HOUSE OF ASSEMBLY

Wednesday, August 16, 1967

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

QUESTIONS

OFFSHORE BOUNDARY

Mr. HALL: An article in today's *News* purports to be an account of a compromise reached between South Australia and Victoria concerning the offshore boundary between the States. Although South Australia in the past has always insisted that the offshore boundary should be an extension of the land boundary, the map accompanying the article depicts a significant area that has been ceded to Victoria. In view of the potential that this area could have as an oil and gas-producing area, can the Premier say whether the report is substantially correct and, if it is, what justification he has for not standing firm on past South Australian claims to all of this area, in the interests of this State?

The Hon. D. A. DUNSTAN: I have seen the article, which is a piece of kite flying, and the map accompanying the article is completely inaccurate. I shall make a statement to the House later this afternoon, when papers are available, and information will then be given to members.

PORT PIRIE HOUSING

Mr. McKEE: On Monday a report of a Housing Trust officer which appeared in the Port Pirie *Recorder* stated that the trust planned to reduce its house-building programme at Port Pirie to 15 houses a year for some time in the future, although the Loan Estimates for this year provide for 29 houses to be built and 25 commenced during 1967-68. I have been informed that 55 applications for rental houses at Port Pirie await consideration, and the development taking place in the area indicates that the demand for rental and purchase houses will increase. Will the Premier ascertain whether the trust will maintain a reasonable rate of house building at Port Pirie so that the present demand may be satisfied?

The Hon. D. A. DUNSTAN: I have not heard such a statement made by any officer of the trust, but I will certainly inquire about it immediately. Although the trust is not a Government department in the normal sense (the only powers I have as Minister of Housing are to make policy directions on the trust's activities; I do not see the day-to-day dockets of the trust), one policy direction I have given is that there should be an increase in the trust's activities in country areas. I understood that the honourable member's district would receive a proper allocation, and I assure him that the Government intends that the housing needs there shall be satisfied.

MURLONG SCHOOL

The Hon. G. G. PEARSON: Has the Minister of Lands a reply to the question I recently asked about disposing of the disused school at Murlong?

The Hon. J. D. CORCORAN: Approval has been given for the closing of the Murlong school and a report and valuation has been obtained from the Public Buildings Department on the improvements on the school land. Arrangements have been made for play-ground equipment at the school to be transferred to the Wharminda Siding Rural School and the Education Department has now referred the matter of the disposal of the school property to the Lands Department. There may, however, be some delay in the disposal of the whole property, as the Highways and Local Government Department has requested a small strip of the school land for the widening of the Cowell-Elliston main road.

WATER RATES

Mr. CLARK: During the weekend, when I visited the three largest centres of population in my district (Salisbury, Elizabeth and Gawler) I found that people in each centre were still confused about the new system of rendering quarterly accounts for water rates. Realizing that the Minister of Works has previously made statements on this matter I find, however, that some people still do not understand the system, and I asked the Minister yesterday whether he would prepare a statement which I am sure would lead to a better understanding on the part of the people in my district, as well as other districts. Can the Minister now make that statement?

The Hon. C. D. HUTCHENS: The Government introduced quarterly accounts for water and sewerage rates in order to reduce the sum that ratepayers were required to pay at the one time. For example, taking a ratepayer in Gawler, with a house valued at about $9,600 and an annual consumption of 140,000 gallons of water, I point out the previous annual account would have been:

			$
Water rates			36
Annual consumption	140,000		
Less rebate allowance	120,000		
Excess	20,000	@ 25c	5
			$41

This account would have been rendered in about December each year and would have been payable in January in one amount. Under quarterly billing, the accounts forwarded will in future be:

(1) Each three months an account will be forwarded for one quarter of the annual rates.

(2) A separate account will be forwarded for excess. Thus accounts will be received as follows—

$9 forwarded in August—payable in September.

$9 forwarded in November—payable in January.

$9 forwarded in February—payable in March.

$9 forwarded in May—payable in June.

The excess would be charged in a separate account in June or July each year shortly after the final meter reading. Water rates are payable in advance and the change to quarterly billing means that ratepayers are not called upon to pay so far in advance as they were formerly. This means that, in this example, the payment of $36 would have previously been made in December or January and would have been for the total rate of $36 due for the year. Under quarterly billing the same ratepayer will be required to pay only half that sum, that is, $18 by January, and will have two future opportunities of paying the balance of $18 due. Accounts for excess consumption can naturally be calculated only at the end of each consumption year, and these are forwarded separately after the final meter reading has been taken in each district.

ROAD TAX

The Hon. T. C. STOTT: Has the Minister of Lands a reply to my recent question about the amount of road tax collected by the Highways Department and the amount allocated to the respective district councils from this fund?

The Hon. J. D. CORCORAN: The Minister of Local Government reports:

During 1964-65 grants totalling $666,800 were disbursed to local government authorities from the Highways and Commonwealth Aid Road Funds. This was possible as money collected under the Road Maintenance Act caused a buoyancy in the Highways Fund. These grants were made from the Highways Fund and, as they were spent largely on new construction, it was not lawful to make the grants from moneys specifically collected for road maintenance. They were therefore technically from the Highways Fund. No grants have ever been made directly from the Road Maintenance Account. Under the Road Maintenance Act, money collected must be paid into a special account called "The Road Maintenance Account".

The three separate funds under which the Highways Department operates are:

(1) Highways Fund: Primarily motor registrations, drivers' licences, loan funds, etc.

(2) Commonwealth Aid Roads Grant Fund.

(3) Road Maintenance (Contribution) Act Fund.

Fund (3) can be used only for maintenance of roads by the department and councils, and cannot be allocated to councils in the form of grants for new construction.

As stated in the previous question during 1966-67:

	$
Road Maintenance Act collections were	1,903,177
Expenditure on Maintenance—	
departmental	3,729,834
councils	1,644,930
Total	$5,374,764

During 1966-67 approximately 85 per cent of road maintenance collections were returned to councils for road maintenance. The balance, which was spent by the Highways Department on maintenance, was made up of the remaining 15 per cent from road maintenance collections and the balance from Funds (1) and (2). Funds (1) and (2) can be used for both maintenance and new construction. Adjustments are made at the end of each year by assessing the expenditure on maintenance by the Highways Department and councils and debiting account No. (3) with this sum.

The Hon. T. C. STOTT: It must be apparent that some money was allocated under the legislation to the respective district councils and that an aggregate sum collected in relation to the fund was also allocated to councils. Will the Minister of Lands ascertain how much was allocated from the fund to the respective councils in the early stages and also what percentage of the money has been allocated from the aggregate sum of the Highways Fund and other funds to which he has referred?

The Hon. J. D. CORCORAN: As he seems to be having considerable difficulty in obtaining the information he requires, I will try to obtain a report that will satisfy the honourable member.

GLENELG PRIMARY SCHOOL

Mr. HUDSON: I understand that the Minister of Education now has a reply to the recent question I asked concerning the plans for the rebuilding of the Glenelg Primary School. As this is a matter of great interest to people in the Glenelg District, I should be pleased if he would give the answer to the House.

The Hon. R. R. LOVEDAY: Provision has been made in the 1967-68 Loan Estimates for construction of the proposed new buildings at Glenelg Primary School to commence early in 1968. It is anticipated that they will be completed and ready for occupation at the beginning of the 1969 school year.

RED SCALE

Mr. QUIRKE: Has the Minister of Agriculture a reply to my question of August 2 concerning the control of red scale throughout the State?

The Hon. G. A. BYWATERS: I have received the following report from the department:

Red scale is a declared pest under the Vine, Fruit and Vegetables Protection Act, which provides powers to impose quarantine measures and to take steps to prevent the spread of infestation. However, the Act does not place an obligation on fruit tree owners to undertake control measures, except when a notice is issued by an inspector. The Red Scale Control Act, 1964, makes provision for the formation of Red Scale Control Boards in specified areas. These boards are empowered to enforce a minimum standard of pest control on both commercial and non-commercial plantings within their areas. It is recognized that there is a deficiency in existing legislation, as pointed out above. The draft of a new protection Act is being studied at present by officers of the department.

The Hon. T. C. STOTT: The Minister of Agriculture will be aware that some time ago he received a petition from the Loxton district to remove that area from the red scale provisions of the relevant Act. As I have been approached by people in the district concerning this matter, can he say whether a decision has been reached?

The Hon. G. A. BYWATERS: I wrote a letter this morning to Mr. Lillington, setting out the reasons for the delay, namely, the need to check the petitions, the numbers of signatories, and so on, and the time required to prepare the rolls. This matter is now well under way and I believe the poll will be held towards the end of September.

CROCODILES

Mr. BROOMHILL: Has the Minister of Agriculture a reply to the question I asked last week about whether his department had considered the matter of baby Johnstone crocodiles being on sale in Adelaide pet shops?

The Hon. G. A. BYWATERS: As a result of considerable investigation, I have ascertained that these crocodiles are being sold in South Australia. I contacted people who had bought crocodiles and I referred the matter to the Adelaide Museum and to the Fisheries and Fauna Conservation Department. I am informed that crocodiles probably could not live in water below a temperature of 75 degrees. Therefore, it seems perfectly clear that no crocodiles will escape into the water systems. What can happen, though (and I believe it does happen), is that, when people get tired of the novelty, they no longer take an interest in the crocodiles and they let them die. I believe that is cruel, and people selling crocodiles for profit are contributing to that cruelty.

CALTOWIE SCHOOL

Mr. HEASLIP: Has the Minister of Education a reply to my question of July 17 about paving and drainage at the Caltowie school?

The Hon. R. R. LOVEDAY: The Director of the Public Buildings Department advises that improvements to the paving and drainage and also the provision of an asphalt floor in the shelter shed at the Caltowie school are included in a group scheme for similar work to be undertaken at other schools in the area. Tender documents for the overall scheme are now nearing completion. On completion of these documents, the priority of the work will be reviewed to determine whether funds can be allocated to enable tenders to be called.

RAILWAYS

Mr. CASEY: Has the Minister of Social Welfare, representing the Minister of Transport, a reply to my question of August 9 about a new light-weight passenger train, known as a turbo, which operates in Canada?

The Hon. FRANK WALSH: The Railways Commissioner has informed my colleague that he investigated the turbo-propelled light-weight train whilst he was in North America in 1966. In addition, representatives of the manufacturers have visited South Australia and discussed it with railway officials. The concept of the train is still experimental and, although its development will be watched with great interest, it is felt that its application to South Australia is not justified at this time.

Mr. FREEBAIRN: Has the Minister representing the Minister of Transport a reply to the question I asked on August 9 last about double-deck railcars?

The Hon. FRANK WALSH: My colleague reports that the department does not contemplate the construction of double-deck railcars at present. The department is aware, however, of the advantages of such a car in the circumstances applying in New South Wales.

Mr. COUMBE: Has the Premier a reply to my recent question about constructing a railway line between Whyalla and Port Augusta?

The Hon. D. A. DUNSTAN: Representations have been made recently to the Commonwealth Government about a standard gauge railway line between Port Augusta and Whyalla. It is hoped that the Commonwealth Government will make a decision within a reasonable time.

Mr. HEASLIP: Has the Premier a reply to my question of last week regarding the standardization of the Gladstone-Wilmington line?

The Hon. D. A. DUNSTAN: The Minister of Transport states that the Railway Standardization Agreement provides for the conversion to standard gauge of the whole of the Peterborough Division. Although at this stage only the conversion of the line between Port Pirie and Cockburn has been approved, it is to be hoped that the Commonwealth Government will soon agree to widening the scope of that approval.

STRAYING CATTLE

Mr. RODDA: Has the Minister of Agriculture a reply to my question of July 25 about straying cattle in the hundred of Comaum?

The Hon. G. A. BYWATERS: On the score of identification of ownership, there is no legislation administered by my department that requires an owner to compulsorily brand his stock, except in the case of pigs intended for sale. Cattle under herd recording are required to carry individual identification marks, but these would not establish ownership.

The only legislation that deals with straying stock is the Impounding Act. This also indirectly establishes ownership when an owner claims his stock. The only effective cure for the situation described by the honourable member appears to be the frequent impounding of the straying stock until the owner realizes that it is too expensive to allow his stock to stray. There appears to be no legislation that requires an owner to enclose his land securely.

RELIEF PAYMENTS

Mrs. BYRNE: The Commonwealth Treasurer is reported to have said last night, when presenting the Commonwealth Budget:

> We intend to open discussions with the States with the object of working out mutually acceptable arrangements for the assistance of deserted wives and wives of prisoners.
>
> At present these women are, subject to a means test and other conditions, eligible for a widow's pension if they have been deserted, or if the husband has been in prison, for not less than six months. Meanwhile, they can approach the State authorities in most States for assistance, with assistance varying considerably from State to State.
>
> If the States can reach agreement on the principles to be followed, we will offer to meet half the cost of State assistance where the wives concerned have children.

Can the Minister of Social Welfare say whether there would be any savings to South Australia if this principle were adopted?

The Hon. FRANK WALSH: A short time ago I received from the Premier a letter addressed to him by the Prime Minister about the matter raised by the honourable member, and I shall read a paragraph from that letter as an introduction to the answer to the question. The paragraph states:

> In brief the position is that, subject to the States reaching general agreement on the principles to be followed, the Commonwealth is prepared to meet half of the costs of State expenditure on assistance to deserted wives and to wives of prisoners with children during the six months' qualifying period for widow's pension, that is, from the date of the husband's desertion or imprisonment until eligibility for pension arises.

The honourable member, in asking the question, has referred to the fact that relief is being given by the State and I confirm that the Social Welfare Department provides relief in respect of the period of six months from the time of desertion or imprisonment. At present, certain categories are defined, such as the family of a husband imprisoned or the family of a person in a mental hospital. Again, the wife may be a divorcee. I think it is about time we combined all these categories into the one definition of a "man-less" family, as that would avoid any reflection being made on the persons involved. The Director of Social Welfare has made an estimate based on present scales of relief and on the assumption that the scheme to be arranged will operate from October 1, 1967. On that basis we should receive $60,000 to $80,000 during the period from October 1, 1967, to June 30, 1968, and in a full year the amount is estimated to be $80,000 to $105,000, although I emphasize that this is only an estimate.

There will be a saving, and conferences are to be arranged to confirm the arrangements through the Directors, with the Ministers ratifying the scheme announced by the Commonwealth Treasurer.

RAILWAY FARES

The Hon. B. H. TEUSNER: Recently, while in Victoria, I noticed that the Victorian Railways Commissioner was advertising at metropolitan railway stations a 30 per cent reduction in fares for people travelling in the metropolitan area during the off-peak period between 9.30 a.m. and 4 p.m. Will the Minister of Social Welfare ask the Minister of Transport whether a reduction of railway fares for off-peak periods in the metropolitan area has been considered, with a view to attracting additional passengers to our railway system?

The Hon. FRANK WALSH: I shall discuss this matter with my colleague but, during the last Christmas vacation, Cabinet, being concerned with the use of our rolling stock, suggested that excursion fares be made available from Gawler and other centres to the beaches but, apparently, the population of this State is not railway-minded at present.

BERRI PRIMARY SCHOOL

Mr. CURREN: During his visit to my district early this year the Minister of Education announced that a new solid-construction building would be erected at the Berri Primary School. Can he say when this work is to be commenced and what is the expected date of completion?

The Hon. R. R. LOVEDAY: I am pleased to inform the honourable member that the building planned to commence in April or May, 1968, will be a Samcon school, and is expected to be completed and ready for occupation at the beginning of the 1969 school year.

POOCHERA RAILWAY STATION

Mr. BOCKELBERG: Has the Minister of Social Welfare a reply from the Minister of Transport to the question I asked on July 26 about a better lighting system for the stationmaster at Poochera?

The Hon. FRANK WALSH: The Railways Commissioner has reported to my colleague that there is no public electric power supply at Poochera. At present, there are three railway cottages, a station, and barracks at Poochera, and to provide lighting for each of these buildings would require pole line and aerials over the full length of the station yard. It is accepted practice that the rentals of Railways Department cottages are increased where improvements have been carried out, in order to defray, in part, the capital expenditure entailed. In this instance the cost and installation of a departmental plant would be high and the Railways Commissioner considers that the tenants would be reluctant to pay the consequential increase in rent. However, inquiries are being made to see if satisfactory arrangements can be made with a local supplier.

CONTAINERIZATION

Mr. HURST: As everyone realizes the importance of the impact that containerization could have on South Australia, and appreciates the attention that the Marine and Harbors Department has given to this important transformation of transport, can the Minister of Marine say whether he has received a report on containerization from Mr. Ramsay since he returned from his oversea visit? If he has, will he make that information available to those interested in this matter?

The Hon. C. D. HUTCHENS: When arrangements were made for Mr. Ramsay to travel overseas on behalf of the Housing Trust, the then Premier, at my suggestion, asked him to investigate the operation and requirements of container cargo vessels. I assume that Mr. Ramsay's report will be made to the Premier and that I shall receive it eventually. However, on the Australian Broadcasting Commission's radio programme this morning I heard that Mr. Ramsay had said that he thought that Port Adelaide was well situated and in a good position to handle container cargoes. He also pointed out that we had large areas available and that at this stage we would be served adequately by a feeder service, and could not expect to have a terminal port at present. He also suggested that arrangements should be made to use composite ships handling both container and ordinary cargoes. Preparations have been made to meet these requirements. A report has been made by the Public Works Committee on a plan to deepen the swinging basin, and money will be spent on that project this year. Plans are being made to lengthen several wharves at Port Adelaide, and, in my discussions with the Director of the Marine and Harbors Department he has assured me that much work will be done on this. We shall be able to handle all proposed container cargo programmes for several years, because land has been reserved at Outer Harbour and, as passenger traffic will be reduced considerably

in the future, many wharves at Outer Harbour will be able to be used satisfactorily by container vessels when the terminal is constructed.

Mr. HURST: Because of the imminent introduction of containerization and also because of the quantity of wool exported from South Australia, can the Minister say whether he has had any specific proposals about the handling of wool by containerization and can he also say whether primary producers were consulted before these proposals were submitted?

The Hon. C. D. HUTCHENS: I do not know whether the man on the land has been consulted about this matter, although the Minister of Agriculture tells me that his department has been consulted. However, I understand that, with a view to developing containerization, woolbrokers are considering banding together to establish a wool village so that wool from all brokers can be handled together. This proposal provides for a receiving store for the receival of all the wool, which will be placed on a conveyor belt after the first handling, then sent to a display floor and, from there, to a dumping floor. This method is expected to reduce considerably the number of handlings, as about 90 bales of wool will be packed into one container, with a consequent reduction in the handling time from many hours, perhaps days, to minutes. Regarding developments in South Australia, I understand that inquiries have been made of my department about obtaining land on which to establish the first section of this wool village. There is extremely suitable land available near the wharves and container marshalling yards at Port Adelaide and I am sure that we shall be able to advise the brokers if they desire to acquire land.

Mr. COUMBE: Did I correctly understand the Minister to say that the bales to be dumped would be of a considerably smaller size than, but contain the same quantity of wool as, bales previously used?

The Hon. C. D. HUTCHENS: The bales will be dumped and the same quantity of wool pressed into a smaller space than has been the case, making it possible to get about 90 bales of wool into a container.

SCHOOL COUNCILS

Mr. RYAN: Under new regulations, members of Parliament, in whose district a particular technical high school is situated, have the right to nominate people to represent them on the high school council. I know of two cases in which four metropolitan members are involved, and this regulation makes appointments cumbersome and the council becomes rather large. As I doubt the wisdom of the new regulation, will the Minister of Education ask his departmental officers to ascertain whether a further regulation cannot be made to remedy the present position?

The Hon. R. R. LOVEDAY: This matter has been raised in two or three places where the new regulation is obviously not working well. If the honourable member will give me the details of the cases he has in mind, I can give him an answer that I think will solve the problem.

VACCINATIONS

Mr. McANANEY: I understand that the Victorian authorities intend to embark on a programme of the free vaccination of children in order to prevent their contracting measles. However, as I believe that, because of the shortage of supplies, it is difficult at present in South Australia to have children vaccinated against measles, will the Minister representing the Minister of Health investigate the matter?

The Hon. FRANK WALSH: I shall take up the matter with my colleague and bring down a report as soon as possible.

PORT PIRIE STATION

Mr. McKEE: Has the Minister representing the Minister of Transport a reply to my recent question about beautifying the new Port Pirie railway station?

The Hon. FRANK WALSH: My colleague reports that it is the Railways Commissioner's policy to encourage the cultivation of trees and gardens at stations wherever possible. However, until the standardization work at Port Pirie is approaching completion, much of the land that would lend itself to such improvement will be occupied by rail tracks or structures. Accordingly, any beautification works must await the completion of the standardization programme.

UNEMPLOYMENT

Mr. HALL: It was reported yesterday that South Australia's percentage of unemployed was the highest of any of the States. In fact, the figures show that South Australia has 18 per cent of the Australian total number of persons receiving unemployment benefits. Having inspected some vacant houses in Elizabeth this morning and spoken with residents

there, I am worried at the trend in this State. Obviously a solution to the problem is vitally important in an area that has been the major subject of the Housing Trust's building programme. As the situation is grave, particularly in an area so concentrated as the one to which I have referred, will the Premier say whether any industries may soon be sited at Elizabeth in order to relieve the position there and, further, has he any figures to show that there will be an improvement in the numbers of people migrating to South Australia?

The Hon. D. A. DUNSTAN: Concerning the first question as to the likelihood of establishing industries at Elizabeth, I point out that some interested organizations are currently negotiating with the Government, and I am extremely hopeful of both an extension of certain existing industries at Elizabeth and the siting of new industries there. The oversea visit made by the General Manager of the Housing Trust (Mr. Ramsay) has been of considerable assistance to us here in talks with the directors of oversea companys interested either in expanding or establishing at Elizabeth. However, it would not be proper for me to make announcements on these industries until negotiations with the Government have been concluded. I assure the Leader that numbers of these negotiations in relation to Elizabeth are currently under way.

I cannot say that I know of an improvement in immigration figures for South Australia at the moment. However, I think it would be disastrous for South Australia if we brought people here before we provided not only accommodation but also employment. It is precisely the bringing of people without an assurance of employment, to certain areas in South Australia, about which people in Elizabeth have been complaining. Under the State's immigration programme, we do not bring people until we know that they are provided with accommodation and employment. Not one of the State-assisted migrants to South Australia under the administration of my predecessor (Hon. Frank Walsh) as Minister of Immigration, or the present Minister of Immigration (Hon. J. D. Corcoran), has gone without work for as long as a fortnight. In fact, the Commonwealth Government has proceeded to allocate a higher proportion of migrants to South Australia than is its normal proportion in relation to population, without assuring people of employment before they get here.

The Commonwealth Government has not co-operated with the South Australian Government by assuring an immigration programme to this State as well as assuring both accommodation and employment to the people concerned at the time. The Commonwealth refused to do that. The extraordinary thing is that, in an employment situation that has been created by the Commonwealth Government's refusal to stimulate our markets in other States, a Budget has been presented, to the Commonwealth Parliament, which refuses to give any sort of stimulus to the economy and to the markets in other States for our products. I hope that the members of the Opposition will join with this Government in demanding action from the Commonwealth Government, the one Government that has the power to stimulate markets in other States for our products.

CHOWILLA DAM

The Hon. T. C. STOTT: Has the Minister of Social Welfare a reply to my recent question concerning the railway line from Paringa to the Chowilla dam?

