HOUSE OF ASSEMBLY

Thursday, October 19, 1967

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

ASSENT TO BILLS

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

Appropriation (No. 2),
Barley Marketing Act Amendment,
Oil Refinery (Hundred of Noarlunga) Indenture Act Amendment,
Sewerage Act Amendment,
Stamp Duties Act Amendment,
Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San José Scale Control).

QUESTIONS

WATER RESTRICTIONS

Mr. HALL: In view of the fact that, over the last few days, the use of water has been greater than the quota prescribed by the Engineering and Water Supply Department, can the Minister of Works say how much longer we can continue without legal restrictions being imposed?

The Hon. C. D. HUTCHENS: Although in the last few days daily consumption has exceeded the quota, we hope that, with the cooler weather, the quota for the week will not be exceeded. The position will be watched carefully and, if the care that must be taken is not taken voluntarily, we shall have to enforce legal restrictions. We do not want to do that, because the restrictions would probably be severe and would include bans on the use of sprinklers and on the hosing of motor cars. Further, we probably would have to impose restrictions on the use of water by industry and, above all, we do not want to do that.

Mr. MILLHOUSE: As I understood the purport of the Minister's reply it was that if restrictions have to be imposed they will be severe. In view of this and of the fact that the use of water in recent days has been above the quota set by the department, is the Minister satisfied that it is wise to continue with voluntary restrictions, or does he not think that it would be wise, now, to impose compulsory restrictions that might, therefore, be less severe than they would be if he waited?

The Hon. C. D. HUTCHENS: As the week has not ended yet, the consumption may still be below the weekly quota. However, there can be no half measures, because legal restrictions, if they have to be introduced, must be severe. At present, most people have co-operated with the department, and we hope that this co-operation will continue. It is only reasonable to expect that on the first hot days people tend to use more water than is necessary, but we believe that co-operation will be given if further requests are made, so that we will be able to refrain from imposing legal restrictions that must result from any failure to co-operate.

CHOWILLA DAM

Mr. CURREN: Can the Premier say what action he has taken to initiate discussions with the Premiers of New South Wales and Victoria and with the Commonwealth Minister for National Development regarding the deferment of work on the Chowilla dam project, and regarding the Murray River water supply generally?

The Hon. D. A. DUNSTAN: My officers have been in communication with the officers of the Premiers of New South Wales and Victoria and with the Secretary to the Minister for National Development, and two days in November have been fixed tentatively for meetings in Sydney, Canberra and Melbourne with the Premiers and the Minister concerned. At present, finalization of the date is awaiting confirmation by the Minister for National Development as to the time that will be convenient to him.

UNION SECRETARIES

The Hon. Sir THOMAS PLAYFORD: Recently, during the debate on a Bill, the member for Burnside (Mrs. Steele) raised matters that showed that extreme pressure had been brought to bear to obtain payment of union dues some months after the persons concerned had resigned from the union. Can the Premier say whether the Government intends to introduce legislation this year to register union secretaries?

The Hon. D. A. DUNSTAN: No, it does not.

EDUCATION FACILITIES

Mr. HUDSON: I understand that five children at the Brighton Primary School Speech and Hearing Centre will soon require secondary education. The experiment conducted at the Brighton Primary School in developing the centre has been a great success. However,

the site is not completely appropriate for hard-of-hearing children who can go on to secondary education. As I imagine that some children at other such centres are in a similar position to that of the children at Brighton, can the Minister of Education say whether he has made a decision about the provision of further facilities for hard-of-hearing children who have been receiving primary education at speech and hearing centres and who now need advanced education?

The Hon. R. R. LOVEDAY: The children referred to at the Brighton Primary School are some of a number of children in a similar situation who require secondary education. I have approved of the establishment of another class at the Underdale High School, and I have arranged for the five children to whom the honourable member has referred to be placed at the Underdale school next year. The establishment of another class at Underdale will enable about six children from the Woodville Primary School Speech and Hearing Centre to attend as well as two or three children from other places. As the usual taxi transport service for these children will be provided where necessary, I believe that these arrangements will be satisfactory for all these children.

MAIN NORTH-EAST ROAD

Mrs. BYRNE: Has the Minister of Lands received a reply from the Minister of Roads to the question I asked on August 23 about the proposal of the Highways Department to re-align the Main North-East Road along Smart Road, Modbury, as shown on the development plan of the Town Planner?

The Hon. J. D. CORCORAN: The Minister of Roads further states that the proposed deviation of a section of the Adelaide-Mannum Main Road 33 is in accordance with the proposals of the 1962 development plan. The 1963 amendment of the Town Planning Act provided for 12 months during which objection to the proposals could be lodged, but no objection was raised concerning this particular proposal. With the implementation of long-term road proposals in this area, traffic patterns will change appreciably, and it is expected that in the long term an arrangement of arterial roads, generally consistent with the development plan, will be required. As short-term improvements in this area are now urgent, the Highways Department intends to reconstruct the main road on its present alignment as a temporary measure. Due to the expected need for ultimate re-alignment, a restricted width of road reserve will be adopted for the section between Smart Road and Buder Road to avoid additional property acquisition.

NARRUNG WATER SUPPLY

Mr. NANKIVELL: Can the Minister of Works report on any progress that may have been made by his department in formulating a water scheme for Narrung township?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports that a separate scheme to provide water for domestic purposes to Narrung residents in the township has just been finalized. However, the department cannot proceed as yet, because it is considered that the District Council of Meningie should be given the opportunity to examine the revised proposals before a final recommendation is made.

FISH AND POULTRY PROCESSING

Mr. LANGLEY: In an article appearing in last Tuesday's *Advertiser* under the heading "Health after Gambling", Alderman Spencer of the Adelaide City Council is reported as saying that health "was being placed by the State Government after gambling and Sunday entertainment". That statement apparently was made as the result of a resolution passed, requesting the Government to set aside a special area for fish and poultry processing and marketing. However, as the statement seems biased, and as I know how hard the Minister of Agriculture works in this regard, can the Minister comment on this accusation?

The Hon. G. A. BYWATERS: To say that this statement is ridiculous would be putting it mildly. This matter first arose at one of the regular Poultry Advisory Committee meetings in my office. The committee was concerned about a press report to the effect that a poultry processing area was intended to be proclaimed at a site near Grand Junction Road, Gepps Cross. One of the leading poultry processors in the industry was concerned that this proposition would be forced on the people involved without their having sufficient opportunity to consider it. I was asked to write to the Municipal Association in order to ascertain the position. Having written to that association, I received a letter from its Secretary, pointing out that representatives of five councils had held a meeting, following a complaint that had been made by the Local Board of Health of the Adelaide City Council regarding fish processing works in the city. Poultry processing also was apparently involved. At this

meeting it was resolved that a letter be sent to the Government requesting two things: first, that a poultry processing area be proclaimed; and secondly, that a fish processing area also be proclaimed. The sites suggested were close to Grand Junction Road. As this relates mainly to health, I referred the matter to the Minister of Health. In order to show that there is apparently no urgency about the matter, I shall quote the following paragraph from the letter received from the councils:

Woodville delegates advised that they had implemented strict inspectorial surveillance of all premises, and poultry-killing establishments had shifted to other areas. The City of Adelaide delegates advised that five poultry-processing plants were in the City of Adelaide and processing up to 15,000 birds a day. The City of Adelaide had up to the present experienced little difficulty with the poultry-processing works.

I have been informed by the poultry processors concerned that they would prefer to operate at a site closer to their source of supply, particularly in respect of the operations of the broiler industry, which has grown considerably. Obviously, the co-operative poultry-processing works holds a similar view, for it has its operations at Gawler. The other major organization concerned in this matter is interested in operating near Murray Bridge, which is its main source of supply. Quantities of fish are at present being processed at Gepps Cross. I do not think there has been any suggestion of urgency in the correspondence I have had. I was correct in saying that the matter would be considered and that, after due consideration, the Government's determination would be made known. The reason for the suggestion that this matter has been given second priority is beyond my comprehension.

DROUGHT ASSISTANCE

The Hon. D. N. BROOKMAN: I read in today's *Advertiser* that two State departmental heads are to go to Canberra to discuss Commonwealth drought assistance. Although those men are experienced and respected officers, the Government seems to be making a rather casual approach to this serious problem in not sending a Minister.

The SPEAKER: The honourable member is commenting.

The Hon. D. N. BROOKMAN: Will the Minister of Lands therefore consider either going to Canberra himself or arranging for another Minister to approach the Commonwealth Government by visiting Canberra?

The Hon. J. D. CORCORAN: An approach at Ministerial level has been made because the Premier has already approached the Prime Minister on this question. It is normal practice that the two heads of department, the Under Treasurer (Mr. Seaman) and the Director of Lands (Mr. Dunsford), should go to Canberra on Monday. If the Premier considered it necessary for a Minister to go at this stage, I am sure he would have arranged for that to happen. However, this is obviously not necessary at present. Although the honourable member says that this is a rather casual approach, I point out that the Government has done everything possible to keep the Commonwealth Government informed of South Australia's serious position. Indeed, the Government is anxiously awaiting an announcement by the Commonwealth Government as to the extent to which it is prepared to help us. As the Premier has been making these arrangements, I will ask him whether there is any merit in the honourable member's suggestion.

MOUNT GAMBIER HOUSING

Mr. BURDON: The Housing Trust is carrying out a building programme in my district at a rate probably greater than at any other time in the past 10 years. I believe I have a good relationship with the trust and its officers, and I value and appreciate what they are doing and their ever-ready co-operation in the matter of housing. The current programme comprises many houses being built under the rental-purchase scheme. However, because of the demand and the requests I am now receiving for rental houses in Mount Gambier, and the fact that there is a seven-month waiting period for rental houses there, I believe this waiting period could increase rather than decrease.

The SPEAKER: Order! The honourable member is not in order when commenting or saying what he believes.

Mr. BURDON: I have good reason to believe that over 70 per cent of the applicants for rental houses are in the lower wage bracket. Therefore, I ask that sympathetic consideration be given to the building of rental houses. The demand for purchase houses is such in Mount Gambier that most houses built by the trust are sold before the foundations are laid. Will the Premier therefore take this matter up with the trust with a view to ascertaining whether this waiting period can

be substantially reduced, and whether a programme of building rental houses could be undertaken to cope with this demand?

The Hon. D. A. DUNSTAN: I will take up the matter with the trust.

LANGHORNE CREEK BORE

Mr. McANANEY: Last year it was stated that a bore would be sunk to test the water basin in the Langhorne Creek area but, because of lack of funds, this was not done. With the dry weather that is being experienced, people in the area have to irrigate vines and carry out other irrigation and if more bores are sunk the situation could be serious. Will the Minister representing the Minister of Mines obtain a report on what has been done in this area?

The Hon. G. A. BYWATERS: Yes.

LUCINDALE ELECTRICITY

Mr. RODDA: I understand that a survey into electricity requirements has been carried out in part of the hundred of Conmurra in the Lucindale area. On the eastern side of that hundred is a thin area which abuts the West Avenue Range and in which 26 people live. Although most of the area will be reticulated with Electricity Trust power as part of the current programme, the area in which these 26 subscribers reside will be reticulated in a subsequent phase. As it would appear practicable to include this area in the current reticulation programme, will the Minister of Works ask the trust's officers to see whether the area can, in fact, be included?

