daily and weekly-paid employees at this stage. It is proper, I think, to point out that one of the reasons service pay was granted to daily-paid employees was that they had not participated in marginal increases over the years to the same extent as salaried officers. In this connection, salaried officers have had further marginal increases since the introduction of service pay in January, 1965. In fact, only last week clerical officers were awarded increases by the Commonwealth Conciliation and Arbitration Commission ranging from $102 to $300 a year. It can be said therefore, that salaried officers have received other compensation.

With regard to the specific matters raised by the Leader of the Opposition, that is, differences between salaried and daily-wage staff in rent, higher capacity payment, and travelling time, these statements are factual but cannot be said to have any bearing on service pay. The difference in rent followed the issue of C.S.O. Circular No. 986, dated February 22, 1966, which limited rent increases in the case of weekly-paid employees to 50c a week, and salaried officers to 80c a week. Thus, the maximum difference can be said to be 30c a week. Apart from this, there is no differentiation between the two groups. So far as higher capacity pay and travelling time are concerned, such are award prescriptions; they always have differed, and perhaps always will differ, but they are subject to regulation by the Conciliation and Arbitration Commission. Other conditions favour salaried officers, one which comes readily to mind being sick leave, which is double that given to daily-paid employees. However, as I have previously pointed out, such matters have no relation to service pay.

The matter of any anomalies whereby salaried officers receive less than employees under their supervision has been the subject of correspondence between the Minister of Transport and the Australian Transport Officers' Federation and the Australian Railways Union. The organizations have been advised to submit any anomalies for investigation but no information of this nature has been received from either organization to date. The Railways Commissioner has reported that he is unaware

of any case where a salaried officer is receiving less than an employee under his supervision. Should any cases be brought to his attention, consideration will be given to necessary corrective action.

BOOL LAGOON.

Mr. RODDA: Last Thursday evening an officer of the Fauna Conservation Department told people at Naracoorte interested in duck shooting that portion of the area known as Hack's would be made a fauna and flora reserve. I point out, however, that Mr. Bogg, the Director of the department, said, in evidence, before the Land Settlement Committee:

Proposals for development envisage section 249 (Hack's swamp) being retained as a closed area, while the balance of the lagoon could be shot over . . .

However, strangely enough, the first recommendation of the Land Settlement Committee is as follows:

Sections 223 and 224 on the termination of the present leases should be placed in the hands of the Fisheries and Game Department to be developed as a game reserve based on the system operating in Victoria.

No mention is made of section 249 comprising the Bool Lagoon reserve. As duck shooters in the area are concerned about establishing a fauna and flora reserve in the area which has traditionally been a duck-shooting area for many years, as well as about the fact that the game reserve may be established (as a result of which the whole area may be controlled and shooting stopped altogether in the interests of bird life), will the Minister of Agriculture examine this problem, ascertain whether there is an omission in the committee's recommendations, and try to clarify the position?

The Hon. G. A. BYWATERS: I will examine the matter and bring down a report for the honourable member.

UNEMPLOYMENT.

Mr. MILLHOUSE: Has the Premier a reply to the question I asked last week about how the percentage of unemployed in this State in 1961 compared with percentages in other States?

The Hon. FRANK WALSH: As the honourable member indicated that he was using his memory, I shall clarify that matter first. The honourable member's memory did not serve him correctly when he asked his question last Thursday, because the percentage of unemployed in South Australia at the end of September, 1961, certainly was not significantly lower than that in other States. Indeed, the percentages of unemployed in the other States at the end of September, 1961, were as follows: New South Wales, 2.5 per cent; Victoria, 2.6 per cent; Queensland, 2.9 per cent; Western Australia, 1.9 per cent; Tasmania, 2.9 per cent; and South Australia, 3.1 per cent.

UNIVERSITY QUOTAS.

Mr. RODDA: My question concerns the projected quota systems for university entrants. Some young people in my district who have been out of school for some years have done part-study in the process of matriculating and, of course, they want to further their education. However, they have expressed apprehension to me that, because perhaps they have not had excellent passes in the subjects with which they have been concerned, they could be precluded from the universities under the quota system. Can the Minister of Education say whether people in these circumstances will receive the same consideration as students leaving school after matriculating and wishing to be accepted at universities, for the students to whom I have referred have spent several years at the university but still have some years to go to complete their courses?

The Hon. R. R. LOVEDAY: I will put the question to the Vice-Chancellors and obtain a reply if it is possible to obtain one.

Mr. MILLHOUSE (on notice):

1. What faculties in the University of Adelaide imposed quotas on the entry of students prior to March 7, 1965.

2. What was the total number of students excluded under any such quotas up to that date?

3. What faculties imposed quotas in 1966 and how many students were excluded thereby?

4. What is the estimated number of students likely to be excluded under quotas in 1967 by the University of Adelaide and the Flinders University, respectively?

The Hon. R. R. LOVEDAY: The replies are as follows:

1. Medicine and physiotherapy.

2. It is not possible to answer this question.

3. Medicine, physiotherapy and architecture. It is not possible to find out how many students were excluded by quotas in these faculties.

4. It is not possible to answer this question because the two universities cannot predict how many are likely to seek admission in 1967.

CAPITAL PUNISHMENT.

Mr. MILLHOUSE: Last week I asked the Attorney-General whether he intended, or whether the Government intended to allow him, to re-introduce the Evidence Act Amendment Bill, and I received a rather inconclusive answer from him. I now ask the Premier whether the Government intends to re-introduce a Bill to abolish capital punishment in this State and, if it does, whether that will be done before the adjournment due for November 17, or later during the session, or next session?

The Hon. FRANK WALSH: Many Bills are already on file and notices of motion have been given for many others. I will examine the position and, in accordance with the time available, I will see whether notice of motion can be given for this Bill.

NAIRNE PYRITES.

The Hon. G. G. PEARSON (on notice):

1. What tonnages of ore were produced by Nairne Pyrites Proprietary Limited during each of the six years from 1960-61 to 1965-66 inclusive?

2. What is the maximum tonnage the company could produce a year, at economic rates, with its present installed plant?

3. Is there a market in South Australia for additional tonnages above the 1965-66 total? If not, why not?

4. Could the company increase economic production above present capacity by the installation of additional plant?

5. Having repaid the amount of $650,000 as now proposed and the further amount of $100,000, by June 1967, does the company remain possessed of sufficient capital which it could conveniently apply to the installation of additional plant?

6. Has the Government held discussions with the company on the possibility of increasing its production? If not, why not?

7. What was the outcome of such discussions, if any?

8. What is the cost per ton of producing sulphuric acid using pyrites from Nairne, and imported sulphur, respectively?

The Hon. FRANK WALSH: The replies are as follows:

1, 2, 3, 4 and 8. Although the Government under the guarantee arrangement has the right to appoint Directors to this company, and the Directors are kept fully informed, the Government has not sought detailed information upon these matters. In any case it would not be proper to disclose publicly such information, at least without the express approval of the company. I am assured by the company, however, that it is making full use of its present plan, that the only market for its products is the requirement by its associate, Sulphuric Acid Proprietary Limited, and that this requirement is being fully met.

5. As the amounts to be repaid are to be made available from investments held outside the company and its associates, and as the company was never pressed to repay more than it found it convenient to repay, it is believed the company possesses or has access to sufficient capital for such plant as it considers it needs.

6 and 7. No, because the company has a highly competent Board of Directors and management which are fully capable of deciding upon the measures necessary or desirable to meet the likely market requirements. I am assured by the company that it has no problems in this connection on which it desires Government advice or assistance, and no problems have been created by the mutually agreed arrangement to repay a proportion of the guaranteed loan.

GAS.

Mr. Coumbe, for the Hon. Sir THOMAS PLAYFORD (on notice):

1. What is the estimated capacity of gas pipelines investigated by the Bechtel Pacific Corporation on the western route from the Moomba area to Adelaide?

2. What is the present estimated requirement of gas in the metropolitan area?

3. What is the estimated requirement for 1970?

The Hon. FRANK WALSH: The replies are as follows:

1. The capacity of the pipeline investigated on the western route was the same as that submitted to the Prime Minister for the eastern route. This was for an initial capacity of 101,800,000 cubic feet per day peak capacity, increasing to 314,000,000 cubic feet per day peak capacity.

2 and 3. Estimates of requirements are only available from 1969, the year in which gas is expected to be supplied. For the metropolitan area the figures for 1969 and 1970 are as follows:

	1969.		1970.	
	Average.	Peak.	Average.	Peak.
Residential and commercial	8,700,000	15,600,000	12,500,000	24,600,000
Industrial	12,300,000	26,000,000	24,300,000	32,600,000
Electricity Trust	43,900,000	54,000,000	57,300,000	72,000,000
Total	64,900,000	95,600,000	94,100,000	129,200,000

Mr. Coumbe, for the Hon. Sir THOMAS PLAYFORD (on notice):

1. When will drilling be resumed on the Moomba natural gas area?

2. When is it anticipated that this area will be fully tested?

The Hon. FRANK WALSH: The replies are as follows:

1. The producers propose to resume drilling at Moomba as soon as contractual arrangements for the sale of gas to the public utilities have been sufficiently examined, and in any case before pipeline construction commitments are finalized.

2. A reasonable evaluation of reserves should be possible by early 1967, but the full extent will only be determined as required by deliverability considerations.

PLUMBERS.

Mr. MILLHOUSE (on notice):

1. What qualifications are required for registration as a sanitary plumber?

2. Are the qualifications the same for a master plumber?

3. If not, what qualifications are required for registration as a master plumber?

4. Has consideration been given to requiring additional qualifications for registration as a master plumber?

5. If so, what additional qualifications are to be required?

6. Are elementary bookkeeping and costing to be included? If not, why not?

The Hon. C. D. HUTCHENS: I have a lengthy reply for the honourable member and, as it would convey little unless it was studied, I ask leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

PLUMBERS' QUALIFICATIONS.

1. To qualify for registration as a sanitary plumber the applicant for such registration must be of the age of 21 years or more and he must:

(*a*) Hold a certificate of competency in sanitary plumbing issued by the Sanitary Plumbers' Examining Board; or

(*b*) satisfy the board as to his tradesmanship and knowledge of plumbing and obtain a distinguished pass at the Education Department classes, and that he has been engaged for a period of five years on sanitary plumbing work under the direct supervision of a registered master plumber or a registered sanitary plumber; or

(*c*) be the holder of and produce to the board a licence or certificate of competency which is then in force and which has been issued by any authority recognized by the board, the standard of which licence or certificate is, in the opinion of the board, equivalent of a certificate of competency issued by the board.

2. Qualification as a sanitary plumber has always been accepted by the board as a prerequisite for registration as a master plumber. The applicant must satisfy the board that he intends to carry on business as a master plumber. Sewerage Regulation No. 26 states:

The Minister may issue a certificate as a master plumber to any registered sanitary plumber who satisfies the Sanitary Plumbers' Examining Board that he intends to carry on business as a master plumber, and who satisfies the board by examination that he has a full knowledge of the Act, these regulations, and any directions given thereunder.

The Sanitary Plumbers' Examining Board has always considered that the knowledge of the Sewerage Act and Waterworks Act and the regulations made under these Acts as required for registration as a sanitary plumber has been sufficient for registration as a master plumber. In addition to the above requirements which apply mainly in this State, there is a reciprocal arrangement between all the States of the Commonwealth, Australian Commonwealth Territory, and New Zealand, whereby licences or certificates of competency issued by the appropriate authority in other States are recognized without further examination. Certain certificates issued in England are also recognized by all parties to the abovementioned reciprocal arrangement.