The Hon. FRANK WALSH: I have a reply but, in view of the circumstances that have been created during the past week, it is problematical whether this is the current answer. My colleague reports that fences have been erected across all openings, to prevent unauthorized entrance to the right of way on which the Chowilla tramway has been constructed. Such fences will exclude livestock. Prior to opening the line to traffic, adjustments to track work will be carried out, and in the course of this operation all cattle grids will be cleared.

LIFTS

Mr. HUDSON: The law in South Australia with respect to the use of lifts currently requires that no-one under the age of 18 years shall operate a lift. This provision is completely out of date. The use that responsible people under the age of 18 years have to make of lifts is often fairly extensive in the city and, as always happens in respect of any provision which is out of date and not appropriate, the law is continually broken.

The Hon. J. D. Corcoran: You may drive a car at 16.

Mr. HUDSON: Yes, but one is not allowed to operate a lift at that age. I ask the Minister of Education to take up with his colleague the matter of amending the appropriate regulations to reduce the age limit of 18 years to a more appropriate age, say, 14 or 15 years.

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

BORON

Mr. QUIRKE: I understand the Minister of Agriculture, representing the Minister of Health, now has a reply to the question I asked recently concerning boron, which is used as an ingredient of detergent, and particularly concerning any damage that could be caused to human and animal health, especially the meat and milk supply.

The Hon. G. A. BYWATERS: When I replied to the question earlier I said I would obtain a report from the Director of Chemistry and that I would refer it to the Minister of Health. I now have a report from the Director of Chemistry, a copy of which I have sent on to the Minister of Health for his information. It states:

In the form of borax (sodium tetraborate) and sodium perborate, boron has for many years been present in detergent preparations. These salts are of value because of their mildly alkaline reaction and the oxygen activity of the perborate. It is likely therefore that boron would be present in effluents, although combination with other substances in the water and consequent precipitation may remove a proportion from solution. Boric acid and borates are used in lotions and dusting powders, although to a lesser degree than formerly. It is not regarded as being a cumulative poison.

Boron is required by plants and boron deficiencies found in soils are remedied by the addition of boron compounds (usually borax) to fertilizers or by foliar sprays. Boron toxicity can result from excessive application of boron and in this regard the following extract from *Standard Methods for the Examination of Water, Sewage and Industrial Wastes,* Tenth Edition, 1955 (American Public Health Association, Inc.) may be relevant:

> "The determination of boron in waters, industrial wastes and sewage effluents is important from the standpoint of agriculture. Boron in excess of 2.0 mg/1 in irrigation water is deleterious to certain plants, and there is evidence that some plants are adversely affected by concentrations as low as 1.0 mg/1."

(There is no indication in the above book as to what types of plants were found to be specially susceptible.)

I am not aware of any deleterious effects attributable to boron on vegetation at the Islington sewage farm, or at Glenelg or Woomera where effluents from sewage treatments works have been used on lawns and trees for periods of years. I am not aware of evidence which would indicate that boron compounds should not be permitted in household detergents.

EAST GAMBIER SCHOOL

Mr. BURDON: On August 1, I received a reply from the Minister of Education to a question I had asked in relation to the repaving of the East Gambier Primary School yard. Last weekend representations were made to me by a spokesman for the school committee, who expressed his concern regarding the possible delay in carrying out this work. I make these representations to the Minister of Works today because I have seen parts of this school yard in which there are many holes that could result in injury to the legs, ankles, knees and elbows of children running around the yard. Will the Minister take up this matter with the Public Buildings Department to ascertain whether steps can be taken to eliminate this danger from the schoolyard?

The Hon. C. D. HUTCHENS: I will immediately have inquiries set into motion to see that the work is done as early as possible.

EBENEZER SCHOOL

Mrs. BYRNE: I understand the Minister of Education now has a reply to the question I asked on July 20, seeking an improvement in the water supply of the Ebenezer Rural School and residence.

The Hon. R. R. LOVEDAY: The matter of the possible replacement of the existing water service to the Ebenezer Rural School and residence has been investigated by the Public Buildings Department, which reports that the pressure of water at the school is reasonable, but owing to corrosion inside the pipes the flow is poor. In order to improve the flow of water I have approved of replacement of the ¾in. service with 1in. galvanized water piping. I have noted that the honourable member indicated that the school committee may undertake the laying of the new piping. If this is so, the Education Department should be informed when a submission will be made for the approval of funds to supply the materials to enable the committee to carry out the work.

TORRENS RIVER

Mr. COUMBE: Has the Minister of Social Welfare a reply to my recent question about the health problems associated with the Torrens River?

The Hon. FRANK WALSH: On July 25, 1967, the Director-General of Public Health furnished a report, which was then forwarded to the Minister of Education, who in turn forwarded it to the Minister of Lands. In view of all those complications, I do not know whether that report has been presented to the House.

Mr. Coumbe: No, it hasn't.

The Hon. FRANK WALSH: Then I shall give it. There is little the Director-General can add to a reply given to a similar question in March this year. In that reply, dated March 21, 1967, the Director-General states:

The extent and nature of pollution of the Torrens River has been investigated a number of times in recent years by officers of this department and the Institute of Medical and Veterinary Science. In 1959, Sir Lyell McEwin, Mr. John Coumbe, M.P., and I visited the Gilberton Swimming Pool, and discussed the pollution problem with local interested people. As indicated in a number of press statements, water taken from the Torrens River consistently shows bacteriological evidence of contamination with human and animal wastes. This is not confined to any section of the river. There has been evidence from time to time of illness (mainly outbreaks of infections of the ear and eye) which appeared to arise from bathing in the river. These have been mainly in prolonged hot weather, and associated with stretches of the river where many people swim.

Consideration has been given to possible methods of controlling pollution, and I have discussed these on earlier occasions with senior officers of the Engineering and Water Supply Department. Chlorination would not be practicable because the load of pollution and organic matter is heavy, variable, and unpredictable. Periodic flushing at frequent intervals might effect some temporary reduction of pollution, by mere dilution, but it would offer no assurance of safety because of continued addition of pollutants. It would require great quantities of water, and would give insignificant benefit. This problem is common to all small streams whose banks and catchments are closely settled. It is well-known that many people swim in polluted water without suffering ill-effects. Others are less fortunate and the effects sometimes assume epidemic proportions. This is the reason for the department's policy of advising people to swim only in pools that are effectively filtered and chlorinated, or in the sea.

BIRDSVILLE TRACK

Mr. CASEY: Recently a survey was carried out by the Highways Department on the Birdsville track because of the $1,000,000 grant which the State received from the Commonwealth Government after much representation by this Government, which recognized the value of the Birdsville track as a beef road. Although it is generally understood that there is only one road to Birdsville, in fact many tracks go there from a point known as the Clifton Hills Station: one is the inside track or the plains road; another track passes Damperannie Wells; another goes through Pandiborough Bore, which is just south of Goyder Lagoon; and another goes above the headwaters of the big floods that occur in that part of the country. Recently, the newspapers stated that the Birdsville track (and I refer now to the inside or plains road) was cut by floodwaters flowing down the Diamentina River; this happens periodically. Can the Minister of Lands, representing the Minister of Roads, say whether the survey has been completed and, if it has, whether there is a definite indication of the route the road to Birdsville will ultimately take, because, in the interests of the Highways Department, it would be better to have one road to Birdsville and to maintain that, rather than to maintain four tracks which, unfortunately, has been the practice until now?

The Hon. J. D. CORCORAN: I shall be happy to confer with my colleague and obtain a report.

KYBYBOLITE SCHOOL

Mr. RODDA: Has the Minister of Education a reply to my question of last week about playing areas at the Kybybolite Primary School?

The Hon. R. R. LOVEDAY: A scheme is being prepared by the Public Buildings Department for the supply of suitable filling and the levelling of areas of the playing fields in the Kybybolite Primary School to enable the school committee to undertake the grassing of these areas. It is proposed to incorporate the work in a group scheme for ground formation works at other schools in the area. The tender documents are expected to be completed for the overall scheme within several weeks, ready for calling tenders. The actual date of calling tenders will depend on the priority allotted to the scheme. However, it is expected that it will be possible to allocate funds to enable the group contract to be let and work at the Kybybolite Primary School to be undertaken before next autumn, which is the time when the school committee desires to proceed with the grassing of the areas.

RAIL FREIGHTS

Mr. McANANEY: Recently the Victorian Railways Department has made drastic reductions in freight rates for all van loads of livestock as a strong competitive measure to gain extra traffic from graziers. In view of the reduced number of stock carried by the South Australian Railways, will the Minister of Social Welfare obtain a report from the Minister of Transport about the possibility of making our railways more competitive in this regard?

The Hon. FRANK WALSH: I shall be pleased to obtain the necessary report. However, in view of the attitude of the Parliament about transport generally, I hold out little hope. I am concerned not about control of transport but about co-ordination of transport, and co-ordination applies to livestock as much as to any other commodity.

EGGS

Mr. FREEBAIRN: Has the Minister of Agriculture a reply to the question I asked several weeks ago about the chicken hatching rate in South Australia?

The Hon. G. A. BYWATERS: The Chairman of the Egg Board reports:

The Commonwealth Bureau of Census and Statistics published the following figures in June, 1967 (these figures apply to South Australia only):

Egg Production	1965-66	1966-67	Percentage Increase
Chicks . .	1,525,000	1,925,000	26.23

However, the representative of a prominent hatchery expressed doubts about the reliability of the figures quoted. He stated that, in the absence of figures submitted by the industry for consideration in committee, he considered that there would probably be very little, if any, increase over the 1965-66 figures.

MUTTON PRICES

Mr. LAWN: Has the Premier a reply to my recent question about mutton prices?

The Hon. D. A. DUNSTAN: The Prices Commissioner has reported that there has been no significant variation in either market or wholesale prices of mutton this year. Retail prices of mutton have firmed slightly in recent weeks. However, a small increase in the retail margin is being more than offset by butchers' absorbing part of the relatively sharp increase in market prices of lamb by reducing their profit margin on this item.

WATER PUMPING

Mr. LANGLEY: As we have recently received rain, can the Minister of Works supply information about the present holdings in metropolitan reservoirs compared with the holdings at this time last year?

The Hon. C. D. HUTCHENS: The comparative position is as follows:

Reservoir	Capacity (million gallons)	Storage last year (million gallons)	Storage at Aug. 14, 1967 (million gallons)
Mount Bold . .	10,440	5,144.0	2,689.1
Happy Valley .	2,804	1,807.5	1,391.9
Clarendon Weir	72	65.4	65.4
Myponga . . .	5,905	2,823.0	2,111.1
Millbrook . . .	3,647	2,150.9	1,468.6
Hope Valley .	765	527.0	415.0
Thorndon Park	142	103.7	113.2
Barossa . . .	993	754.2	925.7
South Para . .	11,300	4,403.2	2,884.9
Terminal storage . . .	31	28.9	21.4
Totals . . .	36,099	17,807.8	12,086.3

RIVER MURRAY COMMISSION

The Hon. Sir THOMAS PLAYFORD: Can the Minister of Works say whether the River Murray Commission issues an agenda before each meeting, whether such agenda is available to the respective State Ministers, and whether it is the practice of the Minister to discuss the agenda with his representative before the meetings?

The Hon. C. D. HUTCHENS: Since I have been in office I have never seen an agenda and I do not know whether agendas are issued to the commissioners before the meetings. However, as this question has been asked I shall inquire to see whether the South Australian commissioner receives an agenda and whether it is possible (and I think it is desirable) for Cabinet to consider it, if it is available.

STRATHMONT TECHNICAL SCHOOL

Mr. JENNINGS: At the request of the school council I visited the Strathmont Boys Technical High School last Monday and, while I was there, my attention was drawn to the paved assembly area. It seems that this area has never been satisfactory since it was laid, because the levels are completely wrong. Attempts have been made to correct the mistakes but to no avail, and the whole area seems to be designed as a large catchment area, which causes great difficulty to pupils and teachers. In addition, the erection of temporary schoolrooms has meant an extension of gas and other services with a consequent disruption of the paved area. Will the Minister of Education see whether the present paving should be taken up and the assembly area completely relaid?

The Hon. R. R. LOVEDAY: I shall be pleased to call for a report to see what can be done.

TOTAL WAGE

Mr. McANANEY: After the Conciliation and Arbitration Commission brought down its new concept of a total wage, the New South Wales Government rejected the idea, although at that time the South Australian Premier said he had not made up his mind. Can the Premier now say whether any decision has been reached by the South Australian Government about its attitude to the total wage concept?

The Hon. D. A. DUNSTAN: The South Australian Government deplores the decision relating to the total wage, because, in its view, it is extremely harmful to wage-earners. An

important question is whether the State Industrial Commission's awards, agreements, and determinations are to fit in with the overall wage pattern. When Mr. Askin made his announcement I said that to have a whole series of separate State investigations as to a living wage plus margins would be extremely expensive and difficult for all concerned and would enormously increase the cost of effective conciliation and arbitration. Consequently, the Minister of Labour and Industry, with the President of the Industrial Commission, members of the United Trades and Labor Council, and employers' representatives, have been examining ways in which protection can be given to South Australian workers and, at the same time, the decision of our commission promulgated so that there is not the expense and difficulty. No decision has been reached, however. It was comparatively simple to apply the immediate decision as if it were an increase in the State living wage but, when it is considered as the total wage, complications arise under the Industrial Code. Discussions are continuing in order to protect the working people of South Australia.

EVAPORATION BASINS

Mr. CURREN: Last Thursday I asked the Minister of Irrigation whether he would have tests made of the salinity levels in the drainage water being discharged into the evaporation basins in the Upper Murray districts in order to establish its suitability for re-use in the growing of fodder crops. Has the Minister a reply to that question?

The Hon. J. D. CORCORAN: I have a report, a copy of which can be made available to the honourable member, giving salinity readings at various points. At those drainage outlets where the salinity of the seepage water is low enough to permit it to be used for irrigating fodder, the flow is spasmodic and the quantity available is therefore unreliable. Several instances are known in the Berri, Cobdogla, Kingston, and Moorook irrigation areas where landholders have been permitted to re-use seepage water for fodder production on a limited scale, and one settler uses it for domestic purposes. However, because of fluctuations in both the quality and quantity of water available, relatively few have been successful in establishing worthwhile fodder. Down river, in the reclaimed areas, there are many instances of settlers pumping water from the drainage channels to irrigate lucerne on the adjacent highland.

Negotiations are currently in progress concerning the use of seepage water for industrial purposes, but it is too early to forecast the outcome at this stage. It would seem that, by and large, and in the light of present day knowledge, there does not appear to be any likelihood that the seepage water from the larger capacity drainage outlets will be of adequate quality to allow it to be used for fodder production.

GLENGOWRIE HIGH SCHOOL

Mr. HUDSON: I was pleased to learn two weeks ago that a contract had been let for building the new Glengowrie High School. I understand, however, that the school will not be ready for occupation until 1969 and that next year the students to attend this school will use the old buildings at the Sturt Primary School. As I am concerned about the facilities and grounds at that school, can the Minister of Education say whether the necessary action will be taken to ensure that the surrounds of the Sturt Primary School will be in a completely suitable condition for use by the students of the Glengowrie High School?

The Hon. R. R. LOVEDAY: Although in these circumstances it is usual for such action to be taken, I shall be pleased to call for a report on the matter, and I will notify the honourable member accordingly.

SILVERTON TRAMWAY

The Hon. Sir THOMAS PLAYFORD: Will the Minister representing the Minister of Transport ascertain whether negotiations are at present proceeding concerning the standard gauge work on the Silverton tramway line?

The Hon. FRANK WALSH: I will ask my colleague for a complete report on the matter and bring it down as soon as possible.

MODBURY SCHOOL

Mrs. BYRNE: As the Minister of Education is aware, following the completion of the Modbury Infants School on Golden Grove Road, Modbury, in June last, it was occupied in July, leaving the old school building on Montague Road, Modbury, vacant. I have now received inquiries from a religious body wishing to purchase the building and from two kindergarten committees wishing to use it for kindergarten purposes, either on a rent-free basis or by renting the premises from the Education Department. Will the Minister ascertain what plans the department has for this building and land, and will he inquire whether any of the proposals to which I have referred might be considered?

The Hon. R. R. LOVEDAY: I shall be pleased to consider the proposals of the bodies to which the honourable member has referred and, if she can forward to me further details concerning their wishes in this matter, I should like to have them so that the matter may be fully considered.

PROSPECT DEMONSTRATION SCHOOL

Mr. COUMBE: Has the Minister of Education a reply to my recent question about the provision of a special shelter shed at the Prospect Demonstration School?

The Hon. R. R. LOVEDAY: The scheme proposed is for the erection of two special type shelters, one being 30ft. long and the other 45ft. long. The total cost will be met from Loan funds, and not under subsidy arrangement. Funds have now been approved for these shelters. The project has been given a high priority and consideration is now being given to the most expedient manner in which the work can be undertaken. Until a decision is reached, which should be within a few days, as to whether the work is to be undertaken by departmental labour or by contract, it is not possible to indicate with accuracy when work will actually commence. Every effort will be made to commence the work at the earliest possible date.

GOODWOOD SCHOOL

Mr. LANGLEY: Several months ago work started on renovating the toilets of the Goodwood Primary School and also on painting the school, both inside and outside. Indeed, members of the school committee, as well as others concerned in the matter, are pleased that the work is being carried out. Can the Minister of Works say when the work is expected to be completed?

The Hon. C. D. HUTCHENS: I am grateful for the honourable member's comments; I will try to ascertain when the work will be completed, and I will notify him accordingly.

DENTAL HOSPITAL

Mr. COUMBE: Has the Premier a reply to my recent question about delays being experienced by people attending the Dental Hospital?

The Hon. D. A. DUNSTAN: Doctor Rollison has supplied the following information:

The Dental Department is expected to provide a dental service for the whole of the indigent population of the State and with the growing number of pensioners this results in a heavy demand for its services. The department is also required to provide facilities and supporting staff to enable the University Dental School to conduct clinical instruction of dental students. There are two prosthetic laboratories in the Dental Department, one of which services the Hospital Prosthetic Clinic, and the other services the student clinics. The Hospital Prosthetic Clinic provides dentures for inpatients of Royal Adelaide Hospital, patients in mental hospitals, and for prisoners in Yatala Labour Prison and Adelaide Gaol as well as for the indigent persons in the community. Priorities are given to those persons whose medical conditions or social circumstances warrant such priorities and special consideration is given to persons resident in country areas. This clinic is working to capacity.

Apart from the work performed for patients and inmates of the institutions referred to above, the average output per week from the Hospital Prosthetic Clinic is: (1) the equivalent of 24 full upper and full lower dentures; (2) relines of eight dentures; and (3) repairs to 40 dentures. The output from the laboratory which services the student clinics is considerably less, as the students are under instruction. During the current academic year this laboratory has provided 59 full upper and full lower dentures, eight relines and five partial dentures. This laboratory also provides orthodontic appliances, crowns and bridges and study models. Because of increasing demand, particularly from pensioners and their dependants, for the provision of dentures by the Dental Department, there is no possibility of the waiting time for dentures being reduced under current circumstances. Reduction in waiting time for the provision of dentures could only be achieved by providing additional staff and facilities either at the Dental Department or elsewhere, or by providing for indigent patients to have dentures supplied by private dental surgeons.

IRRIGATION

Mr. McANANEY: I understand that irrigators along the Murray River are entitled to 12 free waterings a year, and that they must pay for any extra water they use. I also understand that some of them have had to take extra water this year because of the dry conditions, and I have been asked by one or two of them whether, if they have not used their quota of waterings in previous years, some concession in respect of excess water used this year could consequently be made to them. Can the Minister of Irrigation comment on this request?

The Hon. J. D. CORCORAN: If memory serves me correctly, irrigators are provided with 14 free waterings a year, not 12 as the honourable member has suggested. I understand that similar representations were made recently by the Minister of Agriculture, but I do not think the matter has been finalized yet. However, I shall be happy to have the matter examined and to bring down a report.

UPPER MURRAY HOUSING

Mr. CURREN: Some weeks ago I was informed by a building contractor in my district that there had been an apparent slowing down of the Housing Trust's building programme in the area. Will the Premier inform the House whether there has been such a slowing down in the Upper Murray towns, and what is the proposed building programme for the current year?

The Hon. D. A. DUNSTAN: There has been no slowing down in the Housing Trust's activities in the Upper Murray area. It is intended that a considerable number of houses shall be built in that area during the current financial year, and I will give the honourable member the details. During this financial year the Housing Trust's programme in the Upper Murray area is as follows:

1. Renmark:	
Estimated commencements	30
Site preparation work under way. Initial tenders have been called.	
2. Berri:	
Estimated commencements	25
Number under construction	4
Tenders to be called shortly for further	6
3. Barmera:	
Estimated commencements	10
Number under construction	2
Tenders to be called shortly for further	5
4. Waikerie:	
Estimated commencements	5
Number under construction	1
Tenders to be called shortly for further	3
5. Loxton:	
Estimated commencements	2
Number under construction	1

ORANGES

The Hon. Sir THOMAS PLAYFORD: Some time ago I took up with the Minister of Agriculture the question of the big disparity between the price growers receive for their oranges and the retail price. Has the Minister a reply to that question?

The Hon. G. A. BYWATERS: I have received the following letter from the Citrus Organization Committee:

We acknowledge receipt of an extract from *Hansard* of the 3rd inst. in which the Hon. Sir Thomas Playford questioned certain aspects of the sale of oranges at present, especially an alleged disparity in the price received by the grower and the price paid by the consumer. In the first instance you will know that under the Act we have no control over retail prices. However, we are conscious of the fact that in some isolated instances retailers do appear to be selling citrus at an excessive margin. Occasionally in the past these have been referred to the Prices Branch for investigation.

In order to comment fully on the particular case mentioned by Sir Thomas Playford, we would require more details of the actual purchase. For example, was it established beyond doubt that the orange in question was count 100? The only way in which this could have been verified would be to have noted the particulars shown on the case or to have passed the orange through the appropriate sizing ring. We point this out as there is only $\frac{1}{8}$in. variation in the diameter of count 100 and the next larger size, count 88. It would be extremely difficult for anyone, including a trained operator, to say whether the orange was in fact count 100 without some other aid. However, assuming that the oranges purchased were count 100 we wish to set out the following facts:

(1) Wholesale Selling Prices:

Our market quotations for count 100 standdard grade navels since June 16, 1967, are as follows:

16/6/67	$3.70
23/6/67	$3.70
30/6/67	$3.70
7/7/67	$3.70
14/7/67	$3.20
21/7/67	$3.20
28/7/67	$3.20
4/8/67	$3.20

It will be noted that there was a 50c reduction in prices for this count as from July 14, 1967, which, incidentally, applied over the whole range of counts from 20c to 60c. The reduction at that time coincided with the usual mid-season full supply situation and also with a heavy export shipping programme, producing increased quantities of good grade fruit as over-run from export packing. The price reduction was fully justified by the resultant increased consumption of navels. This is indicated by the sales figures for the above-mentioned period as follows:

16/6/67	7598
23/6/67	9337
30/6/67	7877
7/7/67	7690
14/7/67	7179
21/7/67	11469
28/7/67	11876
4/8/67	12645

It may be argued that the sale of count 100 at 5c per piece (or a return of $5 to the retailer) would give the buyer an excessive profit margin but we have to consider his situation in respect of rent and other overheads which would vary according to his location. Also, we do not know whether he purchased the fruit before or after the price reduction became effective.