The Hon. C. D. HUTCHENS: I shall be happy to refer the mattter to the trust to see whether the honourable member's request can be complied with.

BAROSSA WATER SUPPLY

The Hon. B. H. TEUSNER: In recent weeks, I have asked a number of questions about water restrictions in parts of the Warren water district that include the market-gardening areas of the Barossa Valley. I have also asked a series of questions about the quantity of water held in the Warren reservoir at the various times I have indicated in my questions. I asked further whether any water had been discharged in the last year through the Warren reservoir into the South Para or Barossa reservoirs, to which question the Minister of Works recently replied that no water had been so discharged. However, as I understand that the Warren water main reticulation system is connected with the Barossa reservoir main reticulation system, can the Minister say whether there is such a connection between the two water reticulation systems and, if there is, what quantity of water has been discharged from the Warren system into the Barossa system during the last 12 months? If that information is not available today, will the Minister let me have a reply on Tuesday?

The Hon. C. D. HUTCHENS: I do not think the honourable member really expected me to have a reply today, but I will have it on Tuesday.

OUTER HARBOUR FACILITIES

Mr. COUMBE: No doubt the Minister of Marine will recall that work on constructing an oversea terminal at the Outer Harbour was recommended by the Public Works Committee but deferred by the Government. As this is a major entrance to the State for people travelling from overseas by sea and as such travellers must get a bad impression of the State as a result of the present facilities that are long overdue for replacement, does the Government intend to proceed soon with the recommended work of erecting an oversea terminal at the Outer Harbour?

The Hon. C. D. HUTCHENS: This year it is planned to carry out all the preliminary work, such as roads, underground piping, electrical services, fences and so on, so that construction of the main buildings can be commenced next financial year.

SOLDIER SETTLERS

The Hon. T. C. STOTT: The Minister of Repatriation will be aware that some time ago an approach was made to him, to the Commonwealth Minister, and to the respective departmental directors regarding war service settlers. Representatives of the soldier settlers committee were given to understand that their budgetary position would be examined by the appropriate officers. As I understand that this examination has not been made and as I shall be in the district at the weekend and be asked about this matter, can the Minister say when an examination of the budgetary position of these settlers is likely to be made and when the results of that examination can be expected?

The Hon. J. D. CORCORAN: If my memory is correct, the Chief Administrative Officer of the Land Settlements Division (Mr. Gilchrist) will be in the honourable member's district on, I think, October 26 to discuss this matter with representatives of the settlers.

I understand some contention has arisen about a variation in approach to budgetary matters by people in the Loxton district and by people in other districts; that is one of the matters that will be discussed. I will confirm this information for the honourable member this afternoon.

MODBURY SEWERAGE

The Hon. Sir THOMAS PLAYFORD: Alhough I did not see it, I have been informed about a television programme recently shown in South Australia (and I believe in other States) that outlined the serious position regarding sewerage arrangements in the Tea Trec Gully and Modbury areas. Undoubtedly this programme resulted in bad publicity for the services provided in this State. On this programme, it was also stated that no effective steps would be taken to improve the situation for probably two years. Can the Minister of Works correct that statement?

The Hon. C. D. HUTCHENS: I am grateful for the honourable member's question. Although I did not see the programme, the details have been reported to me. It is strange that, on the day on which the programme was shown, I had told the member for Barossa (Mrs. Byrne) that work to sewer the area referred to in the programme was to commence immediately. Since then, Cabinet has approved of the commencement of work on a further area on completion of the work previously mentioned, and that will be in about one month's time. Therefore, the area referred to in the programme will be sewered soon.

HILLS SEWERAGE

Mr. MILLHOUSE: I remind the Minister of Works that areas in the District of Mitcham are unsewered and that I have been pressing to have them sewered for as long as I have been in the House, which is about 13 years. I note the haste with which sewerage work is progressing in the Barossa District, and although I have not been on television on the matter—

The SPEAKER: Order! I do not intend to allow that question, not so much because of the question itself but because I have repeatedly told the honourable member that I am not prepared to accept questions of that nature.

Mr. MILLHOUSE: What nature? Mr. Speaker, may I ask the Minister whether he can do anything to speed up the sewering of the Hills areas of the District of Mitcham, which I represent?

The Hon. C. D. HUTCHENS: I can appreciate the honourable member's need for sewerage, and I shall see what can be done.

ALTONA SIDING

Mrs. BYRNE: Has the Minister of Social Welfare a reply from the Minister of Transport to my question of August 30 about the Altona stopping point on the railway line to Angaston?

The Hon. FRANK WALSH: The Altona stopping place is situated three-quarters of a mile west of Rowland Flat. Lately, a stop has been made at this place twice weekly, but prior to that it had not been used for some years. A recent survey disclosed that over a period of one week two passengers joined and none alighted. In view of the meagre patronage, the expenditure of funds to either improve or relocate this stopping place is not warranted. In fact, its continuance is hardly justified.

JUSTICES OF THE PEACE

Mr. NANKIVELL: Has the Premier a reply to my question about the postage on justices' handbooks?

The Hon. D. A. DUNSTAN: Postage on the handbook is 33c (it was 22c under the old postal rate). The Government Printer has not advertised the handbook, and reference to a price of $5 probably came from the daily newspapers or the Justices Association's journal. Arrangements have been made with the Justices Association to include the postage charge of 33c when advertising the handbook in the next issue of its journal.

FORT GLANVILLE

Mr. HURST: Can the Minister of Immigration and Tourism say what progress has been made in mounting the old gun at Fort Glanville?

The Hon. J. D. CORCORAN: I cannot say offhand, but I shall be happy to inquire and bring down a report as soon as possible.

VACCINE

Mr. McANANEY: Has the Minister of Social Welfare received from the Minister of Health a reply to my question about the use of the American-type vaccine for measles?

The Hon. FRANK WALSH: The vaccine proposed for use in the Victorian trial has had the most favourable reports overseas, and it is understood that negotiations have begun for authority to manufacture it in Australia. The vaccines currently available in Australia are considered to have some disadvantages, but

are at present recommended for children who are specially susceptible. It is hoped that the Victorian experience will allow full assessment of the value and any possible hazards of the vaccine under trial, and will indicate whether community-wide campaigns should be embarked upon.

REFLECTOR TAPE

Mr. LANGLEY: Has the Minister of Lands a reply from the Minister of Roads to my question about the use of reflector tape as a safety measure?

The Hon. J. D. CORCORAN: The Minister of Roads reports that any delineators or hazard markers used on district roads, such as Mitchell Street, Goodwood, would not be the responsibility of the Commissioner of Highways but would have been erected by some other authority, such as the council or the Electricity Trust of South Australia. An inspection carried out in the vicinity indicated by the honourable member failed to locate the device he had mentioned. However, the Highways Department does install reflective delineators on guide posts on roads for which it is responsible, and also uses "striped" hazard markers at such hazardous situations as narrow bridges and sharp turns.

KINGSTON BRIDGE

The Hon. T. C. STOTT: Can the Minister of Works say when preparatory work on the Kingston bridge is likely to commence, whether the work will be undertaken by the Highways and Local Government Department, and whether any earth-moving work is likely to be let to private contractors?

The Hon. C. D. HUTCHENS: I cannot answer that question, because the matter comes under the jurisdiction of the Minister of Roads, not my jurisdiction.

TEA TREE GULLY SCHOOL

Mrs. BYRNE: Has the Minister of Education a reply to my question of October 17 about the acquisition by the Education Department of land adjacent to the Tea Tree Gully Primary School, which at present has a restricted playing area?

The Hon. R. R. LOVEDAY: The compulsory acquisition of about two acres of land as an addition at the Tea Tree Gully Primary School has not yet been completed, but the Crown Solicitor states that the department can now take possession of the land. The Public Buildings Department has, therefore, been advised that this land is required for playground purposes and has been requested to undertake work to make the area suitable for this purpose.

TECHNOLOGY

Mr. MILLHOUSE: Especially since the Premier assumed his office, the honourable gentleman has many times expressed the hope that this State would become the technological centre for Australia, and I think he has added "for the world". Is he able yet to announce plans to bring this about and, if he is, will he tell the House what he intends to do? If he is not yet able to do so, will he say when he will be able to make an announcement on the matter?

The Hon. D. A. DUNSTAN: Obviously, the honourable member has not been reading the newspapers. I point out to him that since I took office as Premier the Australian Mineral Development Laboratories, of which an officer of this Government is a member of the governing authority and in which this Government is involved in a tripartite arrangement with the Commonwealth Government and with industry, has concluded an agreement with the Battelle Foundation and the Australian Mineral Industries Research Association to form the International Technical Services.

Mr. Millhouse: Was that since you came into office?

The Hon. D. A. DUNSTAN: Yes, it was. In fact, the announcement was made by me in South Australia at the request of I.T.S. The centre of I.T.S. in Australia is in this State, and it provides a complete research facility for industry not only in this State but also in the rest of Australia with all the reserves of the Battelle Foundation behind it. Having discussed matters with officers of the foundation, and with Dr. Young and officers of the Australian Mineral Development Laboratories, I announced (although the honourable member obviously did not follow that announcement) that the Government intended to set up in South Australia an industrial research foundation, and that officers of my department were working towards this end. The foundation's purpose will be to concentrate on original industrial applied research in fields particularly apposite to South Australia: not merely to service industries here, but to create new areas such as Battelle has done in the United States and as the Wiseman Institute has done in Israel. The officers of my department are preparing submissions and currently negotiating on this matter. I know

that the honourable member expects me to achieve vast miracles in five months—

Mr. Millhouse: No I don't, because I know you better than that.

The Hon. D. A. DUNSTAN: In that case, no doubt the honourable member is able to appreciate all that has been done, but I wish he would say so sometimes.

GAUGE STANDARDIZATION

The Hon. Sir THOMAS PLAYFORD: Can the Minister representing the Minister of Transport say whether agreement has been reached about altering to standard gauge the railway line between Broken Hill and the South Australian border at Cockburn and, if it has not been, when agreement will be reached?

The Hon. D. A. DUNSTAN: Yesterday, I received from the Prime Minister a long letter containing certain specific proposals about settling the differences between this State and the Commonwealth on this matter. These go a long way towards what this State has been contending for, and the proposals are currently being examined by officers of the Minister of Transport and the Railways Commissioner. I expect to be able to make an announcement next week.

The Hon. Sir THOMAS PLAYFORD: It has always been recognized that the completion of the standard gauge railway between Broken Hill and Port Pirie would have only a limited benefit for the State unless the metropolitan area were also connected to this line by a standard gauge, in order to provide industries in this State with direct access to both the eastern and western centres of population. About three years ago, the Government of the day prevailed on the Commonwealth Government to provide $100,000 for a survey on the plans that had been submitted. Has an agreement been sought with the Commonwealth concerning this vital link-up, which will include the metropolitan area as part of the uniform system of railways in Australia?

The Hon. D. A. DUNSTAN: Repeated applications to the Commonwealth Government have been made on this score. I again wrote to the Prime Minister about this matter in August. I referred to this at a recent dinner at which the honourable member and I were both present. The honourable member possibly did not hear what I said, but I pointed out to the Prime Minister that this work was vital.