3. *Vide* No. 2.

4. This matter was raised regarding the requirement of additional qualifications for registration as a master plumber by the Master Plumbers' Association of South Australia Incorporated and with the Sanitary Plumbers' Examining Board in 1961. It was strongly opposed by the South Australian Branch of the Plumbers and Gas Fitters Employees Union

of Australia. The matter was thoroughly examined by the board and was also referred to an Interstate Conference on Reciprocity of Plumbers' Qualifications for its consideration. This conference recommended against the necessity of additional qualifications. The Master Plumbers of South Australia Incorporated were advised in 1963 that the Sanitary Plumbers' Examining Board felt that it was not desirable for the board to introduce a separate examination for registration of master plumbers at this stage.

5 and 6. *Vide* No. 4.

LOCAL GOVERNMENT ACT AMENDMENT BILL.

Received from the the Legislative Council and read a first time.

FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

AUDIT ACT AMENDMENT BILL.

Returned from the Legislative Council without amendment.

STATE LOTTERIES BILL.

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 11, line 5 (clause 19)—Leave out "any person, who is requested or authorized by".

No. 2. Page 11, line 6 (clause 19)—Leave out "to do so,".

No. 3. Page 11 (clause 19)—After subclause (9) insert new subclause as follows:

"(9a) An agent of the commission shall not sell any tickets in a lottery except in premises at which he is authorized by the commission to sell tickets. Penalty: Two hundred dollars."

(Continued from October 20. Page 2468.)

Amendments Nos. 1 and 2 disagreed to.

The Hon. FRANK WALSH (Premier and Treasurer): I am prepared to accept the amendment foreshadowed by the member for Mitcham last Thursday.

Mr. MILLHOUSE moved:

At the end of clause 19 (8) (*d*) to insert: if the contents of such notice, placard, handbill, card, writing, sign or advertisement are previously approved by the commission.

Amendment carried.

Amendment No. 3 agreed to.

The Hon. FRANK WALSH: I move:

In clause 19 (11) to strike out "or", and after "(9)" to insert "or (9a)".

This amendment is consequential on the Legislative Council's amendment No. 3.

Amendment carried.

The following reason for disagreement to amendments Nos. 1 and 2 was adopted:

Because the amendments remove a necessary protection for persons acting on behalf of the commission.

REGISTRATION OF DOGS ACT AMENDMENT BILL.

In Committee.

(Continued from December 2, 1965. Page 3473.)

New clause 3a—"Guide dog."

The Hon. R. R. LOVEDAY (Minister of Education): When the Committee last considered the Bill I had moved to insert a new clause 3a, but I now ask leave to withdraw that clause so that I may re-submit a new one.

Leave granted.

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

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

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

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

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

Penalty: Twenty-five pounds.

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

When we last discussed this Bill the point was raised about guide dogs being in certain places. I have now discussed this new clause with representatives of the Guide Dogs for

the Blind Association of South Australia Incorporated, and have obtained much valuable information. It was pointed out that guide dogs were well trained and were less trouble than small children. The point was raised about the position if they were allowed into hotels, and how they would be situated on public transport. Representatives pointed out that the main fear of hotel proprietors was the risk of prosecution for having a dog on the premises. Guide dogs are well trained in toilet habits and will make owners aware of their requirements. Some guide dog owners have stayed at hotels with their dogs and have experienced no trouble. Evidence of this can be obtained, if necessary, from Mrs. Meade, of Western Australia, and Miss Swincer and Mr. Jagger, of South Australia. Guide dog owners when travelling always equip a dog with a rug. There is an internationally recognized standard of guide dog training, which has been accepted and used in Australia.

Two experienced trainers were brought from Great Britain by the association, and they have done much work training dogs so that they have good habits and are no trouble to anyone. Hotel proprietors can always recognize a trained guide dog because the dog has a special medal on his collar. Guide dogs are registered as guide dogs, and with the passing of this legislation the association will issue a certificate stating that the dog is a trained guide dog. I emphasize the importance of a guide dog accompanying its owner everywhere. It is the eyes of the person, and we should not ask a blind person to go anywhere without what amounts to his eyes, which are the dog in these circumstances. As the Government has provided money to train guide dogs, it would be pointless unless they could accompany the blind person in all circumstances. The new amendment makes clear that there can be no misunderstanding about the presence of a guide dog in any building or place open to or used by the public for any purpose whatsoever.

Mr. RODDA: I support the amendment, because the dogs are the eyes of blind people. Last year there was some apprehension about dogs entering hotels because the hotelkeeper would be committing an offence if the dog was on his premises. I know that many people afflicted with blindness have expressed much gratitude for the Government's introducing this legislation. As the new clause resolves the difficulties that were expressed last year, I support it.

The Hon. B. H. TEUSNER: The new clause does not specify which institutions are to be recognized, or by whom.

The Hon. R. R. LOVEDAY: I should have no objection to specifying the Guide Dogs for the Blind Association of South Australia Incorporated, which is the controlling body in South Australia, as well as the responsible body in reference to guide dogs for the blind.

The Hon. B. H. TEUSNER moved:

In new section 38 (2) to strike out "recognized"; and after "institution" to insert "recognized by the Guide Dogs for the Blind Association of South Australia Incorporated".

Amendment carried.

Mr. HEASLIP: The Minister has said that guide dogs are better trained than small children, but, although I have a great respect for the function of these dogs, I point out that it is wrong to relate them to a small child. Difficulties may be experienced in such places as multi-storey hotels and in ensuring that a guide dog and his owner reach an upper floor safely. Further, what happens if a dog is disobedient in a hotel? A child who misbehaves is at least usually supervised by an adult. A dog might have to sleep in a room with a person for a week. How would a dog take charge of a person, who was staying on the tenth floor of a hotel, for instance, take him to the lift and place him in it? How would the button be pressed to call the lift and to direct it to the desired floor? Human beings can be ejected from a hotel or refused entrance, but under this provision a guide dog cannot be ejected. I should like the Minister to give some explanation on these points.

The Hon. R. R. LOVEDAY: I discussed this aspect thoroughly with the representatives of the Guide Dogs for the Blind Association because those representatives, one of whom was blind, understood the points that would be raised in this matter. The guide dogs are well trained in their habits and make their owners aware of their requirements. The honourable member said the dog would be in charge of the owner; of course, that is not true. Having lost his sight, a person becomes extraordinarily sensitive in other directions and, as a consequence, is conscious of everything the dog is doing. The dog is the guide when the person moves, but the blind person is conscious of everything the dog does because of the association between the dog and the owner cultivated over a long time. The honourable member referred to travelling in lifts with the dog. I cannot conceive the situation where a blind person with a guide dog would enter a hotel wherein he wished to use the lift

where no-one in that hotel would provide assistance by showing him where the lift was and by taking him to the floor to which he desired to go.

Those unfortunate enough to need a guide dog surely realize above all else that the behaviour of the dog must be good and that inconvenience must not be caused to people in hotels. Unless the dog's behaviour is acceptable, blind people will find it difficult to move around other than in their own homes or in the homes of friends. It is quite clear, therefore, that persons in this situation will go out of their way to ensure that no out-of-the-way inconvenience is caused to hotel proprietors. I have given the names of three people who can give evidence on this subject. I referred to those names because, once again, the representatives of the association realized that this point would be raised in discussion in this place. These people have been in the habit of staying in hotels with their guide dogs and have experienced no trouble. I am quite sure that the honourable member need have no fears in this direction, because I am certain that the close association between the person and the guide dog will overcome the difficulties to which he referred.

Mr. RODDA: The Minister spoke about dogs being well trained in their toilet habits. However, these dogs must be contained in bedrooms. Are facilities available for the dog in the bedroom? Who will provide them? We have a dog that is well trained but she would be far better off if she had certain facilities at times when the door is shut.

The Hon. R. R. LOVEDAY: Representatives of the association assured me that the blind person took all the necessary steps to provide for the dog while staying in a public place, boarding house or hotel. Here again, unless the blind person provided for these circumstances he or she could not expect this situation to be accepted. Naturally, in those circumstances the blind person makes the necessary provisions.

Mr. HEASLIP: I thank the Minister for his explanation, but it was hardly an explanation. I am the Chairman of Directors of the largest hotel in South Australia, which accommodates 500 people and has five floors. There is no ground vacant around the hotel where dogs could normally go. Hygiene must be observed. Who will take care of the dog and where will he go? A dog cannot be taken to the toilet. The Minister referred to people taking up guests in the lifts of hotels. A service for this is provided at my hotel but what will happen when a blind person wants to come down from his room? Who will press the lift button?

The Hon. R. R. LOVEDAY: Let us consider a blind person who is on the fifth floor. We must look at this situation from the viewpoint of the blind person. When that person enters a hotel lift, it is logical that he would say to the attendant, "Would you kindly explain to me where the buttons are?" The attendant would do so. A blind person is very good at putting his hand in a particular spot and registering where the buttons are. If that help is unavailable, knowing the efficiency of the hotel referred to, I am sure that the blind person has only to telephone the switchboard from his room and ask for an attendant to come up. I see no difficulty in this. I think we are failing to put ourselves sufficiently in the place of the blind person. He would be thinking out the situation because such thought would constantly be necessary. It would be essential for him to have the solutions. A blind person does not behave as we would, who have our sight.

New clause as amended inserted.

Title passed.

Clause 3—"Amendment of principal Act, section 36"—reconsidered.

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

To strike out "sixty-six" and insert "sixty-seven".

This amendment is necessary because of the time that has elapsed since the Bill first came before the House.

Amendment carried; clause as amended passed.

Bill read a third time and passed.

MONEY-LENDERS ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 11. Page 2168.)

Mr. McANANEY (Stirling): However much we deplore the fact that charges are levied by money-lenders under these conditions, legally, there is nothing wrong in finding a loop-hole in an Act and acting accordingly. It is the Government's responsibility to see that all people are treated alike. If loop-holes exist, the Government of the day must see that they are closed. On that basis, we must accept the amendments before the House.

There have been two ways in which stamp duty has been avoided, and the amendments correct these situations. Some money-lenders

have entered into contracts before the actual loans have been made and have thereby avoided normal stamp duty. Other money-lenders have adopted a form of selling goods to borrowers on terms and have thereby avoided stamp duty.

I know that two amendments are to be moved by the Premier. The Act refers to "the sale of goods", but in new subsection (6) of section 23 the words "of goods" have been omitted. Money-lenders nowadays have a much wider range of activities than they had in the past; they lend money for developmental schemes. I consider that the provision relating to loans applying to the sale of goods should include the words "of goods". Regarding penalties for failing to comply with the requirements in setting out the contract, the same provision is included as was in the original Act, and that provision deals with an action in a civil court. This amendment is necessary, although it seems that the whole clause is not needed when we are dealing with a magistrate's court. The amendment brings this Act under the same basis as hire-purchase with regard to early payments and the rebates payable under these conditions. The money-lender operates under different conditions from the person selling goods on hire-purchase. On hire-purchase the duty is included in the contract for the sale and is in the price, and interest is charged on the amount to which the rebate applies. A money-lender cannot include the stamp duty in the amount lent. I think the charge is 12 per cent in which the 1½ per cent is included. If a person makes an early payment there is a rebate, but the rebate on the stamp duty is lost and he would not be in as good a position as he would be if the loan had run its full term. Some adjustment should be made in the rebate to ensure that that charge is evenly borne between the person lending and the person to whom the money is lent. Much as I dislike inflicting charges on people, if the tax is to be levied it should be fair to everyone and, therefore, I support the Bill.