(2) Growers' Returns:

Our calculations show that from a sale of a case of count 100 standard grade at $3.20 the grower should receive approximately $1.70—variable, of course, because of varying freight and packing costs. Any return substantially less than that figure should be reported to and immediately investigated by the marketing organization. My committee is conscious of the

need to obtain the maximum share of the consumer dollar for the grower but it must be recognized that along the line of marketing there are many who provide a service and who should be properly recompensed for their labours. Finally we cannot agree with the comment that "a difficult marketing position exists this season". One of our main problems is the extremely large average size of navels this year, each case of which must bear a fixed cost of marketing and presentation. However, the high average quality of navels generally has contributed much to consumer acceptance of them at a price which most are prepared to pay. As an indication of comparative retail value of navels as compared with apples and bananas we attach a table which is the result of a survey we have conducted during the past two days. We trust that our comments will be of value to you.

I ask that the table be included in *Hansard* without my reading it.

Leave granted

FRUIT PRICES

Place of Sale	Count	Navels Price	Equiv. Price per lb.	Jonathon Apples Price per lb.	Bananas Price per lb.
Central Market	100	6 for 20c	8c	10c	16c
Prospect	100	6 for 30c	10c	15c	20c
North Adelaide	88	4 for 16c	7c	15c	16c

Actual test weighing of 20 individual oranges, count 100, varied in weight from 7¼oz. to 8½ oz. for an average of 8 oz.

MINISTERIAL STATEMENT: OFFSHORE BOUNDARY

The Hon. D. A. DUNSTAN: I ask leave to make a Ministerial statement.

Leave granted.

The Hon. D. A. DUNSTAN: The White Paper, which has been prepared by Mr. Wells, Q.C., and tabled this afternoon, shows clearly the overwhelming importance to the States of Australia of being able to establish the arrangements concerning licensing of offshore oil exploration to the edge of the continental shelf which have been under discussion with the Commonwealth for some four years and which have now been concluded. Without these arrangements certainty of title cannot be given in offshore oil leases either for exploration or exploitation and, without an arrangement with the States, there is a danger of the Commonwealth's legislating unilaterally and possibly leaving the States without royalties in the continental shelf area beyond territorial waters. There are even doubts as to whether the States would exclude Commonwealth control of territorial waters.

One of the subjects which it is vital should be decided in order to conclude the arrangements with the Commonwealth is the question of the offshore boundary between South Australia and Victoria. South Australia has previously contended that the boundary should be a continuation of the meridian line forming the land boundary between South Australia and Victoria which, however, is defined by the letters patent as stopping short at the Southern Ocean. The oil exploration leases so far granted by Victoria and South Australia have, in fact, been granted by each State to the meridian line. Victoria, however, has contended for the median line, that is, a line to be surveyed from the shore to the edge of the continental shelf and at each point equidistant from the shore of each State. (This would have meant, in effect, that each State would have controlled those waters which were nearer to it than to the other State.) Where disputes as to offshore boundaries arise between nation States those boundaries are usually fixed on the basis of the median line (which, in principle, has the support of an international convention or agreement to which Australia is a party). The median line would deprive South Australia of a considerable area of interest offshore and South Australia was not prepared to agree to adopt this line.

As is clear from the White Paper, there was no means in law of establishing what is the boundary offshore between the two States and, as it was essential to establish the boundary, it could only be established by some form of compromise. Sir Henry Bolte had offered to go to arbitration on the matter. South Australia was not willing to accept this because of the considerable danger involved in committing this State to the award of an arbitrator who, in the nature of things, would be unable to apply widely accepted and well understood principles but would be forced to have recourse to such general and discretionary materials

that the outcome would be largely fortuitous. As a result South Australia could have lost all that it was contending for.

The compromise which has been achieved is one which pays due regard to the interests of both States. The majority of the inshore areas in dispute where it is known that there are structures of interest for exploration goes to South Australia, including the whole of an inshore structure of interest (the main part of which is in South Australia) and a portion of a structure farther out the main part of which is in Victoria. Victoria, however, gets part of this particular structure of interest. The line then tends at an angle away from the meridian line until it reaches the median line a considerable distance offshore. In the further offshore areas which Victoria obtains under this compromise it is not believed that any interesting structures for exploration exist. The effect of this compromise is to give both States a good deal of the benefits for which they were contending and has preserved the major areas of interest of each State.

The negotiations about this matter, which have been long and hard, have been conducted by Mr. Wells, Q.C., on behalf of South Australia, with the advice of Mines Department officials, and Mr. Murray, Q.C., the Solicitor-General for Victoria. I congratulate them both on arriving at submissions to the Governments of their respective States that have got a good deal for each of the States.

Earlier this afternoon I was asked by the Leader of the Opposition why any compromise should be reached that did not insist on an extension of the meridian line. The Leader asked why South Australia should cede to any other State areas that were South Australia's property. The fact is that one cannot cede what one does not have. There is no law whatever establishing the legal right of South Australia to the offshore areas included by the meridian line or an extension of it offshore. If the Leader will turn to the things that Mr. Wells has to say in the White Paper he will see why we have had to adopt a compromise in order to ensure that at the earliest possible time we can give offshore titles which will stand up in law and which will ensure procedures in South Australia offshore that give us the possibility of effective offshore developments which we will control and from which we will get royalties. I draw the attention of honourable members to pages 6 and 7 of the White Paper, in which Mr. Wells states:

Victoria and South Australia are the only two parties to the scheme who have not agreed in principle on how the boundary separating their respective adjacent areas is to be drawn. Since the time this White Paper was prepared, official agreement has been reached, as I have outlined. The White Paper continues:

It may seem surprising that those two States have even found it necessary to discuss the question. Surely (it may be asked) there must be some guiding rule or principle which fixes, or will enable a court to fix, the boundary line beyond any possibility of dispute? If there were, the solution of Victoria's and South Australia's difficulties would be easy. Before, however, any progress can be made in establishing the boundary, certain indisputable facts must be faced and accepted:

> (1) Until the legislative scheme now under consideration was first posed the need to fix boundary lines of this kind for Australian offshore areas had never arisen. *Unless, however, the Victoria-South Australia boundary line is fixed—the legislative scheme will suffer a total collapse.*

We could not afford that: it would be hopeless. In fact, if the legislative scheme collapsed, the results to South Australia in the control of offshore areas as regards oil exploration would be utterly disastrous. The White Paper continues:

> (2) The letters patent passed under United Kingdom legislation, which established Victoria as a colony, and South Australia as a province, of the Crown, contain no provision for defining offshore boundaries and no hint as to how those boundaries may be ascertained: South Australia's geographical limits on the southern side are stated simply, as follows—"on the South the southern ocean . . . including therein all and every the Bays and Gulfs thereof, together with the Island called Kangaroo Island . . ." and its geographical limits on the Eastern side are stated—" . . . and on the East the one hundred and forty-first degree East Longitude . . ." The junction of these two limiting lines obviously stops short of entering the offshore area and so (putting aside Kangaroo Island and other nearby islands, which are irrelevant to this question) no help is to be derived from this legal source. The letters patent relating to Victoria reveal a substantially similar type of limitation of that State's territorial boundaries.
>
> (3) There is not, and never has been, in existence any rule of law—international, constitutional or domestic—through the operation of which a boundary line can be authoritatively laid down.
>
> (4) As far as can be judged, there is no tribunal in existence having jurisdiction to hear and determine a dispute of this kind between South Australia and Victoria.
>
> (5) If a boundary line is to be fixed, it can only be by negotiations and agreement between the two States, and, in the

resolution of their differences, the States can be guided only by the sort of considerations which an arbitrator would invoke if a settlement was left for him to work out. It must be emphatically stated that it is wholly wrong to examine any suggested solution for the ostensible purpose of discovering whether either State has "given away" more territory to the other than is warranted. As has been pointed out above, no State *has* any territory in that offshore area to give away, and if rights only of exploration and exploitation are to be considered and apportioned, it is far from certain whether it is the Commonwealth alone, the States and the Northern Territory alone, or all authorities conjointly, who is or are, in strict law, capable of exercising and enjoying those rights. Any solution must, it seems, be worked out in the light of those considerations which would appeal to the fair and reasonable man of affairs having in mind (amongst other things) the extent and nature of the relevant offshore area in dispute (including its geographical features), the exigencies of mining operations out to sea, the practical difficulties of mining administration, and the principles upon which the whole legislative scheme, in general, and the common mining code, in particular, are founded.

Much work has already been done on the whole problem, and considerable progress has been made. It is hoped that a solution is not far off. The final decision, however, must rest with the Governments concerned who will view the problem not in the light of the interests of the two States alone, but with the good of the whole of Australia in mind. The merits of any agreement between the two Governments on the boundary line can only be fairly assessed by those whose judgment is not based on purely parochial interests.

The Hon. G. G. Pearson: Have the other offshore boundaries, such as the boundary between Victoria and New South Wales, been fixed?

The Hon. D. A. DUNSTAN: Yes, the boundaries between all other States have been fixed and I shall make available to members the details on that matter. Members may inspect these in the office of the Clerk, where there is also displayed a technical map worked out by the surveyors and an explanatory map, which I suggest be displayed later in the House to give the members the general effect of the boundary line on the structures known to exist as a result of investigation on gas or oil offshore exploration. Members will see from the details worked out by the surveyors in relation to every other offshore boundary that in every one of those agreements the median line predominates. That would have been taken into account by any arbitrator who was fixing this boundary.

We could not gamble that. We had to get the best result available, and we have done that. The whole of the inshore interesting area that comes from a structure mainly in South Australia is preserved to South Australia. There is further offshore an interesting area that is attached to a structure mainly on the Victorian side of the meridian line, but we got most of that also. In the rest of the disputed area, it is not considered, on the information now available, that there are any interesting structures for oil or gas exploration whatsoever. This, in effect, preserves South Australia's interest to a great extent. We have gained much out of this.

The Hon. G. G. Pearson: Exploration isn't complete, is it?

The Hon. D. A. DUNSTAN: No, but the preliminary surveys reveal nothing of interest. We know that these two structures exist and, under this arrangement, we retain most of the inshore area that is in the economically exploitable area.

The SPEAKER: Order! The time allowed for the Ministerial statement has expired.

The Hon. D. A. DUNSTAN: To enable me to complete the statement so that members may have the information they require, I ask that I be granted leave to complete my statement.

Leave granted.

The Hon. D. A. DUNSTAN: Mr. Wells, who prepared this White Paper, has been involved in long, complex and difficult negotiations for four years on behalf of the previous Administration and this one. These negotiations extended not only to offshore boundaries but also to the whole business of legislation that would preserve the rights of the States in the offshore area and give certainty of title to our offshore oil lessees. Such certainty of title is vital to them, especially as an offshore oil-drilling rig is now about to start exploration in the offshore area beyond territorial waters. It must be clear from this White Paper that, unless agreement could be obtained among all States and the Commonwealth, the whole scheme would founder. The Commonwealth made perfectly clear that, if the scheme foundered and there was no agreement by the States and the Commonwealth, the Commonwealth would legislate unilaterally.

The dangers to us of such legislation, which are clearly stated in the White Paper, could have disastrous results for the Administration of this State. Therefore, it was essential that

we arrive at a solution to the problem urgently. As I have said, the solution that we arrived at was the best that could be obtained for this State. It has preserved to South Australia most of what this State was contending for. It has given to Victoria something that that State was contending for, but I and all others who have been involved in the negotiations consider that South Australia has got a very good deal. The disasters that would result from following any other course at this stage were such that a Government would have been irresponsible not to have concluded an agreement that could give so much benefit to this State.

The Hon. Sir Thomas Playford: Will we have an opportunity to discuss this?

The Hon. D. A. DUNSTAN: Yes, I shall provide such an opportunity for members.

Mr. Hall: In what form?

The Hon. D. A. DUNSTAN: I shall discuss that with the Leader and see what we can work out.

GAS

Adjourned debate on the motion of Mr. Hall:

(For wording of motion, see page 844.)

(Continued from August 9. Page 1188.)

Mr. HUDSON (Glenelg): Last Wednesday, I was starting to develop the point that the western route could well jeopardize the provision of a lateral branch line from the main line to Wallaroo, and that, if the recommendations of certain Opposition members and certain interested parties in northern towns were followed, it could lead to a situation where the provision of a nitrogenous fertilizer industry in Wallaroo would be jeopardized or, at least, seriously delayed. The reason can be explained clearly. First, the western route involves a higher initial capital cost, and as any capital cost leads to depreciation and interest provisions, which have to be met from year to year, the western route involves higher initial running costs: significantly so if there is no initial demand for natural gas in Port Augusta, Whyalla, or Port Pirie.

At present, no honourable member can legitimately claim that there is any substantial industrial market available to be tapped in any of those towns. As has been explained by the Premier, by the Minister of Education, and was argued by me last week, the Broken Hill Proprietary Company Limited has indicated that, at this stage, it is not interested in natural gas, and the Broken Hill Associated Smelters Proprietary Limited has no demand for it. The whole of the increased cost of the western route, without a lateral to Wallaroo, would have to be met initially out of the running revenues of the pipeline authority. If the initial demand for natural gas in Adelaide were 10 billion cubic feet a year, an increase in price that would be necessary in order to cover the extra capital costs of going the western route could be 2c a thousand cubic feet. This could jeopardize the viability of the whole project: it could mean that agreement between the producers and the Electricity Trust could not be obtained: it could conceivably lead to the abandonment of the project if that agreement could not be reached.

Does the Leader of the Opposition appreciate that point? Does he want to appreciate it, or, with other semi-political figures in northern towns, does he want to deliberately mislead people in the northern area as to the true facts of the situation? A further point needs to be made, and I best illustrate it by means of an analogy with the Electricity Trust's operations. We are aware that I have referred previously to the fact that a considerable percentage (now as high as 60 per cent) of the trust's capital development programme is financed from internal sources. As the pipeline authority develops its business, a greater percentage of the capital development programme of the authority will come from internal sources, from any surplus earned, and from depreciation. That is, from the outset the authority will need to make provisions for depreciation that will not be immediately required to be used for replacement purposes, and could be available for further capital development as long as the revenue is obtained to cover this provision.

The depreciation provisions made by the authority, if sufficient revenue is earned to cover them, could be used to build, or help to build, a lateral to Wallaroo in order to assist to establish a nitrogenous fertilizer industry. But, to the extent that operating costs are increased, if we accept the idiotic advice from the Leader of the Opposition then the depreciation provision needed to be made by the authority will not be made, and funds from that internal source will not be available to build a lateral line to Wallaroo. For these reasons I state categorically that if we accept this motion, and if we accept the advice of the Leader or of his cohort, the member for Light, or if we accept the advice of some would-be experts in northern areas,

we would seriously jeopardize the whole project and jeopardize the construction of a lateral line to Wallaroo.

It is absolutely essential for the success of this project that it get off the ground in the most economical way, and if it does that the authority will be able to build up funds to assist in further capital development. We have heard Opposition members mutter on numerous occasions, and hold forth in lengthy speeches, about the importance of cutting down costs, and they tell us that in no circumstances should we increase taxation that will raise business costs. When we take action to ensure that natural gas will be made available initially in Adelaide, and ultimately throughout the State (and particularly in Wallaroo, Port Pirie, Port Augusta and Whyalla), at the cheapest possible cost, for political reasons we are told that we must take the route that costs more: for political reasons we are told to delay the project and to refer it to the Public Works Committee: all for political reasons that the Liberal and Country League is interested to promote.

I refer to what I can only call garbage to be found in the political gutter, and that is to the reports that appeared in the Port Pirie *Recorder* on Friday, August 11 and in the Port Augusta *Transcontinental* on Thursday, August 10. In the *Recorder* the heading of the report implied that northern politicians had sold out their electors, and in the *Transcontinental* the report was headed "Politicians have sold out their electors". The report was concerned with a statement made by the Chairman of the Port Augusta Chamber of Commerce (Mr. R. Varcoe).

Mr. Hurst: He'd be an authority, wouldn't he?

Mr. HUDSON: It was suggested that politicians in the northern areas (in this case, all Labor politicians) had sold out on their electors because of their Government's decision to build the natural gas pipeline east of the Flinders Ranges. I hope my remarks will be reported by those fair and just newspapers in Port Pirie and Port Augusta! The sort of statement that has appeared is the lowest form of political garbage. I challenge the proprietors of those two newspapers to report the facts, that is, the statement made by the Premier concerning the costs of the two routes, and the numerous speeches and statements that have been made in this House, and not to use their newspapers for political purposes in order to try to make trouble for the Labor Party in those districts so that life will be made easier for the L.C.L.

As members know, I have just returned from the United States of America, and one of the most impressive things about that country is, first, the standard of its reporting and its television newscasts and, secondly, the overall standard of the press which is considerably higher than ours. We hear much criticism about the United States, but the sort of thing to which I have referred just would not appear in the U.S. press, not even in the Hearst press which, I suppose, has one of the worst reputations in the world. This sort of accusation, without any attempt to print the other side of the case, would not be tolerated, but it is tolerated in Port Augusta and Port Pirie. I charge the newspaper proprietors of the Port Pirie *Recorder* and the Port Augusta *Transcontinental* with allowing their pages to be used for direct political purpose by the L.C.L. and its members, with the obvious intention of trying to upset the Labor Party in those areas, but without giving any attention to the facts.

I do not mind a newspaper stating in its editorials its views on any matter of politics, but when the ordinary news columns of the press are not merely used but abused for political purposes, and when the true facts of the situation are not stated, it is time for honourable members to protest. I hope members opposite will join in the protest, and I hope the member for Mitcham (that great lover of freedom) will raise his voice in protest at the kind of shenanigans carried on by the newspaper proprietors at Port Pirie and Port Augusta.

Mr. McKee: He is very unlikely to.

Mr. Langley: I wouldn't be in on that; he couldn't be trusted.

Mr. HUDSON: Mr. Varcoe suggests that he doubts whether any adequate survey has been undertaken on the western route, but that just is not true. While I was in San Francisco I had discussions with people working for the Bechtel corporation, people who had been associated with the survey carried out for the South Australian Government, and I told them that it was stated in certain parts of South Australia that the western route had never been surveyed and, secondly, that the fact that the western route for part of its length was closer to the Leigh Creek railway line was never considered. I was told that that was not true. The western route has been surveyed; a careful and systematic study of the whole matter was undertaken; the nature of the ground was fully studied; the fact of

access to the railway line or the need to build roads was studied; the estimates of the alternative costs were taken out; and it was shown that the eastern route was cheaper not only in relation to supplying Adelaide and getting the programme off the ground but also supplying a lateral to Port Augusta and Whyalla. At any stage in the provision of gas for Port Augusta or Whyalla the eastern route would allow for cheaper natural gas.

When we think about the problem of taking a large pipeline on a circuitous route or on the most direct route and building laterals, common sense must apply. I believe the Leader of the Opposition, in moving this motion and in making the statements that he has made, has associated himself with the kind of political garbage that is contained in the statement made by Mr. Varcoe and printed in those two northern newspapers. I hope honourable members opposite will now get up and dissociate themselves from that. If they do not, we shall know what to think when they next talk about freedom, the right to express oneself, the right to have one's views published, and the right for opposing points of view to be published. The implication is clear from the remarks made by the member for Torrens that he will accept the fact that the eastern route is cheaper and that if we desire to have gas available in Adelaide and ultimately also in country towns at the lowest price, we must approach this problem in the most economical fashion. If we do not, we deserve to stand condemned.

I hope the Leader will withdraw the motion because, as the Premier has stated, negotiations between the Electricity Trust and the producers have been proceeding; we hope that finality will shortly be reached; and once that occurs we can commence, I presume, with the letting of the contract for the pipeline. Do members opposite really wish to delay the construction of the pipeline by referring this whole matter to the Public Works Committee? Is the member for Onkaparinga prepared to say that, at the cost of delay, he wants his committee to investigate the matter? Does the honourable member think that his committee has any special expertise in relation to these matters? Can he say that he will be able to cover ground that has not already been covered by the Government, the Bechtel corporation or the Mines Department?

Mr. McKee: He could get some information from Mr. Varcoe.

Mr. HUDSON: I have no doubt that if members of the Public Works Committee cared to cross-examine Mr. Varcoe, his evidence would be thrown out altogether. I am talking about evidence that is worth listening to in respect of the assessment, for example, of industrial markets. Hasn't the Mines Department done this? Didn't Bechtel Corporation, in proposing a certain route and stages under which it should be built (stages for looping, the building of additional compressor stations, and so on), do this? It used that information as its basis and then computerized the whole project in order to work out the best possible and cheapest size of pipeline—18in. as against other sizes. It also worked out the best possible programme for the introduction of compressor stations and for looping.

Surely no member opposite is trying to tell the House that all this ground has not been thoroughly covered already. With the information that has been given to the House in the White Paper and the various statements of the previous and current Premiers, any application of common sense in studying that information should convince any member who does not want to play politics on this issue that the Government has made the right decision. Will the member for Onkaparinga get up and tell the House that a reference to the Public Works Committee is desirable in these circumstances if it will lead to a delay of the project, thereby incurring increasing costs? What about Chowilla?

Mr. McKee: It will finish up like that.

Mr. HUDSON: Don't members opposite want us to proceed with this project in all possible haste in order to avoid an inflation of costs that will throw the whole proposition out of court? Members opposite must know that this project is finely balanced. If they do, and if they are interested in the proper development of South Australia, then this motion would never have been brought before the House. I refer to an interesting article entitled "Natural Gas in Australia", written by Professor Hunter of the Australian National University, which appears in the current issue of *Australian Economic Papers*. I will quote from this article because Professor Hunter points out that South Australia looks like achieving a more favourable pattern of natural gas prices than does Victoria, although Victoria is more favourably placed. He says that:

It has been stated by the Victorian Government in the financial press that initially, for about five years, the field price (in this case a shore price after treatment of the gas to remove condensates or impurities) will be 3.0c per therm—

that is, about 30c a thousand cubic feet—and the city-gate price, after transmission, 3.33c.

Again, that is approximately 33.3c a thousand cubic feet. Continuing:

In the second five years of operation it is contemplated that the corresponding prices will be around 2.6c after treatment and 3.0c at the city gate. Thus for the first years of operation Victorian prices are likely to be about 85 per cent or more above the prices which would obtain in a similar situation in North America. The city-gate price will be equal to the *maximum* price, 3.3c, proposed by Hetherington in his report to the Victorian Government as being the most appropriate for a full exploitation of the potential gas markets of the State. It is certainly a higher price than some development-minded gas companies would like to see established in the first major Australian market to experience natural gas. And, for what this comparison is worth at this stage, the field price will be 66 per cent greater than the equivalent shore price proposed by the gas council in Britain for supplies from the principal North Sea producers.

Professor Hunter a little later goes on to say:

The South Australian Government now appears confident that it will see an *average* city-gate price negotiated at something significantly lower than 3c per therm—probably around 2.75c per therm.

compare that with the initial Victorian price of 3.33c per therm—

Even allowing for the high-volume loading provided by the supplies for the Electricity Trust, 63 per cent of the total, the South Australian Government appears to be about to sponsor a more favourable price structure than Victoria from what is basically a less favourable situation.

