HOUSE OF ASSEMBLY

Wednesday, October 25, 1967

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

ABSENCE OF CLERK

The SPEAKER: I have to inform the House that the Clerk (Mr. G. D. Combe) is absent on Commonwealth Parliamentary Association duties, that under Standing Order No. 30 his duties will be performed by the Clerk Assistant (Mr. A. F. R. Dodd), and that pursuant to Standing Order No. 31 I have appointed Mr. J. W. Hull (Second Clerk Assistant) to carry out the duties of Clerk Assistant and Sergeant-at-Arms during the absence of the Clerk.

QUESTIONS

GAS

Mr. HALL: A letter appearing in this morning's *Advertiser* headed "Policy on Gas Pipeline" states:

The Australian Federation of Civil Engineering Contractors is alarmed to note from recent press references that there may have been an important change in policy by the South Australian Government on the construction of the Gidgealpa-Moomba natural gas pipeline. From the scanty information available to the federation it would appear that a minimum construction period will be defined which will have the effect of automatically eliminating Australian firms, and that if the precedent recently established in the gas pipeline in Victoria is repeated, the stringent financial arrangements will practically preclude Australian contractors.

As two aspects are questioned by the writer of that letter, namely, time and finance, can the Premier assure the House that sufficient time will be available for any suitable Australian firm to tender for this work? Also, can the Premier give an assurance that any company that is acting or will act as a consultant to the Government on the gas pipeline investigation will not be placed in the position of having a conflicting interest by being accepted as a tenderer for the construction job, and that no technical information will be available to one tenderer that is not available to any other tenderer?

The Hon. D. A. DUNSTAN: There has been no change in policy on this matter, and that must be known to the writer of the letter. I was approached by the organization concerned about South Australian involvement in the construction of the pipeline, and the matter was discussed by the officers of the federation, the Chairman of the gas pipelines authority, and me. It was made clear that we had for the economic interest of the State a certain time table that we must observe, because it is essential for the economic industrial development of this State that we maintain our lead in the race to supply natural gas to an industrial area at a price competitive with that at which it is available in other States. It is also necessary for us to ensure that, in order to pay for the pipeline, we shall not be spending more money on its construction than the sum quoted by the consultants to the authority.

It would be disastrous for our financial arrangements and for the price of gas to the consumer if that price were exceeded or if the time table were delayed. The association was informed at the time that as early as possible (and that should be shortly) full data would be available to South Australian contractors who might be interested in being involved in a tender, or interested in subcontracting arrangements with any tenderers to the authority; and that the authority, together with the consultants, would assist members of the association in contacting potential tenderers, so that there could be full participation by South Australian organizations in work on the pipeline. That assurance has been given and it will be honoured. However, I am not prepared at the moment (nor is the authority prepared) to agree to delaying the construction of the pipeline or to exceeding the cost on the basis of which we have made all our financial arrangements in order to ensure that a South Australian tenderer might over a long period tool up to do this work. We have been faced with necessary decisions, and those necessary decisions have been taken. The fullest information will be given here.

Concerning the further part of the Leader's question, I point out that the consultants will not tender for construction, but we have an arrangement that, if we cannot obtain tenderers who will construct this pipeline within the price set by the consultants, the latter will guarantee the construction of the pipeline at no more than the cost they have quoted to us. The State has received that assurance, and it is one of great advantage to us.

WATER PUMPING

Mr. HUDSON: The Minister of Works yesterday gave figures regarding the quantity of water pumped from the Murray River through the Mannum-Adelaide main from January 1 to October 20 for the years 1958 to 1967. These figures show, I understand, that the pumping in 1967 is at a record level:

2,000,000,000 gallons over the quantity pumped in any other year. It would also help if we could ascertain the quantities pumped through the Mannum-Adelaide main, from April 1 to the present time and from June 1 to the present, for the four heaviest years of pumping, which I understand are 1959, 1962, 1966 and 1967. Can the Minister supply these figures and, if they also show that the quantity of water pumped through the Mannum-Adelaide main this year is still clearly a record over any other year, will he ask the *Advertiser* to publish these figures on the front page so that the people of South Australia will be clear as to the Government's record in this matter and will not be misled by inaccurate statements that have been made by the Leader of the Opposition, namely—

Mr. Millhouse: Question!

The SPEAKER: The honourable member must ask his question and not comment.

Mr. HUDSON: Will the Minister supply these figures to the House and ask the *Advertiser* to publish the figures in a prominent position so that the public of South Australia will not be misled by the false statements of the Leader of the Opposition?

The Hon. C. D. HUTCHENS: The figures I gave yesterday prove conclusively that, during the current year, the quantity of water pumped has been a record.

Mr. McAnaney: It must be a record because of the increase in population.

The SPEAKER: Order!

The Hon. C. D. HUTCHENS: I know that certain members do not want me to reply to the question, because the Leader of the Opposition has been trying to convince people that the Government has done the wrong thing in relation to pumping by saying that time and time again. Although he knows that statement is false, he has been making it in the hope that people will believe it.

The Hon. Sir Thomas Playford: It's true.

The Hon. D. A. Dunstan: It's not true: it's an absolute falsehood.

The Hon. C. D. HUTCHENS: Knowing the member for Gumeracha, I would expect him to say it is true. That is typical of him.

Mr. Millhouse: It is true, too.

The Hon. C. D. HUTCHENS: Let me give a few figures to show the facts. Figures of water pumped through the Mannum-Adelaide main from January 1 to October 20 from 1958 to 1967 are as follows:

	Gallons
1958	6,130,000,000
1959	10,160,000,000
1960	5,210,000,000
1961	3,540,000,000
1962	11,140,000,000
1963	4,290,000,000
1964	4,410,000,000
1965	7,290,000,000
1966	10,320,000,000
1967	13,040,000,000

The 1967 figure is a record for all those years: pumping this year has been 2,000,000,000 gallons over the quantity pumped in any previous year. If we compare quantities pumped from April 1 to October 23 in the four years in which the pumping was heaviest—

Mr. Millhouse: I thought you said yesterday that those figures weren't available.

The SPEAKER: Order! I remind honourable members that Question Time is not a time for debate, and I will not tolerate interjections during questions and replies.

The Hon. C. D. HUTCHENS: Thank you, Mr. Speaker. The quantities pumped from April 1 to October 23 in the four years in which the pumping was heaviest are as follows:

	Gallons
1959	7,432,000,000
1962	5,288,000,000
1966	4,879,000,000
1967	10,368,000,000

Again, 1967 was clearly a record year. The quantities pumped through the Mannum-Adelaide main from June 1 to October 23 for the four years in which pumping was heaviest are as follows:

	Gallons
1959	7,334,000,000
1962	2,662,000,000
1966	3,027,000,000
1967	8,400,000,000

Again, pumping has been a record in 1967. Although virtually no pumping occurred in April and May of 1959 (the previous year of drought) 2,000,000,000 gallons was pumped this year. Further, storages on June 1 and July 1 this year were more favourable than last year. Despite this, pumping in June and July this year greatly exceeded the quantity pumped in those months last year. These figures clearly demonstrate that the Government has acted conscientiously with respect to pumping. The Leader is trying to mislead the public, and I ask the *Advertiser* to give to these figures the same prominence (possibly on the front page) as it gave to the Leader's statement yesterday, so that the people may know the facts and not be misled.

Mr. MILLHOUSE: My question follows the information the Minister was kind enough to give me yesterday in reply to a question on notice regarding the pumping of water through the Mannum-Adelaide and Morgan-Whyalla mains, and it also follows the reply given this afternoon by the honourable gentleman to a question asked by the member for Glenelg. Using the figures the honourable gentleman gave me yesterday, I note that had the pumps worked to full capacity from the beginning of January (although I admit that this would not have been reasonable) the quantity of water pumped since then would have been 6,000,000,000 gallons greater than the quantity that has been pumped. I remind the Minister that in May and June he was urged by Opposition members to have the pumps working to capacity.

Mr. McKee: Question!

Mr. MILLHOUSE: Can the Minister say whether the pumps did work to full capacity even for one day during May and June, and will he be kind enough to ask the *Advertiser* to give his reply to this question as much publicity as it gives to his reply to the member for Glenelg?

The Hon. C. D. HUTCHENS: Although the storage of water in the reservoirs at the beginning of June, 1967, and July, 1967, was greater than that at the beginning of the corresponding months in 1966, 1,568,000,000 gallons more water was pumped through the Mannum-Adelaide main during both those months in 1967 than in the corresponding months in 1966. Up to the present, 5,373,000,000 gallons more has been pumped from Mannum since June 1, 1967, than in the corresponding period in 1966. The fact is that if we had started pumping on April 1 (and only a fool would suggest that pumping should have been started before June), it would have been impossible on that date to anticipate what would happen during the season. We did the best we could to anticipate the season and pumping has been in excess of previous years when reservoirs held less than they hold this year.

The Hon. Sir THOMAS PLAYFORD: Will the Minister ascertain the pumping cost a thousand gallons of water pumped through the Mannum-Adelaide main.

The Hon. C. D. HUTCHENS: Yes.

CHIPPING TIMBER

Mr. RODDA: In today's *Advertiser* prominence is given to a report that the Eastern States have found an export market for chipping timber. This State has large areas of forests, although they include trees that are not of top-quality standard, and this chipping process affords the means of using timber from those trees. Can the Minister of Forests say whether this market could be exploited by South Australia?

The Hon. G. A. BYWATERS: The honourable member knows that we have recently purchased a chipper that will do the work required by the pulp mills in the South-East. For some time the mills have been purchasing large quantities of round wood and they recently embarked on a programme, planned over several years, to use up the available timber. The co-operation of both the Woods and Forests Department and the private forests is making this programme possible, and the matter is being watched as progress is made. The programme has worked well in each year so far. Because we are fully committed to supply to the people with whom we have been dealing for some time, I do not see any possibility of our exporting this product.

MOSQUITOES

Mr. CLARK: A few weeks ago I explained that in the Salisbury council area and in districts nearby a considerable mosquito menace had been caused by the large area of mangrove swamps in the vicinity. I also pointed out that the combating of this menace was beyond the financial resources of the local boards of health and asked whether Government assistance could be given. Has the Minister of Social Welfare received from the Minister of Health a reply to my question?

The Hon. FRANK WALSH: My colleague reports:

In the three years prior to 1966, the Public Health Department co-ordinated and supervised the aerial spraying of about 7,000 acres of swamp land in the St. Kilda and Port Adelaide area for the control of mosquitoes. The department met the administrative expenses and cost of supervision, whilst the cost of materials and aerial spraying (amounting to about $8,000 a year) was shared between the Electricity Trust, the Corporations of Port Adelaide, Enfield and Salisbury, and the Commonwealth Department of Health. The trust met about 80 per cent of this cost. Although the period of protection was reduced in 1965 owing to adverse weather conditions, it has been generally acknowledged that this method of control has proved of benefit to people living and working in the area concerned.

In 1966, the trust indicated it would not contribute to the cost of aerial spraying, but would rely on local spraying in the vicinity of Torrens Island. It was not possible to proceed with even a limited operation, as the remaining contributors indicated that it was unlikely that

additional funds would be available for this purpose. Although it is difficult to assess accurately the extent of the mosquito nuisance, it would appear from information available to officers of this department that mosquitoes were more prevalent in the Port Adelaide and St. Kilda area last summer than in previous years when the area was sprayed from the air. As the mosquito breeding grounds are generally in the more inaccessible swamp areas, aerial spraying with insecticides appears to be the most practicable method of control.

In view of the approaches to the Public Health Department for the resumption of aerial spraying, the Electricity Trust has again been approached to ascertain if it would be prepared to contribute to the costs on a similar basis to that which applied previously. If a favourable reply is received from the trust and the other organizations that contributed previously agree to participate on the same basis as previously, immediate arrangements could be made by the Public Health Department for the areas concerned to be aerially sprayed before the commencement of summer. Unless these organizations are prepared to meet the cost of materials and aerial spraying, the Public Health Department will not be able to undertake this work, as funds have not been specifically provided for this purpose.

WEED SPRAYING

Mr. HUGHES: Recently, I directed a question to the Minister representing the Minister of Transport in the form of a complaint I had received from the Bute District Council, which claimed that insufficient equipment was available to railway gangs in that area and in the whole of the northern area, because only one portable misting machine was available for the whole of that district. I asked the Minister recently whether he would be good enough to ascertain whether these statements were correct. I understand he now has a report.