Mr. NANKIVELL (Albert): I, too, support the Bill. Perhaps this is some of the neglected legislation to which the Attorney-General referred, but it is designed to close loopholes in the existing Act, although they seem to be legitimate. This is evasion, as the member for Glenelg would say, of tax. The amendment alters definitions in such a way as to compel all money-lenders to register contracts and by so doing incur a 1½ per cent stamp duty instead of a 10c duty required on a document that they have been using for contracts of sale and purchase. The other amendment deals with rebates. Under the existing legislation, the money-lender has been at a disadvantage compared with the hire-purchase company, but this has now been rectified. Where there is default or where a contract has been entered into by agreement prior to a due date, the money-lender has been in an unfortunate position, relatively. As I understand that the member for Mitcham has an amendment, I should like to allow him to speak and probably foreshadow this amendment, because I believe it attempts to remedy the position.

Mr. MILLHOUSE (Mitcham): I am grateful to the member for Albert for his courteous introduction to what I intend to say. I emphasize the position in which finance companies and others operating under this legislation find themselves with regard to payment of stamp duty. I am told that a high proportion of arrangements for the loan of money is terminated before the due date. Under the legislation, the finance company must pay all stamp duty on the document. Members will remember that we have recently increased considerably the rate of stamp duty payable on these particular contracts: in fact, the rates have been increased by 50 per cent. The stamp duty is a burden on companies that are lending money. I was told of a case in which the terms charged on the loan were $19, but the stamp duty payable on the document was $22: the stamp duty to be borne by the company exceeded the charges that it would have made for the loan. Therefore, the business just was not transacted. Although that probably is an isolated example, it is, nevertheless, an actual example given to me of a business proposition made recently.

Mr. Hudson: It must have been for a short-term loan.

Mr. MILLHOUSE: Yes.

Mr. Hudson: Probably for less than three months.

Mr. MILLHOUSE: That could be so. As I say, I do not know whether it was a normal case or not, but it shows that the business just would not have been profitable. I think we should make provision, taking into account a rebate of stamp duty when a contract is determined before the due time. I point out to Government members who are desperate for revenue to replenish the State's coffers, that this would not, in fact, lead to any loss of duty payable to the Government, because my suggestion would be that the borrower should, himself, pay some proportion of the stamp

duty when the contract was determined before the due date. That would mean that the same amount of duty would be payable; in fact, it would be payable when the transaction was entered into. If, say, on a 12-month contract, it were determined after eight months, then, instead of the company having to pay the full amount of stamp duty that had been calculated for a loan for a 12-month period, the borrower should himself pay, I suggest, one-third of the stamp duty, thus lessening the burden on the finance company. I think that could be arranged in this Bill; I think it is desirable and fair that it should be so arranged. When we reach the due time, I shall move accordingly. That is the only point on the Bill that I wish to make; otherwise, I do not oppose the second reading.

Mr. FREEBAIRN (Light): I suffer from the disadvantage of not having a copy of the member for Mitcham's intended amendment, but the essence of what he has outlined (that the stamp duty is now to be levied at a rate one-half greater than it has been levied in the past) will bear heavily on the hire-purchase and money-lending companies in the case of contracts in respect of which clients repay their loans before the due date. I am informed that more than 50 per cent of clients repay loans before the time specified in a hire-purchase of money-lending agreement, and that the figure is closer to 60 per cent than 50 per cent. In supporting the second reading, I await with pleasure the debate on the amendment outlined by the member for Mitcham.

Mr. HUDSON (Glenelg): I support the Bill which, as has generally been commented on, does two things: the first, to tighten up certain provisions of the Money-Lenders Act to ensure a consistency of treatment between hire-purchase documentation on the one hand, and arrangements for purchase and sale on the other. In relation to the remarks made by both the member for Mitcham and the member for Light, I point out that clause 5 makes a substantial concession to money-lenders in that it adjusts the way in which the rebate of interest is to be calculated on the early repayment of a loan. Both members were trying to make out a case for the companies concerned, when a particular contract was paid out early, that some rebate of stamp duty should be paid by the company. The amendment made by clause 5 means a substantial concession to the money-lenders involved in making agreements of one sort or another that do not curcently come under the Hire-Purchase Agreements Act, because the rebate of interest allowed by the use of the sum of the digits outlined in clause 5 alters substantially (particularly when an agreement is paid out early) the amount of interest allowed as a rebate, and it alters it in favour of the company concerned.

One need only consider the point that most of these contracts are worked out at a flat rate of interest, and the effective difference on short-term contracts between the flat rate of interest and the effective rate of interest is that the latter rate is about double the flat rate. Under original money-lending arrangements that came under section 30 of the Money-Lenders Act, the rebate of interest allowed, if the agreement was paid out early, was proportionate to the amount of time left to the contract. This worked very much in favour of the purchaser and to the disadvantage of the company, because it took the rate of interest that the company or money-lender had charged as being the flat rate, and not the effective rate. The significance of the change made by clause 5 is that the effective rate, in other words, is used in calculating the interest still to be paid and, therefore, the rebate involved and the amount of interest already paid. That was pointed out in the second reading explanation as being very much in favour of a money-lender.

Many money-lending arrangements are made for a period of two to three years, and it is fairly easy to see that if $100 is lent for that period the stamp duty would be $1.50 at a rate of 1½ per cent, but the interest charges over the 3-year period, if the flat rate of interest charged were 6 per cent, would be $18, which is substantially in excess of the stamp duty. However, many money-lending arrangements would be made at flat rates of interest, which reach as high as 10 per cent. At a 10 per cent flat rate of interest on $100 lent for three years, the terms charges would be $30, as against a stamp duty of $1.50. In general, the companies ensure adequate protection for themselves by adjustment of the interest rates charged on these contracts, and it is not generally possible for a State Government to have any effective influence over the interest rate charged. For example, where a large sum is involved, such as in the purchase of a motor car, and where the monthly payment made is fairly large and consequently the administrative expense of the finance company, as a proportion of the monthly payment, is small, then one can find the flat rate of interest being charged on the amount lent going as low as 6

per cent, an effective rate of 12 per cent. However, once one moves into the field where the sum lent is substantially lower and the monthly repayment is, consequently, small (and therefore the administrative charges involved in the administrative costs of the company handling the repayments represent a higher proportion of the monthly repayment), one finds the flat rate of interest charged on such lending rising as high as 10 per cent, an effective rate of 20 per cent.

I believe it is common that, on all money-lending contracts where relatively small funds are involved, the higher effective rate of interest is used and the same again tends to apply where the sum is lent for a shorter period of time. I suggest that the example given by the member for Mitcham, where the terms charged on a possible contract were of the same general order as the stamp duty, would be rather rare, indeed. At a 6 per cent interest rate it would require the term of the money-lending arrangement to be less than three months before the terms charge could be less than stamp duty and, at a 10 per cent interest rate, it would require the period of the loan to be only two months before the interest charge could be higher than the stamp duty paid. Normally, the terms charged are well in excess of stamp duty and a 1½ per cent change in the interest rate on a one-year term would cover the stamp duty. A half per cent change in the flat rate of interest charged on a three-year term would entirely cover the stamp duty.

If one looks at it from the point of view of the increase in stamp duty that has recently taken place, from 1 per cent to 1½ per cent, the half per cent rise in stamp duty would be covered by a half per cent rise in the rate of interest on a one-year term or, on a three-year term, the half per cent rise in stamp duty would be covered by a one-sixth of 1 per cent rise in the interest rate. In view of these conditions and in view of the substantial concessions made in clause 5, which deals with the early paying out of contracts and deals, therefore, with the amount of rebate allowed to a borrower who pays out a contract early, I do not think that there can be a substantial case made for a further rebate. Clause 5 gives a substantial rebate to lenders for any contract that comes under the Money-Lenders Act.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Form of money-lenders' contracts."

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

To insert the following paragraph:

(*a*1) by striking out the words "the enforceability of" in subsection (3) thereof;

and in new subsection (6) after "sale" to insert "of goods".

Amendments carried; clause as amended passed.

Clause 5—"Provision for payment of interest on determination of contract on default or otherwise."

Mr. MILLHOUSE: I move to add the following words to new paragraph (*i*):

From which amount so derived shall be deducted that proportion of the stamp duty paid on the contract which the number of complete months in the contract still to go bears to the total number of complete months in the period of the contract.

My amendment may sound complicated, but clause 5 as it stands is much more complicated than my amendment. Section 75a of the Stamp Duties Act provides that all duty must be paid. At present, all stamp duty has to be paid by the lender. I am informed that a high proportion of these transactions are, in fact, determined by the borrower before the end of the term for which the money was borrowed. The borrower is entitled to a rebate on interest calculated in those circumstances. The position that remains in the clause as it stands is that the lender has to bear the whole of the stamp duty himself (he cannot pass it on to the borrower) which has been paid on a transaction for a certain term, which term has now been reduced in length. This bears heavily on the lending institutions. I know that money-lenders are never popular in the community.

We must remember two things. First, the lending of money is similar to dealings in any other commodity: it is no more moral or immoral to deal in money than any other commodity. Secondly, while lending bodies do seem to make much money, they have a tremendous sum tied up. The capital they employ in making profits is very considerable and I am told that a very small percentage drop in their annual gross profit will convert a net profit into a loss, so they are trading pretty close to the line. It seems only fair that, if their money is not to be out and earning interest for them for the full length of time, they must get some concession in regard to the payment of stamp duty. This will not mean any less duty paid or collected by the Government because the duty has already been paid when the transaction is entered into.

There is no suggestion of a repayment by the Commissioner of any of the duty paid. Consequently the Government need not worry that this involves any loss of revenue: it does not. For example, if there is a loan of $800, repayable over a 12-month term, and it is repaid after eight months, the stamp duty on that under the new schedule that members passed a few weeks ago is $12 (a substantial rise, as I said during the second reading, on the rates previously payable). Let us assume that this contract is determined in eight months. Then, under my amendment, the finance company would not have to bear the whole of the 12 months' payment of stamp duty. The finance company would be entitled to deduct four-twelfths of the stamp duty payable (the proportion of the term still to go, that is, $4). The statutory rebate would still be calculated in the same way but the hire-purchase company would be entitled to deduct from that a proportion of the stamp duty payable, or part of the stamp duty payable in proportion to the length of the term not expired and not to be used. This would be borne by the borrower who was repaying the loan.

I suggest that this is only fair because with every contract that does not run its full time the lender loses money because his money is not earning more money. He has to put it out to some other borrower to start earning money again. A loss is involved It will not mean anything to the Government because duty has already been paid. It simply means that the borrower will have to bear some proportion of the stamp duty instead of the lender bearing the whole of the duty.