The Hon. Sir Thomas Playford: I heard the Premier's statement but it was rather ambiguous.

The Hon. D. A. DUNSTAN: I am sorry if it was ambiguous. I explicitly told the Prime Minister that this project was vital, and I asked whether we could immediately confer and obtain consideration from the Commonwealth on the matter.

MOUNT GUNSON MINE

Mr. COUMBE: Some time ago I asked the Premier a question about the development of the Mount Gunson copper mine, north-west of Port Augusta. As I understand that some hitch has occurred in supplying water and electricity to that area, can the Premier say whether his Government will co-operate with the Commonwealth Government in an effort to solve these problems so that production can proceed?

The Hon. D. A. DUNSTAN: I do not know whether the honourable member was aware of the statement I made earlier about the hitch in connecting these supplies to Mount Gunson. I was explicit about it and certain Opposition members apparently were not pleased that I considered that the Commonwealth Government had not done the right thing in the circumstances. I still do not think it has. It demanded $10,000 from Austminex Proprietary Limited in order to pay for a feasibility study in relation to the supply of water and electricity. I wrote to the Prime Minister expressing dismay, because in no case where South Australia has been asked to supply water and electricity do we charge for a feasibility study to ascertain whether it can do so. I would have expected the co-operation of the Commonwealth in trying to get this most valuable industrial development for us. However, since my letter to the Prime Minister (and I made it clear both to the Commonwealth Government and to the companies that all the facilities of the State were available for the purposes of a feasibility study), the companies have paid about $5,000 towards the cost of this study, which is now proceeding. Whether additional moneys will be required by the Commonwealth Government is not clear. Today, the Director of Industrial Development is on the site to discuss with directors of the company any help that may be given by this State.

KEITH WATER SUPPLY

Mr. NANKIVELL: Has the Minister of Works a progress report on the water supply for the Keith township?

The Hon. C. D. HUTCHENS: I have received a report from the Minister of Mines but, as I am not fully conversant with it, next

week I shall obtain a further report for the honourable member.

KEITH AREA SCHOOL

Mr. NANKIVELL: Has the Minister of Works considered my suggestion about the proposed drainage scheme at the Keith Area School?

The Hon. C. D. HUTCHENS: Yesterday, I had a prepared reply but, because of circumstances beyond the control of the honourable member, he did not ask this question. However, I showed him a copy of the reply, following which he spoke to the Minister of Education. My colleague saw me and, as a result of the honourable member's representations, we will ask the Minister of Mines to consider this proposal, to see whether further bores can be sunk and experiments carried out next winter with a view to saving costs while, at the same time, providing a satisfactory drainage system at the school.

INDUSTRIAL DESIGN CENTRE

Mr. COUMBE: Some time ago I asked the Premier a question about the announcement he had made concerning industrial design. At that time he said that his Government supported the Industrial Design Council. As some time has passed since that announcement was made, has the Premier any information of developments following the support that he announced he would give, and has anything occurred in the interim that may be of interest to the State?

The Hon. D. A. DUNSTAN: The Government made a specific offer to provide for the Industrial Design Council an area in a suitable location, free of rental to the council, and an annual grant towards salaries. Consequently, I have been informed by Mr. Branson that, when he relayed this information to the Commonwealth Industrial Design Council, in his own words, "with some sense of gratitude and excitement" it accepted the offer and instructed the South Australian branch to complete the negotiations with the Government, and these are currently under way. I expect that the industrial design centre will operate in South Australia soon.

STATE'S FINANCES

Mr. McANANEY: Recently, the Treasurer was good enough to tell me the repayments that were required when he transferred the $2,600,000 deficit in the Budget to the Loan Fund, and the annual cost. On the figures he gave me it will cost a total of $7,300,000, or $4,700,000 more than the original loan (that is, 180 per cent more than the loan). If that deficit had been funded, on the figures the Treasurer gave me it would have cost the State, in total terms, $4,000,000, or a total cost of 54 per cent of the loan. Which does the Treasurer consider to be the better method of finance in the interests of the State?

The Hon. D. A. DUNSTAN: The honourable member has not stated the position correctly, as he knows perfectly well from the complete answer I gave him at the time.

CHLORINATION

Mr. MILLHOUSE: A lady constituent of mine telephoned me this morning complaining about the chlorine in the water coming through her taps and suggesting that, in fact, the water had been excessively chlorinated. I undertook to refer to the Minister of Works the degree of chlorination of the metropolitan water supplies and to ask him whether he would check that quantity of chlorine and consider whether it was satisfactory from an aesthetic as well as from a health point of view. Can the Minister say how much chlorine is added to the water supply, and is he satisfied that the quantity so added is at a satisfactory level?

The Hon. C. D. HUTCHENS: The Engineering and Water Supply Department is careful about this matter, but things can go wrong. Whenever any trouble is experienced in regard to a householder's water supply, the person concerned should contact the Kent Town depot, and prompt steps will be taken to correct any fault that may exist.

GOVERNMENT ACCOUNTS

The Hon. B. H. TEUSNER: I heard a report last evening over the radio news that both the State and Commonwealth Governments had recently been dilatory in paying accounts submitted to them. Can the Treasurer say whether that is so and, if it is, will he explain the reason for this delay?

The Hon. D. A. DUNSTAN: I know of no delay in this matter. If the honourable member can tell me specifically what the complaint was about, I shall inquire, but I neither heard the news item referred to nor know anything to justify it.

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

The Hon. G. A. BYWATERS (Minister of Agriculture) obtained leave and introduced a

Bill for an Act to amend the Citrus Industry Organization Act, 1965. Read a first time.

The Hon. G. A. BYWATERS: I move:

That this Bill be now read a second time.

It is designed to make certain alterations and additions to the Citrus Industry Organization Act. Since the Citrus Organization Committee was established by that Act, the Adelaide market has become the most stable market in Australia for the sale of citrus fruit, and the citrus industry has been organized far more efficiently than it had been before the committee was established. To enable orderly marketing of citrus fruit to continue, certain amendments to the Act have become necessary and desirable. The main objects are to overcome certain difficulties which have been experienced with regard to the definition of "marketing" contained in section 5 of the Act, to enable the committee to take action with regard to diseased fruit, and to provide for representative members of the committee to be elected from certain zones, instead of on a State-wide basis. It also provides different requirements for election to and voting for the committee, and gives the committee's inspectors wider powers.

Clause 4 provides for several additions and alterations to section 5, which is the interpretation section of the principal Act. Paragraphs (*a*) and (*b*) of clause 4 alter the existing definitions of "grower" to provide clearly that all parties to partnership and share-farming agreements under which citrus fruit is grown or produced for sale are "growers". Paragraph (*c*) of this clause replaces the existing definition of "licensee" with definitions of both "licence" and "licensee"; there is at present no definition of "licence". Paragraph (*d*) is the first of several amendments designed to alter the existing references in the Act to "marketing" as one operation consisting of sundry steps, and to treat "marketing" as a series of operations. It simply provides that "marketing" will no longer mean the processes set out in the definition, but will "include each step taken in relation to such processes". By characterizing "marketing" as having component parts all ancillary to the whole, the existing Act makes it almost impossible for a person, for instance, packing citrus fruit in South Australia for sale by wholesale in another State, to be compelled to be licensed to pack citrus fruit. Such a person could, in a prosecution for packing without a licence, claim that the activity he was engaged in was "marketing", that is every process from the harvesting of fruit to its sale by wholesale; thus, because there was an interstate element in his marketing activity, he could claim a defence based on section 92 of the Commonwealth Constitution.

If packing and selling are referred to as separate processes, instead of components of the one process, the interstate element in such a person's selling activity will have far less relevance to his packing activity. Thus the effect of paragraph (*d*) and other amendments in the Bill should be to compel such a person to have a licence for packing. A definition of "partnership" is inserted by paragraph (*e*); this is necessary because of the altered definitions of "grower". Paragraph (*f*) provides a definition of "quality", which is mentioned in section 22 (2) (*d*) of the Act but was not previously defined. It also provides definitions of "register of growers" and "registered grower", also not previously defined. Paragraph (*g*) alters the existing definition of "representative member"; this is necessary because of the amendments to section 9 of the Act proposed by clause 7 of this Bill.

The expanded definition of "sell" in paragraph (*h*) closely follows that in section 4 of the Dairy Industry Act. Paragraph (*i*) defines "the prescribed day" and "zone" and the various zones referred to in clause 7 of this Bill. Clause 5 retains the provision in section 6 that nothing in the Act shall apply in relation to the harvesting by a grower of his own crop of citrus fruit, but adds an exception regarding section 22 of the Act, the powers conferred on the committee by that section and any order made by the committee pursuant to any of those powers. A consequential amendment of section 22 is provided by clause 15 (*a*) of this Bill. These amendments will enable the committee to prevent, where necessary, the harvesting of diseased fruit. The definition of "marketing" contained in section 5 of the Act includes "harvesting", so that the proposed amendments simply enforce this concept of marketing.

Clause 6 provides for the addition of the passage "or any product thereof" after the passage "citrus fruit" wherever it occurs in section 7 of the principal Act. The Act is inconsistent in several places where it refers only to citrus fruit, where "products" clearly are intended to be referred to as well. Clause 7 provides for the reconstitution of the committee, by inserting new subsections in lieu of existing subsections (1), (2) and (3) of section 9. New subsection (1) provides that the committee as presently constituted shall

continue in office until a prescribed day. New subsection (1a) provides that on and after the prescribed day the committee shall consist of eight members, five of whom are each to be appointed after election by growers in a particular zone. Subsection (1b) is concerned with the change from the present to the new committee, and subsections (2) and (2a) deal with vacancies in the offices of members.

Subsection (3) provides that only a grower who grows at least 500 trees, or who is a party to a partnership or share-farming agreement under which, or a nominee of a body corporate by which, at least 500 trees are grown for the production and sale of citrus fruit, is eligible to become a representative member of the committee. At present there is a danger that all the representative members of the committee could be small growers. I point out that 500 trees represents a smaller than average holding; allowing for a proportion of immature and old trees, it represents a yield of about 1,500 cases of fruit a year, or a gross return of a maximum of $2,000. Figures supplied by the committee indicate that there are some 1,522 citrus holdings in the State, having between them some 1,642,147 trees; thus the average holding is over 1,000 trees. Accordingly, the requirement of 500 trees for membership of the committee is more realistic than the present requirement of 50 trees.

Subsection (3a) provides that a representative member of the committee must be a registered grower in the zone which he represents and subsection (3b) provides that not more than one party to a partnership or share-farming agreement may be a member of the committee at the same time, unless such a party is also a registered grower in another capacity. In respect of the 1,522 citrus holdings, there are 824 partnerships; thus partnerships, especially family partnerships, are common, and in some instances have several members. It is desirable to have as many citrus holdings as possible represented on the committee, and thus undesirable for two or more members of a partnership to be members of the committee at the same time. Clause 8 amends section 11 of the Act, which provides for the election of representative members. Paragraphs (*a*) and (*b*) merely point to the amendments proposed by paragraph (*c*) which provides new subsections in lieu of subsections (3) and (4) of section 11.