That is a comment by one of the leading industrial economists in Australia. That last sentence is very important, and I do not think members opposite have given this Government the credit that Professor Hunter is prepared to give it. That article should be available in the Parliamentary Library, and I hope that members opposite, particularly the Leader of the Opposition, will read it because I am sure they will get much from it.

Mr. Burdon: Do you think it would put some substance into the Leader's speech if he studied it?

Mr. HUDSON: I think that if he studied the article and read the information the Government has made available to the House, he would ask leave to withdraw this stupid motion and say, "I have wasted the time of the House. This motion is quite wrong. It would be criminal folly for the House to carry it." I hope that he may yet do that.

Mr. Jennings: And leave would be granted.

Mr. HUDSON: I am sure it would, and I hope that when he does it he will dissociate himself from the statement of Mr. Varcoe. One further important matter to which I would like to refer is that of the load capacity in the use of the pipeline. I was able to discover much information on this matter in the United States, and I think the experience of producers there is of considerable value to us. First, unless we can ensure that the pipeline has a very high load factor, we shall not be able to reduce the average cost of transportation of gas to the lowest possible figure; and, compared with the United States, we have certain disadvantages when it comes to ensuring the highest possible load factor. However, we have one major advantage: generally speaking, in comparison with major United States industrial centres, we have a much more favourable climate. In the American terminology, we experience fewer degree days in South Australia than they experience in America. Therefore, that source of fluctuation in domestic demand will not be as great in South Australia as it is normally in America. In America, because of the severe winter in comparison with the summer temperatures, the extent of variation in the domestic demand for natural gas, as between winter and summer, is great. In the Wisconsin-Michigan area, for example, the demand for natural gas on a peak day in the winter can be double the demand in the summer. If there are no means of evening out fluctuations, this would require the building of a pipeline to cope with the peak winter demand. That would mean 50 per cent of the capacity of that pipeline would not be used in the summer.

If there is a short pipeline (that is, if it is located only a short distance away from the main natural gas-producing centres), the cost of extra capacity in the pipeline is not great. However, if, as in America, a place is located about 1,500 to 2,000 miles from the natural gas source, then the cost of extra capacity for that distance can be great indeed. In South Australia, we will be about 500 miles from the natural gas-producing areas and, as we are building an 18in. pipeline which gives a higher unit cost of transportation per 100 miles than would a 36in. or 40in. pipeline, for demand reasons or reserve reasons we are forced into building an 18in. pipeline even though we have a shorter distance. Because we will have a slightly higher unit cost of transportation for natural gas, any extra capacity that there is in our natural gas pipeline will be costly.

In northern centres in America, there are old natural gas wells that the pipeline companies or the gas distributing companies can use for storage. In the summer, gas is piped into these underground storages and removed in the winter. This means, first, that extra gas is available in the winter without building a bigger pipeline all the way from the natural gas source and, secondly, that more of the capacity of the pipeline is taken up in the summer. The Michigan-Wisconsin pipeline company is able to double its capacity to supply gas in the winter as against the summer by the use of the natural gas underground storage reservoirs that it has available to it, particularly in Michigan. These underground reservoirs are fairly well located.

In New York City, the Con Edison Company relies mainly on interrupting the supply of natural gas to its power plant. The Con Edison Company, like the Pacific Gas and Electric Company in San Francisco and Northern California, has both the power and the gas franchise. By cutting off natural gas from its power stations in the winter and putting its power station on interruptible supply, the Con Edison Company in New York is able to even out the greater part of the fluctuation in the demand for natural gas brought about by seasonal factors. In other words, the increased demand for domestic purposes in New York City is partly supplied by reducing the quantity of natural gas made available for power generation.

The same procedure is followed in San Francisco but in Northern California, in the franchise area of the Pacific Gas and Electric Company, there are two additional advantages. First, there are old underground storages that were previously natural gas-producing wells. These are used for storage purposes. Secondly, there are still natural gas wells supplying natural gas near San Francisco. These wells get the same price as that paid for interstate gas. For example, if the gas from Texas or Canada supplied in San Francisco or California is about 30c American a thousand cubic feet, then those producers of natural gas who can still make supplies available in California near San Francisco get the same price, whereas normally they would get only about 18c. In return for this, the natural gas producers near San Francisco do not supply gas in the summer but supply gas into the pipeline systems in the winter. In other words, they allow their natural gas reservoirs to be used in the same way as storage reservoirs, with the exception that there is no need to pump or pipe additional natural gas into the reservoir in the summer. All that is done is that any natural gas that is taken out from these reservoirs is taken out during the winter months.

If, in America, these natural gas reservoirs were over an interstate border that would not be possible, because the prices of natural gas would then be subject to regulation by the Federal Power Commission, as is the price in Texas of natural gas from Canada. Because these producers of natural gas are intrastate within the State of California, this practice of giving the local producers a special rate off on condition that they supply gas only in the winter months is accepted and is permitted by the local State Utilities Commission. In some areas in America they are able to use aquifers for the storage of natural gas, and that practice is becoming more common. In addition, in the areas that are more distant from the natural gas reservoirs (and this, in general, is in excess of 1,500 miles), it is now becoming an economic proposition to use part of the excess capacity in the pipeline in the summer months to pipe additional natural gas, which is liquefied and then held over until the winter months when it is pushed back into the local distribution system. As this is a fairly expensive process, it is only when the local price of natural gas rises to fairly high figures that it becomes economical to do this. In addition, there is some development in America of L.P.G., which involves the liquefaction of certain of the gases at the natural gas-producing areas themselves and then the transportation of the liquid to the demand areas by means other than by pipeline.

All these means are in use in the United States. However, in South Australia, we do not have old, unused natural gas storage reservoirs near Adelaide. The few aquifers that we have may be used but that would not be conceivable at this stage, because they are still being used for other purposes and I hope that they will continue to be so used. The gasholders around Adelaide could do little to solve the storage problem. This means that, if a considerable seasonality develops in the demand for natural gas in Adelaide (and I think there is a distinct possibility of this because of the great advantage of natural gas for heating arrangements) we may experience a relatively low-load factor in the operation of the natural gas pipeline. That low-load factor must be avoided at all costs.

Once we reach capacity in the use of the pipeline, it will be necessary to provide for

interruptibility in the supply of natural gas for power generation, because that is the only way we can even out any seasonal fluctuations in this State. We shall not be able to justify, on our scale of operations, the piping of additional natural gas in the summer months and the liquefaction of that natural gas in Adelaide for use in liquefied form in the winter months. That will not be an economic proposition. It is of vital importance that the Government, in its planning in future years, will have to give careful attention to the full integration of the operations of the Electricity Trust with the domestic supply of gas so as to ensure that we get as high a load factor as possible on the natural gas pipeline by interrupting supplies of natural gas to the trust on peak days in the winter months. If we do not do this, we shall not be able to get the basic transportation costs of gas down to the most economic level.

In the United States the average transport cost of gas is about 1¼c, a thousand cubic feet for each 100 miles of pipeline. That is about 7½c American (about 7c Australian) for the transportation of 1,000 cubic feet of gas a distance of 500 miles. We expect a transport cost from Gidgealpa and Moomba to Adelaide, if we price capital at its commercial price, of about 13½c a thousand cubic feet, which is much more than the American figure. Much of the reason for this is that we have not at Gidgealpa and Moomba the reserves to justify provision of the much larger 36in. pipeline. If we had those reserves and the market in Adelaide, the transport costs from Gidgealpa and Moomba could be reduced significantly. However, as that is not the case, the Government took the view that it was proper to get cheaper finance and thus reduce the transport cost.

We expect a transport cost of about 9½c or 10c a thousand cubic feet for the 500-mile journey from Gidgealpa and Moomba, as against an American figure of about 7c Australian. So, we are at a relative disadvantage compared with the United States. In conclusion, I again refer to the finely-balanced nature of this project. Our transportation costs will be higher than those in the United States for a similar distance, as I have explained. The Government of South Australia will still be able to supply natural gas to Adelaide at an average city gate price lower than the price in Victoria and, as Professor Hunter points out, the initial advantage is so much greater, and the Government is to be congratulated on that. Does not the fact that we shall start off at an advantage in comparison with Victoria, although our cost of transport is higher than it ought to be on the basis of American standards, underline that we have to conduct this project in the most economical way possible? Does it not underline that it is a finely balanced project? Does it not underline that this motion is a great load of political nonsense, designed purely for political purposes and not to make any constructive contribution to the problems of South Australia?

Associated with the motion is further political nonsense being carried on outside, particularly in the northern towns where, as I have already said, the newspapers have been publishing political garbage and not making available to their readers the true facts, not making available the statements made by the Premier or any other information that the Government has given. The people associated with this must know that they are talking nonsense. The Leader of the Opposition must know that the motion is just a political gambit designed to try to get a few votes at any cost. Opposition members take the view that it does not matter what they say as long as they get a few votes: they will worry about the consequences later.

I know that there are members on the Opposition side who do not approve of this sort of tactic. They have indicated that by the kind of remark they have made in the House, and I hope that those members will ensure that this sort of political chicanery stops and that this motion is withdrawn so that we shall not have to vote on it. If the Leader does not withdraw his motion, I hope that it will be defeated by a resounding majority and that those Opposition members who have a real respect for honesty will support the Government in defeating the motion.

Mr. SHANNON (Onkaparinga): I, although in fear and trepidation after hearing the travelogue from my well-travelled friend from Glenelg, shall take a risk with him, anyway. I say first for the benefit of the honourable member that, if the motion in his opinion merits little consideration, he has taken a long time to tell us.

Mr. Hudson: I also spoke about other things.

Mr. SHANNON: I am surprised that the honourable member laboured the question for so long if it did not merit such a reply, as it seems that there is something to be said for the motion. The honourable member quoted Professor Hunter as saying that South Australia

seemed about to be responsible for getting a favourable contract in this State. That does not seem definite. If the matter had been referred to the Public Works Committee I should not have relied on that evidence. Fundamental questions would have been the cost of gas at the wellhead, how much we were paying the promoters of the field, and the cheapest method of getting the gas to its destination.

We do not know whether the promoters are being recompensed on the basis of the total cost, including the large sum from the Commonwealth to assist in the search for fuel. The company has benefited because a large percentage of its overall costs was granted to it by the Commonwealth Government. That aspect should not be considered when assessing what the company should be paid as recompense at the wellhead. I have been informed that, in the near future, Australia is likely to need supplies of fertilizer in larger quantities, because of the increased demand. It may be desirable to conserve our natural gas to be used for nitrogenous fertilizer production rather than use it for a source of power. Britain leads the world in the nuclear power field, and the cost of this power is coming closer to that of old-fashioned methods.

Mr. Casey: It has something to do with the size of the plant.

Mr. SHANNON: Although the Torrens Island power station is to be converted to use natural gas instead of fuel oil, perhaps it should be converted to use nuclear power. These factors should be examined in the light of our needs. There will always be a great demand in this State for soil improvement, because a small percentage only of our land is highly fertile. We have to help produce foodstuffs from our soil. In the last decade oil refineries have been established in practically every State, and a by-product of these refineries is fuel oil. If industries use natural gas instead of fuel oil the demand for oil will be greatly reduced. It cannot be stockpiled or be sent overseas to be sold, and its future as a source of power remains to be seen. The member for Glenelg was a little brash in using assessments of costs that, after all, were assumptions only. He used American standards for our needs, but there is no analogy.

I do not wish to embarrass the Government in its negotiations with the Electricity Trust, but I am sure that members of the trust are not unmindful of a cheaper source of power than natural gas. Why is the trust taking so long to agree? Is it being unreasonable in the negotiations for a price for natural gas? This aspect raises a doubt in my mind whether cheaper electricity will be available by using natural gas as a source of power instead of continuing to use fuel oil at Torrens Island. Perhaps members of the trust may know more than we do, and more than they can make available to the public, about the future price of fuel oil. The trust is a business undertaking, and we must admit that its cost structure has been a tremendous help to South Australia's development. I should hate to think that we forced on it an agreement concerning a type of fuel that put it at a disadvantage in the future with regard to the cost of power for the whole of our industry. In addition to industry, I point out that virtually every man on the land today enjoys cheap power, which has assisted him tremendously in relation to his own cost structure. Nobody should be a party to forcing an issue in respect of which not all the facts are known.

The member for Glenelg rather hinted that I might be embarrassed if this matter were placed on my plate for investigation. I assure him that I am not nearly the expert he is in a field that he has recently entered. I do not claim at any time to be an expert, and I do not think a committee of investigation is a good one if it comprises experts only. Such a committee should be able to assess fairly the value of the evidence tendered; it must know where to seek the information required and where it will receive the most help and guidance. I assure the member for Glenelg that my committee would not be embarrassed by an investigation of this magnitude. Indeed, we have undertaken bigger investigations, for example, the duplication of the Morgan-Whyalla main, in respect of which, despite certain submissions that we received, we were instrumental in saving much expenditure.

Further, I do not know that the Chowilla dam project could not have been referred for investigation by the Public Works Committee; although dams of that size are not common, let us not forget that South Australia's financial obligation represents only a quarter of the total cost. Had it been thought desirable to have the gas pipeline investigated by the Public Works Committee, I point out that the committee would have reported on the matter well in time. We would have been probing matters with the people who are at present possibly making it a little difficult for the Government to reach a proper decision on the price of the gas. We have been known in the past to bring big vested interests to heel to some

extent, contrary to what some Government members may think.

I am a great believer in a fair deal. Although the original price quoted by the organization that was to construct the Ardrossan bulk handling facility was 3c a bushel, with no sliding scale at all, I point out that, by negotiation, we had that sum almost halved. No trouble has been experienced in filling those silos; in fact, at times they have not been able to accommodate all the grain. An investigation into the gas pipeline could well result in greater confidence on the part not only of Parliament but of the people who must find the money—the taxpayers.

I have yet to hear of a report brought down by the Public Works Committee that has been criticized, and that is some indication of the assiduity of the committee and its ability to sift evidence. The committee has built up a reputation for that in relation to nearly every Government department. In fact, we have considered projects concerning which a department has really encouraged the committee to get its teeth into the matter; the department has said, "We are not too sure that we know all the answers; ask all the questions you like, and be as searching as you can." For these reasons I believe the Public Works Committee could satisfactorily inquire into the pros and cons of this gas pipeline. If, in the upshot, it is found that our supply of electricity for the State can be more cheaply produced by some other form of fuel such as fuel oil—

Mr. Casey: How about nuclear power?

Mr. SHANNON: That will come, but in the immediate future can we beat the cost of fuel oil in the production of electricity? If we cannot, then we will have to look for another productive outlet which will entirely alter our approach to the gas pipeline. I do not think it is necessary to bring the gas to Adelaide for that purpose: it can be taken to the nearest point for the manufacture of fertilizer, for instance, Wallaroo, Port Pirie or Port Augusta. If the use of gas to produce electricity had been a simple matter, we would have had a decision from the trust long before this. The South Australian Gas Company has come to terms, so why has not the trust been able to do the same? I do not know the answer to this problem.

I thought the member for Glenelg was a little rough on the country press. After all, if there is one thing we can pride ourselves on about our press it is that they are free to express their opinions on any subject. I am not an avid reader of the country press, but I consider it is very unwise to take the press to task for something with which one does not agree. After all, I frequently disagree with what the *Advertiser* has to say, but I do not write letters to the press every time I disagree with something in it. It is the right of the press to offer informed and constructive criticism and, if we cannot take such criticism, it is a sign that we have no case. If I were investigating this project, my first effort would be to find a chink in the armour of the person submitting the project, so that I could see whether what was being said was fundamentally sound. That is all the press has sought to do.

Our country press serves many people who have not the opportunity of reading the *Advertiser* when the news is fresh. The country paper, too, has many reports of local interest, and it gives a marvellous service. I was disappointed that the member for Glenelg took it to task as he did without, I thought, real justification. After all, I suppose the writer of the article to which the honourable member referred thought he was right. The member for Glenelg suggested that the Leader should withdraw his motion and go down on his hands and knees and apologize for moving it, but I consider that the honourable member was childish in suggesting that; indeed, I considered when he suggested it that his mind might have been a little warped. Had this project been referred to the Public Works Committee, it would not have been held up for very long. We have been less busy in the last 12 months regarding important projects than we have been possibly at any time previously. Any committee of investigation prefers to have something it can get its teeth into and do homework on, rather than having the run-of-the-mill stuff which, after a while, becomes drab and boring. The committee would have welcomed an opportunity of having a stab at the pipeline project, and I have sufficient confidence in its members to say that I do not think we would have disgraced ourselves.

Mr. CASEY secured the adjournment of the debate.

RURAL ADVANCES GUARANTEE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from July 26. Page 850.)

The Hon. J. D. CORCORAN (Minister of Lands): This Bill, which was introduced by the member for Flinders, contains two proposed amendments. The first is to insert the word "market" in section 3 (2) (*a*) of the

principal Act in order to provide that the Land Board is required to certify that the amount to be paid for land is no greater than the fair market value. The relevant term now in the Act is "fair value of the land". I think most members, if they turn their minds back to 1963 when the Bill for the principal Act was introduced in this House, will remember that members stated that great care would have to be taken in the valuing of this land because the Bill's intention then was to provide an opportunity for people, who were not able by any other means to obtain land, to do so. I can well remember the warnings given by the then Premier, Sir Thomas Playford, and in this connection I wish to quote from *Hansard* of 1963, page 1525; *inter alia,* Sir Thomas Playford stated:

We must guard, in this scheme, against overvaluing land. Some members have criticized the requirement of the Land Board's valuation, but frequently today land prices are inflated and beyond what a person can afford to pay and still make a profit from the land. Would any member advocate that we pay so much for the land that the settler cannot succeed and gets into trouble?

The then Premier was supported by some other members in this connection and it was stated that the Government could not, in valuing land, subscribe to an inflated value. Therefore, the responsibility for the valuing of this land was left in the very capable hands of the Land Board, and I agree with the present member for Gumeracha who, when Premier in 1963, stated that the Land Board was an independent, competent and experienced body.

I point out that the Land Board collectively has wide practical experience in soil surveys, irrigation, land development and all phases of valuing work. All five members are qualified and experienced valuers and, in addition, one member holds a degree in agricultural science and the Roseworthy Diploma of Agriculture. Two other members hold Roseworthy Diplomas of Agriculture. Now, members may say, "What has this got to do with the restriction that is placed upon them under the Act?" I notice that the member for Flinders stated in his second reading explanation that two difficulties have been created (he was speaking about both amendments, but I am at present only speaking about one amendment); he said:

First, the land has a value in excess of the value that the Land Board can fairly apply to it under the interpretation of the relevant clause of the Act as it stands.

Now, I do not know where the member for Flinders has gained his information concerning the interpretation that is placed on this section of the present Act by the Land Board, because I have been informed by the board that the value it places on land for the purpose of acquiring land under the Act, or for the purpose of settling people on the land under this Act, is indeed fair market value. The honourable member, therefore, is possibly amending the Act to make the interpretation clear. I have no argument with this because, if this is the case and the Land Board is in fact applying this principle to its valuations at present, I do not see any objection to the word "market" being included in the relevant section of the Act.

The board, as I have already stated, is a competent and independent body, and I think all members of the Land Settlement Committee, who investigate the applications that come before them, would agree in every case with the Land Board in respect of its valuations. It is interesting to note that the number of applications under this Act that have been rejected as a result of the price being excessive is only 18. Of the 104 applications granted, to date only one has failed. I suggest that the board's action in this connection would have been entirely correct, because those people who were applying for land would not have been able to make a go of it if they had had to pay the price demanded of them.

I think we should be clear about the definition given by the Land Board in respect of "market value". Most members, of course, have some idea of what "fair market value" means. I am told that the nearest practical definition is as follows:

Market value is that value determined, having regard to sales of comparable land in the locality after making due allowance for any special circumstances which may have attached to any such sales.

In other words, it is the figure at which a willing, but not anxious, vendor and purchaser would be prepared to agree upon. Again, I think that honourable members would agree with this definition. It would be entirely wrong for a person to pay far in excess of the value of the land; I know of many instances of this and I am certain that all members are aware of instances in their own districts. That could not then be considered to be a sale that would be taken into account when considering recent sales in order to strike a fair market value in that particular area (and I am talking of a comparable area). Generally speaking, I do not object to making this provision clear, because that is all that the Bill will do. The Land Board has always applied this principle to its valuations of land

to be applied under the Act. The member for Flinders may disagree because, in his second reading explanation, he said that the interpretation he thought was being applied at present did not extend to fair market value.

The Hon. G. G. Pearson: I had some examples, although I did not quote them.

The Hon. J. D. CORCORAN: I should have appreciated hearing those examples because I might have been able to give the honourable member reasons why the Land Board rejected the applications concerned. The board has rejected 18 applications on the grounds that the price has been excessive.

The Hon. G. G. Pearson: I am not quarrelling about what the board has done; I seek to put the Act in better shape.

The Hon. J. D. CORCORAN: The honourable member will be pleased to know that I do not object to this word being inserted in the Act; this will spell out clearly the provision and, in accordance with the Act, provide that the values will be fair. The Bill also seeks to insert the words "with further development" in section 3 (2) (*d*). Therefore, the Director of Agriculture will be required to report that the land is, or with further development would be, adequate for maintaining the applicant and his family. Generally speaking, I think it would be fair to say that, in practice, the board has followed this procedure. Indeed, as recently as last week I saw an application involving this very matter. Part of the property concerned had been developed and was producing. The largest part of the property was capable of further development: the potential was there. That application was accepted and has now probably been forwarded to the committee for its consideration.

I do not know how far the honourable member wants to go in interpreting the words he desires to add. I could not accept them if they were to mean that an applicant could hope to apply successfully regarding a block which was completely undeveloped (although the potential was there), and which would not be developed in the first, second, third or fourth year. The member for Flinders knows as well as I do that the relative provision lays down quite clearly that applicants must be able to pay the interest and part of the principal in the first year, and they must have enough to live on in addition to that. The agricultural authority, the Land Board and the committee have accepted applications where additional outside income has been allowed to make finances budget. We do not put people out because they have not, or cannot raise from the property at the time, sufficient finance to make things budget. We have included outside income, as we think that is fair and proper; it would be completely wrong to bar a person who had outside income.

Mr. Freebairn: We have given applicants the benefit of the doubt on many occasions.

The Hon. J. D. CORCORAN: Yes. I think it is fair to say that the restrictions in the Act to which the member for Flinders referred have proved necessary because so far only one person has failed (one other is close to failure) under the provisions of the scheme. That speaks for itself. Therefore, I believe restrictions are necessary. As I said before, I am not sure what interpretation might be placed on the words the honourable member desires to insert. I believe the present Act provides for the case that the honourable member possibly has in mind. I do not want to see this provision extended because this would compel the Director of Agriculture to issue a certificate, even though he might know that a person could not budget his finances in the first, second or third years although the property had potential. I agree with the honourable member that a young person would look for a property which he could develop and which was not over-capitalized and so on.

The Hon. G. A. Bywaters: That case does not come under the scope of this Act.

The Hon. J. D. CORCORAN: Partly, it does. We have accepted cases where it has been shown that the property is partly developed and where outside income is forthcoming so that the person concerned can stand on his own feet from the first year and will be able to develop the property further eventually.

The Hon. G. G. Pearson: I think that my proposal, read in conjunction with the restrictions already in the Act, which are not altered in any way, qualifies my proposal to the extent the Minister may desire.