Of course, if the contract runs its full term there is no disturbance of the present situation and the full amount of the duty is borne by the lender. This will only apply if the contract is ended by the borrower at his own request before the due time. I suggest that this is a fair amendment. I had great difficulty in listening to the honourable member for Glenelg, let alone understanding the point he was driving at. However, I think this amendment is fair. It will not mean a diminution in revenue. It will be a substantial help to lenders who are of advantage in the community and have their rights; these rights should be regarded by this Committee.

The Hon. FRANK WALSH: The amendment would put the money-lender in a better position than the hire-purchase company, but, as this legislation is uniform, I believe members should oppose the amendment. Further, these matters may be considered at a future conference on this legislation. I therefore ask members not to accept the amendment. I do not say that this will be done at a certain future time, but I do not think the honourable member wishes to give a preference to the money-lender as against the hire-purchase company in this matter.

Mr. NANKIVELL: I cannot find anything to confirm that hire-purchase companies and money-lenders are on the same basis. There is considerable confusion about this Act. There is an annotated copy of the Act on the shelves of the Chamber. Section 31 provides that the money-lender has power to charge the stamp duties and fees payable. Under the original Act it is legitimate for the money-lender to make charges, but no reference is made to the amendment of the Stamp Duties Act. The powers that the member for Mitcham wishes to include seem to be in order under the existing Act, but, because of the Stamp Duty Act making the duty payable the responsibility of the money-lender and making it impossible for him to recover from the borrower, the money-lender is at a disadvantage. Therefore, I accept the amendment of the member for Mitcham.

Mr. McANANEY: I, too, support the amendment. Stamp duty is included in interest charges, and if an earlier payment is made the lender is at a disadvantage compared with the borrower because the stamp duty was originally paid. Stamp duty is included in the cost for hire-purchase and is not included in the interest rate. We do not have to do the same as other States in all matters, and I think the amendment is fair, just, and reasonable.

Mr. HUDSON: The explanation of the member for Mitcham may be lucid, but whether it is fair, just, and reasonable is another matter. Section 30 sets out the way in which the rebate of interest that has to be granted is to be calculated when a contract is paid out earlier. The amendment by clause 5 substitutes the rule of 78, as it is called, for the previous procedure set out in section 30, which allows a rebate of interest in proportion to the remaining period of the contract. Assuming a 10 per cent interest rate is charged, on a $800 loan the interest would be $80 for a year. If the contract is paid out after eight months, section 30 of the principal Act allows the interest rebate allowed to the borrower to be assessed at two-thirds of $80 so that the rebate of interest is $53.33, whereas under rule of 78, after eight months the rebate is $37. That

concession is in clause 5. If the loan is paid off after eight months the concession we are allowing is in excess of the stamp duty, and to allow a further concession is penalizing the borrower too far because the extra $4 is to be paid by him. The concession in clause 5 is more than sufficient to adjust the position between borrower and lender. This further concession to the lender would adversely affect the borrower. If a $100 loan for a period of 12 months at 10 per cent interest is repaid after one month, $1.50 stamp duty has to be met by the lender, which sum was previously $1. The concession allowed by clause 5 alters the rebate of duty allowed to the borrower from 83c, as under the principal Act, to 13c. That is a considerable concession, as against the 50c increase under the recent amendment to the Stamp Duties Act. Even with that short period of pay-out as far as the Money-Lenders Act is concerned, the concession in clause 5 more than covers the increase in stamp duty that took place under the Stamp Duties Act Amendment Bill. Taking the case of a loan repayment after eight months, switching from the current method set out under section 30 to clause 5, the concession is well in excess of the total stamp duty paid.

Mr. MILLHOUSE: The Premier, admitting that there was something in what I had put forward, said that the matter would be examined. He then went on to say that he was sure I would not want a lender under hire-purchase to be any worse off than a lender under the Money-Lenders Act. I do not, but I would prefer they were both better off than worse off. Then, the member for Glenelg, in all his brashness, gives us a lecture on how this cannot be done; it is utterly wrong; there is no justice in it, and so forth. The two attitudes just do not add up. The line taken by the honourable member shows the traditional attitude of the Socialist towards private enterprise—one of antipathy; one might even say antagonism. No suggestion is made that the lender is performing a useful function in the community, as he is. I do not think we should wait, as the Premier says we should, until some indeterminate time in the future for something to be done to put this right. Now, is the Committee's opportunity to put it right.

Mr. FREEBAIRN: The member for Mitcham should have added that, by making things easier for the lender, the borrower will consequently benefit. There is intense competition in the money-lending field, and easier conditions for lenders will be reflected in easier conditions for borrowers. As I expect that members opposite believe that the low-income section of society generally supports their political views, it may be a good thing if they consider the interests and needs of their own people.

Mr. HUDSON: The member for Mitcham obviously does not understand what the rule of 78 is all about and, consequently, has to resort to the usual name-calling in which he indulges in order to obtain any sort of reply. Certain money-lending contracts that previously would have attracted a duty of only 10c will now attract a duty of 1½ per cent. As against that, the money-lending contracts that would be affected in this way, if paid out early, would have had a statutory rebate of interest worked out in terms of the proportionate time that the contract or money-lending agreement still had to run. That statutory rate of interest to the borrower is considerably greater than the statutory rebate of interest to the borrower, worked out under the rule of 78. Under the Hire-Purchase Agreements Act, the statutory rebate of interest to the borrower is worked out under the rule of 78. A switch to the rule of 78 and a switch to the 1½ per cent of stamp duty rate puts this on to the same basis as the Hire-Purchase Agreements Act.

What I said is consistent with what the Premier said. He said that we should not give a concession to money-lenders not available to people lending under hire-purchase agreements. Clause 5 already grants a substantial concession to lenders, whom the member for Mitcham wants to assist. The member for Light says it will not matter, because the lenders will pass on the increase to the borrowers. Be that as it may, we are already granting this substantial concession to bring money-lenders, operating under this Act, into line with those operating under the Hire-Purchase Agreements Act. Surely that is fair enough: it is not a question of Socialism or of private enterprise. It would be charitable to the member for Mitcham (and I think one has to be charitable) if I forgave him for the remarks he made because he was a little bit at a loss to know what to say.

Mr. McANANEY: The member for Glenelg has not talked about the amendment of the member for Mitcham. The clause, as it stands, penalizes a money-lender. If a borrower decides to pay earlier he benefits from the early payment but the lender must bear the cost of the stamp duty for the original period of the loan. In his second reading explanation, the Premier said:

The amendment will not fully meet the situation, but it will bring the rebate under the same formula as applies to early termination of hire-purchase agreements.

That is a candid admission that the clause does not eradicate all the injustices in the conditions under which money-lenders have been working in the past. I have been told emphatically that people lending under hire-purchase have applied to them different conditions from those which apply to money-lenders. The Act provides that stamp duty cannot be passed on or included in the amount charged, but I understand that people lending money under hire-purchase agreements can include the stamp duty at some stage of the transaction. The amendment of the member for Mitcham is fair and reasonable and would not cost the Government money.

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse (teller), Nankivell, Pearson, 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—Sir Thomas Playford. No—Mr. Jennings.

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. MILLHOUSE: I am surprised and disappointed at the result of the division. In view of the unmistakable opinion of the Committee expressed in that division, I believe it would be useless for me to proceed with my second amendment.

Clause passed.

Title passed.

Bill read a third time and passed.

NATIONAL PARKS BILL.

In Committee.

(Continued from October 20. Page 2465.)

Clause 7—"Members of the commission."

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

(1a) One of the members shall be selected from a panel of three persons nominated by the Stockowners Association of South Australia, one from a panel of three persons nominated by the United Farmers and Graziers of South Australia and one from a panel of three persons nominated by the National Farmers Union of South Australia.

In moving this amendment, I refer to the reasons why it is important to provide specifically for a small proportion of primary-producer nominees. Such nominees will not necessarily be primary producers but nominees from primary-producer organizations. The commission will consist of 15 members. Under subclause (3) the Minister (and I am not interfering with this) must have regard to any special knowledge that a person has of any activities that relate to the objects of this Act. That is a very worthy provision because it ensures that the Government will ensure that people who are interested in conservation are members of the commission.

However, the primary-producing side of the community has no such special consideration: this commission will have very wide powers and it is not composed of Government servants. It has the powers of acquisition of land and powers to spend much money. Members of the commission are not directly answerable to Parliament for what they do when they do it. Parliament has the opportunity to discuss the allocation of funds at the time the Budget is discussed and to ask the Minister, who I think is unlikely to be on the commission, questions about the commission's actions. However, this commission is selected entirely on the recommendation of the Minister and, once established, it can act the same as a Government department, but it is not a Government department and its members are not necessarily public servants.

In those circumstances it seems reasonable that the primary producers should have a voice in the selection of this commission. Under my amendment they will not select the members: they will submit panels of names from which the Minister will make a selection. Since there are to be only three out of 15, they could not be obstructive and I remind the Committee that primary producers are strong supporters of national parks and conservation. I could name many primary producers who are extremely interested in the proper administration of conservation. In a later amendment, if this present amendment is successful, I shall move that there should be a primary-producer nominee retiring each year so that the primary-producer nominees will not all change over together.

The organizations that I chose as being able to provide a panel of names are highly respected. The Stockowners Association of South Australia is a widely representative group from all over the State. The United Farmers and Graziers of South Australia, as a result of a

recent merger, has many primary producers who belonged formerly to the Australian Primary Producers Union and the South Australian Wheat and Wool Growers Association. Lastly, the National Farmers Union of South Australia is a highly respected body, which is supported by almost every primary producer in this State. The amendment is moderate, and primary producers, with an interest in conservation, will be valued members of the commission.

The Hon. G. G. PEARSON: I support the amendment. The member for Alexandra said that the nominees would represent responsible and authentic bodies with a continuity of existence. Clause 7 does not specify from which area the commission shall be selected and, although flexibility of appointment is necessary, the clause should have been specific about seven or eight of the members. I believe there is a special case for including primary-producer representatives. Worthy people are interested in conservation and the creation of national parks, and we should have an expert body with the necessary powers. Therefore, much care is needed in considering its appointment. To avoid the suggestion that the rights and privileges of certain people have not been considered, primary producers should be represented on the commission.

I know of a group of people that suggested that Crown land held in a certain hundred should be automatically declared a reserve. One point of view was its value as a reserve, and the other was its usefulness for other uses. This amendment will encourage people interested in primary-producing activities to think that their views will be heard on the commission, and it will remove any antagonism that may be aroused against the commission if they do not have direct representation on it. This legislation should work as smoothly as possible, and primary producers on the commission would enable it to work in that way.

Mr. RODDA: I support the amendment. It seeks to include on the commission representatives of a great body of people interested in the land. Such representation would help to dispel the anxiety that at present exists in my district in relation to land that is to become a permanent reserve. If the amendment is carried, the commission will consist of people well qualified to interpret the wide powers of this measure.

Mr. QUIRKE: I, too, support the amendment. After all, someone at present holds the land to be acquired for the purposes of the Bill. Antagonism in some areas at present exists to retaining areas of land under this measure. The amendment can do nothing but strengthen the body of people responsible for administering this legislation. The representation referred to in the amendment will ensure that the commission will comprise practical experts in such matters as fencing, water conservation, and fire control, etc., which are all part and parcel of the ordinary life of a man on the land, whereas the present personnel to be appointed may have only a hazy knowledge of some of the requirements.