The Hon. FRANK WALSH: The Minister of Transport reports that the letter from the District Council of Bute, quoted by the honourable member, discloses that the council has not been accurately informed concerning the resources and procedures employed by this department in respect of weed control measures. Unfortunately, a press report containing similar inaccuracies appeared in a local newspaper. The council was invited by letter dated March 29, 1967, to furnish information concerning noxious weeds growing on railway land, and was given an undertaking that the department would co-operate in joint programmes of eradication. No communication has been received from the council since that time. However, departmental employees have been engaged in weed control activity in the council area under direction of departmental officers, and have been provided with such equipment as has been appropriate to the tasks undertaken.

KANGAROO ISLAND SHEEP

Mr. NANKIVELL: I ask this question on behalf of the member for Alexandra who, unfortunately, has a bad virus and is indisposed, but who supplied the information I shall give the House. The question relates to a flock of sheep at Stokes Bay that were found to be lousy on September 27. By October 2, the sheep having been inspected and placed under quarantine in the meantime (that is, within five days), the whole flock had been dipped. The sheep were subsequently shorn and again dipped, but the quarantine restriction on the flock has not been removed because the sheep have not been inspected. The owners are concerned about this matter. An off-shears sale is to be held on Friday; the property is over-stocked; and the owners want to sell their sheep. They have offered to pay the air fare of an inspector from Adelaide to Kangaroo Island if he travels over to inspect the sheep. Will the Minister of Agriculture confirm these facts? If there is anything he can do to have the sheep inspected by a stock inspector from Adelaide or by a member of the department on the island the owners would appreciate it, as would the member for Alexandra.

The Hon. G. A. BYWATERS: If the honourable member gives me the name of the person concerned, immediately after Question Time I will ring the department to ascertain what can be done to help.

WATER RESTRICTIONS

Mr. HURST: Many people understand that it is not permitted to water lawns with sprinklers. I, like several other members, have received many complaints concerning the use by councils and other bodies of sprinklers on ovals, because people consider that occasionally water is unduly wasted. Will the Minister of Works consider having his department contact the various councils in areas where ovals are watered from the mains in order to ensure that they water only in accordance with the requirements of proper water conservation and to ensure that water is not wasted? This practice tends to dishearten nearby residents who are trying to conserve water.

The Hon. C. D. HUTCHENS: First, it has never been suggested by the Government that sprinklers must not be used: indeed, the purpose of voluntary restrictions is to permit the

reasonable use of sprinklers. If legal restrictions were imposed, a person who had to work all day would have to hold a hose in his hand when watering in the evening. The Government considers that a limited amount of watering can be done by sprinklers during the day, and the use of sprinklers is not prohibited. Secondly, much confusion seems to exist, and I, and the department, have received many complaints regarding the use of sprinklers on public gardens; but, on inquiring, we find that many bodies, such as the Adelaide City Council, water these areas with water from the Torrens River, and other bodies use bore water. I would appreciate it if people using water from bores or from the river would display signs showing that the water comes from bores or from the river. This action would minimize the number of complaints, and I am sure it would satisfy the public that water is not being wasted. I will arrange immediately for councils to be informed of the results of an investigation that is being undertaken to show the quantity of water necessary for various types of lawn in different areas, and ask them to use the minimum quantity of water necessary.

I deeply appreciate the co-operation we have received from the public. Some wise statements, and some unwise statements have been made, but the fact remains that over three weeks of voluntary restriction the consumption has been 100,000,000 gallons less than the quota. The quotas are worked out on what would be an average week over several years but, because of some exceedingly hot days recently, consumption has slightly exceeded the daily quota. Quotas are worked out on the assumption that we will not receive more rain this year. I appreciate the interest that has been shown by radio and television stations, by the press, and by the public. We have received marvellous co-operation and, should this continue, we will get through the season using only voluntary restrictions, which will benefit the public by relieving them of the disabilities of legal restrictions.

THEVENARD HARBOUR

Mr. BOCKELBERG: Has the Minister of Marine a reply to my recent question about Thevenard harbour?

The Hon. C. D. HUTCHENS: The dredging of a deeper approach channel and the reconstruction of the jetty at Thevenard are to be referred to the Public Works Committee. These matters have been referred to the Crown Solicitor for preparation of the terms of reference.

MONTAGUE ROAD

Mrs. BYRNE: Will the Minister representing the Minister of Roads ask his colleague to consider erecting speed limit signs on Montague Road between Bridge Road, Ingle Farm, and Nelson Road, Para Vista? The reason for this request is that, as this part of Montague Road has fields on either side, motorists are often under the impression that they are driving in an unrestricted speed area.

The Hon. J. D. CORCORAN: I will refer the matter to the Minister of Roads.

DROUGHT ASSISTANCE

The Hon. B. H. TEUSNER: I understand that the Minister of Lands has a reply to the question I asked the Premier yesterday about exempting farmers in drought-stricken areas from the road maintenance tax when carting hay and fodder into these areas. Will he now give that reply?

The Hon. J. D. CORCORAN: Charges of this nature are expected to be included in drought relief measures. As the honourable member knows, we cannot remove these charges, but we can make rebates in connection therewith. It is therefore suggested that if any farmer in a drought-stricken area is required to pay these charges he should approach the Primary Producers Advisory Committee.

Mr. HURST: I wish to ask a question on behalf of my colleague the member for Port Adelaide (Mr. Ryan), who is absent overseas. A constituent of the honourable member who has a stud property at Inman Valley, and who has been forced by the dry season to buy lucerne hay as fodder for his livestock, complains that, whereas he previously paid only 45c a bale for this fodder, the farmers supplying this hay are now asking from $1.45 up to $2 a bale. This person fears that he will be compelled to sell his stud stock if he cannot buy fodder more cheaply. Can the Minister of Agriculture suggest how this person can purchase fodder at a more reasonable price, so that he will not have to dispose of his stock because of the exorbitant prices currently being asked for fodder?

The Hon. G. A. BYWATERS: This person should shop around a little. I have been told that the Lucerne Cutters Association has fixed its price at $32 a ton which, I think, would work out at about 75c to 80c a bale. That is about the ruling price of fodder this year and it is within reason.

The Hon. G. G. Pearson: That is for top-quality hay.

The Hon. G. A. BYWATERS: Yes, and this top-quality hay is available readily from the Milang area. The people concerned are prepared to take new customers. I suggest that the person to whom the honourable member has referred should contact the association so that he may get much better value than he is getting now.

HOVERCRAFT

Mr. McKEE: Early last year it was announced that the Birdseye Motor Service intended to establish a hovercraft service across Spencer Gulf. Can the Minister of Marine say whether there has been any development in this regard and whether such a service is likely to be provided?

The Hon. C. D. HUTCHENS: The last I heard about this matter led me to believe that Miss Birdseye was purchasing a hovercraft to use in this area. However, I will ascertain whether any progress in this matter has, in fact, been made and notify the honourable member when a reply is to hand.

METROPOLITAN WATER SUPPLY

Mr. McANANEY: Yesterday I asked the Minister of Works a pertinent question about the needs of the Adelaide public regarding water supplies. If the Minister does not yet have that reply, will he also ascertain the daily consumption per capita for the years to which I referred yesterday?

The Hon. C. D. HUTCHENS: Having sought a reply to the question already asked, I will try to obtain the additional information and give it to the honourable member tomorrow.

NEALE FLAT WATER SUPPLY

Mr. FREEBAIRN: Has the Minister of Works a reply to the question I asked some weeks ago about a small water extension scheme at Neale Flat?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports that estimates, including revenue estimates, have now been completed, and the department is making a final analysis of the proposal. A report will be forwarded for consideration soon.

HACKNEY REDEVELOPMENT

Mr. HALL: Will the Premier say specifically to which law he was referring yesterday when, in reply to a question I asked on notice about redevelopment of the Hackney area, he said that the basis of compensation was determined by law?

The Hon. D. A. DUNSTAN: It is the Compulsory Acquisition of Land Act, for which legislation the Leader voted when it was considered by this House.

METROPOLITAN DRAINAGE

Mr. COUMBE: Some time ago I asked the Minister of Lands what progress had been made regarding the new metropolitan drainage authority. The Minister gave me to understand at the time that at least two major schemes were being considered and that within a few months an announcement was likely to be made on the matter. As that time has now almost expired, will the Minister obtain a further report from the Minister of Local Government in order to give the House an idea of how this scheme is progressing and, particularly in my case, an idea of how the scheme near Prospect is progressing and when it is likely to be reported on, I hope favourably?

The Hon. J. D. CORCORAN: Yes.

POLDA WATER SUPPLY

Mr. BOCKELBERG: Can the Minister of Works say what water is held in the Tod reservoir and whether water is being used at present from the Polda Basin? If it is, where is that water being pumped?

The Hon. C. D. HUTCHENS: I regret that I do not have this information with me, but I shall be able to supply it to the honourable member tomorrow.

JUVENILE COURT

Mr. MILLHOUSE: Yesterday a report of the Social Welfare Department was laid on the table of the House. Since then, on studying parts of the report, I have noticed that part of it criticizes the Adelaide Juvenile Court Magistrate in particular. The report states:

> There now seems to be a wide variation in general court policy, despite the fact that the same legislation is applied, and this is not in the best interests of the children of the community.

The variation referred to is between the policy apparently being pursued in the Adelaide Juvenile Court (according to the report) and the policy that is being pursued in other juvenile courts in the State. I understand that on this occasion the Minister of Social Welfare has publicly agreed with the Director, who prepared the report. As such criticism of a magistrate must weaken his position and prestige in the eyes of the public, can the Attorney-General say what steps he, or the Government, intends to take to support

Mr. Elliott, S.M., in the discharge of his duties in the Adelaide Juvenile Court and to protect him and the judiciary generally from such criticism in the future?

The Hon. D. A. DUNSTAN: The laying on of a report from the Social Welfare Department, prepared by its Director, is a statutory duty and the Director of Social Welfare has a statutory duty to the House the same as the Magistrate of the Juvenile Court has a statutory duty to perform in his area. It is proper that members should know of any difficulties that have arisen. As Attorney-General, I have certainly tried to communicate, through the Chief Summary Magistrate, some of the difficulties facing the Social Welfare Department as a result of some of the decisions that His Honour has taken in the discharge of his duties. In no way would I suggest that he has done other than perform his duties in the way in which he conscientiously and honestly believes it best to do, and that is his prerogative. However, I have tried to point out to him some of the difficulties that have arisen.

Perhaps the honourable member would like to consider just one case that caused not only the Social Welfare Department but also the Crown Law Department considerable concern. It involved the illegitimate child of an Aboriginal woman who had a history of alcoholism. The child was charged before the court with being neglected. The woman was in gaol, the child was under inadequate guardianship at the time, and there was no proper provision for the child. The view that His Honour took of the law was that it was undesirable for a child to have the stigma attaching to it of committal to the care of the Minister of Social Welfare, even though the child was on a charge of being neglected and not for any fault.

In consequence, the magistrate remanded the case for a long period of about nine months so that no decision should be made until the mother had been released from gaol or until some other provision by the family could be made for the child. In the meantime, the child was kept in the custody of the department but, of course, could not be fostered. Eventually the mother was released from gaol. She had a history involving illegitimate children that had been taken into the care of the department and fostered. Immediately on her release from gaol she disappeared. At that stage it was too late for adequate fostering to be arranged as it could have been when the child was originally taken into custody. This is the sort of difficulty with which the Director has been faced. I appreciate His Honour's entire desire to do the best for the benefit of the children concerned, but the resultant difficulties that have arisen in administration cannot be denied.

ABSCHOL SCHEME

Mr. CLARK: In this morning's *Advertiser* appears an article headed "Prosh Funds Distributed" that gives details of the distribution of funds raised by university students in Adelaide on Prosh day. I am sure that the charities receiving these funds are pleased indeed to receive them. I was particularly interested to read that half of the funds went to Abschol (National Union of Australian University Students scholarships scheme for Aborigines). Will the Minister of Education, who is also Minister of Aboriginal Affairs, give the House further details of the scholarship scheme, as these would be of interest to members? Also, will he express an opinion of the value of this scheme to Aborigines?