The Hon. J. D. CORCORAN: I do not know that that is so. I have had the matter examined; those examining it have expressed some doubt and I have some doubt whether the Director of Agriculture would not be compelled, if these words were added to this provision, to look at the matter in the light that, although a property was completely undeveloped, further development would take place.

The Hon. G. G. Pearson: The Act presently states "is or would be"; I was trying only to clarify what the words "would be" mean.

The Hon. J. D. CORCORAN: If the interpretation that the honourable member has

placed on these words were generally accepted, there would be nothing objectionable about his proposal, but I want to be certain that that is the case, and I am not certain. However, I believe that the case of a partially developed block on which further development is taking place and which will provide a good living will be adequately provided for under the present Act. That is why I have expressed a doubt and, when there is a doubt, I believe we should leave matters as they are. I am not being unreasonable about the matter. If we can improve the Act then we should do so but I believe the case in point can be dealt with satisfactorily as the Act stands. Therefore, I believe it would be better not to include the words suggested by the honourable member. However, I am happy about the first amendment included in the honourable member's Bill. Regarding the second amendment, I point out that figures from the Land Board show that a deficient budget has caused many rejections. A deficient budget is really contingent on the area that is developed on any property, and on how much income can be derived from it. We are willing to take into account additional income gained from outside and I should be pleased about anybody who could support himself in those circumstances going on that basis. I think the present Act caters for that situation.

I have no objection to the amendment about market value. That spells out what is happening at present. However, I think the inclusion of the other words could lead to the necessity for an authority to be issued by the Director of Agriculture, and that might not be desirable. If people cannot stand on their own feet on a block, we cannot have regard to that block. At present we are within the provisions of the Act in doing what the honourable member suggests we ought to do and, therefore, there is no need to amend the Act.

Mr. NANKIVELL secured the adjournment of the debate.

INDUSTRIAL DEVELOPMENT

Adjourned debate on the motion of Mr. Hall:

That in the opinion of this House, for the purpose of restoring the momentum of this State's development, the Government should immediately—

(*a*) create a Ministry of Development;
(*b*) appoint a Director of Development; and
(*c*) form an Advisory Council of Development,

which Mr. Casey had moved to amend by leaving out all the words after the word "House" and inserting in lieu thereof the following words:

the Government is to be congratulated on its initiative in industrial development in—

(*a*) setting up a Premier's Department for this purpose;
(*b*) having appointed a Director of Industrial Development; and
(*c*) having announced its intention to create an Industrial Advisory Council and its support for an Industrial Research Foundation and an Industrial Design Centre.

(Continued from July 26. Page 864.)

Mr. McKEE (Port Pirie): I do not know what prompted me to ask leave to continue my speech in opposition to this worthless motion. Members will realize that the motion is a few months late, which proves that the Leader is a good follower. It was moved in the hope that it would win political favour for the Opposition. However, Opposition members now realize that it has had the reverse effect.

Mr. Lawn: They're always a bit late, aren't they?

Mr. McKEE: Yes, and they were particularly late with this.

Mr. Lawn: They were a bit late waking up to their star, Bolte, too.

Mr. McKEE: Yes, I do not think they will be visiting Victoria in the near future. While the Leader and other members of the Opposition continue to oppose legislation for the express purpose of hindering the development of this State and while they continue to wallow around in a political garbage can simply because they are bitter and sour—

Mr. Lawn: They are especially sour.

Mr. McKEE: Yes. They are sour because the people of this State removed them from Government.

Mr. Lawn: They think they have the Divine right to govern.

Mr. McKEE: I shall come to that. They would have been removed to the Opposition benches 20 years earlier had it not been for the Playford gerrymander. I think they have won only one election with a majority vote in their whole term. However, even though they are now in Opposition, they still think they have the Divine right to govern. They really believe that they are the governing class.

Mr. Burdon: The chosen people.

Mr. McKEE: The Australian Labor Party has taken the Divine right from Opposition members and is doing such a good job that the Opposition is violently concerned. It had no idea that anybody else could govern. I am afraid that the Liberal and Country League has to accept that the people have removed them from Government. I am certain that this worthless motion will also be rejected.

Mr. HALL (Leader of the Opposition): I thank members for the attention they have given to this motion, even though the member for Port Pirie thinks it is beneath his dignity and not worthy of his attention. The motion has been the subject of lengthy debate, particularly in the case of one speech, and I appreciate the remarks that members have made, although I do not agree with all of them. We know that the industrial position in South Australia has moved in the short time that this motion has been before the House and that it is worsening to an unexpected degree. The matter was taken a step further this week when we achieved the unenviable distinction of having a higher proportion of our work force unemployed than had any other State.

Mr. Hudson: Do you think the Commonwealth Government, in its Budget, should have stimulated the economy?

Mr. HALL: I have not time to develop that matter this afternoon. The member has asked a good question, but the figures do not bear out his claim. The Premier and the member for Glenelg are claiming a concession from all the Australian people in order to help South Australia. The position in this State cannot be attributed to the lag in industry that the Premier asserts. The statistics in the motor construction industry do not bear out the Premier's statement that the depressed state of motor car sales is responsible for the downturn in our economy. If the honourable member looks at the latest reasons given and the latest categories of industries that are experiencing difficulty, he will see that reduced employment in the brick, tile, cement, plaster, food, and clothing industries is responsible for the unemployment position.

Those industries are not being stimulated, because there has been a lack of activity and a flight of people from South Australia, as I ascertained today when I visited Elizabeth. If I have the opportunity next Wednesday I shall develop this aspect and answer the claims of Government members who are trying to shift the responsibility. I ask leave to continue my remarks.

Leave granted; debate adjourned.

GOLD BUYERS ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

[*Sitting suspended from 5.57 to 7.30 p.m.*]

LICENSING BILL

In Committee.

(Continued from August 15. Page 1321.)

Clause 86—"Rules of club."

Mr. HEASLIP: Can the Treasurer explain the difference in meaning between "ordinary" and "honorary" members as used in paragraphs (*b*), (*c*) and (*g*)?

The Hon. D. A. DUNSTAN (Premier and Treasurer): It is clear that paragraph (*c*) refers to the ordinary members referred to in the previous paragraph. Honorary members are not elected, but are provided for by certain qualifications defined in the rules of the club. If honorary members were subject to election they would be subject to the election qualification in paragraph (*c*), but if they were provided simply by the rules of the club paragraph (*c*) would not apply.

Clause passed.

Clauses 87 to 100 passed.

Clause 101—"Effect of non-renewal of Returned Soldiers League's registration as club."

The Hon. D. A. DUNSTAN: I move:

Before "publican's" to insert "full".

This is a consequential amendment.

Amendment carried; clause as amended passed.

Clauses 102 to 114 passed.

Clause 115—"Duty to display names, etc."

The Hon. D. A. DUNSTAN: I move:

In subclause (1) before "publican's" to insert "full."

This is another consequential amendment.

Amendment carried; clause as amended passed.

Clause 116—"Exemption from distress of stranger's goods."

The Hon. D. A. DUNSTAN: I move:

In subclause (1) before "publican's" to insert "full publican's or limited".

This is a similar consequential amendment.

Amendment carried; clause as amended passed.

Clause 117—"Liability of licensee for loss of property of guests."

The Hon. D. A. DUNSTAN moved:

In subclause (1) before "publican's" first occurring to insert "full publican's or limited".

Amendment carried; clause as amended passed.

Clause 118—"Right of sale on lien."

In subclauses (1), (3), (4) and (5) before "publican's" to insert "full publican's or limited".

Amendments carried; clause as amended passed.

Clause 119—"Tippling clause."

The Hon. D. A. DUNSTAN moved:

In subclause (1) before "publican's" to insert "full publican's or limited"; in subclause (2) to strike out "five" and insert "two".

Amendments carried; clause as amended passed.

Clauses 120 to 127 passed.

Clause 128—"Restriction on use of licensed premises for theatrical performances, etc."

Mr. HALL: Will the Premier explain why the provisions of the Places of Public Entertainment Act are not to apply to the licensed premises to which this clause refers? That Act, which has been successfully administered for years, has resulted in the safeguarding of lives and patrons' property. The representative of a hotel that engages extensively in providing public entertainment has told me that he would not disagree to hotels being controlled by the Places of Public Entertainment Act. Why does the Government not want to place the control of such premises under that Act?

The Hon. D. A. DUNSTAN: The reason for not using that Act in relation to licensed premises was that it was the view of the Commissioner that this system of licensing should be under one control; that, in fact, to have a divided control of a licensing system would not be in the interests of good administration; and as we were providing this new tribunal that could consider all matters, it was proper that it should deal with all facets of administration. The Leader has suggested that at the moment the Places of Public Entertainment Act is controlling these premises.

Mr. Hall: No, I didn't say that.

The Hon. D. A. DUNSTAN: In law, in fact it should, but at the moment I assure the Leader that many hotels in South Australia are acting in complete breach of the Act and have been doing so for years. They do not comply.

Mr. Shannon: In what regard?

The Hon. D. A. DUNSTAN: First, they do not have a licence as places of public entertainment, and they are carrying on public entertainment; and, secondly, they have not provided the safety facilities that the Act demands.

Mr. Shannon: What sort of facilities?

The Hon. D. A. DUNSTAN: I do not wish to make allegations about particular licensees here, but the honourable member need only cast his eye around the night life of the metropolitan area of Adelaide to come up with a few answers. Since the licensees must, in going to the court to get their licence, make submissions to the court about the physical set-up and conduct of the premises (they have to satisfy all the objections), it is considered that the tribunal should consider the provision of entertainment in licensed premises, because the entertainment is bound up with the licence. In these circumstances it was better to have that system rather than to have a dual control by which the Superintendent of Licensed Premises might express to the tribunal his view of the physical set-up of the premises and the plans to be decided on by the tribunal and a different view might conceivably be taken by some other administration under a different Minister.

In these circumstances, if the court is required to have regard to the provisions of the Places of Public Entertainment Act, there can be no doubt that it will consider the very things that that Act prescribes for the set-up, safety, and the like, and, in consequence, will ensure that the Places of Public Entertainment Act and the physical set-up of premises and the way in which entertainment is conducted have received attention. This is a simple administrative way of dealing with what is otherwise a rather complicated matter.

Mr. HALL: The Committee has already passed a clause under which the court may impose any conditions that it considers necessary. It is not stipulated that the court should apply all the provisions of the Places of Public Entertainment Act. One of the objections raised to this clause is that the proprietors of licensed premises may not have to comply with all the provisions with which others must comply. From representations made to me, I believe that that is a valid objection. Although the provisions applying in respect of licensed premises may be more stringent than those applying to other premises, I point out that, on the other hand, they may well be less stringent.

After all, "public entertainment" is the common denominator, and we must not differentiate here. We know that in future there will be a great expansion of public entertainment and, as the Premier has informed the Committee, not all licensed premises provide the safeguards that are required under the Places of Public Entertainment Act. I would like to see the clause amended so that the premises have to comply with those provisions. If the clause provided for these safeguards, I would be happy for someone else to supervise it. Whilst I agree with the Premier that supervision must be kept in the same sphere, I

think we should stipulate that the safety provisions should not be less than those provided under the Places of Public Entertainment Act.

The Hon. Sir THOMAS PLAYFORD: I am not sure what the Government is seeking to do. Is it proposing to restrict entertainment at hotels or to legalize something which may not at the present time be entirely within the provisions of the Licensing Act? Is the policy behind this clause to make it harder for hotels to provide entertainment? The Premier is correct when he says that at the present time there is a rapidly growing tendency for licensed premises to put on a floor show at night, particularly towards the week-end, to entertain their customers. These fairly extensive light floor shows generally run until 11 p.m. or later, and I presume that a permit is obtained. Places of public entertainment should be consistently administered. Whether the Licensing Court will demand the same standards as do the present inspectors, or whether it will have the same powers when dealing with any breach that occurs, I do not know.

If the Commissioner of Police considers that a place of public entertainment provides unseemly entertainment, an inspector can lodge a complaint with the Chief Secretary, who can stop the performance or demand that it be modified somewhat. As I understand the clause, the court can revoke a permit. However, revoking a permit altogether is vastly different from just telling the proprietor of a place of public entertainment that he has to modify a certain section of his entertainment because objection has been raised to it. It would indeed be a severe penalty if a permit lasting 12 months was revoked altogether. I presume that the duration of these permits will be of some substance, enabling the proprietor of the hotel to make forward contracts for artists. That is a necessity if a floor show is to attract patrons. In those circumstances, I would like the Premier to set out rather more fully his problem in allowing places of public entertainment inspectors to carry out this duty.

The Hon. D. A. DUNSTAN: I thought I had explained this at the outset. The point is that with unlicensed places of public entertainment, there is no tribunal that investigates the physical set-up of the premises and gives a licence for the other services of the premises and the like. In this case the Licensing Court will cover every other aspect of licensing these premises. It is undesirable that there should be a separate administration in relation to the physical set-up of those premises. What would happen if an applicant went to the Licensing Court and was told that his premises were suitable for a place to have a floor show and a dining room, and then another administration told him that the premises were not suitable because they did not comply with the provisions of the Places of Public Entertainment Act? There must be only one administrative decision in relation to premises, and that is what this clause provides for.

This is a rather similar position to that existing under the present Licensing Act whereby licensees are supposed to go to the court to obtain a permit for theatrical premises. They will be required to do that under the new Act, because the provision has been spelt out more clearly. The question that arose was whether there was a conflict between the Places of Public Entertainment Act and the existing Licensing Act. We endeavoured to resolve that by saying we should have one administration to deal with the whole matter. The member for Gumeracha says the penalty for this would be the revocation of the permit. Surely the honourable member does not think that in these circumstances, if there is an objection, the superintendent is not likely to tell the permit holder that he had better cut something out because a complaint had been lodged that he was breaching the provisions of the Act.

Mr. Coumbe: Could he suspend rather than revoke?

The Hon. D. A. DUNSTAN: No, he can warn them that unless they comply with the conditions he will have to lodge a complaint with the court. This is a real means of obtaining compliance. It is a discretionary matter, and it can have a salutary effect. Because there is a sensible administration of these matters (as, indeed, there are of all penal Statutes in South Australia), no difficulty is experienced in this regard. I point out to the Leader and members opposite that the provisions here give a discretionary power to the court. If we are to have regard to the conditions of the Places of Public Entertainment Act and the regulations, there are a number of discretionary decisions to be made. Therefore, this cannot be tied down to a precise letter. These things have to be examined to see that there is effective compliance and that is what this section, as drafted, provides.

Mr. HALL: Why does subclause (1) begin with the words "Notwithstanding the provisions of the Places of Public Entertainment Act, 1913-1965"?

The Hon. D. A. DUNSTAN: The fact is that if people get a permit under this clause they do not have to get a separate licence under the Places of Public Entertainment Act, because that Act already operates in relation to them in that the court has to take into account the provisions of the Places of Public Entertainment Act in granting them their permit.

Mr. HALL: I move:

In subclause (1) to strike out "having regard" and insert "pursuant".

I thank the Premier for his reply to my previous question; it seemed to be valid. However, I believe it is necessary to see that the minimum provisions of the Places of Public Entertainment Act apply to licensed premises. Therefore, my amendment is designed to provide a stronger provision without taking away any of the discretion that exists within the Bill; I am simply applying the provisions of the Places of Public Entertainment Act.

The Hon. D. A. DUNSTAN: I am sorry, but I cannot accept that amendment. If we are going to act pursuant to the Places of Public Entertainment Act, that could quite easily be construed to import once more into the clause the administrative provisions of the Places of Public Entertainment Act. That Act and the regulations thereunder provide for action by the Inspector of Places of Public Entertainment. We cannot provide for that in this case because the administration here is under the Superintendent and not the Inspector of Places of Public Entertainment. Therefore, the Leader's wording is inapposite. With great respect, I point out that this drafting has been carefully examined, and we believe we have expressed this provision in the best way.

Mr. SHANNON: In nearly all first-class hotels a small dance floor is provided in the dining room. Frequently two or three artists provide music. However, as I read subclause (5), it appears that live artists are excluded. If that is the case, I point out that many people will be disappointed, because canned music does not provide the same atmosphere.

The Hon. D. A. DUNSTAN: If music is provided by live artists, a permit under this clause must be obtained. However, if the entertainment is not by live artists at all, and dinner music is provided by records and so on, a permit is not needed.

Mr. Coumbe: But a permit will be necessary for a single pianist.

The Hon. D. A. DUNSTAN: Yes, because in a definition it is difficult to single out a pianist from other entertainers. What would happen if there was a combo or a piano-accordionist? The only way to do this was to provide that if a licensee wanted live artists he should have a permit. There should be no difficulty in getting permits if the premises are suitable.

Mr. COUMBE: Subclause (4) provides for fees under this clause. I understand that a fee of $5 will be paid for the issue of a permit. Does this mean that a person who gets a permit for a 12-month period (which is the maximum) pays $5, and that a person who gets a permit for one evening also pays $5?

The Hon. D. A. Dunstan: Yes.

Mr. COUMBE: Does the Premier think that is a fair and reasonable provision?

The Hon. D. A. DUNSTAN: Where people are going to the court for a provision of this kind, to get what otherwise would have to be a licence under the Places of Public Entertainment Act, they are providing themselves with something permanent. That is why the fee is prescribed. It would be somewhat absurd for somebody to get a permit for a single evening. I draw the attention of honourable members to the Commissioner's views on this form of control which appear in the appendices, at page 112, of the report, as follows:

Conclusion—Some amendment of the law is clearly called for. The choice lies between some form of additional control by the licensing authorities and some adaptation of the Places of Public Entertainment Act to render it suitable for application to the type of entertainment offered by hotels. Logically the latter solution would appear to be more desirable, but I am heavily influenced by problems not so much of what control of public entertainment in hotels should be imposed, but of finding a practicable dividing line between a "dinner" or other ordinary licensed premises functions and an "entertainment". As a whole, as appears in my report I recommend additional control under the Licensing Act.

That is what we have provided in this clause.

The CHAIRMAN: Standing Orders provide that whilst an amendment is before the Chair the debate shall be directed to that amendment until it is disposed of. I have an amendment relating to subclause (1), but some members are discussing subclause (4). I suggest that I put this amendment to the Committee and members can then discuss the remaining subclauses.

Mr. McANANEY: I support the Leader's amendment, because I think we should have a uniform method of control of entertainment. I am in favour of entertainment being provided in hotels but I do not think uniformity of control will be achieved if different standards are prescribed in different cases.

Mr. MILLHOUSE: I am not satisfied with the Premier's explanation of the reason for retaining the words "Notwithstanding the provisions of the Places of Public Entertainment Act". They are in the old Act but I cannot see why they are being reproduced here.

The Hon. D. A. Dunstan: They are clearly necessary, because otherwise the provisions of the Places of Public Entertainment Act and the provisions of this clause would conflict as to administration.

Mr. MILLHOUSE: If that is so, I cannot see why the Premier has any objection to the amendment, because the only conditions imposed pursuant to the provisions of the Places of Public Entertainment Act would be those relating to health, safety and morals. The use of the word "pursuant" cannot affect the administration by the Inspector of Places of Public Entertainment. If the Premier's interpretation of the first phrase is correct, this opposition is nonsense. If anything, the amendment strengthens the subclause by directing the attention of the court rather more definitely to the conditions relating to health, safety and morals set out in the Places of Public Entertainment Act. The Premier's explanation negates his opposition to the amendment.

Mr. HALL: I think the Licensing Court would ensure that proper conditions applied. However, I want to make sure that that is done and I can see no objection to demanding these safety precautions. I, as a layman, prefer the word "similar" but I am told that that is not a Parliamentary word and that "pursuant" is better. The words "Notwithstanding the provisions of the Places of Public Entertainment Act" certainly give an exemption from the administrative provisions of that Act. I persist with my amendment, because the only conditions that would apply would be those relating to health, safety and morals.

Mr. QUIRKE: Can the Premier say whether "pursuant to" means pursuant to the entire Act, whereas "having regard to" allows certain conditions, such as those relating to health, safety and morals, to be applied without all the provisions applying?

The Hon. D. A. DUNSTAN: The Places of Public Entertainment Act, as at present drafted, normally applied to premises other than those giving the kind of entertainment that in many cases will be prescribed under this clause. If provisions drawn to meet the requirements of a large concourse of people were applied to small groups of people being entertained by one pianist, difficulty would arise. The tribunal must have a discretion and that is why the provision was drawn in this way.

The Hon. G. G. PEARSON: The Leader's amendment might be more acceptable if it were amended so that the subclause provided:

. . . such terms and conditions as are imposed by the court including such conditions relating to health, safety and morals as would obtain under the provisions of the Places of Public Enterntainment Act . . .

The Hon. D. A. Dunstan: It says the same thing.

The Hon. G. G. PEARSON: It does not invoke the Places of Public Entertainment Act. It simply draws a strict parallel between the conditions applying in that Act and the conditions that it is desired to apply here. Unless I completely misunderstand the Premier, I think that is what he and the Committee want. If that is so, I suggest that the Leader withdraw the amendment and move as I have suggested.

The Hon. D. A. DUNSTAN: I do not think the suggested amendment accomplishes what we want. The words in the subclause were carefully considered and discussed for some hours before we decided on them. I do not say that they are the only possible words, but they are the only ones that accord with the Commissioner's report. The court must have some discretion; it must consider the Places of Public Entertainment Act and impose conditions in accordance with the spirit of that Act.

The Hon. Frank Walsh: It would be the court's responsibility to do that.

The Hon. D. A. DUNSTAN: Yes, and the wording ensures that.

Mr. HALL: I ask leave to withdraw my amendment with a view to moving another.

Leave granted; amendment withdrawn.

Mr. HALL moved:

In subclause (1) after "including" to insert "such"; and to strike out "having regard to" and insert "as would obtain under".

Mr. QUIRKE: I cannot accept this amendment, because its effect will be no different from that of the earlier amendment. Completely unwarranted conditions will be imposed on many small places.

The Hon. D. A. Dunstan: It was not designed for them.

Mr. QUIRKE: I agree with the rigidity of the Places of Public Entertainment Act, but I do not think all its provisions should be applied to country hotels. A small hotel might wish to put in a dance floor, and it might be necessary almost to tear the place down in order to do so. I am not concerned

about Adelaide hotels, because they can stand this provision, but the country hotels cannot do so.

Mr. HALL: The attitude of the member for Burra is the very one that worries me. He has said, "Let us be flexible and reduce the provisions if the people cannot comply with them." The reasons stated by the member for Burra are the very reasons why I am trying to put stronger wording into the clause. I believe that it would be very easy for country hotels to comply with these regulations: they are not that stringent. Many country hotels have no stairways, and it is easy to comply with escape provisions in single-storey hotels; in two-storey hotels, the entertainment is usually on the ground floor. I am sorry the member has raised this, because he is advocating a reduction in standards. We are dealing with people's safety here, not their drinking, and this is the very reason why I want to strengthen the clause.

Mr. CASEY: The Leader condemned his amendment when he referred to the fact that some country hotels have no stairways for quick exits in the event of fire. To my knowledge, there is not one country hotel where entertainment is held other than on the ground floor. The South Australian Hotel conducts all its entertainment on the ground floor and I think there would be more exits from this hotel than from places where entertainment is conducted in basements in a very confined space.

Mr. Coumbe: There is entertainment on the top floor of the Hotel Australia.