The Hon. J. D. CORCORAN (Minister of Lands): I am afraid that I have to oppose the amendment, although I do not like doing so, because of the favourable attitude of members opposite to the Bill generally. I do not disagree with their desire to have primary-producer representation on the commission, for I know that the appointees concerned would give a valuable service. However, I assure honourable members opposite that primary producers will be represented amongst those appointed to the commission. Under the previous Act, a number of bodies made appointments to the commission; some were *ex officio*, and in other cases certain organizations had the right to nominate somebody to become a commissioner.

I think I should be doing an injustice to these people if I accepted the amendment; they could rightly be offended by the fact that the amendment was not only proposed but that I had accepted it. Having inquired into the matter at the weekend, I was given today a list of about 50 organizations in South Asutralia that would have the right (or might claim to have the right) to be represented on the commission, just as much as any primary-producer organization had that right. In realistically considering the list with the Director, we reduced the number of organizations to 25, included in which, I admit, were the three organizations to which the amendment refers. If I accepted the amendment, I should be going back on something to which the commissioners had agreed.

The Hon. D. N. Brookman: Agreed to when?

The Hon. J. D. CORCORAN: They have discussed the matter and are quite in accord with the people being appointed to the commission.

The Hon. D. N. Brookman: Are you committed?

The Hon. J. D. CORCORAN: No, but a certain amount of honour is involved, and I should certainly not like to accept an amendment without consulting the people concerned.

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

The Hon. J. D. CORCORAN: I wish to deal briefly with the many and varied responsibilities the commissioners will have under the Bill. For instance, they will be responsible not only for the maintenance and improvement of national parks generally but also they will be expected to assist in the promotion of tourism and to be responsible for conservation and preservation in certain areas and for the development of parks for other purposes. I believe it will be readily admitted that in order to achieve this effectively we need broad representation of various types of people on the commission. I hold no particular torch for conservationists or preservationists.

Mr. Quirke: You wouldn't suggest that what is proposed would narrow the representation?

The Hon. J. D. CORCORAN: No; I am saying that the difficulty that will arise is that, once we bring together people with many and varied interests as commissioners, some dissension could occur if specific privileges were given to the bodies to which the honourable member's amendment refers. If those bodies are to be recognized, then surely we would have to set about deciding what other bodies should be represented in order to obtain the 15 commissioners. I do not think this is necessary or desirable. I believe that from the information he has received from various sources, the Minister will be able to advise the Governor, who will be capable of selecting commissioners who will adequately meet the requirements.

The important parts of the Bill affecting the powers of the commissioners still have to be agreed to by the Minister and, of course, the Minister is answerable to Parliament. For instance, the commissioners have no power to acquire land in their own right. This would be handled in the normal way, although the commissioners would undoubtedly have certain areas in mind. They would be unable to do other things set out in the Bill without the approval of the Minister. I believe it is desirable and an improvement on the previous practice that we should appoint the 15 commissioners having regard to what is contained in the Bill and balancing them so that we will have a commission made up of people with knowledge of administration and financial matters, people representing primary producer-organizations (as the honourable member suggests), and people interested in conservation and preservation. I believe that can be achieved by the Bill as it stands, and regrettably I cannot agree to the honourable member's amendment.

The Hon. D. N. BROOKMAN: I am disappointed that the Minister does not accept my amendment. He said that, if he accepted the principle of a panel of names selected by each of the three primary-producer organizations to which my amendment referred, he would not be able to refuse approaches from all sorts of other organizations. He referred to a minimum number of 25 organizations, many of which are concerned with conservation specifically. He said that for this reason he could not accept the amendment, although he sympathized with the reasons for it. I have tried to point out that the conservation societies are covered by clause 7 (3) of the Bill. Of course, many organizations are interested in conservation; all of them should be encouraged and I am much in favour of them. I point out to the Minister that he has gone out of his way to consider them specially in clause 7 (3). However, the primary-producer organizations are not specifically recognized. The Bill will affect primary-producer organizations, whereas it will not directly affect anybody else, because, under the Bill, the commission has a tremendously wide power which, I think, is quite unique in South Australian legislation. All other powers of acquisition for public purposes in our legislation are concerned with one or another of the Government departments, each of which is headed by a senior officer of the Public Service who is directly responsible to a Minister.

However, the Bill sets up a body which is nothing like a Government department but the members of which are selected entirely by the Minister. The 15 commissioners may or may not be public servants but they will have the power of acquisition. Surely the Minister can agree that there is a difference between the accepted type of public purpose acquisition and the new principle in the Bill. Therefore, I simply suggest that primary producers should have the right to nominate panels of people from which can be selected commissioners who will comprise at the most one-fifth of the total strength of the commission. The Minister referred to about 50 organizations to be considered and said that he had narrowed this number down to 25. If I could see the list of those organizations I am sure I would have a working acquaintance with nearly all of them. Some of them would comprise a few enthusiasts who are to be much admired and

supported but who have no particular interest in country property. These organizations may therefore have a membership of only a handful of people, which I know some of them have. However, each of the organizations to which I have referred has several thousands of members, and the National Farmers Union has a tremendous representation. Surely this is some demonstration to the Minister of the difference between the type of organization to which he referred in his list of 25 and the three recognized primary-producer organizations included in my amendment. I am asking that the organizations to which I have referred should have only one-fifth representation on the commission. I point out that the other organizations concerned with conservation are covered by clause 7 (3). Therefore, I urge the Minister to finally agree with and see the reason for my amendment.

Mr. SHANNON: I commend the Minister for bringing the measure forward. Conservation has not been given all the necessary attention in this State. The Minister will realize that some things that will be done will be unpopular with certain sections. There are many worthwhile organizations whose sole function is to do something for the community, and I do not deny such organizations their proper sphere of activity; they should be represented. I do not know whether it is absolutely necessary for all the three bodies mentioned to be represented. I do not want to see all the areas that have been set aside for native flora and fauna dissipated. Rather, I would prefer additions to those areas. However, such additions must encroach upon certain vested interests, and I would give these vested interests a chance to be represented on the commission. When it comes to a decision, if such people are represented they will be in a position where they can disagree. Finally, a majority decision will be made. I would like to see such representatives in the box seat so that they cannot criticize, which they will do if they are left out in the cold. No matter who the representative is, he will not please all his members, but he is a force that the rank and file of his membership cannot ignore, for he has listened to the arguments and has come down on the side of the minority viewpoint.

I do not mean to be critical; I know the Minister is broadminded in this matter and that he is seeking the public benefit, but I think he will find that it is wise to have your opponents (if you can call them that, although all are not) represented. Politics comes into this, and it is not a bad idea to have some of your political doubtfuls in your own camp; they can be in the inner councils and be part and parcel of the decisions finally reached. There should be someone who could hold a watching brief for the landowners.

Mr. RODDA: Before the dinner adjournment the Minister said he would not accept this amendment. He said he had looked at 50 other organizations and he whittled the number down to 25, which included the three we are discussing. I repeat that I believe the three organizations embodied in the amendment are those most closely associated with the land throughout the State where these reserves are, and will be, situated. I believe they have a special claim. It appears that the Minister wants to do the right thing by a previous commissioner, but I reiterate that he is the Minister and I would like him to look again at the amendment.

Mr. QUIRKE: I give the Minister full marks for introducing this measure, for it has been necessary and I look forward to great things being achieved by it. One of the factors behind such achievements is the type of representation on the commission itself. Many people are worthy of representation, but one thing necessary is maximum public support. Thousands of people are directly associated with the land and any one of these three organizations represents more people than any of the other 25 represent. The commission needs members who can report back to an organization and gain the support of that organization for the work of the commission. Hardly a man on the land today is not a member of one of the three named organizations, whose members have a great and peculiar knowledge of what affects the land, and their representation on the commission would do nothing but good.

The CHAIRMAN: Order! Standing Orders provide that members must not stand between the Chairman and the honourable member addressing the Committee. The honourable member for Burra!

Mr. QUIRKE: The three representatives would come from organizations representing thousands of people in areas in which these conservation projects will be situated. No-one would be more eligible because of their practical experience, which would be of inestimable value to the commission. Primary-producer representation could only add strength to the commission, and there would be much confidence in country areas where people would know that they were represented by someone from an organization to which they belonged. It would

educate the people to know that what is being set up is not against their best interests but in favour of them, and in favour of the elements that are extremely valuable to them as producers on the land.

Mr. McANANEY: This is a good amendment, because this section of the community is more interested in this matter than is any other section.

Mr. Hughes: How do you know they are not represented by one of the organizations referred to by the Minister?

Mr. McANANEY: We should ensure having representation of people actually concerned with land to be acquired. They will be amenable to reason but will have a viewpoint about national parks. These people have engaged in practical conservation more than other people who are keen but who have not had the experience of running a sanctuary. The three primary-producer representatives would be an advantage to the commission.

The Hon. J. D. CORCORAN: The member for Onkaparinga said that this was politics, and in effect that it was a good policy to bring your enemy into your camp. Also, I think he agreed that it was not necessary to have the three organizations represented. I think the member for Alexandra, in drawing up the amendment, had the same problem as I would find if this amendment were carried. He cannot leave out a major primary-producer organization, because that would be discrimination, and I am in the same position. Clause 7 (3) is the pertinent clause. There is sufficient scope in this clause to bring the primary-producing organizations into this as much as the conservation and preservation organizations. The member for Victoria (Mr. Rodda) was interested in what bodies comprised the 25 organizations that I and the Director considered had an interest in national parks in this State.

The organizations that we consider would come under the relevant provision of this Bill in regard to recommending the appointment of the people as commissioners (and I shall not read them in any order of priority) are as follows:

Nature Conservation Society of South Australia; South Australian Ornithological Association; National Trust of South Australia; Field Naturalists' Society of South Australia Incorporated; Royal Society of South Australia Incorporated; South Australian Field Sportsmen's Association: National Fitness Council of South Australia; Royal Zoological Society of South Australia; Advisory Board of Agriculture; Bushfires Research Committee; Emergency Fire Services; Royal Agricultural and Horticultural Society; Local Government Association; Murray Valley Development League; Agricultural Bureau; Upland Game Association of South Australia Incorporated; Adelaide Bushwalkers Society; South Australian Society for Growing Australian Plants; Avicultural Society of South Australia; United Farmers and Graziers of South Australia (Incorporated) (previously Australian Primary Producers Union (South Australia Division) and South Australian Wheat and Wool Growers' Association); Stock Owners Association of South Australia; South Australian Fruit Growers and Market Gardeners Association; Forests Department; National Farmers Union; and the Fauna Conservation Department.

In my opinion, those are the bodies that would have a particular interest in national parks in this State.

Mr. Shannon: What about the Mount Lofty Ranges Association?

The Hon. J. D. CORCORAN: We did not know about that organization. We started off with 50 organizations that would have an interest of some kind, but considered that the 25 that I have read out would have a more direct interest. I am not saying that it is not necessary to have primary producers represented. I have already said that I considered it necessary to have them represented, and I have given an assurance that there will be primary producers' representatives appointed to this commission who will be able to play their part as commissioners.