The Hon. R. R. LOVEDAY: The honourable member was good enough to tell me that he would ask this question, and I noticed the statement in the *Advertiser*. Although the Prosh day celebrations often receive adverse comment, little publicity is given to the great value of the collections made by university students on that day. Their contribution to Abschol is valuable indeed. The National Union of Australian University Students (Abschol) inaugurated in 1952 a system of scholarships to enable Australians of Aboriginal descent to proceed through university. The tertiary Abschol scheme gave six scholarships in 1966, and 1965 saw the first two Aboriginal university graduates—Charles Perkins (New South Wales) and Margaret Valadian (Queensland). In South Australia two students at the Flinders University are currently holding scholarships. This year Abschol offers, additionally, secondary scholarships for Aboriginal scholars attending secondary schools. The awarding of scholarships will be administered in conjunction with the South Australian Aboriginal Education Foundation. Unless otherwise determined, each scholarship is to the total value of $764, divided as follows:

	$
1st year	64
2nd year	100
3rd year	150
4th year	200
5th year	250
	764

A special allowance not exceeding $40 may be paid once only for the purchase of a school uniform. In the case of a student aged 18 years or more, scholarship payments are to be treated as a living allowance. I was recently invited to address the crew of the *Iron Monarch* on Aboriginal affairs and, when I went to the ship, I was delighted to find that all profit from a small shop aboard the ship went to Abschol and that total payments over two years had been about $3,000. I think that is an excellent contribution from a crew of only 24. Occasionally there are changes in the crew but no new member of the crew has failed to support the scheme. The crew also supports the Aboriginal Advancement League by means of a fortnightly collection, and $536 has been donated to that organization. I consider the scholarship scheme to be extremely valuable to Aboriginal children, few of whom have been able to undertake tertiary and secondary education. I commend it to the crews of other ships, because I understand that there is much concern on the part of seamen about Aboriginal children, and any organization that would be willing to support the scheme would be doing much for these children.

RISDON PARK SCHOOL

Mr. McKEE: Has the Minister of Education any information regarding work on the new toilet facilities at the Risdon Park Primary School?

The Hon. R. R. LOVEDAY: I shall be pleased to get a report.

PESTICIDES

Mr. RODDA: Has the Minister of Agriculture a reply to my question of September 21 about pesticides?

The Hon. G. A. BYWATERS: The stock-withholding periods recommended by the Agriculture Department and publicized in a summary of pasture pest treatments were derived from studies conducted by the South Australian Agriculture Department and the Victorian Department of Agriculture, together with reference to the New South Wales Department of Agriculture. Where information from Australian State departments is lacking or inadequate, reference is made to the United States Department of Agriculture's recommendations. The Commonwealth Scientific and Industrial Research Organization is not engaged in this field of applied research.

In the case of new chemicals in particular, reference has to be made to the manufacturing companies' information on residues, because it is often the only information available in the world. It is pointed out that the manufacturer is vitally concerned with the development of health safeguards concerning the use of his product. In a recent case in South Australia the manufacturer specified a longer stock-withholding period than that which trials had indicated.

The Agriculture Department has not undertaken studies to see whether pesticide residues build up in the soil with annual or more frequent applications, because it has been actively taking the more positive line of developing alternative treatments where this problem does not arise. However, the inter-departmental committee on pesticides, which I formed recently, is examining this aspect with a view to arranging for soil and plant analyses to be taken to check whether a build-up has occurred.

"Chemical fallowing" usually refers to the technique whereby herbicides are used to replace the normal fallowing necessary for cereal production. This technique is still in its early research stages in South Australia. A trial that has been in progress at Turretfield Research Centre during the last 12 months has proved that a range of chemicals can be used to create a long fallow, but no yield figures are available. It is expected that yields on the chemically treated plots will be better than those on the mechanically treated sites.

Chemicals can also be used to assist in the renovation of old pastures by suppressing weed growth and so encouraging the growth of oversown perennial grasses. They are also used to clean up seedbeds just before seeding. Both of these techniques are well known in this State and are proving very useful.

TEACHERS

Mr. MILLHOUSE: Has the Minister of Education a further reply to my question in which I asked whether he would explain the general policy of his department on the employment of teachers who had completed their National Service, and in reply to which he asked for details of the case I had in mind?

The Hon. R. R. LOVEDAY: I did ask the honourable member to give me details of the case. However, the details of policy that I now have cover the case referred to. I have approved of the following policy:

(1) As only nine National Servicemen will return to the Education Department by the beginning of school in 1968, the induction and inservice education of each man will be dealt with by the individual branches and the needs of each serviceman will be treated as a

unique problem. The normal inservice programme will, of course, be available for these teachers as for all other teachers. For larger numbers returning in 1969, a planned programme of induction will be worked out.

(2) Normal promotion marks will be awarded as if the serviceman's two years' national training had been teaching service. Adjustments will be made if necessary after inspection reports are received in the future.

(3) Salary will be that appropriate to the teacher if he had served as a teacher for the period of national training.

(4) The allotment of service marks will be on a basis similar to that for the Second World War.

(5) In determining venue of appointment, the wishes of the serviceman will be given every consideration and each case treated on its merits, particularly where he requires facilities for study available only in the metropolitan area.

CITY OUTLET

Mr. COUMBE: As the new road through North Adelaide has been completed, leading from the Morphett Street bridge (which is partially completed now and which I hope will be completed early next year) to Jeffcott Street, North Adelaide, and as the Adelaide City Council is considering plans for altering the traffic flow through Wellington Square, will the Minister of Social Welfare obtain from the Minister of Transport as soon as possible a report on what plans the Government has, either itself or in conjunction with the council, regarding the new outlet through the city that was envisaged when the Morphett Street bridge scheme was before a Select Committee of this House?

The Hon. FRANK WALSH: I shall be pleased to take up the matter with the Minister of Transport and bring down a report as soon as possible.

TWO WELLS WATER SUPPLY

Mr. HALL: Has the Minister of Works a reply to my recent question about a water supply for the Two Wells area?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports:

For some years it has been impossible to grant indirect services in this area and until the major re-organization is possible no minor extensions can be safely made. To do so would cause a complete breakdown of the already overloaded existing system. Further, it should be appreciated that the supply position of South Para and Barossa in common with that of the inner metropolitan area is not good, and the present combined storage is only 3,745,000,000 gallons and by July next year is likely to reach the very low figure of 1,000,000,000 gallons.

In order to improve the position a proposal estimated to cost $270,000 is currently before the Public Works Standing Committee to lay 17,290ft. of 24in. M.S.C.L. connecting main between the 33in. main in Hancock Road, Yatala Vale and the 30in. Barossa trunk main. This connection will permit water from the Mannum-Adelaide main or alternatively the Millbrook trunk main to be fed into the Barossa system when surplus capacity is available. Augmentation of the capacity of the Mannum-Adelaide main will not be complete before the 1969-70 summer and it is unlikely that funds could be made available for the Two Wells and Virginia scheme before this time.

TECHNOLOGY CENTRE

Mr. MILLHOUSE: On October 19 I asked the Premier about his plans to establish South Australia as the technological centre of Australia. The purport of my question was what he, as Leader of the Government, and his Government intended to do about this matter. In reply he referred to the formation of International Technical Services and then went on to talk about the future setting-up of an industrial research foundation. I have since checked on the formation of I.T.S. and find that the negotiations for the formation of that company started about three years ago during the term of the Playford Administration, which was actively interested in the project. The honourable gentleman's announcement soon after he came into office was simply a culmination of the efforts that started under the Playford Administration. In view of the honourable gentleman's answer last week, will he have a statement prepared setting out the history of the formation of International Technical Services and table it in this House so that the public of South Australia may know the real history of the project?

The Hon. D. A. DUNSTAN: I have been supplied by International Technical Services with a complete statement as to the formation of that organization, and I shall be happy to table it. The honourable member's statements are inaccurate.

KINDERGARTEN RATING

Mr. HALL: Has the Minister of Works a reply to my recent question regarding the water rating on land held by a pre-school kindergarten?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports:

Approval has been given for kindergartens under the control of the Kindergarten Union of South Australia (Incorporated) to be treated as charitable institutions and exempted from rating under the Waterworks and Sewerage Acts. In these circumstances, no rates are

payable and charges are raised only if water and sewer services are used. These charges are at present:

Water—
Minimum supply charge—$8 a year.
Excess—at the rate of 25c a thousand gallons for water used beyond the rebate allowance of 27,000 gallons.
Sewerage—$2 for each water closet connected.

This exemption in terms of the Act applies only to lands or premises used exclusively for charitable purposes, and therefore cannot be applied until a kindergarten is constructed and operating. Until this time, the lands or premises must be rated in the same manner as any other lands or premises.

BLACK FOREST SCHOOL

Mr. LANGLEY: During the last few years the land owned by the Education Department in Forest Avenue, Black Forest, has been cleared several times because it is a fire hazard. Representations have been made to me by the Black Forest Primary School Committee that this large area would be a great asset as a sports ground. However, a condemned house stands in the way of providing this school facility. Will the Minister of Education therefore ascertain whether this land could be procured to enable an oval to be made available to this nearby school?

The Hon. R. R. LOVEDAY: I shall examine the matter.

RAILWAY PARKING FACILITIES

Mr. COUMBE: It was recently suggested in a report on rail transport that parking facilities for commuters be provided at local railway stations. Has the Minister of Social Welfare consulted with the Minister of Transport regarding the possibility of providing such facilities at the North Adelaide railway station? Such facilities would help not only North Adelaide residents but also many people who live in the areas immediately to the west of North Adelaide (for instance, in Hindmarsh) and in areas even farther west, and who travel by train to their place of employment at Islington or Salisbury. Will the Minister ascertain whether these facilities can be provided?

The Hon. FRANK WALSH: I shall obtain a report as soon as possible. It is the policy of this Government to provide such facilities to encourage the use of rail transport.

TRANSPORT ROYAL COMMISSION

The Hon. Sir THOMAS PLAYFORD: Can the Minister of Social Welfare, representing the Minister of Transport, say when the report of the Royal Commission on State Transport Services will be available? Will members be supplied with copies of the report before this Parliament ends on February 28, 1968?

The Hon. FRANK WALSH: I understand the Minister of Transport expects the report to be available before the end of this year, although there is no guarantee that it will be. However, if it is presented, the Minister will consult Cabinet, which will consider it.

STATE'S FINANCES

Mr. McANANEY: I have not yet received a reply from the Treasurer to my question regarding the total cost to this State of transferring the deficit of $2,600,000 from the Budget Account to the Loan Fund, nor have I been told the total cost of funding such an amount as a deficit. When I gave certain figures in the House last week, the Treasurer said I had stated the position incorrectly. Will he therefore make the correct figures available?

The Hon. D. A. DUNSTAN: I suggest that the honourable member read the figures that I previously gave him.

SALISBURY NORTH TECHNICAL HIGH SCHOOL

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Salisbury North Technical High School.

Ordered that report be printed.

PUBLIC EXAMINATIONS BOARD BILL

The Hon. R. R. LOVEDAY (Minister of Education) obtained leave and introduced a Bill for an Act to establish a board to be entitled the "Public Examinations Board of South Australia" and for other purposes. Read a first time.

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

That this Bill be now read a second time.

Its purpose is to establish an independent autonomous body having control over the nature and conduct of public examinations. The immediate need for the Bill arises in consequence of the establishment of the Flinders University. The present situation, in which the control of examinations is vested in a department of the University of Adelaide, no longer conforms with modern circumstances and needs. The Bill provides for a board that fairly represents all responsible bodies having an interest in South Australian secondary education. Whilst the ratio between members drawn from independent schools has

been somewhat reduced in comparison with those from the Education Department, this reduction merely reflects changing circumstances.

Thirty years ago, when the present composition of the Public Examinations Board of the University of Adelaide was largely determined, it was true that the independent schools were responsible for the education of most students who undertook fourth and fifth-year courses in secondary schools. The situation is now entirely changed. This year there will be about 7,400 candidates for the Leaving examination drawn from schools administered by the Education Department, compared with about 2,400 from independent schools. The Education Department will be responsible for about 2,250 candidates for the matriculation examination and independent schools for about 1,050. The Bill provides for a generous arrangement whereby independent schools will have six representatives on the board compared with 10 from the Education Department.

Undoubtedly, the most important aspect of the board's work, apart from the conduct of examinations, consists of the preparation of examination syllabuses. The board is itself too large a body to devote its time to the specialized task of preparing a syllabus in each subject of examination. The Bill, therefore, provides that the board may appoint a subject committee for each subject or group of related subjects. These subject committees will submit to the board the syllabuses upon which, in their opinion, examinations should be based. The board may either approve or vary the syllabus as it thinks fit.

The control of matriculation must, of course, remain with the university, and so the Bill provides that any syllabus must contain all matters prescribed as matters upon which candidates for a matriculation examination will be examined under the statutes and regulations of either of the universities. A chief examiner in each subject is to be appointed annually by the board. He will prepare the examination papers and will assess the results of candidates who presented themselves for examination in that subject. In the case of a subject that is available at matriculation level, the chief examiner must be a member of the academic staff of one of the universities.