Mr. CASEY: I am not really talking about metropolitan hotels, but I dare say that, when the Hotel Australia was built, fire escapes had to be provided for residents. I doubt whether the council would have permitted the hotel's erection if it had not been planned to comply with such regulations. The Building Act provides for this. I am trying to impress on the Leader that the places of entertainment mentioned by him cannot be regarded in the same way as hotels, particularly country hotels.

Mr. Hall: Don't you think a country hall or institute comes under the Places of Public Entertainment Act?

Mr. CASEY: Yes, but there is a different mode of entertainment. As entertainment is usually held on the ground floor of hotels, I cannot support this amendment.

The Committee divided on the amendment:

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

Noes (20).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Corcoran, Curren, Dunstan (teller), Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Quirke, Ryan, and Walsh.

Majority of 5 for the Noes.

Amendment thus negatived; clause passed.

Clause 129—"Duty to set up parts of this Act in bar-room."

The Hon. D. A. DUNSTAN moved:

In subclause (1) before "publican's" to insert "full".

Amendment carried; clause as amended passed.

Clauses 130 to 143 passed.

Clause 144 —"Offences in connection with sale of liquor on steamers."

The Hon. G. G. PEARSON: As it is common practice for liquor to be supplied on aircraft, can the Premier say whether this section will apply to aircraft?

The Hon. D. A. DUNSTAN: No. Regulations for aircraft are under the control of the Commonwealth Government, and it is not feasible for us to cover these activities in Australia.

Clause passed.

Clause 145—"Retailing liquor without a licence."

The Hon. D. N. BROOKMAN: It has been suggested to me that the insertion of the proviso may be a source of concern in respect of backyard winemakers. The case was mentioned to me of someone who once acquired a large quantity of spirits and who was able to hawk it about the State in small lots. Does the Premier think that the proviso may encourage backyard winemakers?

The Hon. D. A. DUNSTAN: This proviso allows the sale of a quantity in excess of five gallons to a person licensed to sell a particular liquor. In other words, the sale cannot be made to members of the public; it must be made to a licensee.

Mr. Quirke: The vendor is not licensed.

The Hon. D. A. DUNSTAN: That is so, but the person concerned may sell the wine to a licensee. This is to enable certain vignerons, who do not intend to trade with the public, to carry on their trade without having to obtain a vigneron's licence. Numbers of winemakers (some of them in the honourable member's district) sell their wine to another vigneron who then uses it for blending or bottling. Why

should such people have to obtain a vigneron's licence, which is to cover those vignerons who are dealing in the way provided by a vigneron's licence? We see no reason why they should have to pay a licence fee in the circumstances.

Clause passed.

Clause 146—"Supply by unlicensed persons."

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

In paragraph (*b*) to strike out "imperial" twice occurring.

This amendment is similar to the one I moved to an earlier clause.

Amendment carried.

Mr. RODDA: As I have previously been asked to donate, say, half a dozen bottles of beer to a worthy institution conducting a competition, will the Premier explain whether paragraph (*a*) would make such practice illegal?

The Hon. D. A. DUNSTAN: The paragraph relates to the giving away of liquor as a pretence. If someone buys certain goods in a shop that are not liquor and the person in the shop, as part of the deal, pretends to give away some liquor with those goods, that is an offence, because it is a means of providing a cloak for the sale of liquor.

Clause as amended passed.

Clause 147—"Penalty on purchasing liquor from unlicensed persons."

The Hon. D. A. DUNSTAN: I move to insert the following new subclause:

(2) Except as allowed by this Act no person shall directly or indirectly purchase or attempt to purchase any liquor, or directly or indirectly receive or attempt to receive any liquor, supplied for profit, unless the same is sold or supplied by a licensed person and according to the tenor of and as authorized by his licence. Any person offending against this subsection shall be guilty of an offence.

This is a necessary amendment to bring back into the legislation certain provisions which were omitted in the drafting but which are an essential protection against sly-grogging.

Amendment carried; clause as amended passed.

Clauses 148 and 149 passed.

Clause 150—"Prohibition of supply of liquor to person under 21."

The Hon. D. N. BROOKMAN: This clause is rather exceptionable in that people under 21 years might now be dealt with more severely than they have been previously. There was no real organized representation before the Royal Commission of persons between the ages of 18 and 21. Although we hear of offences that occur as a result of juveniles consuming liquor, these may have little relation to their drinking on licensed premises. The Royal Commissioner made it clear that he disapproved of any laxity in police administration of the Licensing Act. The young people could be faced with the wholesale problem of being shut out of licensed premises. Perhaps it is asking too much to have the age lowered to 18 years, which applied some years ago: that would, perhaps, be going too far. However, I do not see why the Act should be tightened up in this way. If a person under 21 years has been driving a bulldozer on a hot, dusty day, it seems harsh that he cannot obtain a drink on licensed premises. The way subclause (2) is worded indicates that there is no clear defining line between persons of 21 years and those that are younger. If a person is covered in dust, he probably looks more than 21 years old anyway, and would be able to get a drink. No harm is done by these provisions, which are not related to the consumption of fortified wine by, say, 14 or 15-year olds around a dance hall. That is an entirely different situation.

Here we are departing from the usual procedure by making something tougher than it was previously. Can the Premier say whether there is any strong reason for including subclause (3), which is quite new to licensing legislation in South Australia?

The Hon. D. A. DUNSTAN: Yes, because it was recommended strongly by the Royal Commissioner. I point to Appendix T at page 113 of the Commissioner's report, where the submissions that were made are cited. The Commissioner says:

Submissions were also made that, just as it is now an offence for a licensee to supply liquor to a minor, so it should be an offence for a minor to obtain it.

That was supported by the Temperance Alliance, the United Churches Social Reform Board, the South Australian Police, and the Superintendent of Licensed Premises.

Mr. Millhouse: The South Australian Police recommended a provisional alteration of the minimum age.

The Hon. D. A. DUNSTAN: Yes, but they also recommended that whatever the age of minority be, it should be an offence for a minor to obtain liquor from licensed premises. The Commissioner said that there seemed to be unanimity on it. He then pointed out that there was considerable evidence concerning patronage of hotels by minors. At page 114 the Commissioner continues:

There appears to be no case made out for any alteration to the minimum "drinking age",

but a case does appear to be made out for giving the present law more teeth by making it a direct offence for a minor to purchase or consume liquor on licensed premises, and for any person, not merely the licensee or his servant, to sell or supply liquor to a person, other than with reasonable grounds for belief of full age.

This was a clear recommendation by the Royal Commissioner. Without this provision, a licensee is placed in difficulties, and there is no other effective way of the matter being policed. If it is not an offence for a minor to go in and misrepresent his age to the licensee, and the licensee has a defence if he says a representation was made to him and he believed the minor was of full age, there is no way of catching anybody under this section at all, and the provision could be disregarded wholesale.

I admit that my personal views regarding the minimum age differ somewhat from those of the Commissioner. On many occasions I have said I believe that, for all purposes, 18 years should be the age of majority. Mr. Chairman, we have had a Royal Commission into this and responsible bodies in this community have been widely canvassed. The Commissioner has heard all the views presented and has made his report, and I do not believe that the community at this stage goes along with my own personal views on this subject. In those circumstances, I think it proper to accept the Commissioner's recommendations.

Mr. McANANEY: I agree with the Premier's remarks that public opinion is possibly against the introduction of a lower drinking age, and for that reason I support the clause. I think I am indicating the feelings of my constituents. My views are the same as those of the Premier. Young people today are much more mature in their outlook than they were in my younger days. It is much better that they be able to drink in the open, rather than having to hide in cars to do it. When I was young, I would not go out with a chap who had strict parents, because he was the biggest outlaw of them all and would drink twice as much as the other lads. I have six children who would be permitted to drink in the home if they so desired. However, if they go out to a public function, they cannot drink. If young people were permitted to do so, they would remain at cabarets until they finished, instead of leaving the hall for other purposes. It is a mistake to restrict these people. We all know that many young people drink liquor as soon as they leave school, and some even before that, which is not good. Although a publican is not allowed to sell liquor to persons under 21 years of age, he has a defence if he does not know they are under 21. However, a young person obtaining the liquor commits an offence. I support the clause because I believe the general public wants it and because it is in the best interests of the community.

Mr. MILLHOUSE: My view is the same as that of the Premier. It seems strange to hear him relying on the report of the Royal Commissioner for something he has put into the Bill.

The Hon. J. D. Corcoran: It seems strange that you think the same as he does.

Mr. MILLHOUSE: He isn't always wrong. It seems strange that the Premier would rely on the report of the Royal Commissioner for something when he has thrown so much of the report down the river. This will be one of the provisions that will be as generally ignored after the Bill becomes law as it has been ignored in the past, and that is a great pity. It is notorious that minors go into hotels now and that no questions are asked.

I do not believe that, even if we put more teeth into the provision, as the Royal Commissioner suggested we should, it will make one jot of difference. This means that we will fail in one objective that we, as a Parliament, should have, and that is that the law should be in conformity with the general outlook of the public. In this particular instance we will be failing to bring the law up to date. I think that is a great pity. However, I acknowledge that there has been much opposition to any lowering of the age, and for that reason I am prepared to accept the provision in the Bill.

Clause passed.

Clauses 151 and 152 passed.

Clause 153—"Penalty for supplying liquor to be illegally disposed of."

The Hon. B. H. TEUSNER moved:

In subclause (2) (*a*) to strike out "imperial".

Amendment carried; clause as amended passed.

Clause 154—"Restriction of employment of women to serve liquor."

The Hon. D. A. DUNSTAN: I move:

After "at" first occurring to insert "or"; and to strike out "or about".

An undertaking was given to the member for Gumeracha that he would have all rights to debate this clause despite the bringing in of this Bill *pro forma*. When the matter was previously discussed, the honourable member

raised some objections about the terms of the clause because, in his view, it meant that it would prevent the employment of women in hotels other than in bar-rooms. With great respect to him, I do not agree with that view, but I believe that it is wise, since he has raised it and since there has been a previous amendment made, that we make the matter perfectly clear.

I hope that this will be the means of getting some uniformity on this clause so that we will not be held up for long on it. I intend to move later to add a new subclause which will provide that, for the purposes of this clause, a female shall not be deemed to sell, supply or serve liquor at or in a bar-room by reason only of the fact that she obtains liquor in, at or from a bar-room for persons who are not in or at a bar-room. In those circumstances, I believe that the objection the member for Gumeracha raised previously will be cleared up.

The Hon. Sir THOMAS PLAYFORD: The amendment the Premier intends to move will restore the position regarding waitresses in hotels, and to that extent it is a great improvement on the original provision, which I believe overlooked the provision inserted into the Act in 1954 that was specially designed to enable waitresses to be able to continue in employment. I am pleased the Premier has made this change. However, I do not accept the position regarding the industrial awards that is still inherent in the clause. I believe that industrial awards should be determined by industrial courts and should not become a matter for political decision of the type we have in this provision. If such a provision is made in this industry, why should it not be made in all industries? Obviously, this cannot be done for all industries, because to do it would be to run foul of the Commonwealth Arbitration Court, which fixes the wages and conditions for male and female employees in industries and the awards of which apply to about 50 per cent of the employees in this State. Therefore, I believe that barmaids will be treated unfairly because no award will be made in connection with this matter.

At their conference, the Premier and other members opposite gave some regard to public opinion, and decided not to prohibit barmaids altogether. They may be employed provided they are subject to an industrial award which provides for them the same wage as that received by male employees. I understand barmaids come under the provisions of the Commonwealth Arbitration Court, which will certainly not make an award in this case. Therefore, although they can seek employment we know that they will not be able to get it.

Mr. Millhouse: The amendment will have no effect.

The Hon. Sir THOMAS PLAYFORD: True; we might as well go back to the original provisions of the clause. Why should we prevent people from getting employment in a particular industry unless an industrial award gives them equal pay, when we know that that principle is contrary to all concepts of court decisions over many years?

The Hon. D. A. DUNSTAN: Many Commonwealth court decisions have given equal pay.

The Hon. Sir THOMAS PLAYFORD: The Premier knows that an award will not be made.

The Hon. D. A. Dunstan: I do not.

The Hon. Sir THOMAS PLAYFORD: Well, the Premier is not on the ball as much as I thought he was. I shall be happy if the Commonwealth arbitration tribunal decides the issue, but a decision ought not to be made in this Parliament. There is no justification for our making a decision in relation to this industry and not making it in relation to every other industry.

Mr. HEASLIP: I oppose this provision, which is a prohibition of the employment of barmaids. I am sure all honourable members agree that barmaids carry out their duties efficiently and that men behave better in hotels if a barmaid is serving. Women do a good job in every other State. However, they will not be able to serve in South Australia until there is in force an industrial award covering them.

The ACTING CHAIRMAN (Mr. Ryan): The Premier has moved an amendment to strike out certain words and to insert others in subclause (1) and it is that amendment that is under discussion.

Amendment carried.

The Hon. D. A. DUNSTAN moved to insert the following new subclause:

(2) For the purposes of this section a female shall not be deemed to sell, supply or serve liquor at or in a bar-room by reason only of the fact that she obtains liquor in at or from a bar-room for persons who are not in or at a bar-room.

Amendment carried.

Mr. HEASLIP: I still do not consider there is necessity for a provision that prohibits the employment of barmaids in South Australia. We are countermanding the power

of the arbitration tribunal, because barmaids will not be able to be employed until there is in force an award giving them equal pay.

Mr. SHANNON: As I understand our arbitration system, an application in relation to an award covering an industry can be made only by an organized section of people associated with that industry. Who will be qualified to make the necessary application to the court in this case?

The Hon. D. A. DUNSTAN: A registered organization of employers or employees can apply to the court.

Mr. Shannon: How does a group of employees become a registered organization if it has not an award in the first place?

The Hon. D. A. DUNSTAN: They would not apply where there was in force an award covering the industry. Many waitresses in hotels are members of the Federated Liquor and Allied Trades Union, and those women may induce that organization to apply.

Mr. Shannon: Would they be disqualified because there was no award in force?

The Hon. D. A. DUNSTAN: No. The union of which they are already members and which covers everyone in the industry could apply to the court. There is no difficulty about this.

Mr. Quirke: They are most unlikely to do it.

The Hon. D. A. DUNSTAN: I see the considerable likelihood of a consent award providing equal wages and conditions.

Mr. MILLHOUSE: I do not agree with what the Premier says about this provision: I am against it altogether. We all know the reasons for this provision and we all know that members on this side can talk until they are blue in the face and members opposite will not change this provision, even if they want to do so, because they are bound by the decision of their own conference. The Premier cannot change it—and I know he wishes to do so—because he is bound by the conference's decision.

The Hon. D. A. Dunstan: I advocated this at the conference.

Mr. MILLHOUSE: Yes: the Premier knew it would not get through at all if it did not have the rider in respect of the industrial tribunal attached to it. The press reported that the Premier had said that the Labor Party in South Australia would be a laughing stock if it did not permit barmaids.

The ACTING CHAIRMAN: Is the honourable member still dealing with the clause?

Mr. MILLHOUSE: We know that the Government cannot alter this clause even if it wants to do so, for it was put in because of the bitter opposition of the union to to the employment of barmaids at all. It is rather funny that a short while ago, when speaking on the question of minors, the Premier referred to the Royal Commissioner's report and used it as a justification for not making any change in the age and for toughening up the provisions in respect of minors. I notice that he does not refer to the report in connection with this matter because, if he did so, he would find the ground cut from under his feet. On page 27 of his report the Commissioner says:

I can see no reason for the continuation of the prohibition of the employment of females in public bars.

He says this straight out: there were no riders attached to it—nothing. Then in the next eight lines he canvasses the arguments against their employment and dismisses all of them. What does he say in the end, as a final kick in the teeth against this provision as it is drafted? He says:

Whether barmaids should be paid the same wages as barmen is a question not for this Commission, but for the industrial tribunals.

Now, what do we have? We have what has been dictated to the Government by an outside body. I am opposed to this clause because I do not believe we should lay down such a provision as equal pay. This is something, as the Royal Commissioner said, for the industrial tribunals. I believe we should allow barmaids in our hotels and bars; they are allowed in every other State.

Mr. Heaslip: This provision is virtually a prohibition.

Mr. MILLHOUSE: Yes. I think we should have barmaids, and the way in which we could have them would be to strike out this clause altogether and then there would be no prohibition against them because there would be no reference to them in the Bill. This would be sensible and in line with the practice practically everywhere else in the world and certainly throughout Australia.

The Hon. D. A. Dunstan: Not throughout Australia.

Mr. QUIRKE: I wholeheartedly support the remarks of the member for Mitcham. This is about the most obnoxious clause in any Statute in South Australia because it restricts the liberty of the people. It is pernicious and should be struck out. If that were done, females could be employed and then, barmaids having been employed, the union could apply for the conditions it wants.

Mr. Hudson: Do you know of any case where a court has granted equal pay without a legislative guide?

Mr. QUIRKE: That has nothing to do with it. The Government is trying to over-ride tribunals through legislation.

Mr. Hudson: How do you think equal pay came about in New South Wales?

Mr. QUIRKE: The honourable member cannot over-ride his masters: they have the whip and spur on him.

The Hon. D. A. DUNSTAN: I am interested in the crocodile tears of members opposite about the freedom of employment in South Australia and the obnoxious nature of this clause. I am interested that they demand of the Government this evening a charter to throw out of employment most of the barmen in South Australia. That is what the Opposition is doing.

Mr. Quirke: Absolute nonsense!

Members interjecting:

The Hon. D. A. DUNSTAN: Let everyone get up and say that a hotel keeper is going to employ barmen when he can employ women at 75 per cent of the rate.

Mr. Quirke: He will still do it.

The Hon. D. A. DUNSTAN: The honourable member knows perfectly well that he will not. There is no difficulty in getting women for this kind of employment, and many women in many other States have this kind of employment.

Mr. Nankivell: Why not here?

The Hon. D. A. DUNSTAN: I agree, provided they do it on an equal basis with men.

Mr. Millhouse: Do they do that in other States?

The Hon. D. A. DUNSTAN: In some States, yes. I cannot remember which ones, but I know Western Australia is one State.

Mr. Millhouse: What about the other four?

The Hon. D. A. DUNSTAN: Not in those States, and as a result there is reduced employment of barmen in those States.

The Hon. G. G. Pearson: Don't talk about generalities.

The Hon. D. A. DUNSTAN: It is not a question of generalities. What the existing employees in this industry fear is exactly the move being made by Opposition members. If they claim to represent the people of their districts, let them speak to employees in those districts. I have spoken to them in my district and I know what they want, and I know what people in the bars who go there to be served want for the people who serve them. The people in my district told me to go to the Labor Party conference and advocate the provisions of this clause, and that is what I did. The Labor Party agreed with my viewpoint. It would be disastrous for employees in this industry if there were an open door to the employment of women at 75 per cent of the existing rate. I know that the member for Rocky River would love to have this right and to have a situation where he could employ people at a reduced rate.

Mr. Heaslip: Why isn't it disastrous in other industries?

The Hon. D. A. DUNSTAN: In certain other industries women have been traditionally employed, but the Opposition is trying to interfere with an industry and with existing employment, and is trying to turn out barmen to be replaced by women. We on this side will not be a party to that.

Mr. HALL: The Premier should be able to do better than this. He uses many reasons relating to different things to prove his point. We know that the Government's publicly declared attitude is equal pay regardless of the cost to South Australia. The Premier knows that these moves of the Government, if successful and passed with the speed that the Government would like, would result in equal pay in South Australia as quickly as possible—

Mr. Hudson: And you are opposing it?

Mr. HALL: — regardless of time, whether South Australia can afford it, and whether industry and commerce can support these moves. We know of the alarm throughout industry about general costs. The Premier does not need to be told that industry generally is worrying about this aspect. I hope that he has as close a contact with industry as I have.

Mr. Jennings: Closer.

Mr. HALL: In the selling price of many of this State's goods marketed in other States is included a small percentage only of labour cost.

The ACTING CHAIRMAN: Order! The Committee is discussing clause 154 as amended, which deals with the employment of females in this industry. Will the Leader of the Opposition speak to that clause as amended?

Mr. HALL: Yes, Mr. Acting Chairman, I shall not continue in this vein, but I believe that it is closely connected with the Government's intention in this matter. This Bill is sponsored by the Government and contains a move to introduce industrial conditions outside of the arbitration system. It ill behoves

the member for Glenelg to ask Opposition members what their electors think of this, because that is the last thing he could ask his electors. He knows what they would tell him but, whether or not he brings their views here, he is able only to agree with the views of his electoral masters.

Mr. Millhouse: It does not matter what his electors think.

Mr. HALL: Of course. I support the deletion of this clause, because it is denying freedom to many people. The clause appears in this form because the Labor Party approved of it at its State conference, but this proposal to employ barmaids is simply window dressing. The Labor Party states that they shall be employed but on conditions that the Party approves, and the Government is prepared to go outside the arbitration system to institute its beliefs. This is not a matter of conditions of employment for public servants or in something in which the Government is directly involved as an employer. These conditions apply to private employers and the Government is stating what conditions shall apply for the employees. This provision denies many women the right to take advantage of employment, which will obviously eventuate because of the increased demand for services with 10 p.m. closing. In many instances barmaids are extremely valuable in part-time employment as these hours suit them extremely well. This provision will impede their employment, is an expression of no confidence in the arbitration system, and certainly is a demonstration of the iron-clad outside discipline that is exercised on the Parliamentary Labor members in this House.

Mr. HUDSON: The Leader of the Opposition has let the cat out of the bag, because he is frightened of equal pay in any form. He and the member for Rocky River know that if equal pay applies in the hotel industry it will not result in increased costs. He cannot be worried about increasing costs in this industry, so that his concern must be that, if this happens in this industry and women are employed on equal terms and conditions, it will be the forerunner of equal pay elsewhere in the State's economy, and that is what he does not want. I am proud to say that I hope it will be the forerunner of equal pay elsewhere. We, as members of Parliament, responsible to our electors, are interested in the problems of our electors, and our electors are interested in the terms and conditions under which they work. What is wrong with the highest legislative body in the land giving a lead to the Arbitration Commission as to what should be appropriate terms and conditions?

Mr. Millhouse: You mean telling it!

Mr. HUDSON: Can the member for Mitcham or any other member opposite give me an instance where equal pay has been awarded by an industrial tribunal without prodding by the legislative body? They cannot do that, and they know they cannot. They are trying to score a political point off the Government and also trying to avoid the introduction of equal pay elsewhere. We have heard from members opposite about who are the masters. I discussed the employment of barmaids with many people in my district and, as a result of the views that I heard expressed about what people thought was a fair thing (including the views of people in the trade), I moved a motion at the local district committee some months ago in the same terms and conditions as those set out here.

Mr. Millhouse: And it was nearly lost at your conference!

Mr. HUDSON: It was passed; it went to the conference and, I am glad to say, it went through. We discuss these matters quite openly. We do not have meetings behind closed doors. These matters were fully discussed and a decision was made. I am pleased to support the provision. If we are going to talk about the masters, I suppose I am one because I had a hand in promoting this.

The ACTING CHAIRMAN: Order! Clause 154 as amended is the subject matter before the Chair, not the policy of some outside organization.

Mr. HUDSON: I was merely replying to remarks made by members opposite and I have already done that. Members opposite all know that, if we alter an existing employment practice in a particular industry and permit the employment of women in the hotel industry as from the time this Bill is passed, we may well have a wholesale sacking of existing employees.