New subsections (3) and (3a) are machinery provisions. New subsection (4) provides for the election of the representative members of the new committee. It is provided in subsections (4a) and (4b) that a grower may only vote in the zone in which he is a registered grower, and that not more than one party to a partnership or share-farming agreement may vote, unless such a party is also a registered grower in another capacity. Subsections (4c) and (4d) provide for the determination of which member of a partnership is entitled to vote. At the last elections held for the committee some 2,367 ballot papers were sent out to growers registered in respect of the 1,522 citrus holdings; it is not desirable that several people who are partners with respect to the same property should have one vote each, whereas a person who is a grower on his own account on a property of equal size should have only one vote. Paragraph (*d*) of clause 8 is a machinery provision providing for the case where the number of persons nominated is equal to the number to be elected.

Clause 9 repeals and re-enacts section 12 of the principal Act, relating to grower companies but, when read with clauses 7 and 8, does not affect the substance of section 12. Clause 10 repeals and re-enacts section 13 of the Act, relating to the register of growers. The new section 13 provides that there is to be a separate part of the register for each of the five zones; if a grower has a citrus holding of at least 50 trees in two or more zones his name is to be shown in such part of the register as the committee decides. Provision is made for the name of nominees of partnerships and bodies corporate to appear in the register. Section 14 of the Act, relating to the terms of office of members of the committee, is repealed and re-enacted by clause 11 of the Bill. Representative members are to hold office for three years, except that, to ensure that not all of the members will retire at any one time, two of the representative members of the new committee are to hold office for two years. The other appointed members are to hold office for the term specified in the instruments of their appointment. The other provisions of the new section 14 are the same as the existing provisions.

Clauses 12 and 13 convert into decimal currency the references to the old currency in sections 15 and 20 of the principal Act. Clause 14 makes certain amendments to section 21 (1) of the Act. The powers of the committee contained in subsection (1) (*a*) and (*b*) are more closely specified, by reference to the definition of "marketing", but without relying solely on a reference to a process called

"marketing", and a reference to citrus products is added to paragraphs (*b*) (*c*) (*f*) and (*i*). Clause 15 amends section 22 of the Act relating to marketing orders. Paragraphs (*a*) and (*b*) of the clause give the committee power to prohibit the buying as well as the selling of citrus fruit; whereas the existing paragraph (*b*) of subsection (1) contains only the power to prohibit selling. These amendments bring the committee's powers into line with those of the Potato Board (section 20 (1) (*b*) of the Potato Marketing Act.) Paragraph (*a*) also gives the committee power to prohibit, either absolutely or except as specified in the order, the harvesting of citrus fruit, enabling the committee to control the harvesting of diseased fruit where necessary.

Paragraph (*c*) enables the committee to fix minimum prices, as well as set prices, at which citrus fruit may be sold. For the committee to provide a stable market for citrus fruit it should have the power to fix minimum prices, but it is not necessary in every case for it to fix sellers' margins. Clause 16 converts into decimal currency the reference to the old currency in section 23. Clause 17 clarifies subsection (1) of section 24 of the Act by inserting after the passage "such information", the passage "or returns". The clause also makes an amendment relating to decimal currency. Clause 18 converts into decimal currency the reference to the old currency in section 26. Clause 19 generally enlarges the powers of inspectors under section 27 of the Act, incorporating in a new section 27 the powers of inspectors under the Fruit and Vegetables (Grading) Act which are necessary if the Act is to be implemented effectively.

New section 27 (1) (*b*) gives an inspector the power to enter any vehicle by which citrus fruit or products are being conveyed, to make inspections. Paragraph (*c*) gives him the power to open packages containing citrus fruit or products, although he must first call upon the owner or person in charge of the citrus fruit or products to open such packages. In paragraphs (*d*) and (*e*) he is given the power to take samples of citrus fruit and products, and, if he has reasonable grounds for suspecting that, with respect to such citrus fruit or products, there is or has been a contravention of the Act, the power to detain the same for such time as is necessary to complete his inspection of it. He is given powers in paragraph (*f*) with regard to false marks on citrus fruit or products, and paragraph (*g*) enables him to give directions regarding compliance with the Act. Subsections (2) and (3) provide that an inspector detaining fruit or products for examination, or taking any action with regard to false marks on fruit or products, shall give notice of such detention or action to the owner or person in charge of such fruit or products.

Subsections (4), (5), (6), (7) and (8) provide for duties of persons in relation to inspectors, and for offences in connection with inspections. Subsection (9) enlarges the present definition of "inspector" to include "a member of the Police Force". Clause 20 converts into decimal currency the reference to the old currency in section 28. Clause 21 amends section 30 of the Act relating to offences in connection with the marketing of citrus fruit. The existing subsection (1) of section 30 provides that a person shall not "do any act, matter or thing included in the marketing of citrus fruit" without a licence. The committee at present wishes only to provide licences for persons who pack, sell by wholesale or process citrus fruit. Hence clause 21 (*a*) provides only that a person shall not carry on these activities without a licence, although it also provides that regulations may be made prohibiting persons from carrying on other activities without the appropriate licences.

Paragraph (*b*) makes an amendment to subsection (2) of the section relating to decimal currency. Paragraph (*c*), in order to avoid a reference to a composite activity called "marketing", replaces the passage "included in the marketing of" with the passage "in relation to". Clause 22 amends section 34 of the principal Act relating to regulations. Paragraph (*a*) enables regulations to be made regarding information and returns to be made to the committee by growers. Paragraph (*b*) is an adaptation of section 28 (11) of the Dairy Industry Act, and enables regulations to be made regarding the prevention of decay and infection in fruit. Paragraphs (*c*) and (*d*) provide for inspectors of the committee to have the power to require any persons, and not only persons transporting fruit, to answer questions relating to citrus fruit. This is in line with the powers of inspectors under regulations made under section 24 (*a*) of the Potato Marketing Act.

Paragraph (*e*) provides for regulations relating to the terms and conditions under which citrus fruit may be bought by the committee; some control is desirable if the committee is to undertake the marketing of fruit. Paragraph (*f*) is also an adaptation of a section of the Dairy Industry Act: section 28

(2). It provides for regulations discriminating according to time, place and circumstances, recognizing that different fruitgrowing areas have different problems, and that some controls may be required during only some periods of the year. Paragraph (*g*) relates to decimal currency. Clause 23 contains provisions relating to polls on the continuation of the Act which are similar to those relating to elections contained in clause 8 of the Bill.

Mr. QUIRKE secured the adjournment of the debate.

STATUTES AMENDMENT (METROPOLITAN MILK SUPPLY, FOOD AND DRUGS AND HEALTH) BILL

The Hon. G. A. BYWATERS (Minister of Agriculture) obtained leave and introduced a Bill for an Act to amend the Metropolitan Milk Supply Act, 1946-1957, the Food and Drugs Act, 1908-1962, and the Health Act, 1935-1957. Read a first time.

The Hon. G. A. BYWATERS: I move:

That this Bill be now read a second time.

Its purpose is to bring door-to-door sales of milk and cream within the metropolitan area under a unified control. The present position is that milk vendors who sell milk in this manner are licensed under the Food and Drugs Act and a zone is assigned to them under the Metropolitan Milk Supply Act. This is administratively not very satisfactory and the authorities administering each Act are agreed that some change is desirable. Thus, the effect of this Bill is to vest the control of door-to-door vendors in the Metropolitan Milk Board, leaving the control of shops in the Metropolitan County Board under the Food and Drugs Act.

The Bill also makes a number of amendments that are necessary to meet changing circumstances. New methods of treating milk are coming into operation, and the Metropolitan Milk Supply Act must now make provision for these. Milk and cream are now beginning to be imported into this State and the board must now have power to require that milk and cream be treated by the holder of a milk treatment licence, if the health of persons in this State is not to be threatened by substandard milk. The power of the board to fix prices for milk and cream is extended to cover all milk and cream. It is, of course, not intended to use the price-fixing powers so as to discriminate against interstate milk, and the board's legal advisers are of opinion that a non-discriminatory use of the power directed towards ensuring the orderly marketing of milk and cream within South Australia will not offend against section 92 of the Constitution.

The amendments to the Food and Drugs Act and the Health Act exempt the milk producer from the necessity of being licensed both under the Metropolitan Milk Supply Act and those Acts. The producer is already exempted from this requirement under section 39 of the Metropolitan Milk Supply Act as far as the business conducted in pursuance of a licence under that Act is concerned. Of course many milk producers sell both locally and to the metropolitan area. These amendments enable the producer licensed under the Metropolitan Milk Supply Act to sell within his district without being also licensed under the other Acts. This policy has in fact been followed for many years and these amendments merely give legal effect to a long-standing practice that is satisfactory to the producer and all authorities involved.

The clauses of the Bill are as follows: Clauses 1 and 2 are merely formal. Clause 3 makes a formal amendment to the principal Act. Clause 4 amends the definition section of the principal Act. A new definition relating to milk treatment is inserted as new methods of treating milk, more effective than pasteurization, are coming into operation. A definition of "vendor" is inserted, as the term is used a number of times throughout the Act. Clause 5 inserts new section 24a in the principal Act. This new section imposes upon the holder of a licence the obligation to keep proper accounts and records. Clauses 6 and 7 make a formal amendment to the principal Act. Clause 8 merely clarifies section 29 (4) of the principal Act which prevents the sale of milk produced otherwise than by the holder of a milk producer's licence. Clause 9 amends section 30 of the principal Act. The provisions of this section which previously only envisaged the pasteurization of milk are extended to cream also. A new subclause (3a) is added which will prevent the treatment of milk otherwise than in accordance with a method prescribed in the regulations.

Clause 10 inserts new sections 30a to 30e in the principal Act which all deal with the new milk vendors' licences. New section 30a makes it an offence to sell milk in the metropolitan area. However, this does not apply to a sale by wholesale by a milk producer nor does it apply to a retail sale by a retail shop proprietor who is to remain under the control of the Metropolitan County Board, which operates under the Food and Drugs Act. New

section 30b empowers the board to divide the metropolitan area into zones for the purposes of granting licences. New section 30c empowers the board to obtain particulars as to the origin, treatment, transportation and storage of any milk to be sold in the metropolitan area and to require the treatment of milk by the holder of a milk treatment licence prior to sale. New section 30d prevents the transfer of a milk vendor's licence without the prior approval of the board. New section 30e is a transitional provision which preserves current licences until June 30, 1968, when they will expire in any case.

Clause 11 amends section 31 of the principal Act. The information that an applicant is required to furnish is enlarged by requiring him to specify premises that he proposes to use in pursuance of the licence. Clause 12 amends section 32 of the principal Act. The grounds upon which an application for a licence may be refused are extended. The board may refuse a licence where the applicant has been convicted of an indictable offence or an offence that, in the opinion of the board, renders him unfit to hold a licence. It is, of course, extremely undesirable that a person of criminal propensities should hold a licence, as it enables him to enter upon private land and plan criminal enterprises. The board is required to notify the Director-General of Public Health of all applications for milk vendors' licences and, upon his advice that a person is suffering from an infectious or loathsome disease, the board must refuse a licence to that person or cancel a licence granted to him.