The board is invested with general powers over the control of examinations and, in particular, with the power to make rules relating to matters governing the conduct of examinations, and to matters incidental thereto. The board has power to appoint and dismiss officers and servants, but those persons who are at present engaged solely on the Public Examinations Board of the University of Adelaide are to become, by virtue of the Act, officers and servants of the board on the commencement of the Act. The board may require the university to transfer to it property at present held by the university solely for the purposes of its Public Examinations Board. In addition, the university is empowered to transfer to the board certain trust funds that it holds for the purpose of awarding scholarships and prizes on the results of public examinations.

The provisions of the Bill are as follows: clause 1 is merely formal, and clause 2 deals with interpretation. Clause 3 establishes and incorporates the board. The board is to consist of 32 members of whom 10 are to be members of the Education Department, nominated by the Director-General of Education; six are to be drawn from independent schools, two nominated by the Director of Catholic Education in South Australia, two by the Independent Schools Headmasters Association and two by the Independent Schools Headmistresses Association; two are to be staff members of the South Australian Institute of Technology nominated by the council of that institute; and each university is to nominate seven members.

Clause 4 deals with the terms and conditions on which a member of the board is to hold office. Clause 5 deals with the appointment and functions of the chairman. Clause 6 provides that 16 members shall constitute a quorum of the board, and deals with the method by which the board shall arrive at a decision. Clause 7 provides that the Minister may approve the payment of allowances and expenses to the members of the board. Clause 8 sets out the duties of the board. The board is required to conduct matriculation examinations and such other examinations as the Minister may approve on the recommendation of the board. The board is required to supply the respective universities with the results of matriculation examinations, and to publish the results of all examinations as soon as practicable.

Clause 9 provides that the board may appoint subject committees whose duties are to report to the board upon examinations previously conducted in the subject in respect of which they were appointed, and to prepare the syllabuses for future examinations. In the case of a subject in which matriculation candidates are to be examined, the chairman of the

subject committee is to be a member of the academic staff of one of the universities. Clause 10 provides that a matriculation syllabus must conform with the requirements of the universities. The universities thus retain effective control of their own matriculation.

Clause 11 provides for the appointment of a chief examiner and examiners in each subject. In the case of a subject that is available at matriculation level, the chief examiner is to be a member of the academic staff of one of the universities. The chief examiner is responsible to the board for the preparation of examination papers and the assessment of candidates' results upon examination. Clause 12 gives the board power to make rules relating to the conduct of examinations and matters incidental thereto. Clause 13 empowers the board to make recommendations to the universities in relation to matriculation.

Clause 14 enables the board to arrange with authorities in other States of the Commonwealth for the examination of South Australian candidates where there are not sufficient candidates to justify the appointment of examiners or there are not sufficient qualified examiners in this State. Clause 15 requires the publication of a manual and sets out the matters to be included therein. Subclause (2) provides that the syllabus for each subject shall be published at least 12 months before the examination based on that syllabus is held. Clause 16 empowers the board to appoint and dismiss officers and servants, but provides that those persons who, immediately before the commencement of the Act, were employed by the University of Adelaide solely for the purposes of its Public Examinations Board, shall, upon the commencement of the Act, become employees of the board.

Clause 17 enables the board to require the University of Adelaide to transfer to it property owned by the university and held by it immediately before the commencement of the Act solely for the purposes of its Public Examinations Board. Subclause (2) enables the University of Adelaide to transfer to the board trust funds that have been donated for the purpose of establishing a prize or scholarship that is awarded on the results of an examination that is to be conducted in the future by the board.

Clause 18 provides that the board may conduct examinations in addition to those that it is required to conduct under the Act. The board may recover fees for conducting such examinations; clause 19 is a financial provision and deals with appropriation; clause 20 requires the Auditor-General to audit the accounts of the board annually; and clause 21 contains a general power to make regulations.

Mr. FREEBAIRN secured the adjournment of the debate.

POLICE OFFENCES ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Police Offences Act, 1953-1961. Read a first time.

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

That this Bill be now read a second time.

It amends the Police Offences Act in two important respects. Clause 3 deals with a subject that has been causing considerable concern in recent times, namely, the misuse of certain drugs which could lead to a measure of drug-dependence but which, more dangerously, could lead through their use to the use of the more dangerous narcotic drugs. The clause prohibits the manufacture, sale, distribution, possession or use, without lawful excuse, of drugs and other substances that have been declared to be prescribed drugs for the purposes of section 15 of the Act. The penalty prescribed for the offence is $2,000 or imprisonment for two years, or both.

It is intended that the hallucinogenic drugs including lysergic acid diethylamide (L.S.D.) should be the first to be brought under the control of this new provision in order that the abuse of these drugs can be more adequately controlled than at present.

Consideration will also be given to declaring the amphetamine drugs under this provision. These are the stimulant drugs which have been peddled to teenagers and abused by transport drivers. Whilst all of these drugs are available only on prescription in accordance with the Poison Regulations, those regulations relate only to manufacture and possession for sale. They do not and cannot be extended to include possession for use without lawful excuse. The narcotic drugs, including marihuana, are adequately controlled under the Dangerous Drugs Act but that Act is applied only to drugs that are subject to the international conventions on narcotic drugs and it is not considered appropriate to extend that Act to drugs that are not subject to the conventions. Legislation designed to achieve much the same effect has been, or is in the process of being, enacted in all of the other States and in the United Kingdom.

The second amendment, which is contained in clause 4 of the Bill, gives effect to a resolution of a recent conference of Commonwealth and State Ministers held in Canberra on obscene publications. Negotiations have been proceeding between the Governments of the Commonwealth and the States concerning the establishment of a joint advisory board to consider publications for which literary, scientific or artistic merit is claimed, but which might otherwise be considered indecent or obscene; it is believed by the Governments concerned that this would achieve a measure of uniformity throughout Australia in regard to literature censorship. Agreement has now been reached between the various Governments under which the Commonwealth will establish a new board to be styled the "National Literature Board of Review", which will replace the existing Literature Censorship Board and Appeal Board. It is intended that the new board will be established under the provisions of the Customs (Literature Censorship) Regulations, which will be amended to abolish the existing boards.

Each State has agreed to pass legislation to give immunity to members of the new board from civil action arising from any opinion expressed upon any book, etc., submitted for the board's opinion. Details concerning the establishment and operation of the new board are to be the subject of an agreement between the Commonwealth and the States. The new board which will be chosen from Commonwealth and State nominees will merely advise the appropriate Commonwealth and State Ministers who will, however, retain their rights to decide whether a prosecution is to be instituted in any particular case. The final decision whether a publication does or does not come within the ambit of the law will continue to be determined by the courts. The agreement between the States is that any matter that is passed by the National Literature Board of Review will not be the subject of a prosecution by any of the States. However, if material submitted is not passed, it is up to the State concerned whether it takes action or not, and the court must determine whether an offence against the law has been committed.

It is hoped that the new board will be able to start functioning at the beginning of next year and clause 4 of the Bill provides protection for its members against any action being brought against them in South Australia. When this protection is assured in all the States, the way will be clear for the agreement between the Commonwealth and the States to be entered into and ratified. The agreement will provide that neither the Commonwealth nor any State will prosecute in respect of any publication which the board considers has literary, scientific or artistic merit and is suitable for distribution in Australia. In this way authors, publishers and distributors will not face the risk of prosecution in respect of such works. However, if the board does not approve a publication, it could still be published, as in the past, but the publisher or distributor would run the risk of prosecution according to the determination of the State concerned.

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

LOTTERY AND GAMING ACT AMENDMENT BILL (No. 3)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act, 1936-1967. Read a first time.

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

That this Bill be now read a second time.

This short Bill is designed to permit the Totalizator Agency Board, with the approval of the Minister, to co-operate with and assist an authority in another State or a Territory of the Commonwealth in the provision of off-course betting facilities. The immediate objective is to co-operate with the New South Wales board in the provision of facilities in Broken Hill to bet on South Australian races. The people of Broken Hill desire to bet on South Australian races but the interest in New South Wales outside Broken Hill in those races is considered inadequate to justify the Totalizator Agency Board of that State in conducting its own State-wide pools for those races. Accordingly the Premier of New South Wales has asked the Government whether the South Australian board would be prepared to assist by incorporating in its pools any bets lodged in Broken Hill with the New South Wales board on South Australian events.

The South Australian board is prepared to assist on the basis that it is reimbursed for any costs and expenses incurred, and I believe the New South Wales board is prepared to agree that, of the normal 14 per cent commission deducted in South Australian pools, 1 per cent be remitted to the South Australian Government and the normal New South Wales Commission of 13 per cent be retained by it. In addition, the "fractions" would go to the South Australian Government. Provision has been made in this Bill for these revenues to be paid into the Hospitals

Fund. This arrangement would be comparable with that already in operation between New South Wales and the Australian Capital Territory, where bets laid in the Australian Capital Territory are incorporated in the New South Wales pools, except that at present the commission therefrom going to the New South Wales Government is ½ per cent.

This Bill is drawn sufficiently widely so that other possible arrangements may be made (for instance, with the Northern Territory), although there are no present moves for any other such arrangements. The revenues to be expected by the Government from these arrangements will be little more than nominal. However, both the Government and the board feel that it is proper that they co-operate in facilitating the provision of this service to the people of Broken Hill, who have always had a close association with this State. I am sure honourable members generally will feel so, too. As the clauses of the Bill express clearly and in greater detail the intention I have already explained, they need no further explanation.

Mr. McANANEY secured the adjournment of the debate.

IMPOUNDING ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

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

That this Bill be now read a second time.

Its objects are to provide protection for certain classes of goat and to mitigate the rigours of section 46 of the Impounding Act which, according to a recent decision of the Supreme Court, imposes liability irrespective of fault upon an owner whose cattle escape on to a street or public place. Clauses 3, 4 and 5 deal with the first amendment. Section 14 of the principal Act provides by subsection (5) that any goat trespassing upon Crown lands may be seized and impounded, while section 35 provides that any such goat, if not sold after failure of the owner to claim it, may be destroyed. However, section 14, in the same subsection (5), provides that no angora goat shall be destroyed. Section 41 provides for the destruction of goats, pigs or poultry trespassing on enclosed land, but by subsection (2) excepts angora goats.

The amendments made by clauses 3, 4 and 5 will extend the exemption to four other types of goat, all of which are valuable milking goats. Goat milk is a commercial item of great value, especially to people suffering from asthma and certain stomach disabilities. The four breeds mentioned are the only types in the State at present or likely to be introduced in the future. The other amendment is dealt with by clause 6. The general effect of the amendment is to provide that an owner whose conduct has been unimpeachable should have a defence to a charge under section 46 which, as I have said, makes an owner of cattle found in a street or public place guilty of an offence.

The Bill provides for the insertion of two new subsections in section 46. New subsection (2a) provides that an owner shall have a defence to a charge under section 46 if he has attempted with all reasonable diligence to prevent the escape of his cattle and he did not know and might not reasonably have been expected to know of their escape or, having discovered the escape of his cattle, as soon as might reasonably have been expected of a person exercising proper diligence, he immediately made all proper endeavours to bring them back within confinement. New subsection (2b) provides that anything which a servant or agent of the owner knows or might reasonably be expected to know shall be deemed to be something which the owner knows or might reasonably be expected to know. The purpose of this provision is to make the owner responsible for a servant or agent to whom he has entrusted the care of his cattle.

Mr. FERGUSON secured the adjournment of the debate.

MINING (PETROLEUM) ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

PARKIN TRUST INCORPORATED ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

ST. MARTINS LUTHERAN CHURCH, MOUNT GAMBIER, INCORPORATED BILL

Returned from the Legislative Council without amendment.

PUBLIC SERVICE BILL

Adjourned debate on second reading.

(Continued from October 12. Page 2673.)

The Hon. B. H. TEUSNER (Angas): I support the Bill. Legislation dealing with the Public Service goes back to 1865-66. The legislation in those early years was somewhat

scant, as the Minister said in his second reading explanation; it dealt with the retirement of officers of the Civil Service. In 1874, legislation was introduced which repealed the earlier legislation and which dealt particularly with the classification, promotion and leave of absence of public servants. It was not until 1916 that any important move was made in the legislative field regarding the Public Service.

A Bill was introduced then and was subsequently passed, and upon that measure the legislation now on the Statute Book has, in the main, rested. The Public Service Act of 1916 was the outcome of discontent in the Public Service about the system of promotion and the absence of a system of classification. The Public Service at that time was classified in all States except South Australia. The *Public Service Review* of 1915 stated:

Inseparable from the idea of a board, of course, is the question of a classification, and we cannot conceive of a Public Service Act which does not embody these two vital principles which are, indeed, the soul and body of the whole matter of reform.