Mr. Heaslip: What rubbish!

Mr. HUDSON: The member for Rocky River just would not know. Does he mean to tell me that in circumstances where hotels are likely to experience some increase in costs relative to their sales of liquor because of their being open for a longer period of time they will not sack employees?

Mr. Heaslip: They are going to stay open for an extra four hours.

Mr. HUDSON: Hotels will be staying open for four hours longer, an increase in their hours of trading of 33⅓ per cent. Does the member for Rocky River suggest that sales of liquor will increase by 33⅓ per cent?

Mr. Heaslip: There will be more employment, not less.

Mr. HUDSON: He knows full well that the sales of liquor will not increase by 33⅓ per cent, but the wages and costs will, and this will put some pressure on hotelkeepers. I bet my bottom dollar that when the member for Rocky River, as an employer, is under pressure and there is some squeeze on profits he takes all possible opportunity to save and economize. He cannot tell me that in this circumstance many hotelkeepers will not switch on a significantly large scale to the employment of women in order to offset the effect of increased costs in relation to sales. Employers naturally try to economize on costs when there is some sort of squeeze on profits.

Mr. Millhouse: Is it wrong that they should?

Mr. HUDSON: I did not say that; I merely said that if they tried to economize on costs on a large scale there would be a significant reduction in the employment of men. This provision is supported by women's organizations; for example, a letter from the National Council of Women of South Australia states that members of the council, at their meeting on July 13, unanimously expressed the opinion that if women were to be employed in hotel bars they should receive the same rates of pay as for men. Which women's organization can members opposite cite which is at all representative and which will not support this provision? The employees in the industry are prepared to support it.

Mr. COUMBE: One of the broad principles enunciated by the Premier when explaining the Bill was that this measure was important to South Australia and that all members would be free to vote on it as their consciences dictated.

Mr. Millhouse: Except on this point.

Mr. COUMBE: That statement has been repeated; it has been agreed to, and we have seen it carried out in the various stages of the Bill, when the member for Wallaroo and the Minister of Agriculture, exercising their right, voted against their own Party, and the member for Gumeracha voted against his Party. That has been the principle throughout the Bill until we come to this clause, and then the freedom of choice suddenly stops.

Mr. Casey: No, it doesn't.

Mr. COUMBE: It does. I challenge any Government member to vote against this clause.

The Hon. D. A. Dunstan: I hope you will demonstrate your freedom to vote in favour of it.

Mr. COUMBE: I have perfect freedom, as the Premier knows. If he looks at the way in which I have voted on this measure, he will see that I have not voted every time with all members of my Party. I am perfectly at liberty to vote as I please, and that is different from the position of Government members.

Mr. Langley: That's not correct and you know it.

Mr. COUMBE: The Premier, when fulminating a few moments ago, accused members on this side of trying to create unemployment. He was going on in full flight and was suddenly stopped in his tracks. It was farcical when he was asked about the position in the other States; having to check, he found that this provision applied in only one State, namely, Western Australia. The honourable member for Glenelg chided members about being opposed to equal pay, but that is not the case. We have said that a decision of this nature should be in the hands of a tribunal, and not be contained in this clause.

Members opposite have been told how to vote on this. The best way to handle this matter would be to completely reject the clause, so that women could then be employed in hotels under the control of a union, which I believe is what the Premier wants. The union's industrial advocate could then apply to the Industrial Commission for this. I oppose the clause.

Mr. QUIRKE: I believe that women should have an opportunity to be employed as barmaids and it would be right if they received equal pay for such equal work. However, the Bill will prevent them from being so employed; it is a total prohibition, and every member knows that that is correct.

Mr. Jennings: That is what we have had for years.

Mr. QUIRKE: I have always thought that women should be entitled to work as barmaids. A liquor trade union could apply for an award for women, or an award could be made by agreement between the parties and then be ratified by the court, but I do not think either of those things will occur. In the first place, if the Premier is to be taken seriously I doubt whether the liquor trades, equal pay or not, would apply to the court

for the employment of barmaids. Of course unless agreement is reached between the parties there will be no barmaids in hotels. This clause is designed to keep them out. The Premier said that we would be instrumental in having every barman in South Australia sacked if hotelkeepers could employ women at 75 per cent of the male rate. What an indictment of decent hotels. This is an iniquitous clause, and I think it is far better to reject it altogether and save the House the slur of passing legislation of this type which is contingent upon something being done by some un-named person.

The Committee divided on the clause as amended:

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

Noes (17).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall (teller), Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, Shannon, Stott, and Teusner.

Majority of 2 for the Ayes.

Clause as amended thus passed.

Clauses 155 and 156 passed.

Clause 157—"Closing on Sundays."

The Hon. D. A. DUNSTAN moved:

Before "publican's" to insert "full publican's licence or limited".

Amendment carried.

The Hon. G. G. PEARSON: Clause 165 deals with certain requirements of the holder of a full publican's licence to provide meals, etc., except on certain conditions, but does clause 157 permit the holder of a full publican's licence to open his premises for trading on Sundays?

The Hon. D. A. DUNSTAN: No. He may open his premises in the way provided elsewhere in the Bill. For instance, he may open his dining-room on Sunday, but clause 157 provides that nobody who holds a full or limited publican's licence is compelled to open on that day. In these circumstances, he cannot be required to provide trade on that day, where otherwise it may be construed by the Bill that he would be compelled to do so in the limited form that certain parts of small rooms may be open on that day.

The Hon. G. G. PEARSON: As I am totally opposed to Sunday trading as a general practice, I want to be sure that that does not apply. I accept the Premier's assurance that Sunday trading can apply only in accordance with other provisions.

Clause as amended passed.

Clause 158—"Register of lodgers."

The Hon. D. A. DUNSTAN: I move:

In subclause (1) before "publican's" to insert "full publican's licence or limited"; and after "licence" to insert "or of a licence granted to a club which provides lodging for its members".

It should not be necessary for a club providing lodging for its members to hold a register in this way.

Amendments carried.

The Hon. D. A. DUNSTAN moved:

In subclause (4) before "publican's" to insert "full publican's licence or limited"; and after "licence" to insert "or of a licence granted to a club which provides lodging for its members".

Amendments carried; clause as amended passed.

Clause 159—"Definition of *bona fide* lodger."

The Hon. D. A. DUNSTAN: I move:

In paragraph (*d*) before "has" first occurring to insert "he"; to strike out "if"; and after "night" second occurring to insert "for the purpose of lodging during that night".

These are drafting amendments.

Amendments carried; clause as amended passed.

Clause 160 passed.

Clause 161—"Supply of liquor at expense of guests."

The Hon. D. A. DUNSTAN moved:

In subclause (1) after "licence" second occurring to insert "or of a licence granted to a club which provides lodging for its members".

Amendment carried; clause as amended passed.

Clauses 162 and 163 passed.

Clause 164—"Permits for wine tasting."

The Hon. D. A. DUNSTAN moved:

In paragraphs (*c*), (*f*), and (*g*) to strike out "wine" and insert "liquor".

Amendment carried; clause as amended passed.

Clause 165—"Duty to supply food and lodging."

The Hon. D. A. DUNSTAN moved:

In subclause (1) before "publican's" first, second and third occurring to insert "full publican's licence or limited"; and to strike out "outside ordinary trading hours" and insert "at any time".

Amendments carried; clause as amended passed.

Clauses 166 to 175 passed.

Clause 176—"Duties of inspectors."

The Hon. D. A. DUNSTAN moved:

In paragraph (*f*) after "purchased" to insert "or sold".

Amendment carried; clause as amended passed.

Clauses 177 to 180 passed.

Clause 181—"Power of justices and other authorized persons to enter licensed premises."

The Hon. G. G. PEARSON: I cannot see a reference to justices in the clause. Is this a carry-over from the existing Act, and is there any alteration in the verbiage of the clause with respect to justices?

The Hon. D. A. DUNSTAN: The clause is in the same form as it was in the old Act. The marginal note was copied, but the old Act was amended without the necessary amendment to the note. The present clause was in the old Act and this marginal note should be altered, but an amendment is not necessary to alter it.

Clause passed.

Clauses 182 to 185 passed.

Clause 186—"Prices."

Mr. MILLHOUSE: I oppose this clause. It amends the Prices Act to give the Minister power to fix maximum and minimum prices. It has been recommended by the Royal Commissioner but, with the utmost respect, I think he has been utterly naive in his recommendations. Price control never works: it will not work in such a complicated field as liquor prices. Fixing maximum and minimum prices further compounds the impossibility (if that is logically possible) many times. In his report the Commissioner states:

> I am of the opinion that the Licensing Act should contain provisions: prohibiting any retail sale at below normal retail price or advertising any price below that price, with two exceptions—
>
> (*a*) a reasonable discount for quantity, or
>
> (*b*) a reasonable discount for taking delivery at the cellar door,
>
> but the total discounts not to reduce the price below wholesale plus three-fifths of the wholesale-retail mark up,

What does he mean by "normal" and "reasonable", and there is an added complication of three-fifths of the wholesale-retail mark up. I am told that the price structure in this industry is complicated: many factors are impossible to pin down in an order governing the price of liquor at various stages. I believe that if we try to control the price we will bring chaos into the industry, and I therefore oppose this clause as strongly as I can.

Mr. QUIRKE: I, too, oppose this clause, because it is completely impracticable, and incapable of being implemented. It unnecessarily imposes a wholesale price code on the sale of wine. The only evidence concerning this matter was that certain hotels were charging an unduly high price in dining-rooms for a bottle of wine with meals. It has been said that an excessive price is charged, but the price depends on the service given in a dining-room and on the cost of upkeep. It is impossible to implement this legislation because of the extreme variety involved. I know that the Prices Commissioner would probably throw up his hands and absolve himself from the responsibility of doing anything about this.

With the cost of handling these wines and the service that is rendered in serving them, a very big increase in the price is perfectly justified. People know the prices asked for wine in the better establishments, so why should they object? Invariably a person is given a wine list which shows the price. I have known a person to order the most expensive wine in order to impress people. However, that person then screams about the price.

There is not sufficient substantive evidence in some of the complaints we hear about to justify this wholesale restriction on the wine industry and on the people who sell the wine. I know of some vignerons who crush about 500 tons of grapes and sell their wine, some of which is excellent. Is it intended that somebody will tell those people what they shall charge for that wine? Many of us know that there are buyers who go all over South Australia finding out where they can get 1,000 gallons or 500 gallons of really precious little vintages here and there. Those buyers are prepared to pay for that wine, and so are their customers.

An example of real wine snobbery is an advertisement I saw in a newspaper about a bottle of wine 100 years old for which $500 is being asked. The darn stuff would not be worth drinking, anyway. However, there are people who would be silly enough to buy it. In my opinion, this clause in its entirety is totally unworkable. It will have an undue impact on the wine industry. If the Prices Commissioner visited a winery to try to ascertain the cost of the wine there, he would have to make a guess. Very often the wine-maker would have to guess the cost, too.

Over the years wine is tumbled from one rack to another and usually finishes up being blended. The winemaker can trace his blends, but he cannot trace back his costs. Mr. H. P. Tilley told me that wine could not be accurately costed. The most common method of costing wine is to start with the cost of the grapes and relate the various costs to the gallon finally produced. No better way of costing wine than that has been found. A winemaker, after a year, may blend one wine with another and he may even repeat that process. He may decide to try it out as a vintage wine. What should those bottles cost? That could not be worked out. I have been intimately connected with the industry for 35 to 40 years and I can say that the Minister will not be able to declare the items accurately. This matter should be left to the Prices Commissioner, who has had experience of the wine industry. I recommend to the Premier that he strike out the clause completely. If there are abuses, the provisions of the Prices Act can be applied.

Mr. CASEY: I support the clause and disagree entirely with the member for Burra. The Prices Commissioner will not have any difficulty in arriving at a satisfactory price for the sale of wine in South Australia. One can obtain from the Australian Hotels Association a list of wholesale prices. I support the clause because of the exorbitant prices now charged for wine consumed in restaurants and in other establishments in the city. I have obtained some figures in relation to wine prices and the first wine with which I shall deal is Quelltaler Reisling. The wholesale price of a bottle of that wine is 71c and, for half a bottle, 45c. The retail price is fixed at $1 a bottle or 65c for half a bottle, which is a 40 per cent margin over the wholesale price. However, the following are the actual prices charged at the places shown:

	Actual Price		Approximate percentage mark-up on wholesale price
	One bottle	Half-bottle	
	$ c	$ c	
Hilton Motel	1.45	90	104
Commodore Motel	1.60	1.00	125
Top room, Arkaba Hotel	1.60	1.05	125
Red wine grill room, Arkaba Hotel	1.70	90	140
Arkaba steak cellar	1.45	90	104
Alpine Restaurant	1.65	—	132

Does any honourable member think that those margins are fair? If wines were brought under control, reasonable prices would be charged. These prices are exorbitant and are not helping the industry. For Coonawarra claret, the wholesale price is 60c a bottle and the retail price is 85c a bottle. A bottle of this claret in the Pier Hotel dining-room costs $1.80 (a mark-up of 208 per cent); in the Red Wine Grill Room $1.85 a bottle; in the top room of the Arkaba Hotel $2 (a mark-up of 233 per cent); in the Commodore Motel $1.60 a bottle (166 per cent); in the Hilton Motel, $1.45 (141 per cent); and in the Alpine Restaurant, $1.65 (166 per cent).

I shall now turn to Great Western Champagne in order to illustrate further how the public is being fleeced. The wholesale price of this champagne is $2.07 a bottle and the retail price is $2.90 a bottle, this being a mark-up of 40 per cent. In the Pier Hotel dining-room the price $4.60 a bottle; in the Red Wine Grill Room, $4.60; in the top room of the Arkaba Hotel, $5.40 (a mark-up of 160 per cent); in the Hilton Motel, $4.75; in the Commodore Motel, $4.65; and in the Alpine Restaurant, $4.70 (a mark-up of 127 per cent). These are popular wines that many women choose at dinners.

I now turn to sparkling wines, examples of which are Kaiser Pearl, Orlando Starwine and Mardi Gras. The wholesale price is 71c a bottle and the retail price is $1, the mark-up being about 40 per cent. The three wines to which I have referred cost the same wholesale and the retail mark-up is $1. However, at the Commodore Motel the cost of Kaiser Pearl, Starwine, and Mardi Gras is $1.60, a mark-up of 125 per cent. At the Toll Gate Motel, Kaiser Pearl costs $1.65 (a mark-up of 132 per cent).

Mr. Millhouse: What is this proving?

Mr. CASEY: Starwine and Mardi Gras cost $1.60 (a mark-up of 125 per cent). These wines cost the same wholesale, but there is a difference in price in the dining-room. This situation could be controlled by the Prices Commissioner. At the Hilton Motel, Kaiser Pearl costs $1.45 but Starwine and Mardi Gras cost $1.55. At the Pier Hotel dining-room each wine costs $1.80 but at the Top Room

of the Arkaba Hotel, Starwine and Mardi Gras cost $2 (a mark-up of 200 per cent). At the Red Wine Grill of the Arkaba Hotel, the cost of Starwine and Mardi Gras is $1.75; at the Arkaba Steak Cellar they cost $1.45, and at the Alpine Restaurant, $1.65.

We should protect people against these exhorbitant charges. A wholesale and retail price has been fixed by the Australian Hotels Association for several years and, in these circumstances, the Prices Commissioner will have no difficulty in arriving at satisfactory prices that will benefit not only the public but also the wine industry, because people will know that they can obtain wine at a reasonable price and will buy more. I agree with the view of the Australian Hotels Association that the State should be zoned. People in certain zones nowadays are enjoying greatly reduced freight rates. As some customers in country areas are therefore paying much more for liquor than they should be, I believe that this matter should be reviewed.

Mr. FREEBAIRN: I oppose the fixing of minimum prices because I believe that it works directly against the principle of modern merchandising. Although there may be some reason for maintaining a 40 per cent profit margin for retail traders, I believe the figure is excessive in the light of modern conditions. About two years ago, when in Western Australia, I visited a Tom-the-Cheap store at which liquor was sold under licence, and I found that the principles of modern merchandising were being used effectively. That grocer was selling canned beer at 4c a can below the price charged by the Perth hotels. If his merchandising will permit him to sell so much more cheaply than the hotels, then the hotels have not learned the art of modern mechandising.

Why should people have to pay the excessive margins that the licensed outlets appear to think they need? I was pleased to find that wine from the Clarevale winery, which draws some grapes from the Light District, was being sold in Tom-the-Cheap's store in Perth at a price no greater than I would have to pay if I went to the Clarevale winery door. The wine is imported in bulk and then bottled, and the Western Australian people are getting the benefit of modern merchandising.

This is the sort of thing I would like to see here. The liquor industry should employ modern merchandising and promotion techniques, and many hotels need their bottle trade brightened up by some acute competition. I oppose the clause, because I object strongly to the minimum price provision. Most members appreciate that many small wineries exist in South Australia and that effective outlets are most important to them. They are constantly competing against the big Murray River co-operatives and the big family wineries, and it is most necessary for them to have more scope to effect a proper clearance of their stocks each year.

Mr. HALL: Some of the matters raised by the member for Light illustrate some of the difficulties that could apply in the sale of liquor through a greatly increased number of outlets other than hotels. The undercutting of the hotel prices by unbridled competition from other outlets could result in unfair competition, and this no doubt is one of the major reasons for the inclusion of this clause.

However, I believe that other factors completely outweigh that possibility, and that the clause is most undesirable. The member for Frome has given us a detailed list of prices of wine when served with meals at various Adelaide hotels. How would he compare the smallest and humblest Hindley Street cafe with the better-class and better-fitted restaurants in other parts of Adelaide or even in the same street that give a better type of service? It is simply a business proposition for one place to supply the wine more cheaply. It will be impossible for the Prices Commissioner to fix common prices for wine served with a meal.

The only case in which prices can be fixed is the case of a bottle department where the consideration involves purely retail profit. The length of time a restaurant stays open must also be taken into account, as must the fact that one place may have twice the turnover of another. The provisions of this clause could not be effected without using an army of people to check the prices and make assessments which, in many cases, would be unjust.

The Hon. D. A. DUNSTAN: As the member for Mitcham said, the Royal Commissioner in this case found that there was reason to fix minimum prices and maximum prices. He found that in certain cases there was gross overcharging and that in certain other cases there was undercutting which, in all the circumstances of trade, was unfair. Obviously, maximum and minimum prices cannot be fixed for every product of the liquor industry. What the member for Burra has said about the differences in vintages and conditions is true and, in those circumstances, it is impossible to fix set prices in all cases.

However, I point out that the clause does not relate merely to the fixing of set prices. The Leader of the Opposition said that we could not fix prices in restaurants. With great respect to him, he obviously has little knowledge of the present practices of the Licensing Court. The Licensing Court does fix prices of wine in restaurants. It has no power to do this in relation to hotel licences but, in granting restaurant permits in South Australia, after investigation of the kind of service to be given by a particular restaurant it imposes as a condition of the permit a specific percentage mark-up on cost. It is not fixed at a set price. Some of the places referred to by the member for Frome charge fantastic mark-ups that are unconscionable and out of proportion. They do much harm to the wine trade. There is no reason why a reasonable mark-up cannot be allowed not by fixing prices for certain vintages by prices order but by fixing a reasonable percentage for mark-up.

Many members seem to have assumed that the Prices Commissioner, if he is given this power, will go wholesale into fixing maximum and minimum prices for every type of liquor in South Australia at every stage. It is intended not that he do that but that he continue to do what he is doing now, namely, interfering in cases that warrant interference. That was the form that the Prices Commissioner's administration took under the Playford Government and the same form of administration has been adopted under the present Government. The Prices Commissioner already has power to fix maximum prices: we are giving him power to fix minimum prices.

A rule of legal interpretation known as *expressio unius est exclusio alterius* says that if one thing is expressed in an Act, the alternative is impliedly excluded. Therefore, if we include a clause specifically relating to minimum prices only, it may be argued that we are excluding the right to fix maximum prices. That is the only reason for this provision. Minimum prices were recommended by the Prices Commissioner in certain circumstances and are asked for by the hotel trade. This is a reasonable provision and the fears that some honourable members have are ill-founded. Difficulties need not be encountered when we need to interfere.

The Hon. Sir THOMAS PLAYFORD: I oppose the clause. There is already legislation for price control on any commodity sold in South Australia that the Government of the day chooses to bring under control in the interests of consumers. It certainly does not include the power to fix a minimum price but it does include the power to fix a maximum price. Price control has operated for many years and the question we are discussing tonight has often been examined, and it has been found impossible to effectively fix prices in respect of the enormous variety of circumstances under which liquor is sold.

For some years the price of beer was controlled but difficulties were encountered in connection with the quantity of beer contained in a glass. Consequently, my Government abandoned this measure because it could not achieve anything that was not being achieved by the Hotels Association in the field of liquor prices. However, this clause goes much further than any price control legislation that we have had in South Australia. It would be completely impossible for any person, particularly a traveller, to know the current price of wine of a certain brand at whatever place he might be in. It is incredibly foolish to try to do this. No provision would enable a person to know, because prices orders are not seen by the ordinary public.

The Hon. D. A. Dunstan: Are you suggesting that this provision is not in the existing Prices Act?

The Hon. Sir THOMAS PLAYFORD: The provision will not protect the public. We are arguing about something that never will come into effect, whether the legislation is passed or not. The Prices Commissioner has had power for the past 22 years to fix these prices: he tried, but it was a dismal failure, and the industry repeatedly requested that this provision be deleted because it could not be complied with. This provision offers no protection to the person who unwittingly commits an offence, because he would not know that he was breaking the law. Price control has been useful in this State, because it enabled the department to prosecute people who were taking advantage of the position and who treated the public unfairly.

I have considered the Commissioner's report in respect of this clause but, apparently, the Government is not implementing it. On balance, the Commissioner thinks that something should be done, but I point out that the provision now being considered relates to the Prices Act and not the Licensing Act, to which the Commissioner referred. Can the Premier explain the references made by the Commissioner to "normal retail price", "reasonable discount for quantity", or "a reasonable discount for taking delivery at the cellar door"?

The Hon. D. A. DUNSTAN: The member for Gumeracha has suggested that we are making a departure in the last subclause of this clause, but that is not the case. Section 31 of the Prices Act provides:

A person shall not knowingly—
(*a*) pay or offer to pay; or
(*b*) hold himself out as being willing to pay or offer to pay or as being willing or able to obtain another person to pay; or
(*c*) offer to act in connection with paying, for any declared goods or declared services a greater price or rate, whether by way of premium or otherwise howsoever, than the maximum price or rate fixed by or under this Act for the sale of those goods or the supply of that service.

Mr. Millhouse: Why have you omitted the word "knowingly" here?

The Hon. D. A. DUNSTAN: I am prepared to put it in if the honourable member thinks it is vital.

Mr. Millhouse: As it is, proof of *mens rea* would not be required by a court of law. It's a statutory offence.

The Hon. D. A. DUNSTAN: If the honourable member examined arguments recently before the Supreme Court on the question of *mens rea*, he would probably find that the court would not find this to be an absolute offence at all. Frankly, I do not think the clause presents the difficulties that are envisaged. I point out that the only difference this provision is making is that it gives the right to provide for minimum prices. Concerning maximum prices, I agree that we do not need the clause. The provision has been asked for by the trade because it has been able to point to cases of under-cutting.