Clause 13 amends section 33 of the principal Act to correspond with the amendments to section 32. A new subsection (3) empowers the board to cancel a milk producer's licence if the holder has not carried on business in pursuance of the licence for a period of six months. Clause 14 repeals section 37a of the principal Act. This section expired on December 31, 1958. Clause 15 inserts a new section 38a in the principal Act. This new section enables the board to specify premises that are to be used as depots in connection with the business carried on under a licence. Clause 16 amends section 39 of the principal Act. The exemption provided by the section is extended to the holder of the new milk vendor's licence and the actual extent of the exemption is enlarged a little by exempting a licensee from regulations under the Food and Drugs Act in relation to the labelling of containers. New subsection (1a) declares that this exemption is not to extend to shops that are to remain under the control of the Metropolitan County Board.

Clause 17 repeals section 40 of the principal Act which is now out of date. Clause 18 amends section 41 of the principal Act which relates to price fixing. The section only relates at the moment to milk produced by a producer licensed under the Act. This is extended to all milk sold within the metropolitan area. The amendment makes it clear that the board may fix prices either specifically or by reference to maximum and minimum prices. Clause 19 makes a decimal currency amendment. Clause 20 extends the regulation-making powers of the Governor. These powers are consequential upon and incidental to previous amendments to the Act.

Clause 21 repeals section 46a of the principal Act, which is redundant in view of the new provisions. Clause 22 makes a decimal currency amendment. Clause 23 extends the evidentiary provision of the principal Act. Clause 24 enacts new section 53 of the principal Act. This section enables the board to promote the sale of milk and cream by advertisement or such other means as it thinks fit.

Part III amends the Food and Drugs Act, 1908-1962. Clause 25 is merely formal. Clause 26 amends section 27 of the principal Act. The holder of a milk producer's licence is exempted from the operation of this section under section 39 of the Metropolitan Milk Supply Act, but this exemption only applies to a producer in so far as he is acting in pursuance of the licence; that is to say, in so far as he is producing milk for and selling it to the metropolitan area. Of course, many milk producers sell milk both locally and to the metropolitan area, and this amendment is for their benefit. The effect of the amendment is to exempt a milk producer who is licensed under the Metropolitan Milk Supply Act from the necessity of having to be also licensed by the local authority under the Food and Drugs Act.

The authorities administering both these Acts are agreed that it is unnecessarily burdensome to the milk producer to require him to be licensed by two separate authorities. The amendment does not deprive the local authority of its controls over the production and the quality of milk that is locally sold; it merely exempts the producer from onerous licensing requirements. Part IV amends the Health Act, 1935-1967. Clause 27 is merely formal. Clause 28 makes amendments to section 115

of the Health Act, which are similar in purpose to those made to the Food and Drugs Act.

The Hon. D. N. BROOKMAN secured the adjournment of the debate.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

PARKIN TRUST INCORPORATED ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT

The Select Committee to which the House of Assembly referred the Parkin Trust Incorporated Act Amendment Bill, 1967, has the honour to report:

1. In the course of its inquiry, the committee met and took evidence from the following witnesses:
   - Dr. W. A. Wynes, Parliamentary Draftsman;
   - Mr. L. W. Parkin, President of the Parkin Trust Incorporated; and
   - Professor P. H. Karmel, Vice-Chancellor of the Flinders University of South Australia.

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

3. The committee is of opinion that the amendment to the Deed of Settlement as defined in the principal Act is necessary, and meets the requirements of both the Parkin Trust and the Flinders University of South Australia.

4. The committee is satisfied that there is no opposition to the Bill, and recommends that it be passed in its present form.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Power to apply funds of trust."

Mr. FREEBAIRN: This is a wide clause. The man who set up the Parkin Trust was the Hon. William Parkin, an Englishman, who was born in 1801 and arrived in Adelaide as a young man in 1839. The colony of South Australia was then in its infancy and, like many ambitious young Englishmen, he went farming, hoping to make his fortune. He chose an area near Willunga but, being a good businessman, he sold the farm and set up a retail drapery store in Hindley Street where Miller Anderson Limited is now located. He then moved—

The CHAIRMAN: I do not think the honourable member is speaking to clause 4.

Mr. FREEBAIRN: It is a wide clause, and I was speaking about the Parkin Trust.

The CHAIRMAN: Clause 4 sets out what use the governors may make of the funds in future.

Mr. FREEBAIRN: What I was saying was a preamble to what I was going to say about the trust. Is it in order for me to say something about the trust?

The CHAIRMAN: I do not know what the honourable member has in mind, and I can judge only after he speaks. Does the honourable member know to what clause 4 applies?

Mr. FREEBAIRN: Yes.

The CHAIRMAN: Then speak to clause 4.

Mr. FREEBAIRN: Very well, Mr. Chairman. The purpose of this Bill is to give the Parkin Trust the opportunity to set up a hall of residence at Flinders University. Information about the Parkin Trust is germane to this clause, because it is the organization that provides most of the finance for training Congregational theological students. As well as the college at Kent Town, it owns a block of retail shops at Glenelg. If the Bill becomes law the trust intends to sell the property and use the funds, in addition to those provided by the State and the Commonwealth Governments, to build a hall of residence at Flinders University.

This is a magnificent enterprise. The large hall will accommodate 200 students, and places will be reserved for about 20 theological students, some women students, and a limited number of married couples. The provision for married couples reflects the modern trend that many students commence university studies after marriage. In giving evidence to the Select Committee Mr. L. W. Parkin (President of the Parkin Trust) said that the trust had tried for some years to purchase land at North Adelaide, but could not obtain a suitable area on which to build a residential college to be attached to the University of Adelaide. The Flinders University is not referred to specifically in the Bill. The idea was that, if negotiations with the Council of the Flinders University could not be finalized, the trust could still build a residential college to serve the University of Adelaide.

Mr. Parkin pointed out that the trust desired to have Congregational theological students trained in a university atmosphere, and now a magnificent opportunity is presented to build at the Flinders University, where adequate land is available for a small nominal rental to the trust.

Professor Karmel, Vice-Chancellor of the Flinders University, gave evidence to the Select Committee, and when I asked him how many members would constitute the council of the hall of residence, he said that there would be 15: six would be nominated by the University Council, four by the trust, two by students or graduates or tutors in residence, and the other three places would be filled by co-option by the governors, subject to the approval of the trust. The trust would nominate the Chairman. Professor Karmel pointed out that the design of the hall of residence had been prepared; plans were well advanced; and he expected tenders could be closed and finalized four or five weeks after they had been let. He said that the hall would take 12 months to build, and that if all went well it would be available for students at the commencement of the first term in 1969. The building of a hall of residence attached to a university has been one of the ambitions of the Congregational denomination for many years, and we are happy that our dream seems to be reaching fruition.

Mrs. STEELE: The Parkin Trust has displayed much initiative. The University of Adelaide is unfavourably placed, compared with other Australian universities, as regards the siting of residential colleges. The important advantage of this project is that it will be situated on the campus of a university. This is desirable, because it enables the students following this particular discipline to move among and associate with under-graduates of all the other disciplines at the university. Another modern innovation is that places at this hall of residence will be available to married couples—an excellent idea.

Mr. HUDSON: One impression given members by the member for Light, relating to the constitution of the board of governors to run the hall of residence was not completely accurate. The member for Light may have given the impression that arrangements he detailed had been firmly agreed. At this stage, however, the constitution has been agreed only tentatively and, as yet, has to be approved by the Flinders University Council or by the Parkin Trust itself. I think this project will be valuable. At this stage it is completely in the hands of the Commonwealth Government whether or not the project can proceed immediately so that the hall of residence will be ready for the first term of 1969. As the Premier has already indicated, although we were hopeful about the initial approach to the Commonwealth Government, the project was rejected, and further negotiations on the matter are now in hand. The present prospects for an early start (which, of course, would considerably benefit the building industry in South Australia, quite apart from the importance of getting this hall of residence established as soon as possible) are not as rosy as we had hoped a few weeks ago.

I wish this project every success; I think it is laudable, and I believe the Parkin Trust has shown much common sense in strongly advocating that the hall of residence be co-educational and that provision be made for married couples. This removes a weakness that existed in the plans that the Flinders University initially had for a male hall of residence only. In the early stages, it was hoped that a co-educational institution would be established, but strong objections had been raised to that course. I am pleased that the Parkin Trust's action has resulted in what I regard to be a more modern approach to the matter.

Clause passed.

Preamble and title passed.

Bill read a third time and passed.

ST. MARTINS LUTHERAN CHURCH OF MOUNT GAMBIER INCORPORATED BILL

The Hon. J. D. CORCORAN (Minister of Lands) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT

The Select Committee to which the House of Assembly referred the St. Martin's Lutheran Church of Mount Gambier Incorporated Bill on October 11, 1967, has the honour to report:

1. In the course of its inquiry your committee held two meetings and took evidence from the following persons:
   - Mr. G. E. Cresswell, Acting Registrar-General of Deeds, Adelaide;
   - Dr. M. Lohe, President-General of the Lutheran Church of Australia;
   - Rev. G. O. Minge, President of the Lutheran Church of Australia, South Australian Division;
   - Mr. R. M. Lunn, Solicitor for the Lutheran Church of Australia, Adelaide;
   - Dr. W. A. Wynes, Parliamentary Draftsman.

2. Advertisements inserted in the *Advertiser*, *News* and *Border Watch* (Mount Gambier) inviting interested persons to give evidence before the committee brought no response.

3. Evidence given by Dr. Lohe indicated that, despite the efforts of the congregation of St. Martin's to have the ownership of the

property in Mount Gambier, which is the subject matter of the Bill, legally established, this had not been possible. Dr. Lohe also stated that the legal firm engaged by the Lutheran Church of Australia had tried every way possible to solve the matter, but "finally came to the conclusion that there was no other alternative but an Act of Parliament". Your committee agrees with this view, and is of the opinion that the vesting of this land in the Lutheran Church of Australia would be in accordance with the intent of the original trust deed.

4. During the course of its inquiry your committee found that there were a number of discrepancies in the Bill. These errors were mainly in the preamble and, on evidence placed before the committee by the solicitor for the Lutheran Church of Australia, arose generally through mistakes in transferring the names of trustees and others from various documents to the draft form of the Bill. In some cases a number of names had been anglicized, whereas these names should preferably be in the original German. An examination of a certified copy from the Registrar of Companies of the certificate of incorporation of St. Martin's Lutheran Church, Mount Gambier, Incorporated, also indicated that amendments need to be made in the Bill wherever the name of this church occurs.

5. In view of the discrepancies and errors in the Bill, your committee accordingly recommends that, while there is no objection to the Bill, the following amendments be made before the Bill is passed:

Clause 1. Page 2, line 40—Leave out "of".
Clause 2. Page 2, line 42—Leave out "of".
Page 3, line 2—Leave out "1963", insert "1863".
Preamble—
Page 1, line 1—Leave out "hereafter", insert "hereinafter".
Page 1, line 3—Leave out "Henry Bolt", insert "Heinrich Boldt".
Page 1, line 4—
Leave out "John", insert "Johann".
Leave out "William", insert "Wilhelm".
Leave out "Frederick", insert "Friedrich".
Page 1, line 6—Leave out "henceforth", insert "thenceforth".
Page 1, line 19—Leave out "Farrenberg", insert "Kannenberg".
Page 1, line 23—
Leave out "Kennenberg", insert "Kannenberg".
Leave out "Vorwek", insert "Vorwerk".
Page 2, lines 18 and 19—Leave out "Henry Bolt, Traugott Lindner, John Plate, William Vorwerk and Frederick Unger", insert "Erdman Gottlieb Lindner, Edward Hermann Gladigau, Alfred Joseph Lindner, Norman Henry Whitehead, Eric Bernhard Peucker, Reinhold Benno Muller, Colin Engel Gladigau, William Alfred Johnson and Franklin Albert Spehr".
Page 2, line 33—Leave out "of".
Title—Line 3—Leave out "of".