That was a reference to promotion and reclassification. It is interesting to note that the 1916 Bill apparently was regarded as a Committee Bill, because there was no second reading debate on it in the House of Assembly, voluminous though the measure was. Part II of the 1916 Act dealt with the reclassification of the Public Service. Those provisions were based on the 1912 Victorian Act. Provision was also made for a Public Service Commissioner, and a board of three Commissioners was set up to classify the Public Service. However, this board was only an *ad hoc* tribunal: it became defunct on completion of the task allotted to it.

This Act also provided proper standards for admission to the Public Service and for other salutary matters that have remained on the Statute Book. From 1916 until 1936, when the law relating to the Public Service was amended and consolidated, six Bills to amend the 1916 legislation were passed, and the principal alteration made by the 1925 legislation provided for a continuing board. That board was replaced in 1948 by a Public Service Board. From 1936 until 1949, 11 amending Bills were passed and in 1949 another consolidation of the law took place. From 1949 until the present, 17 Bills have been passed amending the 1936 Act.

Perhaps it is understandable that there should have been so many amendments in that time when we consider the rapid growth of the Public Service since 1916, when the first Public Service Commissioner was appointed. In that year there were 1,631 officers in the Public Service, whereas as at June 30, 1967, there were 8,636—a tremendous increase. It may interest honourable members to be reminded what the then Governor of New South Wales (Sir Gerald Strickland) said more than 50 years ago when he opened the first conference of Public Service Associations of Australia:

The duties and prospects of the Public Service in Australia are certainly different from those in the old country. The conditions in Australia up to now—

this was said more than 50 years ago—

have been conditions of such rapid progress that it is a matter of surprise to me that such very able, highly trained and carefully educated men have chosen the Public Service as a profession in preference to the land or any of the other walks of life, and that is a strong reason why their claims upon public consideration should be measured and carefully considered.

I emphasize the reference to claims being measured and carefully considered, because I consider that we have in South Australia a Public Service of which we can be justifiably proud. For years the Public Service Association has advocated alterations to some of the provisions of the Public Service Act. Some of the submissions made to successive Governments have been agreed to, as is evidenced by the numerous amendments to which I have referred and which have improved the legislation. However, I suppose that to this Bill can be applied the remarks of the then Chief Secretary when he introduced the 1915 Bill, which became the Public Service Act of 1916. He said that he did not want members to think for one moment that the Bill was solely the one the members of the association desired, because, although the Government had tried to meet the members of this association, it had to keep in mind its duty to the taxpayers.

Although that applies at present, I agree with the then Chief Secretary that the conditions obtaining in the Public Service should be calculated to induce the employee, whether in the higher, middle or lower grades of the service, to put forth his best efforts so that the work of the relevant department may be efficiently and expeditiously attended to and so that the employee, by his knowledge and ability, together with length of service (and apart from political or other influences) may look forward to promotion as a reward for meritorious services.

The Bill before us, a consolidating measure, also amends the present legislation in some respects. I think this Bill, like the earlier legislation to which I have referred, is principally a Committee Bill and perhaps should be more closely scrutinized at that stage. It is divided into five parts. I shall refer to the four most important matters with which it deals. Clause 9 sets up a Public Service Board comprising three Commissioners appointed by the Governor, and one of these Commissioners is to be appointed by the Governor as Chairman. The inclusion of clause 9 meets the requests of the Public Service for a permanent Public Service Board. For some time past I have read the monthly publication of the Public Service Association, in which the association has advocated the appointment of a full-time board. The present board consists of the Public Service Commissioner, who is a full-time officer, and two other members, officers of the Public Service acting in a part-time capacity. Such a part-time board has operated since 1926. The full-time board is no doubt essential because of the growth of the Public Service, which growth has been considerable since 1916. Part of an article appearing in the March issue of the *Public Service,* referring to the delay that sometimes ensues when matters come before the part-time board, states:

> Between July and December, 1966, the board met 29 times. On 23 occasions its meetings began either at 2 p.m., 2.15 p.m., or 2.30 p.m. The other six meetings began either at 9.15 a.m., 9.30 a.m., 10 a.m. or 10.30 a.m. A total of 829 items were listed for attention (some of them being repeats from previous agendas, apparently being matters listed but not dealt with). From these figures it is calculated that the average time available for attention to agenda items is between six and seven minutes. On this basis, how much consideration can be given to all matters?

Such delays can be advanced as an argument for the abolition of the part-time board because a full-time board would no doubt deal much more expeditiously with matters coming before it.

The second reason for the appointment of a full-time board is that the part-time members have had to devote much of their working time to board business. Thirdly, a full-time board of three members functions in the New South Wales, Victorian and Commonwealth Public Services. I understand from the Minister's second reading explanation that the appointment of full-time boards is also being considered by other State Governments. Clause 10 provides for the present Public Service Commissioner to be the first Chairman of the board. Clause 14 provides that any two Commissioners shall form a quorum. Clause 16 is a salutary provision providing that the removal or suspension of any one of the three Commissioners can take place only on an address being presented to the Governor by both Houses of Parliament. This is similar to section 18 of the present Act. The Bill provides that the term of office of a Commissioner shall be five years. Clause 19 sets out fully the powers and functions of the board which are, in most respects, similar to those set out in section 20a of the Act, with the exception of additional paragraphs (*b*) (*c*) and (*d*).

Another desirable provision is clause 23, which requires the board, through the Governor, to report annually to Parliament on the condition and efficiency of the Public Service. Part III of the Bill deals with the Public Service, and clause 25 (1) provides:

> . . . the departments of the Public Service shall be those specified in the first column of the Second Schedule to this Act.

The permanent heads of departments are those referred to in the second column of the Second Schedule, and their duties are set out in clause 27. The second important matter with which the Bill deals is the setting up of an Appointments Appeal Committee. Clause 50 provides that there shall be an Appointments Appeal Committee consisting of a chairman and two members: the chairman to be a special magistrate; one member of the committee, who shall be an officer, to be appointed by the Governor; and the other member to be selected by the appellant from amongst the officers comprising the panel referred to in clause 51. Clause 116 (1) provides:

> Where the board is of the opinion that an organization being an association registered under Division VI of Part II of the Industrial Code, 1920-1966, represents the interests of a significant number of officers, then the board may by notice published in the *Gazette* declare that organization to be a recognized organization for the purposes of this Act.

Clause 51 provides that a panel shall be constituted consisting of one officer nominated by each of the recognized organizations. This committee is empowered to deal with appeals relating to the filling of vacancies or promotions. Under clause 47 the board has power to nominate persons for a particular office, but the appointment can be made only by the Governor. If a candidate for appointment to a vacancy is dissatisfied with the board's nomination he is entitled to appeal to the committee. The proceedings before this

committee are dealt with in clause 52, and an appellant can be represented by another person. Clause 53 provides that this committee shall report to the board whether it upholds or dismisses the appeal.

Perhaps it should be necessary for the committee to state its reasons for its decisions although, under this legislation, that is not provided for. However, provision should be made to enable the board to inform the appellant of the committee's decision. Another important matter is the setting up of a tribunal outlined in clause 67 (in Division 6, which deals with discipline). Clause 58 sets out the various offences for which an officer can be punished, and clause 59 makes it clear that the permanent head of the department has power to deal with minor offences, for which he can admonish the officer. If the officer is dissatisfied he may appeal to the board in writing and, with respect to a minor offence, the board's decision is final. However, if the offence is more serious an appeal can be made from the board's decision to the tribunal set up under clause 67. As in the case of the Appointments Appeal Committee, a recognized organization can nominate someone from that organization as a member of the tribunal.

Clause 82, dealing with recreation leave, is one with which I do not agree. The 1916 Act provided for two weeks' annual leave, and since 1942 the annual leave for public servants has been three weeks. This move to grant four weeks' annual leave is premature and, if the clause were passed, the cost to the State would be tremendous. I know many public servants, as well as some officers who have retired from the service, and when discussing with them matters concerning their welfare, I have often heard them say that they are satisfied with the present annual leave conditions. Some public servants consider that they should be in no different category from that of people who work in industry generally and who receive only three weeks' annual leave. Indeed, I believe that there is no general demand within the Public Service for this increased leave. Such an increase could have serious repercussions on industry throughout the State: workers in industry would undoubtedly soon be agitating for four weeks' annual leave, and if such an increase were granted in this field it would increase costs of production, with the result that our industries would find it even more difficult to compete with those in the more populous States. As I believe that an increase in annual leave for public servants at this stage is premature and something we can ill afford, I cannot in conscience support this provision.

Clause 91, which provides for long service leave, is similar to the existing provision in the Act and no increase is intended. Indeed, I am happy about this provision. However, I oppose clause 92, which extends the field in which long service leave may be granted, for I believe that such an extension is premature. I do not object to clause 107, which provides for the retirement of male officers before attaining the age of 65 years and for female officers before attaining 60 years of age, because I think it is the result of amendments made earlier this year to the Superannuation Act. Many of the provisions in the Bill that have simply been transferred from the existing Act do not require comment. Like the Act of 1916, this measure can well be dealt with more effectively in Committee. Many of its provisions will streamline the administration of the Public Service and achieve greater efficiency, and they will no doubt contribute to the increased goodwill of public servants, for whom I have a high regard.

Mr. MILLHOUSE (Mitcham): We have just heard from the member for Angas the comprehensive, scholarly and painstaking contribution that we have come to expect from him. As it would be mere presumption on my part, as well as unnecessary, to cover the ground which he has already traversed, I intend to deal only with two or three points, which seem to me to be of considerable importance. I understand that the Government is even at the moment preparing a series of amendments, which will be circulated in due course. As the Bill was introduced some time ago, we certainly cannot complain about not having had sufficient time to consider it. However, it seems pretty tough to me that the Government should introduce, as it usually does, amendments to its own Bill while the second reading debate is in progress, and it is a pity that members who desire to take part in the second reading debate have not had the advantage of seeing what the amendments may be.

I understand that a number of the amendments are being made as a result of representations made to the Government by the Public Service Association since the Bill was introduced, and the association hopes and believes that most of the 11 points, I think, which it put to the Government after having seen the Bill will be covered by the amendments. However, I am sorry, as I have already said, that I am not able to satisfy myself that this is so

before I speak at this stage. We can only hope that those amendments will meet the position. In the hope that they will, I am able to cut down even further the points that I should have found it necessary to make otherwise.

I desire to raise only two matters in particular. The first concerns annual leave and long service leave, matters to which the member for Angas referred. The Government announced some months ago that it would grant four weeks' annual leave to the Public Service. Following that announcement, I asked the Premier the likely cost to the Government of this increase in leave. From memory, the first answer I received was $1,750,000 for a full year. However, because this was to be introduced from January 1, the sum was to be less in the current financial year. Subsequently, the Premier told the House that he had made a mistake in his calculations and that the cost would be less than the sum he had quoted. However, I think the sum was still over $1,000,000 a year.

Other members on this side and I have made it clear before that we do not begrudge anyone an increase in benefits whether by way of increased leave or remuneration or better conditions, provided that those increased benefits are within the financial capacity of the State. In other words, it is folly to give what cannot be afforded. My great fear following the estimate of the cost that has been given by the Premier is that South Australia cannot afford this extra leave at present. We know that the economy of the State, as well as the finances of the Government, is in a fairly poor condition at present. The Government is always crying poverty: I do not think anyone could argue about that. Yet at a time when finance is so tight and when the Minister of Education cannot afford to have the windows of his schools cleaned, the Government finds it expedient, just before an election of course, to give this additional benefit. That is not good. So far I have been referring to the direct expense to the Government of the additional leave, and I am using the Premier's own figures of something more than $1,000,000 annually. Of course, the far more serious aspect of this is the effect it will have in due course on the private sector of employment. It would be inconceivable in the long run for those in private industry not to want the same conditions and benefits as public servants enjoy. Using the Public Service as a model, employees will undoubtedly move for four weeks' annual leave in industry generally. This reinforces what I have said about the capacity of the South Australian economy to pay for the extra benefit. I believe this is the most serious aspect of the granting of four weeks' annual leave.

Last evening I was accused of attributing to the Government base motives in introducing a Bill just before an election. I have no doubt at all that this measure has been brought in just before an election in the hope that it will buy the Public Service vote: that is the only reason for its introduction. Of course, having said what I have, I also have to say that to a great extent indeed the promise of four weeks' annual leave is an illusion (not much more than a sham) because of the provisions of clause 87 (2), which mean that public servants will in future lose the benefit of grace days when departmental offices are closed. Clause 87 (2) provides:

> Where, in consequence of a closure or limitation provided for in subsection (1) of this section, an officer who, but for that closure or limitation would be required to work on any of the days specified, is not required to work shall have his entitlement under subsection (1) of section 82 of this Act diminished by one working day for each of those days on which he is not required to work.