I again invite honourable members to look at the words "having regard to any special knowledge" in the clause. There is no reason to believe that this special knowledge would not come from primary producers any more than from conservation or ornithological organizations. I am satisfied about the matter and cannot understand why members are persisting that the primary producers' organizations need special mention in the Bill. These organizations will be adequately catered for and will be able to play their part, along with every other body that may be interested in furthering this matter in the State. The member for Onkaparinga (Mr. Shannon) suggested that we may be lagging. I think that we have caught up the leeway. However, we have a long way to go and we must take action quickly. The member for Alexandra said that the opinions of these organizations should be available on the commisson. However, I want 15 individuals who can make up their own minds. I do not want commissioners to be under instructions from organizations or to have to report back to the organizations on

what has been done. I am not concerned about whether they would or would not do this: I do not want the possibility to exist.

I have given sufficient reason for not wanting the Committee to accept the amendment and have given sufficient assurances to allay any fears that honourable members might have had about the primary producers being forgotten. I am sure that, if the amendment is rejected and the Bill passed in its present form, honourable members and primary producers generally will be satisfied with the representation on the commission.

The Hon. D. N. BROOKMAN: The Minister will not accept any arguments that I advance, because he has decided not to accept this amendment. Therefore, it will be necessary to put the matter to a vote. He has not answered some of my arguments. The first matter I mentioned was the tremendously wide power being given to an organization that is not a Government department.

The Hon. J. D. Corcoran: You know that it is answerable to the Government.

The Hon. D. N. BROOKMAN: It will not be answerable to Parliament. I do not know whether the Minister has any control over this organization other than financial control through the Government. The power of public acquisition now resides in those large and responsible departments, such as the Highways Department and Engineering and Water Supply Department, that we all agree should have such power. Senior men in the Public Service, who are directly answerable to Ministers, control those departments, but this organization is in no sense related to senior public servants or to the Minister himself. The Minister says, in effect, that, if he accepts an amendment regarding the submission of a panel of names from the three primary-producing organizations that I have mentioned, he will have no argument for refusing a request from other organizations.

The Hon. J. D. Corcoran: That is not true. I did not say that. I said it would create dissension.

The Hon. D. N. BROOKMAN: The Minister said that it would be difficult to refuse a request from other organizations and that it could create dissension. The list the Minister has given includes some organizations that have a handful of members. How many members are there in the Adelaide Bushwalkers Society? The National Farmers Union has about 20,000 members, and there are thousands of members in the Farmers and Graziers Association and the Stockowners Association of South Australia. The interests of conservationists are catered for specifically in subclause (3). We merely ask that three members out of the 15 (or one in five) shall come from a panel of names nominated by the large primary-producer organizations. This commission, which has the power of acquisition—

The Hon. J. D. Corcoran: It has not; the Minister has the power. The Bill doesn't give the commission that power.

The Hon. D. N. BROOKMAN: The Bill provides for the power of acquisition. The Minister knows that it is a different set-up from that of the Engineering and Water Supply Department, which would never acquire thousands of square miles of country, as this commission could. I am surprised at the opposition to this amendment. I do not blame the Minister, for he has his job to do; but I am not happy about the attitude of some members sitting behind him.

Mr. Hughes: I am not asking you to be happy. You can be as miserable as you like—as you are now!

The Hon. D. N. BROOKMAN: I am happy—

Mr. Hughes: You look pretty miserable tonight.

The Hon. D. N. BROOKMAN: Whether or not I have convinced any honourable member opposite, I press my amendment.

Mr. RODDA: The fact that the Minister has made available a list of organizations does not convince me that this amendment has not some merit.

Mr. Hughes: You told us the other day that you represented a horse-and-buggy town. That is in *Hansard*.

The CHAIRMAN: Order! There are too many interjections.

Mr. RODDA: It was implied that I was being uncharitable to the Minister.

Mr. Hughes: It gave you a shock when the Minister read out that list.

Mr. RODDA: I expected him to.

Mr. Hughes: No, you did not. It is the greatest shock you have had since you have been in this Parliament.

Mr. RODDA: The honourable member for Alexandra pointed out the shortcomings of these organizations. As the Minister knows, it is from this panel that he would get good commissioners.

Mr. HEASLIP: Mr. Chairman—

Members interjecting:

The CHAIRMAN: Order! I ask honourable members to refrain from interjecting. The honourable member for Rocky River!

Mr. HEASLIP: I support the amendment, which is practical, down-to-earth and worthwhile. I always understood that the policy of the Labor Government was decentralization, but here we have centralization: one man will decide who the members of the commission shall be. The aggregation of parks affects country people. It is the Government's responsibility to take care of the parks and to see that the wild life in them does not spread into adjoining paddocks because of lack of fencing. If this amendment is accepted, there will be representatives from three different bodies of practical country people. They will not be able to exert a decisive influence on the commission but they will be able to assist and support it with common sense.

The Committee divided on the amendment:

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

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

Pairs.—Ayes—Mr. Millhouse and Sir Thomas Playford. Noes—Messrs. Jennings and McKee.

Majority of 2 for the Noes.

Amendment thus negatived; clause passed.

Clauses 8 to 12 passed.

Clause 13—"Business of the commission."

The Hon. G. G. PEARSON: Subclause (2) provides that six members of the commission shall form a quorum, which seems a small number in a total membership of 15. In view of the wide powers of the commission, there may be some safety in increasing the number that shall form a quorum.

The Hon. J. D. CORCORAN: The only reason that I can give for the small number is that some members of the commission may find it inconvenient to attend a meeting because of, say, distance from the place at which meetings are held. I point out that membership on the commission will be entirely honorary and that, although provision exists for members of the commission to be paid, that has not yet been decided. I cannot visualize any frequency of only six out of a total of 15 attending.

The Hon. G. G. PEARSON: The problem arises that the six members forming a quorum may largely represent areas near Adelaide. Provision having been made for allowances, including travelling expenses, I hope that this matter will be clarified soon. I am not pressing for an alteration in the number to form a quorum, as I believe the Minister intends to make it convenient and financially possible for members to attend meetings of the commission, so that as many as possible will be present.

The Hon. J. D. CORCORAN: As at present only four out of a total of 13 form a quorum, that may have some relation to the figure provided here. I hope that by making it more financially attractive, members will attend regularly; indeed, I think the member for Alexandra has foreshadowed an amendment that may assist this situation.

Clause passed.

Clause 14 passed.

Clause 15—"Powers of commission."

Mr. COUMBE: Can the Minister say on what security the commission may take advantage of subclause (1) (*d*) to borrow money, if it wishes, on particular terms and conditions? As the commission is specifically refused an opportunity to create a mortgage or a charge over land comprised in a national park, what equity could it offer a financial institution if it wished to borrow money?

The Hon. J. D. CORCORAN: The Minister has to approve any borrowing, and I think it reasonable to assume that the commission would borrow money under Government guarantee.

Mr. COUMBE: I accept the Minister's acquiescence but it would be difficult for an ordinary undertaking to raise money on the market either through private borrowing or through a banking institution unless it was able to have the title of the land concerned and use it in exchange for the mortgage. If, however, as the Minister has said, it can be done with a Government guarantee, that is most interesting; but the Bill does not say so. It only states what cannot be done. The Minister says that the commission would have to seek approval, but paragraph (*d*) does not mention that at all, whereas paragraph (*c*) makes that stipulation.

The Hon. J. D. CORCORAN: I still do not agree.

Mr. COUMBE: Will the Minister agree to the insertion of the words "with the approval of the Minister" at the beginning of paragraph (*d*)?

The Hon. J. D. CORCORAN: Yes.

Mr. COUMBE: I move:

In subclause (1) (*d*) before "for the purpose" to insert "With the approval of the Minister".

This will overcome the position to which I have referred.

Amendment carried; clause as amended passed.

Clauses 16 to 24 passed.

Clause 25—"Mining Acts not to apply to national parks."

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

Before "Except" to insert "(1) Subject to subsection (2) of this section,"; and to insert the following subclause:

(2) The Governor may by proclamation declare that any land comprised in a national park or any part thereof shall be brought under and be subject to either or both of the Acts referred to in subsection (1) of this section with or without modifications specified in the proclamation. Upon the making of any such proclamation, the Act specified therein shall apply to and in respect of the national park specified therein with such modifications as are so specified.

At present the Act precludes the Mining Act and the Mining Petroleum Act from applying to any land comprised in a national park, and it has been pointed out that an occasion could arise where an approach would be made to the Minister of Mines concerning land that might be held as a national park. Because of this it would not be possible, without resumption of that area, for any action to take place, particularly with regard to the discovery of gas or oil or something of that nature that would be in the national interest and in the State's interest. Under the legislation as it stands, there would be tremendous difficulty in resuming the land because this must be done by a resolution of both Houses: that is, for any purpose in the State's or the national interest.

This would have to come as a result of the approach to the Minister of Mines, and the commissioners would have to agree that this area be made available. It could then, by proclamation under an amendment I intend to move later, declare that area subject to both the Mining Act and the Mining Petroleum Act. Although it is difficult to give a specific instance that might occur, it is perfectly reasonable that this be provided in the Act.

The Hon. D. N. BROOKMAN: I support this amendment. Too often in Australia we tend to overlook the importance of mining as compared with other activities that are much more in the mind of the public. Sometimes we tend to handcuff ourselves in relation to our powers. It could be that some important need to apply the Mining Act could arise. Therefore, under the safeguard provided in the Bill, I believe it is highly desirable to provide sufficient flexibility to allow the Mining Act to operate.

Amendment carried; clause as amended passed.

Clause 26 passed.

Clause 27—"Accounts and audit."

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

In subclause (3) after "showing" to strike out "its" and insert "the attendances of members at meetings of the commission and the"; and after "expenditure" to insert "of the commission".

My amendment means simply that, in addition to statements of receipts and expenditure, Parliament will at least be able to see a record of the attendances of members of the commission at meetings.

The Hon. J. D. CORCORAN: I have no objection to the amendment. I should have thought that in the normal report a record of attendances would be included.

Mr. Coumbe: It is common practice.

The Hon. J. D. CORCORAN: Yes, but the amendment will ensure that it is included. It might overcome any problems that could have arisen in forming quorums, because bad attendance during the year might have some effect on renomination.

Amendment carried; clause as amended passed.

Clauses 28 to 32 passed.

Clause 33—"Amendment of Lands for Public Purposes Acquisition Act, 1914-1935."

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

To strike out "Third" and insert "Fourth".

This is purely and simply a drafting amendment. The change in the number of the schedule was overlooked, and it is therefore necessary to change the wording of this clause to incorporate the correct schedule.

The Hon. D. N. BROOKMAN: I support the amendment.

Amendment carried; clause as amended passed.

Schedules and title passed.

Bill read a third time and passed.

STATUTES AMENDMENT (HOUSING IMPROVEMENT AND EXCESSIVE RENTS) BILL.

Adjourned debate on second reading.

(Continued from October 13. Page 2285.)

Mr. COUMBE (Torrens): I support the broad principle of the Bill. It deals with two specific Acts, both of which were passed in

this House last year after close scrutiny. In another place more attention was given to them. In fact, in relation to the Excessive Rents Act Amendment Bill, a conference between managers of both Houses was held. I think a scrutiny of the titles of the two Acts amended by this Bill will be of interest. The Excessive Rents Act is "an Act to provide relief to tenants from excessive rents and for other purposes". The Housing Improvement Act is "an Act to provide for the improvement of substandard housing conditions, to provide for housing of persons of limited means, to regulate the rentals of substandard dwellinghouses in the metropolitan area and in certain other parts of the State, and for other purposes". This Bill deals mainly with substandard housing and its objects, as explained by the Premier in his second reading speech, are to close up loopholes that escaped the attention of the House last year and to stop malpractices that have crept in since the Bill went through the House. The Bill has been introduced because of the operations of shady speculators or sellers: it sets out to stop these malpractices and plug up these loopholes. The main sections define "rent" and "rental" so that charges for the supply of domestic services and the supply of electricity, gas, water, and fuel in connection with substandard houses can be controlled, so that multiple tenancies cannot be imposed on tenants by the simple expedient of charging for cleaning, and also so that the owner of a substandard house cannot load on to the tenant an obligation to maintain the condition of such a house unduly. The nub of the Bill is the clause that sets out in detail how these practices can be controlled.