In Committee.

Clause 1—"Short title."

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

After "Church" to strike out "of".

The word "of" was not intended to appear in the certificate of incorporation and, as the report states, it is desirable that the Bill conform to the certificate of incorporation.

Amendment carried; clause as amended passed.

Clause 2—"Interpretation."

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

After "Church" to strike out "of".

This is consequential on the previous amendment.

Amendment carried.

The Hon. J. D. CORCORAN moved:

To strike out "1963" and insert "1863".

Amendment carried; clause as amended passed.

Remaining clauses (3 to 5) passed.

Preamble.

The Hon. J. D. CORCORAN moved:

After "Deed" to strike out "hereafter" and insert "hereinafter"; to strike out "Henry Bolt" first occurring and insert "Heinrich Boldt"; to strike out "John" first occurring and insert "Johann"; to strike out "William" first occurring and insert "Wilhelm"; to strike out "Frederick" first occurring and insert "Friedrich"; after "should" first occurring to strike out "henceforth" and insert "thenceforth"; to strike out "Farrenberg" and insert "Kannenberg"; to strike out "Kennenberg" and insert "Kannenberg"; to strike out "Vorwek" and insert "Vorwerk"; to strike out "Henry Bolt, Traugott Lindner, John Plate, William Vorwerk and Frederick Unger" second occurring and insert "Erdman Gottlieb Lindner, Edward Herman Gladigau, Alfred Joseph Lindner, Norman Henry Whitehead, Eric Bernhard Peucker, Reinhold Benno Muller, Colin Engel Gladigau, William Alfred Johnson and Franklin Albert Spehr"; and after "Church" eighth occurring to strike out "of".

Amendments carried; preamble as amended passed.

Title.

The Hon. J. D. CORCORAN moved:

After "Church" to strike out "of".

Amendment carried; title as amended passed.

Bill read a third time and passed.

PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 17. Page 2713.)

Mr. NANKIVELL (Albert): This Bill has not been long heralded, and I have been trying since Tuesday to anticipate its coming on. I would like to refer to two aspects of the Bill because I think it falls into two parts.

The first is the measures that the Government intends to take to close certain loopholes in the existing Act. The Premier properly referred to these matters at great length in his second reading explanation, and I have had his comments confirmed (not that I doubted them for a minute). Difficulties have been experienced in South Australia because of a club known as the 20-Plus Club, which originally opened up in premises in Pirie Street and subsequently moved to the Vardon Price building in Grote Street. I understand that in order to become a member of this club one has only to pay $1 at the door on entering. There are no other rules for membership: it depends purely on one's capacity to pay the $1 entrance fee.

The Hon. B. H. Teusner: Has it got rules?

Mr. NANKIVELL: I understand it has none.

The Hon. D. A. Dunstan: It has rules.

Mr. NANKIVELL: I thank the Premier for that information. These rules permit one to pay a nomination fee virtually every time one enters the premises. However, the safety factor of this club is a real problem that has been referred to before, and there is no doubt that when such premises as these are used for these purposes a great public danger is involved. There is also the problem of persons who do not have the required nomination fee becoming almost vagrants in the surrounding streets. Other persons may be anxious to get in but, as they cannot do so, they fill in time waiting for persons inside to come out. I understand, too, that the number of persons permitted entry to such premises has been fairly well policed. One aspect of this that has, perhaps, been overlooked is the public nuisance created by these people who, it has been suggested, should be moved on, because damage has been done to properties by the vagrant acts of such people.

I concur with the suggestion that billiard saloons should be licensed. This is proper because some people have spent considerable sums to bring their premises up to the required standard and it would be improper if the door was opened wide for anyone else to go into competition with them unless they, in turn, were required to provide premises of an equal standard. This has been provided for in clause 25 (*a*) of the Bill.

Certain cabarets do not necessarily conform to the requirements of the present Act. Both these categories, billiard saloons and cabarets, will be given time in which to carry out the necessary work in order to bring their premises up to the required standard. That is only proper because, if time were not allowed, some clubs or billiard saloons that have functioned for many years might be unjustifiably closed down. Therefore, it is proper that they should be given time to comply with this legislation. I believe the two matters to which I have referred required the tightening up of the legislation, and I have no argument with its provisions in that respect. However, certain matters need clarification. New subsection (3) of section 3 provides:

> This Act shall, on and after the fifteenth day of January, 1968, cease to apply to and in relation to any public entertainment for which a permit has been granted under the Licensing Act, 1967, and any place wherein that entertainment is conducted.

In this regard, it is necessary to refer to section 129 of the Licensing Act which provides:

> (1) Notwithstanding the provisions of the Places of Public Entertainment Act, 1913-1965, no portion of any premises in respect of which a licence is current, or of the appurtenances thereof, shall be used as a theatre, concert-room or ball-room or otherwise for public entertainment, without a permit from the court and upon such terms and conditions as are imposed by the court including conditions relating to health, safety and morals having regard to the provisions of the Places of Public Entertainment Act, 1913-1965, and the regulations thereunder.

As this provision states that in one respect the Places of Public Entertainment Act need not be complied with, in reading new subsection (3) of section 3 of the Places of Public Entertainment Act it could be construed that once a person had a licence under the Licensing Act he need no longer take any notice of the Places of Public Entertainment Act. There should be no possibility of people misunderstanding what is intended by this provision.

Other provisions relate to removing impediments from exits of places of entertainment. If people are to occupy these places, it is only right and proper that everything should be done to facilitate movement to and from the premises. As some of the entertainments dealt with in the Bill can be lucrative, I wonder whether the penalties provided are severe enough. However, I presume that, if they prove to be an insufficient deterrent, they will be increased.

Earlier, I referred to setting standards for billiard saloons. I understand that in the regulations no prescribed standard is laid down for these saloons. This matter could be considered when the new regulations are prepared.

So far, I have addressed myself to the matters which I think properly should be attended to immediately and promptly by the House, and which necessitated the precipitate introduction of the Bill.

I now wish to deal with the question of Sunday activities, about which some misunderstanding has arisen. I have a copy of the correspondence that has taken place between the Premier and the Lord Bishop and other church leaders. On June 19, the Premier wrote to the Lord Bishop asking for the opinions of church leaders on certain aspects of Sunday observance. On June 21, the churches held a meeting at which this matter was discussed. The heads of the churches attending that meeting referred the matter back to their respective churches for consideration. As I understand the correspondence, the matter they referred back to their churches was that of Sunday observance. Whether rightly or wrongly, in their deliberations they seriously considered the Tasmanian Sunday Observance Act, which was introduced last year. In their replies to the Premier, I believe they were expressing opinions in terms of the introduction of legislation on those lines. The Premier received from the churches on September 20 a reply which was signed by Thomas, Bishop of Adelaide, and which stated:

Consideration has been given by us all to the report of the Board of Inquiry on Sunday observance which was presented by its chairman, Mr. P. D. Phillips, C.M.G., Q.C., to His Excellency the Governor of Tasmania in January 1967 and subsequently presented to both Houses of the Tasmanian Parliament by His Excellency's command. Though there was agreement that Sunday should be a day for worship, rest, and recreation, it was not possible for the heads of churches to draw up a statement which would represent their views as a whole and thus enable it to be claimed that any particular legislation had the unanimous approval of the heads of churches. In view of this I am sending you herewith the statements I have received from those heads of churches who have, at my request, sent them to me for forwarding to you. I hope these submissions will be of help to you when consideration is given to the legislation you have in mind.

I do not suggest that the Premier misled anyone: the correspondence is clear. He was concerned with certain matters and that something should be done about Sunday activities. He asked for opinions to be expressed. Following that letter, he again wrote to the Lord Bishop on October 13, but in this case an element of haste seems to have been introduced. In the first letter, he referred to the need to provide for entertainment and for organized activity for young people on Sundays and to the need for some general tightening up of the legislation in certain respects. In the first letter, he referred particularly to cabarets. However, in the second letter he referred to the problem in relation to clubs, his letter stating:

It is the intention of the Government to introduce immediately a Bill to amend the Places of Public Entertainment Act and, *inter alia*, the question of Sunday activity will have to be dealt with in that Bill.

The Hon. D. A. Dunstan: That was contemplated in the Bishop's reply to me, as you will see.

Mr. NANKIVELL: Yes, but I understand from the correspondence that the Bill was to be along the lines of the Tasmanian Act. However, we are amending the Places of Public Entertainment Act. What was legislated for in Tasmania was a protection of leisure, whereas this Bill extends pleasure. I do not think there is any argument about that. The Premier's letter also states:

It is the intention of the Government to introduce immediately a Bill to amend the Places of Public Entertainment Act and, *inter alia*, the question of Sunday activity will have to be dealt with in that Bill. I attempted in my original letter to you to detail some of the difficulties facing the Government and why the need had arisen for action to be taken. Since that letter the situation has become very much more urgent. The provisions of the Places of Public Entertainment Act are all being widely avoided by the constitution of "clubs" which are facades for evasion of the Act. In other words, premises which are not subject to the Act are being used for what is in fact public entertainment, and the device used of obtaining applications to join a club from all who enter. The payment of an admission charge becomes the payment of a fee for club membership, and on the opinions given to the Government it seems undoubted that we cannot successfully prosecute.

Although the Act was amended in 1954 to cover both private and public entertainment, it has still been held, apparently, that it has not covered that type of activity. The letter goes on:

We now have widespread threats that those who have been properly complying with the Places of Public Entertainment Act but whose businesses are now being adversely affected by the activity which I have mentioned, will use the same device to enable them to compete on Sundays unless we take action promptly this session to control the whole field.

I wholeheartedly approve of what the Premier said in that part of the letter. In the fourth paragraph, he states:

In the majority, the submissions which have been made by the churches accept the proposals of the board of inquiry on Sunday observance in Tasmania, though in some cases

subject to some suggested modification. The Government proposes to proceed along the lines of the Tasmanian Act, again with some modifications.

In fact, I was horrified at the comments of certain churches in relation to Sundays and I think any other member who read those comments would be affected similarly. One church said, in effect, that it did not think Sunday had any significance, that one day of the week was as good as another, and that good Christians in the early days used to do their work and go to church as well.

Mr. Millhouse: They were social customs.

The Hon. D. A. Dunstan: After all, a considerable denomination in South Australia made that statement.

Mr. Hudson: Why were you horrified?

Mr. NANKIVELL: Because it was not in accordance with the usually accepted tradition of observing Sunday as a day of rest. Anyway, it was clear from the Premier's letter that he was going to take this opportunity of amending the legislation. He is using a measure that deals with leisure to provide for pleasure. The Tasmanian Act is a fairly strict document. As I have said, it sets out to protect the leisure of the people. The report of Sir Philip Phillips goes to great lengths to try to prevent people from being forcibly required to work on the seventh day of the week, or Sunday. Apparently there is ample justification for saying that the community needs one day of rest in the week and Sir Philip Phillips was going along with the idea of the Sabbath being that day. He did everything possible to ensure that that would be so and that people would not be obliged to work on Sundays, except in the case of those engaged in essential services.