The effect of this provision will be (and members of the Public Service have not been slow to realize this) that in some cases the additional week's leave will be reduced to only one and a half days' extra leave, when one takes into account grace days, the half day off for the Royal Show, and so on. Therefore, the Government's saying it is giving four weeks' annual leave is only shamming: it will in fact be much less than an extra week's leave because, with one hand, the Government gives publicly while, with the other, it takes away (it hopes) not so publicly. Of course, whether or not it is a sham, we have the Government's own calculation as to the cost it will be to the State's finances. Also, it will have an indirect effect because people outside will not worry whether it is an extra week's leave or an extra one and a half days' leave: they will want an extra week's leave, which is what they have heard that public servants are getting. The Government is to be condemned on two grounds: first, because of the added expense that this will mean; and secondly, because the benefit that it is giving is, in fact, much less than the benefit it says it is giving. The other point I desire to raise is associated with clause 58, which follows almost exactly the provisions of the present Act.

The Hon. B. H. Teusner: Except for the word "wilfully".

Mr. MILLHOUSE: Yes, the word "wilfully" is inserted in paragraph (*b*) and narrows the effect of that paragraph. I desire particularly to refer to paragraph (*j*), which is the provision prohibiting public servants from making public statements. A few weeks ago we had in this House the spectacle of a Minister of the Crown attacking the head of his own department and criticizing him severely. Of course, pursuant to the Act it was not possible for that officer to defend himself publicly. The attack was most reprehensible and should never have occurred. What surprised me more than anything else was that, at the time, the Premier was sitting in his place next to the Minister, and he merely grinned throughout the whole procedure with a look of self-satisfaction. I think that the whole thing was a poor show indeed.

I do not intend to canvass that lamentable incident any further but it illustrates the need to protect public servants in such a case. In my opinion, public servants should have the right to defend themselves if they are personally attacked in the way the Director of Social Welfare was attacked by his Minister in this House.

I intend to move an amendment to protect public servants in such circumstances. Apart from the personalities involved in that incident, this sort of thing could happen again and, if it did, the public servant should be allowed to defend himself. We have had in the last 24 hours the same sort of thing. A statement was made outside this House by the Minister of Social Welfare in regard to the magistrate in the Adelaide Juvenile Court, and that matter was the subject of a question today. The Director of Social Welfare may well have been technically within his rights because he said what he did in a report that was required to be laid on the table of the House. However, the Minister was not exercising any statutory duty when he made his comment.

Mr. Coumbe: Wasn't the magistrate appointed by this Government?

Mr. MILLHOUSE: Yes, he was. A magistrate in South Australia is in a difficult position: he is a judicial officer exercising judicial functions, as Mr. Elliott does each day: and he is also a public servant and, therefore, bound by the provisions of the Public Service Act. These two incidents underline the need, in special circumstances, to protect public servants against attack and personal criticism. It is not easy to frame an amendment that will preserve the discipline that is required in such a large organization as the Public Service and at the same time ensure that attacks like this do not go unanswered.

I wish to discuss another matter about which I am not certain what action to take. I have been approached by a public servant in my district who is due to retire within the next 12 months. Because of his age when he joined the Public Service, he could not be entitled to superannuation. However, he is entitled to a lump sum payment in lieu of superannuation. When he retires, he will have completed, I think, 22 years 11 months and a number of days of service on his 65th birthday. He will have only a few days to go to complete 23 years' service. Unless he gets an exemption under clause 108, which allows a public servant to continue to work for up to 12 months, I think, on certain conditions, his lump sum payment will be calculated only as though he had completed 22 years' service, not a period only about 10 days short of 23 years' service.

My recollection is sometimes at fault, but I think that during the time I have been in Parliament I have had a similar case, in which the Public Service Commissioner refused to allow the public servant to complete a further few weeks or months of service to get the extra benefit, because he held that it was not in the interests of the State that the officer should continue to serve. Of course, as we are providing now, it must be, in the opinion of the board, in the interests of the State that the officer should continue. Relief should be granted when such a short additional period has to be served. I am not certain whether I can do anything in this Bill, either by moving an amendment to clause 108 or otherwise, to help this man, but I hope that the Government will give the matter its sympathetic attention, either when the Bill is being dealt with in Committee or on some other occasion. I support the second reading, with the reservations I have outlined.

Mr. McANANEY (Stirling): I, too, support the second reading with reservations. I pay my respects to the Public Service. I have a much higher opinion of the public servants since I have been in contact with them as a member of Parliament than I had when I was an ordinary citizen.

Mr. Freebairn: An ordinary primary producer?

Mr. McANANEY: I was an extraordinary primary producer. We have criticized the Government and it has been said that in doing so we have been reflecting on the Public Service. However, I have never agreed with that suggestion. I think it is good that the Act is being brought up to date so that the whole aspect of the Public Service can be examined. The only query I have had from a public servant about the Bill concerned his opinion that he would be worse off now that public servants were to get working days instead of full days in respect of sick leave. I have not been able to work that out, but the Minister may be able to explain it in his reply.

I object to the granting of four weeks' leave, not because I am against that period of leave: it is a good thing, and everyone needs a holiday. However, if people cannot afford items and necessities of life that they need (and that has been shown by Gallup polls), Parliament should not do anything to prevent them from getting what they want. Although the Premier maintains that his Government is continuing the record of the Playford Government regarding a low-cost structure, he overlooks the fact that South Australia has incurred a contingent liability of $3 a head of population in taxation and that we will have a $9,500,000 deficit at the end of the financial year. Somebody must pay for that.

At the same time, $12,000,000 has been transferred from Loan funds, and the Treasurer in the Liberal and Country League Government would have provided that money in the Budget. Interest payments on this amount will be about $600,000 a year for the next 53 years, or a total repayment of about $33,500,000. That is money that would otherwise have provided benefit for the State during that period. The Government is getting into difficulty by incurring expenditure from which it gets no income. If the Government had not adopted bad principles in its bookkeeping, thereby breaking down the future of the State, and if it was more financial than it is, I should be the first one to support longer leave for public servants. However, I will have something further to say about this in Committee. I support the second reading and hope and trust that South Australia will get out of its present difficulties which have been inflicted by the Government on the people, and that we will get to the stage where we will be able to afford four weeks' recreation leave for public servants.

Mr. BROOMHILL (West Torrens): I am pleased that members opposite have not raised any strong objections to the Bill. It is important, and in the interests of the State, when considering the welfare of over 8,000 public servants, that this legislation should be brought up to date. I have previously drawn attention to the fact that over the years the advantages that public servants have enjoyed have been slowly whittled away. In the past it was accepted that public servants enjoyed better long service leave conditions than did employees in outside industry. The annual leave provisions applying to public servants have always been superior to those applying in outside industry, and the same could be said of the rights of public servants in relation to sick leave.

I am pleased that, in addition to the general administrative provisions that have been brought up to date in the Bill, the Government has honoured its pre-election promise to grant an additional week's recreation leave, to operate from January 1, 1968. The present provision for three weeks' recreation leave has operated since 1945. That is a fairly long time, and since then the general standards of employees in industry have improved so that the advantages public servants enjoyed for many years have now diminished. The provision of four weeks' recreation leave will rectify that anomaly. I am not completely surprised to find members opposite expressing the view that they support the principle of public servants having four weeks' annual leave, but that "this is not the appropriate time for it".

Mr. Hudson: The time is never appropriate.

Mr. BROOMHILL: That is what they say. Members opposite have never been prepared to come straight out and say that employees in such circumstances as these not only warrant the provision we seek but ought to get it. One member opposite said that the provision of an additional week's annual leave would mean that it would shortly apply to outside industry. However, he did not try to justify that statement or to show how it would apply. I do not know the effect on outside industry of the granting of three weeks' annual leave to the Public Service in 1945, nor do I know why the honourable member made that suggestion.

The sick leave provisions in the legislation have been improved. Although the present 12 days' sick leave a year has not been increased, the provision restricting the accumulation of sick leave to 160 days has been removed. It is proper that the Government should remove that ceiling of 160 days. A public servant would need to work for over 13 years without taking any sick leave to accumulate such a reserve. If such an employee works for longer

than this without taking sick leave he should be credited with the additional accumulated days, particularly as he cannot take advantage of such an accumulation unless he has medical evidence to support his absence from work. It seems wrong to penalize a public servant if he has worked for a long time and has not taken advantage of the sick leave provisions. This move will be welcomed by all conscientious public servants.

It gives me great pleasure to support the alteration to the long service leave provisions. Under the Bill an employee who has worked for 10 years may take 90 days' long service leave and for each additional year's service, he may take an additional nine days. That is no different from the present position, which has operated for over 20 years. However, an, alteration benefiting public servants has been made. At present no employee is entitled to benefit from the long service leave provisions if he or she leaves the Public Service before completing 10 years' service. I am sure that all members have had their attention drawn to cases where an employee's services were terminated through no fault of his own, just before he completed 10 years' service. Unfortunately, great difficulty has been experienced in such cases in obtaining any leave entitlement. The Bill provides that, under such circumstances and so long as an employee has completed five years' service and his services are not terminated through any fault of his own, he may be granted proportionate long service leave. Another welcome provision is that which removes the restriction on the employment of married women. The many important matters to which I have referred will receive the full support of the many public servants working in the interests of this State, and I commend the Bill to the House.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): I would not have spoken had not the honourable member for West Torrens made certain claims which require examination before they are accepted by the House. In the first place, the Government has introduced a Bill to give four weeks' recreation leave to public servants. I point out that the Public Service is defined in the Act as a rather limited organization. For the information of the member for West Torrens, I emphasize that clause 8 sets out in some detail the persons who are excluded from the provisions of this Bill, which applies only to a limited number of State employees. The Bill applies to the section of Government employees that is nominally called the Public Service. I do not need to be told that school teachers are excluded because, by virtue of their profession, they receive more than four weeks' annual leave at present. Of the many industrial employees in South Australia, about 50 per cent are employed under Commonwealth awards: the other half are either employed under State awards or not subject to any award. Certain agricultural workers do not come under any award at all. This Bill does not and cannot (nor can Parliament) implement provisions that will affect the leave provisions of those people subject to a Commonwealth award. Even if the Commonwealth award applied to a South Australian employee, under the terms of the Public Finance Act this Bill could not apply to such an employee, because the Act authorizes the payment of amounts that have been provided by the lawfully constituted authorities.

Although this provision was part of the policy determined by the present Government before the last election, the Government has done nothing about it hitherto, and by the time this Bill is passed the provision cannot have been implemented before the next Government takes office. Therefore, the obligation will be on the next elected Government (which on present indications I should not like to bet would be the present Government) to give effect to this provision. In effect, members of the Government are saying, "We are passing legislation to place on the next Government an obligation which we incurred at the last election but which we have not honoured during the period that we have occupied the Treasury benches." I make no bones about the fact that the Public Service has no business to expect four weeks' annual leave at this stage.

The Hon. B. H. Teusner: I do not think many public servants want it.

The Hon. Sir THOMAS PLAYFORD: Having worked intimately with public servants for 27 years, I have the greatest respect for the work they do for the State, but many public servants know that they should not have this increased leave at present. There may be within the Public Service a militant group of people who will ask for anything: if four weeks' leave were granted tomorrow it would not be long before these people were agitating for five weeks' leave. However, these people do not represent a large section of the Public Service. For effective administration, a good relationship must exist between the community and the Public Service but, if people have the idea that public servants are

enjoying conditions that they should not be enjoying, that feeling immediately destroys a good relationship. The member for West Torrens said that members on this side believed it was never a good time to make these concessions.

Mr. Broomhill: It was the truth, too.

The Hon. Sir THOMAS PLAYFORD: I suppose over the last 20 years there has never been a more difficult economic time facing South Australia than the present. Indeed, Ministers will know that I am not exaggerating.

Mr. Lawn: The employers have been saying that for years.

The Hon. Sir THOMAS PLAYFORD: The honourable member knows that interjections are out of order.

Mr. Lawn: It is also out of order to reply to them.

The Hon. Sir THOMAS PLAYFORD: As he frequently calls other people to order I think it would be a good thing if the honourable member occasionally followed his own directions.

Mr. Lawn: Don't lose your temper.

The Hon. Sir THOMAS PLAYFORD: In the first place, the Commonwealth tax reimbursement consists of two ingredients: the first relates to the number of people in the State; and the second relates to the sum paid as wages tax under Commonwealth determination. Immediately a person came to live in South Australia, he became an asset to the Government to the extent of an additional $70 a year by way of tax reimbursement. However, the moment the flow of migrants ceases, the increment that is so necessary to meet capital costs also ceases. That is one of the problems with which we are faced at present.