Mr. McANANEY: The only way in which I would support the control of the price of wine served in restaurants would be if the price appeared on the menu so that the customer knew just where he stood, irrespective of whether he was willing to buy the liquor or not. Reference has been made to the sale of wine in a luxury restaurant, but I think I have paid up to 90c for a cup of coffee at a certain restaurant on the Torrens River. A 20c icecream there costs about 70c. Everything one buys at a luxury restaurant is marked up to at least as great an extent as the wine. I agree with the member for Burra that often a person will purchase the highest priced wine. I cannot see what can be gained by having this extreme control of prices.

The Hon. T. C. STOTT: Much play has been made tonight about the high prices for wine at certain hotels, but no-one is forced to go to high-class hotels. These places mark up the prices because they are prestige places and they engage top-class entertainers, who demand very high fees. Do members realize what it cost the Freeway Hotel recently to engage the celebrated American artist, Kathryn Grayson? The hotel had to pay a high price to have her appear. If we are to attract visitors from other States, our hotels will have to compete with hotels in the Eastern States in the entertainment they provide. The high price charged for wine includes a cover charge from which the hotel pays its entertainers. If an unconscionable charge is made, steps can be taken under the provisions of the Prices Act. I strongly oppose this clause.

The Committee divided on the clause:

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

Noes (17).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall (teller), Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, Shannon, Stott, and Teusner.

Majority of 2 for the Ayes.

Clause thus passed.

Clauses 187 to 195 passed.

Clause 196—"Power to amend."

The Hon. Sir THOMAS PLAYFORD: Can the Premier say why a complaint should not be lodged in the normal way? Why is it necessary to provide power to amend after the complaint has been lodged? I do not know of any other legislation containing a similar provision.

The Hon. D. A. DUNSTAN: This is copied from the original Act. I am not certain that this clause is necessary, because this is also covered by a similar provision in the Justices Act. If there was no provision in our Statutes for this, it would open the way to formal objections as to complaints, which I assure the honourable member could be very serious and time-wasting. This provision was inserted to avoid the difficulties of formal objections. It is required in this clause that the accused should know what the charge is and, if it is necessary to amend for the purpose of making it quite clear to him, this can be done by the court on terms. Normally, people simply refer to the power in the Justices Act, which is in similar terms.

Mr. MILLHOUSE: The power in the Justices Act does not use the word "reasonably". I think the accused should be given a clear and intelligible statement of the offence with which he is charged. By putting in the words "reasonably clear and intelligible statement" we are allowing for something less than one that is clear and intelligible. The word "reasonably" bristles with difficulties of interpretation because it is not an exact word. If we are to conform with what is, I hope, the custom in our legislation, and certainly in the courts, everyone should know what he is charged with, and we should omit the word "reasonably".

The Hon. D. A. DUNSTAN: I think the courts have time and again shown that they know what is meant to the average person and to lawyers by "reasonably", and I do not think there is any difficulty in this clause. It has certainly not produced an injustice to my knowledge in all the many years it has been in the Licensing Act.

Mr. Millhouse: I think the Premier was relying on a similar provision in the Justices Act. I asked whether the word "reasonably" appeared in such a context in that Act.

The Hon. D. A. DUNSTAN: If my memory serves me correctly, it closely complies with the general tenor of the Justices Act.

Clause passed.

Remaining clauses (197 to 210) passed.

New clause 18a—"Licence for Adelaide Oval."

Mr. COUMBE: I move to insert the following new clause:

18a. Subject to the provisions of this Act, a full publican's licence may be granted to the South Australian Cricket Association Incorporated in respect of the Adelaide Oval. The Association shall not sell or supply any liquor except as is authorized under such licence.

This is a special case, and we have provided for special cases under several clauses. The Adelaide Oval is the premier sporting centre of this State; it is completely enclosed, and people have to pay for admission.

Mr. Casey: How does it compare with the showground at Wayville?

Mr. COUMBE: It is different. In 1871 Parliament passed the Adelaide Oval Act, under which the control and care of that portion of the north park lands was vested in the South Australian Cricket Association. The association does not wish to sell liquor during all the normal hotel trading hours. However, it desires to be able to supply liquor between, say, 10 a.m. and 6 p.m. on some days and on nights when special dinners are held. Liquor is now sold, but it is sold under a publican's booth licence, and caterers provide this facility. Until now, the caterers have paid a fee to the association, they supply the liquor and the staff, and, of course, make a profit.

The association believes that, if it had the right to sell and supply liquor at certain hours as specified in the licence and fixed by the court, from the profits it would be able to effect improvements. Under the terms of the lease with the Adelaide City Council, 50 per cent of all profits made by the association from all sources must be spent on improvements on the Adelaide Oval. We are aware of moves by the South Australian National Football League to induce the association to erect a new stand. With all the events that take place at the oval, I believe this facility should be granted and that the court should be empowered to state the hours and conditions under which liquor shall be sold.

The Hon. D. A. DUNSTAN: I am not happy to accept this new clause. Although I appreciate the honourable member's concern for the association, his amendment provides conditions that are quite inapposite to the Adelaide Oval. Members of the association can apply for a club licence and I should imagine, given the club rooms that exist, that if it were given for the association's members there would be no difficulties.

Mr. Coumbe: That was not my point.

The Hon. Sir Thomas Playford: What about the public?

The Hon. D. A. DUNSTAN: The public is catered for by a booth permit. Such permits are available at other ovals. There are unsatisfactory features about booth permits because they are now granted not by the Licensing Court but by a court of summary jurisdiction. Under this Bill, they will be under the control of the Licensing Court, and the unsatisfactory drinking conditions that exist with booth permits can be cleared up.

A full publican's licence is quite inappropriate for conditions at an oval, for in effect it would be a hotel, without the conditions imposed by the licence, at an oval. If we grant such a licence to the cricket association, this immediately opens the door to a whole series of other requests. What is then to stop the South Australian Jockey Club from demanding a full publican's licence in relation to Morphettville Racecourse? What is to prevent clubs that have buildings upon other

ovals in South Australia from asking for such a licence for the benefit of their members and becoming trading associations to the general public?

The public at the Adelaide Oval can be catered for by a booth permit. Booth permits have been unsatisfactory because they have not been under the control of the Licensing Court, but they can be made to be satisfactory by the Licensing Court. Members of the cricket association can get a club licence and so have liquor facilities available in association with the normal activities of the club.

Mr. Quirke: Could the cricket association apply for a booth licence?

The Hon. D. A. DUNSTAN: No, only a licensee can apply for a booth permit. I think members would realize just what this would lead to in demands from other associations once we proceeded to hand over to sporting associations the business of running full publican's licences. While I regret that I cannot help the honourable member, I cannot accept his amendment.

Mr. COUMBE: I am aware of the position regarding members. However, the general public forms the great preponderance of patrons at the Adelaide Oval. I am aware of the unsatisfactory condition of the booth licence, but the cricket association is anxious to improve conditions at the oval. It is anxious through this medium not only to give better service but also to retain the profits for oval improvements.

In most other capital cities in Australia the major cricket ovals have a licence: some extend for five or six days over, say, the duration of a test match. I regret that this amendment cannot be accepted. I shall not press the matter, but I hope that we may be able to get around this in another way. I was promoting this clause on the ground that the court could set out the conditions under which this type of licence would apply. I regret that this is not acceptable.

New clause negatived.

New clause 70a—"Permits for auctioneers."

The Hon. D. A. DUNSTAN: I move to insert the following new clause:

70a. (1) The court may grant a permit to a licensed auctioneer authorizing him, in the *bona fide* exercise of his business, to sell or offer for sale by auction, any liquor—

(*a*) on account of another person authorized to sell such liquor where such sale or offering for sale takes place on the premises in respect of which such authority is held;

or

(*b*) on account of the estate of a deceased or bankrupt person;

or

(*c*) on account of another person where such liquor is sold or offered for sale in conjunction with other effects of such person and such other effects are substantially greater in value that the value of such liquor.

(2) A permit granted under this section shall authorize the person to whom it is granted to sell or offer for sale by auction any liquor in accordance with the terms thereof.

This gives a right to a licensed auctioneer in the *bona fide* exercise of his business to auction liquor where it is appropriate for an auctioneer to do so. In effect, where he is to make a sale in the terms of an auction, in the selling of a bankrupt's estate or something of that kind, of course he has to have the means of being able to auction the liquor, and this provision is written in to make certain that he is not committing an offence of sly-grogging by exercising his function as a licensed auctioneer in that way.

Mr. NANKIVELL: As many wines, particularly red wines, improve with age, some people have established cellars. If they want to dispose of their wines, can the wines be legitimately auctioned?

The Hon. D. A. DUNSTAN: It is not possible for us to provide that straight-out sales of liquor only can be made, but if this is a clearing sale, together with assets of greater value, then this clause provides for it.

Mr. Nankivell: What about a sale through Vintage Cellars Proprietary Limited or another such wholesaler.

The Hon. D. A. DUNSTAN: If the wine is in more than five-gallon lots, I believe it would come under the exemption clause.

Mr. Nankivell: If the wines are special vintages, can they be sold by bottle lots?

The Hon. D. A. DUNSTAN: It would be difficult to sell to other than a licensed person except by auction.

New clause inserted.

The Schedule.

The Hon. D. A. DUNSTAN moved:

After "1936" to insert the following lines:

Lottery and Gaming and Licensing Acts Amendment Act, 1933, Part II.
Licensing Act, 1933.
Licensing Act, 1935.
So much of the Statute Law Revision Act, 1936, as relates to the Licensing Act, 1932.
So much of the South Australian Railways Commissioner's Act, 1936, as amend the Licensing Act, 1932.

Mr. MILLHOUSE: I have always understood that the purpose of a schedule was to enable one to see at a glance what was being repealed. I therefore protest against this inclusion of a schedule that contains such lines as "So much of the Statute Law Revision Act, 1936, as relates to the Licensing Act, 1932" and I protest even more at such a line "So much of the South Australian Railways Commissioner's Act, 1936, as amends the Licensing Act, 1932." In order to find out what is repealed, one has to look through the whole Act and find every reference. This is a lazy man's way of wording his schedule. The only proper way is to set out the sections that are repealed, and I protest emphatically at the Premier's including a schedule in these terms.

The Hon. D. A. DUNSTAN: The honourable member's protest is noted.

Amendment carried; schedule as amended passed.

Title passed.

Bill reported with amendments.

Bill recommitted.

Clause 13—"Exceptions to application of Act"—reconsidered.

Mr. NANKIVELL moved:

In subclause (2) to strike out "imperial".

Amendment carried; clause as amended passed.

Clause 22—"Retail storekeeper's licence"—reconsidered.

Mr. CURREN: I move:

In subclause (2) after "licence" first occurring to insert "except in an area situated outside a radius of five miles from existing licensed premises".

I have been approached by a storekeeper in my district who trades in an area some distance from licensed premises. The last local option poll was held in 1964; in 1966 an amendment to the Act prevented such polls for a year pending the Royal Commissioner's report and the introduction of this Bill. Consequently, this clause in its present form would result in a period of at least six years during which storekeepers would be precluded from obtaining a licence. I agree that there should be a settling down period before any further retail storekeeper's licences are issued in areas reasonably well served by existing licensed premises, but I believe that storekeepers in remote areas should be considered so that they can provide a service for their customers.

The Hon. D. A. DUNSTAN: I accept this amendment because it has been clear that in some cases in developing districts a full publican's licence would not be immediately required, and it is clear that people in such areas would need some facility for liquor, which would be prevented by the amendment of the Minister of Lands as it stands. Of course, this does not mean, if the honourable member's amendment is carried, that there will be a proliferation of new licences in new areas because the clause will still allow existing licensees to object to any adverse influence that the grant of such a licence would have on their licences or to any adverse influence that the grant of a retail storekeeper's licence would have on the ultimate granting of fuller licensed facilities. Indeed, this objection could be made by anyone.

Amendment carried; clause as amended passed.

Mr. QUIRKE: I move:

In subclause (2) to strike out "three" and insert "two".

I think that the period of three years is too long because much could take place in that period. I admit that some time should elapse, but I prefer it to be two years.

The Hon. D. A. DUNSTAN: As this matter was originally debated at some length, I cannot accept the amendment.

The Hon. D. N. BROOKMAN: To be fair to the people who wish to apply for this type of licence we should be tolerent, because Parliament intends to provide this licence. If the court can deal with the applications within two years instead of three years this should be allowed.

The Hon. J. D. CORCORAN (Minister of Lands): I not only considered the position the court would be placed in with a flood of expected applications: I also considered the cost incurred by people who objected to the application and, in addition, I am sure the trade was not aware of the effects of a single-bottle sales licence. The three-year period would give the trade an opportunity to gear itself in order to provide the service to the public that probably does not exist in many cases today. I have already pointed out that the hotels today are required not only to provide bottle sales but also to incur the capital cost of providing accommodation, meals and various other things that the people concerned will not be required to provide. It was therefore only fair that the trade as it exists today should be given the opportunity to provide this facility, and I do not think three years is unreasonable in allowing for this. I am not happy about the proliferation of single-bottle outlets throughout the State. I think it is reasonable to give some protection to the existing trade. Even after

three years there may well be a flood of applications for this type of licence. Sufficient numbers of other licences are available to cater for the needs of the public generally.

Mr. QUIRKE: Nothing has been said by the Premier or the Minister of Lands to convince me that this could not be done just as easily in two years as in three. We have provided for these licences, so what is the purpose in stretching the time for applying for a licence?

The Hon. G. A. BYWATERS (Minister of Agriculture): I oppose the amendment, and I do so for two reasons. First, had the amendment of my colleague, the Minister of Lands, to provide for three years not been moved, I would have opposed the clause entirely when it was before the Committee earlier. Secondly, I believe that it is unjust to the Committee to have to consider the present amendment at 12.30 a.m. when the Committee has earlier accepted the amendment moved by the Minister of Lands. If we are going to do this with every clause that is recommitted we will not get home at all today. I believe that when we have a recommital of a clause in respect of something that was overlooked on a previous occasion—

The Hon. D. N. Brookman: It was not overlooked.

The Hon. G. A. BYWATERS: The vote was taken on the amendment providing for a period of three years, and it was carried.

Mr. Quirke: I was asked by the Chairman to move my amendment.

The Hon. D. N. Brookman: And it was arranged that we would return to this matter.

The Hon. G. A. BYWATERS: The Committee has expressed its opinion regarding the period of three years, and I hope that it adheres to its decision.

Amendment negatived; clause as amended passed.

Clause 27—"Club Licence"—reconsidered.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) to strike out paragraph (*e*1); in subclause (1) (*f*) after "otherwise" to insert "and shall authorize the sale and supply of liquor by or on behalf of the club in the club premises at any time to a *bona fide* lodger who is a member of the club".

These amendments do not affect the substance of the clause and I therefore ask members to support them.

Amendments carried; clause as amended passed.

Clause 66—"Permit for supply of liquor for consumption at club"—reconsidered.

Mr. MILLHOUSE: I move:

In subclause (1) after "licence" to insert "or from the holder of a retail storekeeper's licence".

The Premier has suggested a slight alteration to my next amendment which I am prepared to accept. The effect of that alteration is simply to insert a specific date rather than to refer to the commencement of the Act. The reason why the Premier wants the date inserted is in case any of these retail storekeepers should dash around getting new customers in anticipation of the commencement of the Act. Although I do not think this would happen, I am prepared to accept the alteration.

Amendment carried.

Mr. MILLHOUSE moved:

In subclause (1) after "club" third occurring to insert "or from the holder of a full publican's licence or the holder of a retail storekeeper's licence if the court is satisfied that the club has traded with that holder before the first day of August, 1967".

Amendment carried.

The Hon. T. C. STOTT: I move:

In subclause (1) after "club" fourth occurring to insert "or where it is impracticable for any reason, from a licensee to be nominated by the court".

As the subclause stands, a bowling club may have to obtain liquor supplies from a place 20 miles away if there is no hotel in the locality, although there may be a licensed community club alongside the bowling club. My amendment will enable a bowling club to purchase its requirements from the local community club, which is not a holder of a full publican's licence. The licensee from whom the club will get the liquor in terms of my amendment will be nominated by the court, so the court will be in complete control.

The Hon. D. A. DUNSTAN: No doubt this is my fault, but I understood that the honourable member was providing that supplies were to be obtained from the holder of a full publican's licence nominated by the court. I could not agree to a sale of liquor by a club to non-club members. Any licensee in these circumstances would be able to engage in retail trading. I could agree only to an amendment providing for supplies to be obtained from the holder of a full publican's licence nominated by the court.

The Hon. T. C. STOTT: Then, we get back to the position that I have already argued. The bowling club would get a special permit from the court in relation to days when bowls were played but would have to obtain supplies from

20 miles away, even though supplies could be purchased from a community club alongside the bowling club.

The Hon. D. A. Dunstan: Those clubs have not been able to sell previously.

The Hon. T. C. STOTT: No, but this Bill provides for special permits to be given. The two clubs about which I am concerned are at Lyrup, which is 20 miles from Renmark or Loxton, and Moorook, also 20 miles from the nearest hotel, which is at Loxton. They will be forced to travel long distances to get their supplies. These two cases are genuine, and my amendment does no harm. It creates a privilege for these communities, the populations of which are insufficient to maintain a hotel.

Mr. MILLHOUSE: I am convinced by the arguments of the member for Ridley, and I do not think we should take an approach that is too theoretical. When there is a source of supply next door, it seems absurd to say, "You must go 20 miles to the next town to get supplies." This provision will not be observed and it is unreasonable to suggest that it should be observed. This amendment seems perfectly reasonable and it should be accepted.

Mr. FREEBAIRN: I think the Premier has overlooked the significance of the amendment as it applies to licensed clubs along the Murray River. I am thinking of Cadell and Cobdogla in particular. Cadell is eight miles from the nearest source of supply, which is at Morgan. A punt crossing is involved in this journey. If this amendment is carried, it will provide a convenience to the people of Cadell and other small communities.

The Committee divided on the amendment:

Ayes (18)—Messrs. Bockelberg, Brookman, Casey, Coumbe, Curren, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, Shannon, and Stott (teller).

Noes (16)—Messrs. Broomhill, and Burdon, Mrs. Byrne, Messrs. Bywaters, Clark, Corcoran, Dunstan (teller), Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, and Ryan.

Majority of 2 for the Ayes.

Amendment thus carried.

Mr. MILLHOUSE moved:

In subclause (1) before "sold" to insert "that the liquor will be".

Amendment carried.

Mr. MILLHOUSE: Will the Premier say whether the words "restrictions upon the entry of persons to the club" mean that only members can go into the club, or do they mean that some members of the public can go in, subject to certain conditions? Is it a total ban, or a partial ban? Will he say what is contemplated by this particular clause? It is just one more example of the fact that this is a vague and difficult clause to interpret.

The Hon. D. A. DUNSTAN: These clubs are not simply to be associations comprising people who gather together willy-nilly and who have a continual basis of corroboree. The club must be a genuine club and the entry of persons to it is subject to some reasonable restriction related to the purpose of the club. The provision refers not to the entry of persons to club premises but to the entry of persons to the club itself.

Clause as amended passed.

Clause 84—"Licensing of clubs"—reconsidered.

Mr. MILLHOUSE: I move:

In subclause (1) to strike out "or kept in or upon those premises".

Clause 66, to which clause 84 is subject, refers only to clubs that get a permit whether they are licensed or not; it does not refer to clubs which are unlicensed and which do not desire to have a permit for trading (in other words, clubs which do not desire to sell liquor to their members). I am thinking particularly of two women's clubs in Adelaide that are not licensed at the moment. The practice in these clubs, I understand, has been for the members to bring in, say, a bottle of sherry, which has been kept for members' use when they go to the club. Obviously, there is no harm or vice about this but, if the words I want to take out are left in, those clubs, if they do not apply for a licence (and so far as I am aware they do not intend to apply for a licence), will not be able to continue this practice unless they apply to the court for a permit.

This seems to be quite an unnecessary burden. The practice has done no harm and I see no reason why it should not continue. I know only of these two examples, although probably there are others. My amendment is to provide that members of a club that is not licensed who want to consume their own liquor on the club premises should not have to bring it with them every time but should be able to leave it on the premises for their use at their convenience.

The Hon. D. A. DUNSTAN: I am not at all happy to accept this amendment. What the honourable member is saying is that, on the basis of the Queen Adelaide Club and one other, the members, instead of bringing their liquor with them when they come to the club and consuming it there, choose to bring it in at some previous time and have it stored there. That may not cause any very great harm at the moment, given the kind of club that the Queen Adelaide Club is. I do not know the other one to which the honourable member is referring. However, taking out these words will make the other clauses of the Bill in relation to unlicensed clubs impossible to police. What has been relied on previously in prosecutions against unlicensed clubs is that stores of liquor were found there, and that is taken to incriminate immediately. It would be impossible to police the situation if we allowed any unlicensed club to store as much liquor as it wants. I do not see why the Queen Adelaide Club and the other club to which the honourable member refers should not apply for licences if they want the facililty of having liquor on the premises, for they could easily get licences. However, if they are not going to apply for licences, I think it is not too much to ask of the members of those clubs that they bring their liquor with them rather than store it at the clubs.

Mr. MILLHOUSE: I am not as surprised as I am disappointed at the Premier's attitude. It just shows the defects in the Bill when we must stop a practice that has caused no-one any harm for the sake of something else that the Premier wants to cover. Perhaps what he has said is right on the broader issue, but it is quite wrong that in the course of stopping other practices we should cut out practices that have caused no harm to anybody, and that is what the Minister is doing.

I understand that these two clubs (the Premier has guessed one of them) have carried on a practice for many years without any harm to anyone, and now, simply because the Premier cannot be bothered working out some way around it, he is going to say that those clubs will have to cease that harmless practice. I think it is a very poor show.

Amendment negatived.

The Hon. D. A. DUNSTAN: I move:

In subclause (1) after "any such club" to insert "nor shall any liquor be delivered by any such club otherwise than on the club premises".

The member for Mitcham drew attention to a loophole in this clause which occasioned my saying that I would recommit the clause in order to clear up the loophole. The honourable member pointed out that clubs could deliver liquor from a cold store and thereby avoid the provisions of this clause by not delivering liquor from the club. In order to give effect to the intentions of the Committee in agreeing to this clause previously, I intend to clear up that loophole by this amendment.

Mr. MILLHOUSE: I am sorry that the Premier is carrying out the threat he so pettishly made previously. When I drew attention to the defects in the proviso it was not with the object of giving the Premier the tip that he had introduced an imperfect proviso; it was to show the uselessness, inconvenience and undesirablity of the proviso. By moving this amendment, the Premier will have made a few more enemies amongst the clubs that will be affected by it. I oppose the amendment because it stops a club (maybe many clubs) from taking kegs on picnics or to cricket matches, or something like that, a practice which has harmed no-one but has given many people much enjoyment. Even at this late stage, I hope the Premier will look at the matter again and reconsider whether it is worth while putting in such a proviso at all.

Amendment carried; clause as amended passed.

Clause 145—"Retailing liquor without a licence"—reconsidered.

Mr. NANKIVELL moved:

In subclause (1) to strike out "imperial".

Amendment carried; clause as amended passed.

Bill reported with amendments. Committee's reports adopted.

ADJOURNMENT

At 1.6 a.m. the House adjourned until Thursday, August 17, at 2 p.m.