For instance, under the Tasmanian Sunday Observance Bill property cannot be sold on a Sunday and a person cannot carry on his ordinary calling or engage in any business, work or labour on that day. A farmer is not supposed to do on the seventh day any work that he can put off until another day. Of course, we know that some people have to work on Sundays. Examples are people who provide religious services and people who are engaged in essential services.

The Hon. B. H. Teusner: And members of Parliament.

Mr. NANKIVELL: Yes, I do not know how we would get on if we followed this measure strictly, because it provides that a person cannot carry on his ordinary calling on a Sunday. Section 7 of the Tasmanian Act refers specifically to the matters contained in clause 6 of our Bill. They are certain matters that may be permitted on Sunday in the way of organized sport. I appreciate that there are difficulties in this matter, but there is one major difference between the two measures. The Tasmanian Act is definite in providing that no person shall, on Sunday, provide, engage in or attend any of a number of activities that are listed. The activities listed are the same as those listed in our Bill, except that the Tasmanian measure excludes motor racing.

Neither the Tasmanian provision nor our provision refers to tennis or cricket. Sir Philip Phillips was apprised of the fact that on the mining coast of Tasmania, the western coast, league football was normally conducted on Sundays and he reported that, as that practice had always been followed, reference would not be made to preventing that activity from continuing. That league was deliberately excluded from the football leagues affected by his recommendation that was incorporated in the Sunday Observance Act. We have virtually followed the same lines, except that we have placed a considerable responsibility on a Minister of the Crown.

Mr. Hudson: It is there already.

Mr. NANKIVELL: It is not. I agree that the Minister can at present grant licences for Sunday activity, but the issuing of permits in respect of licensed premises is not allowed at present. As the honourable member knows, the Government, by this amendment, is dealing with the whole State, not only with the metropolitan area. I accept that activities are being undertaken in areas in respect of which some exception has to be made. Otherwise, they would have to be summarily closed down, and this would not be accepted. We went to great lengths in one Bill to ensure that illegal practices were made legal. I realize the Government's difficulty in this matter in permitting certain activities that are now carried on, but I am concerned that the granting of permits will place a tremendous responsibility on the Minister.

Mr. Hudson: He may give consent for a period of Sundays.

Mr. NANKIVELL: If the power is there already, why alter it?

The Hon. D. A. Dunstan: We are trying to cut down the power, not to enlarge it.

Mr. NANKIVELL: The Bill sets out categorically a series of activities, and that situation is different from what could arise under

section 20 of the present Act. The Premier said that he would not allow rodeos in a built-up area, but that activity is now listed. If the rodeo is continued at Hahndorf on Sundays other places will want to do the same, because a rodeo is an activity specifically nominated. It may be difficult to refuse permits for others who want a rodeo. Although the Minister may revoke a special permit granted for an entertainment between the hours of 6 p.m. and 8 p.m. he has no power to revoke a licence or permit under subclause (4). He may approve of a rodeo being held on consecutive Sundays: the first may be a shambles, but the permit allows for it to take place again on the following Sunday.

I have received correspondence from a church informing me that it considers there is no need to proceed with the complete Bill. The church agrees that the present loopholes in the Act should be closed, but that more time should be given to consider extending liberties in relation to Sunday activities. Although I am not a wowser and do not oppose Sunday sport to a certain extent, it seems to me that some restriction should be placed on major functions at which many people gather. The church is also concerned with the aspect of people having to work on a day that they would like as a day of rest. The Theatrical Employees Association does not favour working on Sundays, even if additional payments are made for this work. At all organized sports some people have to work, especially groundsmen and attendants.

Mr. Hudson: To some extent this applies to Sunday activities carried on now where admission is not charged.

Mr. NANKIVELL: These things happen now, but the church was concerned about the interferences with the individual's liberty.

Mr. Hudson: You have to draw a line somewhere.

Mr. NANKIVELL: I have done that by endorsing the sections of the Bill that have closed the loopholes, but I am not convinced that action need be taken with respect to other matters, at this stage. A permit will allow people to continue having football matches if played outside the metropolitan area, but I do not think that an admission charge is made in every case. Some activities named in the Bill will not take place on Sundays. Neither the South Australian Cricket Association nor the South Australian Lawn Tennis Association made representations about using their facilities on Sundays, although the tennis association recently received permission to complete a tournament on a Sunday because it could not be finished on a Saturday.

Several aspects need to be further considered. I do not object to many matters dealt with in this legislation, but several anomalies need to be corrected. I am not satisfied that the Places of Public Entertainment Act is the legislation that should be used for this purpose, because we have introduced new sections into it and a new concept of extending the present limitations on Sunday activities. By passing this Bill, we shall have done more than satisfy ourselves that we are looking after the safety, interests, and well-being of the people: we shall have substantially extended liberties. Although there is nothing wrong with extending liberties, certain problems will arise under the Bill in this regard. Certain activities have been categorically set out, and the Minister concerned will have the responsibility of exercising discretion in issuing permits. That is one of the major weaknesses that I see in this measure. I am sorry that the Premier has seen fit to bring this matter forward so hastily, although I realize the necessity for the haste in some respects.

The Bill has been before the House for only two days, and copies of it have not previously been available to outside interests, with the result that many of its provisions are not known to the public. I received the Bill on Tuesday; there was only one copy of the Phillips report available to members; and yet I was expected to be prepared to speak to the Bill yesterday when it was placed second on the Notice Paper. Indeed, it was for reasons other than those relating to the Government's priorities that the Bill was not debated yesterday. I believe that many people wish to examine more closely the matters to which the letter from the South Australian Methodist Conference has drawn attention. Indeed, I should have liked to examine certain aspects much more closely. However, having made certain assessments of the Bill in the time available to me, I support the second reading but, in doing so, I am not happy about many of the provisions concerning Sunday activities.

Mr. LAWN (Adelaide): I support the second reading with the exception of one provision that I hope will be remedied in Committee. The reasons for the urgency in introducing the Bill having been explained by the Premier and enlarged on by the member for Albert, I do not intend to canvass

that matter further. Although I shall not have the opportunity to move an amendment in Committee, I suggest at this stage that new section 20 (4) be amended at the appropriate time to include after the word "entertainment" the words "in country areas". This will then clearly provide that new section 20 (3) (*a*), (*b*) and (*c*) will relate to country areas when a ban on certain sports is declared.

I, with other members, have received a courteous letter from a minister of religion on behalf of his church, containing certain resolutions that were passed at a recent conference. The letter suggests that safety in places of public entertainment can be catered for by the immediate passage of clauses 4, 5 and 7. However, if that suggestion were accepted, the responsible Minister would be inundated with applications for permits to conduct certain sporting activities and entertainment on Sundays. At the same time the letter contains a protest at the Minister's having the right to issue permits, so that there seems to be inconsistency in this regard. I believe that up-to-date thinking regarding Sunday activities should be clearly incorporated in the Bill. The letter states:

> The Bill now before the House of Assembly does not follow the form or the principles of the Tasmanian Sunday Observance Act, as suggested by the majority of the churches.

I believe, however, that the Bill meets the wishes of the churches. It certainly meets with my approval, and I believe it is far preferable to the Tasmanian legislation. I do not wish to see Sunday mornings disturbed by the holding of sporting activities. Sunday mornings should be quiet and peaceful, and every opportunity should be provided for people to attend their various churches if they wish, without being disturbed by other activities. The Bill at present before the Tasmanian Upper House seeks to permit games to be held at any time on a Sunday, although it provides that entertainment shall not take place before 1 p.m. This Bill clearly provides that games shall not commence before 1 p.m., a provision to which I would have thought the religious body of which I am a member and from which this letter has emanated would agree. The letter continues:

> Our opposition to major sporting events and entertainments is based on two principles:
> (1) avoiding unnecessary work on Sunday; and
> (2) keeping noise and nuisance to a minimum.

As the Bill states that games shall not commence before 1 p.m., we are giving more effect to the resolution than would the Tasmanian legislation, which allows games to be played on Sunday morning. The letter continues:

> While taking cognizance of the second principle, the Bill completely ignores the first. If the South Australian Parliament follows principles of the Tasmanian Act there will be a total prohibition on Sunday Davis Cup matches, State tennis tournaments and professional tennis events and interstate and international cricket maches.

Section 7 of the Tasmanian Act is identical to clause 6 of the Bill, except that the Bill bans motor racing on Sunday. Also, for the letter to say that the Tasmanian legislation bans Sunday Davis Cup matches, State tennis tournaments, professional tennis events, and interstate and international cricket matches shows that someone has obviously been misinformed: the Tasmanian legislation has not banned tennis or cricket on Sundays. Because of the reasons stated in the letter, I should have thought that the conference would prefer to have the South Australian legislation, which bans motor racing on Sundays.

The Hon. B. H. Teusner: Under new subsection (4) of section 20 a permit can be granted for a motor race.

Mr. LAWN: I point out that the Minister will have to have regard to certain facts before he can grant permission for a motor race under section 20 (4). He shall not grant a permit unless he has first considered whether the granting of the permit will cause a departure from practices existing before the commencement of the operation of the legislation. At present, in the metropolitan area no motor racing takes place. If the three words that I have suggested should be inserted in new subsection (4) were inserted, a definite ban would apply to the activities set out in new subsection (3). However, by referring to country areas in new subsection (4), we will clearly provide that, if the Minister finds that motor racing, football matches and so on have taken place previously, he can grant a permit in relation to those areas.

Another clause in the Bill bans activities between 6 p.m. and 8 p.m., whereas the Tasmanian legislation has no ban in regard to those hours. As this Bill provides for two hours in which people can worship or rest, I cannot understand (in this respect either) why people who have the same religious beliefs as I have would prefer the Tasmanian legislation. Members should consider all the matters in the Bill in the light of modern

thought in the community. We should not deal only with clauses 4, 5 and 7 of the Bill and leave section 20 of the present Act to apply in regard to Sunday sport (as suggested by the conference). I hope members will consider the amendment I have suggested which would make the position clear as to the Minister's rights to grant permits.

The Hon. G. G. PEARSON (Flinders): This Bill, like so many others we have examined in the last year or two, contains certain desirable clauses which are wrapped up in a composite parcel with other clauses of doubtful value, the provisions of which would probably be better left out of the legislation. We are becoming used to this pattern and to the need to watch for what is contained in a Bill. We are also becoming accustomed to finding ourselves in a position of some difficulty (this has obviously been contrived by the Government) where we cannot very well oppose a Bill outright, because like the curate's egg, some parts of it are good and some are bad. I believe that the Bill falls clearly into two sections and that, as the member for Albert said, the two sections can be segregated—and they should be. Although I support the essential parts of the legislation, I do not support the parts of it which I consider are not essential and which are certainly not essential at this time. I do not intend to canvass the remedial matters that are dealt with. The Premier has spoken of the necessity for certain amendments to the Places of Public Entertainment Act in regard to premises, and I have no quarrel about those matters.