Secondly, we have experienced this year a season probably as adverse as the 1959 season, although it is not as bad as that of 1940. Whether or not rain falls now, it will not fall in time to effect any great improvement to the harvest. Treasury finances have been reduced heavily and trust funds are being used to help finance the State, and they will be used to a greater extent in future. In fact, the cost of an extra week's leave will be met from trust funds.

Would any honourable person incur needless liabilities (I will not say questionable liabilities, although I could), when he was using trust funds to carry on? That would be completely and utterly dishonest. If a lawyer or other professional man did that, the Attorney-General would take action to stop him, and he would probably be severely punished. If a person is known to be a bankrupt and incurs needless liabilities, he can be dealt with in the Bankruptcy Court. In this State the Government has tried to economize on things on which it should not have tried to economize. At least six times I have raised in the House the matter of the catchment area in the hills where I live being abnormally dry: I said that there would be no intake into the reservoirs. However, in the hope of saving money, the Government has delayed full-time pumping. The provision of an extra week's leave for public servants at this time is improper. Probably this Government will not have to honour its promise in this regard.

Mr. Lawn: You are saying, in effect, that a Liberal Government would not grant the extra week's leave.

The Hon. Sir THOMAS PLAYFORD: On an appropriate occasion, Mr. Speaker, will you take the Chairman of Committees into your room and read to him the Standing Orders?

The SPEAKER: Order! I have been listening closely to the member for Gumeracha and he has been stretching the rules of debate somewhat, as he has talked about nearly everything while speaking to this Bill. However, I have not ruled him out of order. I must insist that members maintain order while the member for Gumeracha continues his speech.

The Hon. Sir THOMAS PLAYFORD: Over many years South Australia has attracted more industries than would normally be expected, because it has had stable industrial conditions. I have publicly commented on the peace that has existed in industry, and I have spoken about it to trade union leaders in this State. That peace has led to more industries being established here. The fact that we can say that industrial workers in South Australia have lost only half a day's work in seven years through stoppages is a vast attraction to industrialists who come to Australia to establish an industry. The industrial conditions in this State were worked out by the appropriate tribunals, the general standard being as good as could be provided.

In fixing the remuneration for industrial workers, the tribunals took into account what the national economy could stand. However, nothing will create industrial unrest more quickly than one section of an organization receiving privileges that are denied to another section. During the Second World War, the Commonwealth Government introduced a war loading of 60c a week for people engaged in munitions production. However, nothing else it could have done would have had a more

disastrous effect on production. At the Engineering and Water Supply Department depot at Kent Town certain munitions work was done. A man at one bench received 60c a week more than a man who, although doing similar work on the next bench, was not engaged in producing munitions. In the twinkling of an eye there was industrial unrest throughout Australia, and the Commonwealth Government had to act quickly to correct the position. The 60c war loading soon became a general loading, but that did not solve the problem, because those who had been employed on munitions production said immediately that a privilege had been taken from them. The member for Torrens (Mr. Coumbe) is in the engineering profession and knows about the difficulty.

At present this provision of an extra week's leave is not an Australian ingredient. Commonwealth public servants will not get it, and I assure the House that the Commonwealth Ministers will not make available to South Australia additional money to allow this State to give to public servants more leave than Commonwealth public servants get. Inevitably, the cost will be met by the South Australian taxpayers who will not be enjoying the benefit of the extra leave. If members opposite consider that that is good Labor policy and good administration and that it will result in new industries being established in South Australia, they have another guess coming to them.

I do not oppose the proposal merely because it is being implemented at this time: I oppose it because, while South Australia may have conditions comparable with the conditions in other States, under the Commonwealth Constitution we cannot have conditions better than those in other States unless we pay through the nose for them, and we shall be doing that by having additional taxation, by not getting new industries here, and by having a lower standard of living for all except the privileged few who will benefit from this law.

I wish to mention another matter, and here I express only an opinion which, like all other opinions, is open to much argument. However, having had some experience of public administration in this State, I have seen the work of the Public Service Board and of the Public Service Commissioner. I have read with interest the provision for the appointment of a permanent board. I consider that, if a Liberal and Country League Government had been returned at the last election, a permanent Public Service Board would probably have been provided for in legislation. The Public Service has grown in size, and on several occasions before the last election the Public Service Association requested that a permanent board be established. That matter was discussed in Cabinet many times and, although Cabinet was not averse to the idea, other matters were occupying the attention of Ministers at that time, and there was also a problem about the composition of such a board.

I consider that a permanent Public Service Board would be a good institution. However, I never considered that the previous Public Service Board, of which one member was appointed by the Governor, another member was the Public Service Commissioner, and the other member was appointed on the nomination of the Public Service Association, was a good board. As this board deals with arbitration matters, it should be as impartial a tribunal as can be appointed. That means that representatives of the Public Service Association as such, and of the Government as such, should not be on the board. The Public Service Commissioner, as the employer, is responsible for the efficiency and discipline of the Public Service. His work is a full-time job at present. I consider that the general efficiency of the Public Service would be improved immeasurably if the present Government representative, the Public Service Commissioner, were not on the board.

The board should be an impartial tribunal appointed by the Governor, and the Public Service Commissioner and the Public Service Association should make their submissions in the form of evidence. I think half of the Public Service Commissioner's time must be occupied in dealing with appointments, appeals, remuneration and working conditions, and that is a full-time job for the employer of 8,000 people. He should not need to do anything else but maintain the discipline and efficiency of the Public Service.

I do not oppose the establishment of a full-time board, but I suggest that there is disadvantage in respect of such matters as appeals in having the Public Service Commissioner on the board. I do not criticize the Commissioner's ability and integrity but, as the Government found in the past, there is a conflict when a person is employed in a department and a member of that department is also a member of the board. I do not know whether a similar provision is included in this Bill, but under the old Act a person could apply to the board for a determination of his salary: the board would make a decision, but the person could immediately

file another application. The board's determination should have some period in which it applied.

I believe that a person who applies for a position in the Public Service should not be allowed to apply for a position in another department for at least six months. Some officers do not remain in a department long enough to become acquainted with its procedures before they apply for a position in another department. A newly appointed officer should be able to apply immediately for a promotion in the same department but, if a person applies to enter a department and is appointed, it is reasonable to expect that he should remain in that department for at least six months. I do not support the Bill; many clauses are good but I will not support, at this stage, a Bill that provides for four weeks' annual leave when that is unjust to other workers who, although having to pay for that extra leave, will not receive it themselves.

The Hon. C. D. HUTCHENS (Minister of Works): In supporting the Bill, I wish to correct a statement made by the member for Gumeracha. I sincerely regret that Opposition members have arranged their tactics on the pattern of Dr. Goebbels' propaganda.

Mr. Coumbe: Come off it!

The Hon. C. D. HUTCHENS: Apparently it is on the basis that a statement, if repeated often enough, is believed by someone even though it may be incorrect. The member for Gumeracha said that the Government had delayed pumping because of a shortage of Government funds. He knows that nothing is further from the truth. To suggest that the Engineering and Water Supply Department was influenced by the Government in this matter is adopting pretty low tactics.

Mr. Heaslip: Why was pumping delayed?

The Hon. C. D. HUTCHENS: I said yesterday (and I repeated it today) that the quantity of water that has been pumped this season far exceeds the quantity pumped in any previous year, and that the commencement of pumping was not delayed. The holdings in reservoirs as at June, 1967, were greater than those for 1966, but pumping was started in order to give the best possible service. Apparently, Opposition members can anticipate a season better than the Almighty, and they think that the Government, too, should be able to do so. I strongly deny that the Government has done other than the best it could do in the interests of the State. Tactics adopted by Opposition members do them little credit, and are resulting in a degree of contempt for their miserable attitude.

Mr. COUMBE (Torrens): Perhaps, Mr. Speaker, it would be in order if we got back to the Bill. We have heard some interesting speeches, not the least interesting being that of the Minister of Works, who said nothing about the present Bill.

The SPEAKER: That did not go unnoticed by the Chair but, having allowed the honourable member for Gumeracha to refer to that matter, in fairness I had to allow a reply. However, I shall not allow further digressions.

Mr. COUMBE: We have heard three interesting and varied speeches from Opposition members. The member for Angas, who led for the Opposition, delivered a scholarly and erudite presentation of the case when he outlined the main principles of the Bill and expressed the official views of the Opposition.

Mr. Lawn: But the member for Angas supported the Bill in principle, didn't he?

Mr. COUMBE: The honourable member can hear as well as I can.

Mr. Lawn: The member for Gumeracha opposed the Bill.

Mr. COUMBE: The member for Mitcham referred to legal aspects of the Bill and instanced what might happen. The member for Gumeracha then expressed his views, and he has probably had more to do with members of the Public Service than has any member in this House or probably any person in South Australia outside the Public Service itself.

Mr. Lawn: He contradicted the member for Angas.

Mr. COUMBE: He did not. The member for Gumeracha, during his 27 years as Premier of the State, was in intimate daily contact with members of the Public Service, including senior officers. Certain speakers to the debate have said, first, that the Bill has some good points and, secondly, that it has points to which they disagree. I support the second reading, for I believe that the Bill has some good provisions, but I have definite reservations about other provisions. I do not wish to repeat anything of what the member for Angas said when outlining the history of this legislation, except to mention the remarkable growth of the Public Service as it concerns the machinery provisions of the Bill. In 1916, when the first Public Service Commissioner was appointed, there were 1,631 members of the Public Service, whereas there are now 8,686—more than five times the original strength. In addition,

great diversification has taken place within the Public Service: I refer not to a wider scope of administrative positions but to the fact that associated with the Public Service are organizations registered with the South Australian Industrial Commission. This is completely different from the relatively minor industrial aspects of the Public Service in 1916.

I fully support the setting up of a board comprising three full-time Commissioners; indeed, I believe this is overdue, and I trust that the board will be able to fulfil its obligations. We know that the Chairman of the board will be the person currently holding the office of Public Service Commissioner. Although the Governor is to appoint the Chairman and the other two Commissioners, the Bill does not specify the qualifications necessary for the latter. I believe that, apart from the Chairman, the members of the board should be well versed in public administration, they should have had a long experience of commercial and industrial matters, a good knowledge of how to handle a large staff, and a fair knowledge of procedures concerning awards and matters coming before the Industrial Commission. The Bill unfortunately does not specify the fields from which these Commissioners should be drawn.

The provisions establishing the appeal board and disciplinary tribunal are necessary, in order to protect the efficiency and well-being of the Public Service, on the one hand, and to protect the rights of individual members of the Public Service, on the other. The appeal board in the past has worked well to preserve the rights of public servants. I have, I hope, a fairly large circle of friends who are members of the Public Service; my association with the Public Service goes back many years prior to my entry to this House when, as a private citizen, I had connections with the Public Stores Department and, through that department, with the Supply and Tender Board. I still have as friends officers I knew in those days, and, since becoming a member of this House and, particularly, a member of the Public Works Committee, I have met many senior officers, especially technical men, with whom I have formed friendships and for whom I have a high regard. I believe that the appeal board will prove a great benefit to public servants. We must bear in mind that any Government, although it is expected to lay down policy, relies heavily on members of the Public Service to execute that policy.

Although Ministers may decide policies through Cabinet and give directions, it is up to senior members of the Public Service to ensure that those directions are carried out. Under the Bill, some administrative actions formerly carried out by Ministers, such as appointments (other than the most senior), will be transferred to the board. However, the Government will still control the size of the service, and it is essential that the Government should have that control.

It is a common failing of governments today (whether State, Commonwealth or local) that, by Parkinson's law, they seem to proliferate in all directions. I do not lay the blame for this on anybody, but it does happen. As the population of a State grows, the size of the Public Service must grow in proportion. As society develops, the Government is involved in more matters. However, the increase in the size of the Public Service should be strictly in proportion to the increase in population; this has a direct bearing on the efficiency of the service. Clause 29 deals with the creation and abolition of offices in a department. I refer members to the definition of "office" because clause 29 is not clear and that definition does not make it any clearer.

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

Mr. COUMBE: Clause 4 of the Bill defines "office" as follows:

"Office" means . . . an office created or deemed to be created under section 29 of this Act and not abolished under that section.

Clause 29 provides that the Governor may create or abolish an office in a department. Those provisions do not help us to determine what "office" really means, whereas the present Act contains a different and much better definition, by providing:

"Office" includes any position in the Public Service.