I am accepting the Bill, but I have reservations. Clause 6 deals with the time for bringing an offence before the court. The Justices Act is the Act that normally controls the time for bringing any offences before the court, and it provides that an action must be taken within six months. As most Acts are silent on this matter, the Justices Act prevails. I do not object to the limitation to two years, but I question the qualification "or, with the consent of the Minister, at a later time". The Bill provides that, notwithstanding anything contained in any other Act, proceedings for an offence may be brought within two years after an alleged offence was committed, but there is this addendum. I take exception to that. I suggest that the Treasurer delete these words. I am advised that very few Acts have this rider that the Minister may vary the period of limitation. I believe that two years is ample for an action to be brought. If a tenant in a substandard house has not made up his mind in two years that an offence is being committed, there must be something wrong with him.

I come now to the penalties for non-observance of the Act, that is, where a complaint has been made to the court and an occupier or an owner refuses to obey the warrant taken against him. In the principal Act the penalty is £20, and the Bill provides that this be $100. Also the penalty of £2 a day is to be raised to $10 per day. The penalties were first written into the Act in 1948, so these increases may be reasonable, but I wonder whether these penalties will work harshly against a person who may unwittingly have committed an offence. The Minister, in his second reading explanation, went to considerable trouble to explain how undesirable speculators or owners had committed offences that had caused much trouble to buyers of substandard homes. Often the buyer may have been a New Australian who could not understand English (and, in particular, the fine print) and signed an agreement that was straight-out sale and purchase agreement. Such agreements have been used to get around the provisions of the Excessive Rents Act and Housing Improvement Act, as amended last year. The Minister has provided several examples, and I do not doubt them. I have seen one or two unsavoury examples, especially in relation to some of the substandard homes in my own district, where some of these malpractices have been going on. I commend the Government for tightening up these provisions. It is necessary that this be done, but I emphasize the words used by the Minister in his second reading explanation, as follows:

> *Bona fide* sellers of substandard houses will, I assure honourable members, have nothing to fear from this provision so long as the agreement for sale and purchase and any mortgage affecting these houses are genuine and not illusory transactions.

Whilst we desire the clause to stop malpractices, we should ensure that *bona fide* land agents or the owner selling is not restricted or placed in the position that, he having executed a *bona fide* document, the tenant or buyer goes to the trust or court and complains against the *bona fide* transaction because the tenant gets into trouble, and this trouble has nothing to do with the transaction. I should like the Premier's assurance that there will be no query or hindrance placed in the way of the genuine seller of or dealer in substandard

houses. These provisions are retrospective to March 17, 1966, the date the last amendments were made to these Acts. **This is not normal,** but this provision has been included so that any malpractice that has occurred and been reported between March 17 and when assent is given to this Bill can be prosecuted. If this is the reason, I agree to this clause. I support the broad principles of the Bill: it is necessary to close loopholes existing in the present Acts, but I suggest that the Premier consider deleting the words to which I referred, and I ask him to assure the House that the *bona fide* seller of substandard houses will have no hindrance put in the way of a normal transaction.

The Hon. B. H. TEUSNER (Angas): Generally, I support the Bill but, as the member for Torrens has said, section 52 of the Justices Act provides for the time in which complaints must be laid for offences if the Act under which the offences are constituted places no other time limit for the laying of the complaints. I can recall several Acts that provide a time limit for the laying of a complaint; for instance, section 260 (1), (2) and (3) of the Licensing Act; and section 18 of the Prevention of Cruelty to Animals Act. Because of the rider, I doubt whether clause 6 as drafted has a special limitation of time as provided by section 52 of the Justices Act. It would be possible to lay a complaint at any time after the commission of the offence, if the Minister gave consent, and that is objectionable. In the case of a serious criminal offence, such as murder or manslaughter, there should be no limitation of time, but we are dealing with a different type of offence, and I think two years would be sufficient to meet a particular case. The Limitation of Actions Act limits the time within which persons can proceed against others in respect of civil matters, and I suggest that the Premier should consider climinating the rider stating, "or, with the consent of the Minister, at a later time."

The Hon. FRANK WALSH (Premier and Treasurer): Regarding clause 6, to which the members for Torrens and Angas have referred, I suggest that we consider extending the period to three years from the time of the alleged offence. The words "or, with the consent of the Minister, at a later time" could then be struck out. I offer that suggestion, because members may like to extend the period to three years and make it clear-cut.

I hasten to assure the member for Torrens that, where a transaction had taken place *bona fide*, there would be no need for court action as in such a case people purchasing a substandard house would do so with full knowledge of the position. The Act provides that the owner shall be notified that, unless the house is brought up to standard, it will be declared not fit to be lived in. Then, if the owner desires to sell that house in a straight-out transaction, he has to notify the prospective purchaser that he has received such a notice. If the purchase takes place, the purchaser becomes responsible for bringing the house up to the standard required by the local board of health or council.

In 1965 the Housing Improvement Act was amended by striking out the words "twenty pounds" and "two pounds" and inserting "fifty pounds" and "five pounds", respectively. The House will see that what is being done is in keeping with that, having regard to the conversion to decimal currency. Honourable members may desire to move an amendment to clause 6 to provide for a period of three years.

The Hon. B. H. Teusner: I think two years is ample time.

The Hon. FRANK WALSH: It would be a long time to be hanging on the end of a rope!

Mr. Coumbe: The leases were brought back from three years to two years at the conference last year, although this is not the same matter.

The Hon. FRANK WALSH: I do not want to go into the merits or demerits. There may be a case where, because of some laxity, fear or some other complication, it is desired to have the right to carry the matter on for two years. Exception was taken during the debate to the words "or, with the consent of the Minister, at a later time", and members may desire to move an amendment to overcome the difficulty.

Bill read a second time.

In Committee.

Clauses 1 to 5 passed.

Clause 6—"Limitation of time for bringing proceedings."

Mr. COUMBE: I move:

To strike out all words after "committed". I appreciate the Treasurer's gesture and his willingness to alter this provision. He has said that, perhaps, we should compromise by enacting a period of three years instead of two years. However, it is the feeling of this side of the Committee that a period of two years is sufficient to bring proceedings under the Act.

The Hon. FRANK WALSH (Premier and Treasurer): I accept the amendment.

Amendment carried; clause as amended passed.

Remaining clauses (7 and 8) and title passed.

Bill read a third time and passed.

MINES AND WORKS INSPECTION ACT AMENDMENT BILL.

Adjourned debate on second reading.

(Continued from October 20. Page 2459.)

The Hon. G. G. PEARSON (Flinders): I have looked at this Bill and perused the Minister's second reading explanation. I have also checked up on the debate in another place, where an amendment was inserted. I agree that the Bill tidies up the position, which required some attention, and I have no opposition to offer to it.

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

PROHIBITION OF DISCRIMINATION BILL.

Adjourned debate on second reading.

(Continued from July 14. Page 492.)

Mr. FREEBAIRN (Light): One of the excitements of Parliamentary life, it would seem, is that one never knows what will emerge from the Notice Paper from time to time. It so happens that my notes are upstairs. The title of the Bill states:

An Act to prohibit discrimination against persons by reason of their race or colour and for other purposes.

We all know that this Bill is breaking new ground for South Australia: in fact, it is breaking new ground for the Commonwealth. There has been some criticism of the clauses relating to legal action that can be taken against offenders under this legislation. I formally support the Bill and reserve my remarks upon it till the Committee stage.

Mr. NANKIVELL (Albert): This is one of those occasions when I am supposed to speak on a Bill, even though it stands in the name of my colleague the member for Light. I was happy that he was able to look after this matter for me. I want to deal with a few aspects of the Bill. I make it clear at the outset that I object not to the principle behind it but to the manner in which it has been brought into the House. When I say that, I do not wish to reflect upon the Parliamentary Draftsman for the way in which the Bill has been drafted, although it contains penalty clauses that I do not think are in the best interests of its objects. A Bill of this sort should try to bring about harmonious relations. We do not wish people to discriminate but, if we are to force people not to discriminate, we have to be careful that we do not by that very action cause discrimination. This, to me, is an important principle behind this legislation.

I have looked at the Bills comparable with this one. I have been able to find only two, one being the Race Relations Bill, which is now operative in Great Britain. Admittedly, the position is slightly different over there where some 800,000 people are involved. In those circumstances, the position is different in many ways. In America several million people are involved. The comparable Bill in America has a Federal application. I refer to the "Civil Rights Bill", which cannot over-ride State legislation in all matters. Therefore, generally, it protects the interests of those people moving from State to State. The comparable measure in Great Britain (again, it is not quite the same as the one before this House) is an all-embracing Bill applying in England, Scotland and Wales.

The Bill to which we are speaking, however, applies specifically to activities within this State. The interpretation of its initial clauses is not quite the same as the interpretation of the corresponding clauses in Britain's Race Relations Bill or America's Public Law Bill. This Bill seeks to reduce the number of persons living or boarding in a defined boarding or lodging house (not that there is much difference between the two). However, despite the fact that not as many people live in lodgings in South Australia as live in such accommodation in, say, Great Britain, no provision is made in regard to the sharing of accommodation, including bathrooms. The definition relates to three or more persons, exclusive of a particular family, living in a lodging or boarding house for hire or reward.

One of the principal concerns expressed in the relevant debate before the House of Commons in this regard was to the effect that a landlord's rights should be protected and that he should have some discriminatory powers over those who shared accommodation with him in his premises. Further, whilst discrimination against a certain party might be prevented, a landlord, in accepting a lodger on these grounds, might offend others boarding in his premises; he might, in fact, be discriminating against them. Therefore it is important to consider that discrimination may cut both ways. Everybody is entitled

to his views on this matter, but, when it comes to enforcing a measure such as this, the person responsible in every instance is the principal, namely, the person in charge of a boarding or lodging house or, say, a hotel licensee. Such people could, in fact, be discriminated against in this legislation.

I think the Attorney-General will realize this unfortunate aspect: people providing a public service may be discriminated against by other people in the community because they are obliged by law not to show any discrimination against a particular person. As that might create a difficulty for the person providing such a public service, it would be wise to consider what has taken place in Great Britain, where the interpretation of the meaning of discrimination has been broadened. The Attorney-General may not agree that the interpretation should be widened. The definition under the Race Relations Act, 1965, of Great Britain, is as follows:

Discrimination in places of public resort—

which is common to both this Bill and the American Bill—

It shall be unlawful for any person, being the proprietor or manager of or employed for the purpose of any place of public resort to which this section applies, to practise discrimination on the ground of colour, race, or ethnic or national origin against persons seeking access to or facilities or services at that place.