It is perfectly obvious to me and to most other watchful members that the Premier intended to introduce a measure of this kind before the end of this Parliament. That was foreshadowed soon after he became Premier. He made carefully worded and qualified statements, such as his statement that the community probably was not "yet" ready to move in this direction and that he thought the matter might be looked at later. Despite that, it was obvious that before the end of the Parliament he would give effect to some of the modern ideas about the observance of Sunday, and I am not surprised at the introduction of this legislation. The difficulty experienced in regard to one club gave the Premier a heaven-sent opportunity.

He said a few weeks ago that, regardless of whether the time was right, the problem of premises had become so urgent that the Government could not allow the position to continue and that remedial action woud have to be taken. It is interesting to see that the methods that he has used to connect the occurrence of a fire in a certain building with the new approach to Sunday activity. He has been conscious that there is no real connection between the two and in all his statements he has been at pains to increase the strength of the tenuous shadow that connects the two matters in order to convince the public that the two are linked inseparably and that he could not deal with one without also dealing with the other. This is the way he led the churches into accepting, tacitly, at any rate, his proposals for the introduction of legislation.

He put to the church representatives that this matter must be attended to urgently and that there was no time for discussion: the matter had to be dealt with in this session. I know that the Premier wrote to the Lord Bishop of Adelaide some time ago. However, as the Premier knows, church conclaves do not sit in session for six months of the year as this Parliament sits. He knows that authoritative meetings of church bodies may be held only once a year or, as is the case with some churches at longer intervals. He also knows that churches change their views slowly and that church members have divergent views on so many matters that it takes a long time for a church organization to reach a conclusion. I assume that he knows that in some church organizations matters of this kind are referred to local circuits for consideration and report through the synods to the annual church conference.

Yet, because he wrote to the Lord Bishop of Adelaide about this vexed question in June or July this year, he expects that not only the church to whom he addressed his communication but also all other churches should have reached a conclusion. He asked for views on an extremely general question, and that is entirely different from asking for an opinion on something specific. The subject matter was as wide as the ocean, and that is another reason why the churches have been slow to reply. Then, because time was passing, the Premier decided that the matter must be concluded, and he gave notice of certain legislation. It was foreshadowed, in the usual way, in the press before we here knew anything, and that set the rounds of controversy in motion. The Premier, after making statements in the House, was criticized by some church authorities, not necessarily because of what he intended to introduce but because no details of his intention had been made known to them.

The Premier took umbrage at that criticism and made a lengthy statement about what he had done. Referring to the leaders of the churches, he said:

I am extremely grateful for the consideration they have given the matter and I am somewhat astounded that, in view of the approach to the churches, for which I was specifically thanked by the Bishop on their behalf, and about which motions have been carried by most of the church organizations in South Australia . . .

I do not know which ones, because I know of many church organizations that have not met in session since the Premier addressed his original letter.

Mr. Shannon: Would they have seen the Bill?

The Hon. G. G. PEARSON: Of course not, because the Bill was not drafted. The Premier went on:

I am somewhat astounded that . . . we should now see the kind of propaganda that has been reported in the newspapers in the last few days.

The Premier accused the churches of bad faith in one breath and he accused them of propaganda in the next.

Mr. Casey: That's not correct.

The Hon. G. G. PEARSON: It is: that is the word he uses.

Mr. Casey: You are quoting one man and not the churches: be fair.

The Hon. G. G. PEARSON: I quoted, and I repeat for the honourable member's benefit:

I am astounded that . . . we should now see the kind of propaganda that has been reported in the newspapers in the last few days.

Mr. Casey: That's not the churches.

Mr. Langley: I have not received one complaint about this matter.

The Hon. G. G. PEARSON: I could not care less what has happened to the member for Unley. From my knowledge of the men concerned they have no political affiliations that favour me. They are agreed that the Premier "used them up" in this way. They considered it essential to put their position clearly, and this they did. It was not generated by action on their part but by a precipitate announcement by the Premier and the fact that he stated that he had had favourable reports from the churches. That was not correct, however.

This led the Premier to go back, cap in hand, to some of these people to talk them around. Later, he had an interview with two important and prominent members of one church. I do not know what was said at the interview, but I know from other discussions something of what took place. The Methodist Church is in conference in Adelaide this week, and this matter was reported to it and discussed by it. As a result, last night we received a circular over the official signature of the President of the Methodist Church in South Australia. That circular generated from the Premier's reply on October 10 to a question from the member for Mitcham, in which he said:

I have had submissions from all the churches, except the Presbyterian Church, setting forth their views. Overwhelmingly the churches' view was that, with some minor modifications, at least the provisions of the recent Tasmanian Act on Sunday observance should be allowed. Specifically, the Methodist Church in South Australia accepted that proposition in principle and, since those submissions were made in the knowledge that they were designed to be the basis of a Bill to be introduced this session, I am extraordinarily surprised that the comments made in the last two days should have been made,

The statement from the Methodist Church was drawn up by two lawyers who are ministers of religion: it is clear and concise and sets out the position as viewed by the church. The document states:

The proper concern of the Premier for safety in places of public entertainment can be met by the immediate passage of sections 4, 5, and 7 of the Bill now before the House . . . The Bill now before the House of Assembly does not follow the form or the principles of the Tasmanian Sunday Observance Act as suggested by most of the churches. The insertion of the words "except where a permit is in force under subsection 4 of this section" in clause 6 (c) (3) is directly opposed to the provision in the Tasmanian Act where no power of discretion is granted to the Minister concerned.

There was another discussion this morning, and the Premier was referred to the authors of this document, following which a discussion took place. I was interested to hear the member for Adelaide suggest an amendment to the Bill, and I assume that this position arises following this morning's discussion, because it is a major amendment. I am sure that three words with such tremendous import in the legislation would not have been accepted by the Government if I had moved for their inclusion. However, the amendment will need consequential alterations, because there is no definition in the Bill of a country area and the definition of the metropolitan area in the old Act has been struck out.

The member for Adelaide tried to show that the people responsible for the church document did not know what they were talking about

and did not know anything about the Tasmanian Sunday Observance Act. The honourable member, either inadvertently or deliberately, chose to misinterpret the verbiage of the church document. The Tasmanian Act is founded on the principle that there shall be no enforced additional obligation on people who work normal hours to have to do extra work on Sunday. This matter was publicly scrutinized in Tasmania several years ago; there have been many protracted discussions between the churches and the State; and a lengthy report has been prepared by an eminent lawyer. So the Tasmanian Parliament did not precipitately rush into a major alteration of people's Sunday habits. It is interesting that the Premier in his statement to this House should have referred to the matter of change in these terms:

It has been the view of the Government that there should not be radical changes in this area, because many social changes have been made in the past two and a half years, and it is considered desirable, as far as possible, not to make too radical a change in the habits of the community. However, because the cabaret sections of the Places of Public Entertainment Act have presented this Government with so many problems—

Of course they have, but that is a strange statement to make before introducing a Bill effecting a major change in the law regarding Sundays. Indeed, if it is not doing so, the press and the public are sadly misinformed because it has been on the front pages of the press every day for the last week, and obviously the community regards it as a major and substantial change. However, that is by the way.

This is the kind of propaganda to which we have become accustomed and of which I hope the public by now is becoming aware: that Government statements do not always mean what they appear to mean. The member for Adelaide, following this line also, conveniently ignored the verbiage of the penultimate paragraph of the communication from the President of the Methodist Conference, who said:

If the South Australian Parliament follows the principles of the Tasmanian Act, there will be a total prohibition on Sunday Davis Cup matches, State tennis tournaments and professional tennis events, and interstate and international cricket matches.

He might well have added league football, horse-racing and all the rest of it.

Mr. Nankivell: And rodeos.

The Hon. G. G. PEARSON: Yes; he could have added half a dozen more. What he is referring to here is not the particular sports but the organization of sports of this character. That is where he is referring to the Tasmanian Act. Nobody can sell me the idea that organizing a league football match or a race meeting does not involve many people compelled to forgo what is, to them, a day of leisure. Whether or not they go to church does not matter: it is their day of leisure and they do not want to work on Sunday. Organizing sport is not an essential service and, that being so, they should not be required to work on Sunday. That is the principle of the Tasmanian Act. That is where the member for Adelaide misled this House in his interpretation of it.

Mr. Casey: Are there many restrictions on games and sport in Tasmania?

The Hon. G. G. PEARSON: The member for Adelaide nicely and conveniently used the word "games". What is meant by "games"? Certainly not major sport involving major league football teams, soccer teams, horse-racing, and all the rest of it.

Mr. Casey: Is there any restriction here on the playing of sport?

The Hon. G. G. PEARSON: There is no restriction on playing games here, nor has there been since I was a boy. We can go to the park lands and see people playing games at nine o'clock in the morning.

Mr. Casey: This is organized sport?

The Hon. G. G. PEARSON: It is not the interpretation of "games".

Mr. Casey: What is the position in Tasmania?

The Hon. G. G. PEARSON: In Tasmania people are specifically prohibited from playing any major sport on a Sunday if it involves people having to organize it. The principle of the Tasmanian Act is that any organized sport requiring a number of people to work on a Sunday who would otherwise not have to is "out" for Tasmania. That is what the Methodist Church expected to be the principle of the legislation in this State.

Mr. Casey: That does not apply to the whole of Tasmania. What about the country areas?

The Hon. G. G. PEARSON: It is not the principle of the Bill in this State. The Minister is required to consider certain matters before he can grant a permit. If the amendment of the member for Adelaide is official, this will rub out sport altogether in the metropolitan area; it will allow the Minister to grant a permit only in the country.

Mr. Casey: You have said that before.

The Hon. G. G. PEARSON: Quite. Where are we getting with it all? Anyway, the Minister has to have regard to certain matters before he can grant a permit, wherever it may be granted, and people who go to church in the country expect some peace and quiet, as do people in the metropolitan area. If it so happened that the granting of a permit would have a detrimental effect on a church service, the Minister would have to decline to grant it. It is his responsibility to sort out these things. I do not know from what particular knowledge he will be able to make determinations. For instance, would he know that the oval at Yeelanna was adjacent to the church and that if a football match was played there it would seriously interfere with the church service, or would he not know these things? However, that is a problem for the Minister to decide.

I am prepared to support this Bill in its essential clauses, those relating to the safety of buildings in which conclaves of people are assembled (that is right and proper; otherwise, there could be a castastrophe), but I am not prepared to support the clause dealing with permits (clause 6)—not because I am necessarily opposed to the relaxation of the laws relating to Sunday observance. Indeed, I have for some time felt that it might be a good thing if, for example, we allowed the picture theatres to open on Sunday evenings. This Bill provides for that, so long as they do not open between 6 p.m. and 8 p.m. I have observed that there are many people who like to spend Sundays out of doors and who may like to participate in various sports on Sundays. I do not want to say that my judgment should be paramount in these matters. If people want to do these things that is not unreasonable, but these are not urgent matters that must be decided by Parliament now. They are not matters on which the churches as a whole have deliberated sufficiently in order to come to satisfactory conclusions, and they are matters that could well be left alone until they have been distilled through the minds of the public and until conclusions have been reached. I oppose this particular clause but not in the hope that it will not be revived at some future time. Although I support the urgent provisions, I am not prepared to support the provisions which are not urgent and which relate to controversial matters.

Mr. HURST secured the adjournment of the debate.

ADJOURNMENT

At 5.26 p.m. the House adjourned until Tuesday, October 24, at 2 p.m.