The place in question is then defined as follows:

This section applies to the following places of public resort, that is to say, any hotel, and any restaurant, cafe, or public house or other place where food or drink is supplied for consumption by the public therein; any theatre, cinema, dance hall, sports ground, swimming pool or other place of public entertainment or recreation; any premises, vehicle, vessel or aircraft used for the purposes of a regular service of public transport; any place of public resort maintained by a local authority or other public authority.

I draw the House's attention to subsection (3) which reads as follows:

For the purpose of this section a person discriminates against another person if he refuses or neglects to afford him access to the place in question, or any facilities or services available there, in the like manner and on the like terms in and on which such access, facilities or services are available to other members of the public resorting thereto.

Subsection (4) then provides:

Except as provided by sections 3 and 4 of this Act, no proceedings, whether civil or criminal, shall lie against any person in respect of an act or omission which is unlawful by virtue only of this section.

Subsection (5) provides:

In this section "hotel" means an hotel within the meaning of the Hotel Proprietors Act 1956 (that is to say an establishment held up by the proprietor as offering food, drink and, if so required, sleeping accommodation, without special contract, to any traveller presenting himself who appears able and willing to pay a reasonable sum for the services and facilities provided and who is in a fit state to be received and any establishment which would be an hotel within the meaning of that Act apart from any discrimination on grounds mentioned in this section.

Halsbury's explanation then states:

It follows . . . that it will still be permissible to refuse access, facilities or services to any individual on grounds personal to him, irrespective of his colour or race, for instance, on the ground that he is dirty, improperly dressed, drunken or a known trouble-maker.

Those are common grounds. The important point is that there is no offence under this section unless there is a course of conduct and not just an individual action. There must also be some certainty that such conduct is likely to continue. As the Bill stands, all that has to happen is one action; provided that the person who is laying the complaint is able to satisfy the policeman or whoever has to take action that there has been discrimination, that is evidence to establish discrimination. Under the British Act, it must be indicated that it is not an isolated case happening on the spur of the moment, but that it is a course of action likely to continue; in other words, that a policy exists in this matter.

Mr. Hughes: A repetition of the same thing.

Mr. NANKIVELL: Yes. A person may be refused entry into a hotel, and it may not be on the grounds that he is dirty; the licensee may simply be cross and say that he is not prepared to serve the man. That would be an isolated case.

Mr. Clark: It could be a particularly nasty case, though.

The Hon. D. A. Dunstan: It would have to be proved beyond reasonable doubt, and that is not going to be easy.

Mr. NANKIVELL: I realize that, but I think it is important that an isolated case could be proved. Certain things could happen when people were spiteful. There is nothing impossible about one instance being proven. It may be an islated case, but action is taken in the circumstances because it has happened. People must be prepared to say that this must be something that is likely to continue.

Mr. Hughes: An isolated case happened the other day on the steps of Parliament House, and action was taken.

Mr. NANKIVELL: We will not discuss that now. Perhaps that may be discrimination, but I do not know on what grounds; certainly it would not be on the grounds of race or colour, but in any case it has nothing to do with this matter. I suggest to the Attorney-General—

Members interjecting:

The SPEAKER: Order! The interjections made are completely out of order.

Mr. NANKIVELL: I have mentioned two aspects, one being that no provision is made to protect a person running a lodging or boarding house from not just discriminating against a person but from being discriminated against by other people by virtue of the fact that that person is obliged under this Bill to accept and not reject a person on the grounds of race or colour. Although it must be proved beyond reasonable doubt, as the Attorney has said, it does not have to be proven as an established course of action or conduct, and in that event one isolated case could bring action against a person for discrimination.

I said earlier that I do not approve of discrimination. I point out that it need not be discrimination against an Aboriginal person. I have heard of English people, people we consider our equals, being discriminated against: it has been said "You are not going to have a job here; we don't want any more of you Poms in this place." I do not know how that would be defined on the basis of race when such people are of the same race as ourselves, but it is discrimination on the grounds of race. I again point out that one isolated case, even though it can be proven beyond reasonable doubt, may be an unfortunate case. It may be better if the Minister is prepared to agree to a broader interpretation, particularly as we are trying to bring about amicable relations; it is better to do this harmoniously rather than by force. Another point is that provision has not been made for conciliation. It is all very well for the Attorney to yawn and look bored and disagree with me (or pretend to disagree), but no such provision has been made.

The Hon. D. A. Dunstan: The honourable member is speaking of entirely different conditions from those where it is necessary to make provision for conciliation.

Mr. NANKIVELL: But surely the Attorney agrees it would be a much better idea if we could do this? The Bill will apply only in certain places; it will not be general. There are places where we have to educate people and where we are trying to integrate people into the community. Such people cannot be forced into integration: we have to get people to accept them. If the Attorney is prepared to concede that this may be a way to do it rather than by way of summary action as proposed here, it may be in the better interests of this Bill. In every other instance in a difficulty such as this provision has been made for conciliation. I suggest that this is a much better way of correcting a situation than taking summary action. In addition, no provision is made for injunctions, which is the legal way of restraining people, as I understand it. In other instances provision is made for injunctions. I know that a few courts can issue such injunctions, and probably the only court that covers the country is the Supreme Court, so it may be necessary for people to wait until that court visits an area.

The Hon. D. A. Dunstan: There are local courts.

Mr. NANKIVELL: Yes, but do they all have this jurisdiction?

The Hon. D. A. Dunstan: No, only local courts of Full Jurisdiction.

Mr. NANKIVELL: In that case it means that the application for an injunction might be not as limited as I thought.

The Hon. D. A. Dunstan: The local court jurisdiction to give an injunction is a very limited one.

Mr. NANKIVELL: No provision has been made for an injunction or conciliation. The only protection to an individual who may have committed the offence is that it is necessary to prove a case beyond reasonable doubt. I heard the Attorney say that that may be difficult to achieve. If that is so, then what is the use of this Bill? If it is not going to do anythink, is it just a bluff?

The Hon. D. A. Dunstan: No, it is not.

Mr. NANKIVELL: Well, what is the use of a Bill that is not going to restrain people or conciliate them; that is not going to do anything other than catch isolated cases? This is a measure that I am not opposed to in principle, but I do not like the manner in which it is being approached in this Bill and I do not think the members on this side of the House are altogether in agreement with the way it has been approached in the Bill. The Bill is forthright in its approach. It provides:

A person shall not refuse or fail on demand to supply a service to a person by reason only of race or country of origin.

That provision is acceptable; I do not see why service should be refused. However, if a person does refuse service provision is made for a penalty not exceeding $200; no suggestion is made that some way might be found to solve the problem. I think the Minister will agree that the Bill is directed towards trying to prevent discrimination more on the grounds of race than on the grounds of colour—probably more so. I do not know why he has not gone further and included religious grounds (which are covered in legislation in other countries) to make this Bill cover all forms of discrimination. In American legislation religious grounds are included; in Britain the position is not defined so precisely. There the legislation refers to ethnical groups, and this brings in many other people, probably providing a wider interpretation of the word "race". This Bill relates specifically to race, colour or other criteria, which could probably cover a multitude of things.

I believe the Bill is too harsh in its application and that its intention is intolerant. I see no reason why I should not oppose the Bill as it is drafted. However, I say unequivocally that I do not oppose this principle. I suggest to the Minister that he might be a little more tolerant and broaden the interpretation of discrimination. He could also consider conciliation, even though it is only limited. He is thinking of its being limited in general to only one group of people, but this could apply in future, if things got tough, to any people of European origin. The Bill does not affect people only on the grounds of colour: race comes into it. Again, there are problems regarding conciliation in getting acceptance of this problem.

The Hon. D. A. Dunstan: Don't you think the Good Neighbour Council does anything?

Mr. NANKIVELL: I have the utmost admiration for the Good Neighbour Council, but that body does not always solve problems of this nature.

The Hon. D. A. Dunstan: In what areas can an effective conciliation committee be set up in respect of racial discrimination? Where will such a committee be effective?

Mr. NANKIVELL: As far as I am concerned, the problem is so small at present that if a conciliation committee is needed, we need only one. I do not think the cases will be many, but that they will be isolated.

The Hon. D. A. Dunstan: It is a different problem from that in the countries that need conciliation committees. So far as we need conciliation, it is set up under other auspices: we do not need it in the Bill.

Mr. NANKIVELL: It is simple: all we need to do is to hold the gun at a person's head and say, "Don't you dare refuse anybody, or else." As I see it, that is the Minister's intention in the Bill and I can see no reason for it. I am sympathetic towards the principle but I believe he is far too harsh in his application of it in the Bill. I see no reason to prolong the debate any further. As I have raised the points I wished to raise, I oppose the Bill.

Mr. HEASLIP (Rocky River): I, too, oppose the Bill, although I do not oppose its principle.

The Hon. D. A. Dunstan: You blokes over there just don't want anything to be done.

The Hon. G. G. Pearson: Fair go.

The Hon. D. A. Dunstan: It is obvious: you believe in the principle but you don't believe in doing anything about it.

Mr. HEASLIP: I do not believe there is any necessity for the provisions in the Bill in Australia, and in South Australia in particular. It is an idealist Bill brought forward by the Minister, and is not applicable to conditions in South Australia. That is why I oppose it. It is unnecessary and is too far-reaching; it will bring about discrimination rather than reduce it. In his second reading explanation, the Minister said:

> Fortunately, we do not have what may be called a racial or colour problem in Australia, but I think it will be agreed that, apart from the convention to which I have referred, everything possible should be done to ensure that such a problem does not occur.

In other words, he admits that no problem has occurred yet. However, the Bill will bring about a problem. The Minister continued:

> We believe this should refer not merely to the discernibly Aboriginal population in South Australia but to all people who may have discernibly different characteristics of this kind.

If the Bill referred only to Aborigines I should not oppose it, but it goes much further. As the member for Albert said, it deals not only with the pigment of the skin: it deals with race as well. The Aborigines are Australians more than we are; there should be no discrimination in respect to them, because they are natives of this country. Until now, we have been fortunate in South Australia as we have not had a colour problem such as that existing in other parts of the world, particularly in America where we read in the press practically every day of bloodshed because of discrimination. Originally no

problem existed in America, but it exists now. In Great Britain, unfortunately, there is a real problem now. We do not want the same thing to happen in Australia. The Bill is the sort of thing that creates a problem. This discrimination can go further and become discrimination against people with white skin, yellow skin or skin of any other colour. In that respect, I refer to the Stuart case of a few years ago. Stuart was coloured; he was as guilty as could be—the self-confessed murderer of a little girl. However, because of his colour (it was not white) he was not hanged but was acquitted: he got off.

Mr. Clark: He wasn't acquitted.

Mr. HEASLIP: He was not hanged; if he had been a white man he would have been hanged.

The Hon. D. A. Dunstan: How do you know that?

Mr. HEASLIP: That was a case of discrimination against white people, and that is what the Bill could mean. It is entirely unnecessary and creates a problem which does not exist today, as the Minister admits. The Bill anticipates something, and could cause trouble. It is not a large Bill but every clause is vicious. A penalty is provided for a small misdemeanour in relation to service, lodgement, or some other matter. I support anything that prevents discrimination, but I do not support this Bill, framed as it is.

The Hon. G. G. PEARSON secured the adjournment of the debate.

ADJOURNMENT.

At 10.1 p.m., the House adjourned until Wednesday, October 26, at 2 p.m.