The Bill defines an officer as a person appointed to an office and includes a person who, immediately before the commencement of the Act, was appointed or deemed to be appointed in a permanent capacity to the Public Service as defined by section 6 of the Public Service Act, 1936-66. However, the present Act defines an officer simply as a person employed in any capacity in the Public Service. In the terms of the Bill, the Governor may create an office when that is necessary to meet expanding activities or when the Government, as a matter of policy, undertakes a new activity.

The Governor will also be able to abolish an office if the office becomes redundant, if the Government decides to reduce a section of the Public Service, or if activities in a certain

sphere are curtailed because of changed circumstances. The member for Gumeracha (Sir Thomas Playford) and other members have dealt in detail with leave. I know that the granting of four weeks' leave will have some impact, and we are concerned about whether it is extended eventually to industry in general. I also point out that the extra leave will increase the number in the Public Service, because when extra recreation, sick or long service leave is granted, additional employees are required in order to fill vacancies left by those on leave. In offices a rotation system is operated in respect of leave for officers. The sick leave provisions in the new Bill remove the cumulative restriction, and I have no quarrel about that.

Sick leave of 12 working days a year is provided for public servants, while the general condition in industry is five days a year, so the Public Service receives 2.4 times as much sick leave as does general industry. The present Act provided for three months' long service leave after 10 years' service, but the awards generally in industry, such as the Commonwealth Metal Trades Award, provide for 90 days' leave after 15 years' service. This Bill puts long service leave for public servants on a pro rata basis after the first five years' service.

We have to consider the whole concept of leave provided in the Public Service, because this is where the Bill departs from recommendations that have been made by interested parties, particularly the Public Service Association and possibly the Public Service Commissioner. These can be regarded as policy matters introduced by the Government, and we must consider the whole concept of leave for the Public Service in relation to what is and may be provided in industry generally. I do not desire to transgress Standing Orders by referring to another Bill, but we know that Government policy is to provide in State awards outside the Public Service for long service leave on the basis of a qualifying period of 10 years instead of the 20 years previously prescribed. A similar move is being made in relation to the Public Service, and I disagree to it. I am adamantly opposed to the alteration of the proposed long service leave provisions for general industry and I am opposed to the proposals that we are now considering.

The long service leave provisions in the present Public Service Act should be continued. I have not heard members of the Public Service complaining about those provisions, and they are the provisions that I am prepared to accept. I consider the other provisions of the Bill worthy of the support of all members and long overdue. I shall certainly support the second reading in order to ensure that those clauses go forward to the Committee stage. They will benefit the Public Service and State generally. However, I will speak again in Committee against those provisions that I do not favour.

The Hon. R. R. LOVEDAY (Minister of Education): I thank members for carefully considering this Bill. As Opposition objections mainly concern the leave provisions, these matters can be dealt with in Committee, because I am sure that all members support most clauses. No doubt the leave provisions will cause controversy in Committee.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Definitions."

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

In the definition of "recognized organization" after "Act" to insert "and includes the Public Service Association of South Australia Incorporated".

The object of the amendment is to recognize the special status of the Public Service Association. As the association is specifically provided for in clause 116 (4) it is desirable for it to be included in the definitions.

Mr. COUMBE: The amendment is worth while, although I should have thought that the association was already a recognized organization. Apparently, however, this amendment removes any doubt.

The Hon. R. R. LOVEDAY: That is so.

Amendment carried; clause as amended passed.

Clauses 5 to 8 passed.

Clause 9—"The Public Service Board."

Mr. COUMBE: What will be the method of selecting Commissioners, and what type of person is being sought by the Government to fill these positions?

The Hon. R. R. LOVEDAY: Obviously, we are seeking persons with special qualifications to do a special job, but it is not necessary to spell out the details in the Bill.

Clause passed.

Clauses 10 to 16 passed.

Clause 17—"Vacation of office by Commissioner."

The Hon. B. H. TEUSNER: Is there any reason why the period of absence under paragraph (*c*) has been increased from 14 to 28 days?

The Hon. R. R. LOVEDAY: It has been regarded as being more reasonable, because of a possible absence overseas.

Clause passed.

Clauses 18 to 20 passed.

Clause 21—"Proceedings before the board."

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

In subclause (1) to strike out "before making a return altering the classifications of the officers occupied by a significant number of the members of a recognized organization the board shall—" and insert "shall, so far as is practicable, before making any decision which will affect a significant number of members of a recognized organization—"; and after paragraph (*b*) to insert "but nothing in this subsection shall be construed as limiting or restricting the exercise or performance of any power or function of the board conferred on it by this or any other Act."

The first amendment is designed to ensure that so far as is practicable consultations will take place between the board and recognized organizations before decisions are made by the board affecting the interests of members. The second amendment ensures that, if because of inadvertence a consultation does not take place, the validity of the exercise of the power or function of the board will not be questioned.

The Hon. B. H. TEUSNER: Although I do not oppose the amendments, I am not happy about the use of the word "significant". Will the Minister say why it has apparently not been possible to fix a definite percentage?

The Hon. R. R. LOVEDAY: The word "significant" has been used in order to allow a degree of flexibility, because the provision relates to groups of people, as distinct from individuals. It was obvious what would happen if reference were made in respect of any individuals. Obviously, groups should comprise a significant number of people. It is impossible to specify a percentage, because groups of people of various numbers could be involved according to officers' classifications or some other particular affecting a group.

Amendments carried; clause as amended passed.

Clause 22—"Records."

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

Before "The" first occurring to insert "(1)"; and to insert the following new subclauses:

(2) The board shall at least once in every period of two years forward to the Governor a list of all officers employed on the thirtieth day of June next preceding the day on which the list is forwarded together with the particulars referred to in subsection (1) of this section other than the particulars relating to offices which each officer has held.

(3) A copy of the list referred to in subsection (2) of this section shall be laid before Parliament within fourteen days of it being forwarded to the Governor, or if Parliament is not then sitting, within fourteen days after the commencement of the next sitting of Parliament.

This will provide for the publication of the document known as the *Public Service List* at least once every two years. It does not seem necessary to have this document published annually, as it is at present, particularly because it is expensive, and it is believed that its publication once every two years will be sufficient.

The Hon. B. H. TEUSNER: Having been perturbed to note that the original Bill did not contain this provision, I support the amendments.

Amendments carried: clause as amended passed.

Clauses 23 to 25 passed.

Clause 26—"Vesting of powers of permanent head in certain persons."

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

In subclause (1) to strike out "the" first occurring and insert "an".

This simply corrects a clerical error.

Amendment carried; clause as amended passed.

Clauses 27 to 30 passed.

Clause 31—"Returns by board."

The Hon. R. R. LOVEDAY moved:

In subclause (3) after "to" to insert "this section and to".

Amendment carried.

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

To insert the following new subclauses:

(7) An officer aggrieved by the application of a return under this section to his office may within thirty days after the publication of that return appeal to the board by notice in writing in the prescribed form setting out the grounds of his appeal.

(8) The board shall hear and determine an appeal made under subsection (7) of this section and any return made in consequence of determination under this subsection shall be expressed to take effect on the day on which the return, in relation to which the appeal was made, took effect.

(9) In determining an appeal pursuant to subsection (8) of this section the board shall hear any representation from the officer appealing or made on his behalf by an officer of a recognized organization of which that officer is a member.

This provides for a right of appearance before the board by an officer aggrieved by a return of the board in relation to his salary, and further provision is made to allow an officer

to be represented by an officer of the appropriate recognized organization.

The Hon. B. H. TEUSNER: I take it that this relates to an appeal similar to the one provided for in the existing Act?

The Hon. R. R. LOVEDAY: Yes.

Amendment carried; clause as amended passed.

Clauses 32 to 34 passed.

Clause 35—"Other duties allowance."

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

In subclause (3) to strike out "in respect of an office the holder of which is absent on recreation leave" and insert "in consequence of the absence of an officer on recreation leave".

This is a clarifying amendment. The Government intends that allowances be not paid under this clause in consequence of the absence of officers on recreation leave. In the clause as drafted, it is felt that this is not entirely clear since in practice in some departments, where an officer is on recreation leave, a type of chain reaction develops and a number of officers are called on to perform other duties. The amendment has been designed to cover that situation.

Amendment carried; clause as amended passed.

Clauses 36 to 50 passed.

Clause 51—"Constitution of panel."

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

Before "For" to insert "(1)"; after "of" third occurring to strike out "one officer nominated" and insert "the officers nominated, in accordance with this section,"; and to insert the following new subclause:

(2) Each recognized organization may nominate one officer and, in addition, one officer for each twenty per centum of the number of officers for the time being in the Public Service, who are members of the organization.

The amendments will allow recognized organizations to appoint members to the panel in proportion to their membership.

The Hon. B. H. TEUSNER: I take it that the Public Service Association will be entitled to nominate members to the panel.

The Hon. R. R. LOVEDAY: That is one of the recognized bodies.

Amendments carried; clause as amended passed.

Clauses 52 to 57 passed.

Clause 58—"Offences."

Mr. MILLHOUSE: I move:

After "Act" third occurring to insert "but nothing in this section shall be construed as preventing an officer from publicly explaining his position in relation to any public criticism directed against him in his official capacity".

In referring to this matter this afternoon, I canvassed the lamentable circumstances out of which my amendment has arisen. However, I do not want to deal particularly with any one incident. The rights or otherwise of public servants to answer public criticism of them is a vexed matter. The general rule has been (and I think rightly so) that public servants remain silent and that the Minister answer any criticism levelled against officers in his department. Of course, what has happened in South Australia in the last few weeks (and therefore what can happen again) is that a Minister has publicly criticized the head of his department. As the Act stands, that departmental head (Mr. Cook) had no right to answer the criticism levelled against him, nor had any other person the right or opportunity to answer that criticism.

The criticism levelled in this place received much publicity in the community and must, to say the least, have seriously embarrassed the officer concerned. If this sort of thing is going to happen (and the action by the Minister was obviously condoned by other members of the Government, who were sitting in this place at the time), we had better provide for it. The object of my amendment is to provide in those cases in which a public servant is publicly criticized in his official capacity that he should have the right not to defend himself but to explain his position. I think the Committee agrees that it is proper that a public servant should not be left without an opportunity of defending himself. We had the example today when the Minister of Social Welfare criticized the Adelaide Juvenile Court Magistrate in the same way as he had criticized another officer previously. The Premier followed up that criticism today by implication in answering a question that I had asked. The Adelaide Juvenile Court Magistrate is in a slightly different position from that of other public servants.

The Hon. J. D. Corcoran: What about the Prices Commissioner?

Mr. MILLHOUSE: The Prices Commissioner is not covered by the Public Service Act. I do not know that there is any connection between the two but, if the Minister likes to use that as a reason for supporting my amendment, I shall let him do so. A magistrate is in a different position from that of other public servants because he has an opportunity, when giving a decision, of making remarks publicly. If the press sees fit, those remarks are published in the newspaper. I ask the Committee to accept the amendment.

The Hon. R. R. LOVEDAY: The Government cannot accept this amendment. I think it is obvious that, if what has been suggested were done, we should be more likely to have much acrimonious argument between officers and their critics, if officers knew that they could answer back in the manner suggested by the honourable member. Such argument would not achieve anything and would probably lead to much public disruption. An officer who considers himself aggrieved as a result of what he considers to be unfair criticism by a Minister can ask for an inquiry, so he is protected in that way at present. I do not think the amendment is desirable in the public interest.

The Hon. Sir THOMAS PLAYFORD: I do not think any member would want a public officer placed in the position of being publicly criticized without having a right to explain his position. Over a long period this matter did not give the Government with which I was associated very much trouble, but it could give trouble to a Government if a public officer did not agree with the Government's policy and had strong views about the matter. That officer could break down the administration of the department by continually criticizing his Minister and the Government and all the time using knowledge that he had obtained in the course of the administration of his department. That position would be intolerable.

The amendment is difficult of interpretation, despite all the support I give to the general principle. The term "publicly explaining his position" could involve providing confidential information. I suggest that the Minister consider including a provision to the effect that an officer shall have the right to submit to the Minister a statement explaining his position about any public criticism, subject to the Minister's having the right to make a final decision about it. The amendment at present before the Committee would have the effect of defeating the clause. Although the Bill may be passed here tonight, it still has to go to another place and there will still be time to insert an amendment such as I have suggested.

The Hon. R. R. LOVEDAY: I think the member for Gumeracha touched on the weak point in the drafting of the amendment when he referred to the words "publicly explaining his position". I agree that those words could cover almost anything. Regarding the honourable member's suggestion, that position is safeguarded at present. A Minister who considered that an injustice had been done would protect the officer concerned. I have had occasion to do it, and have not had any difficulty.

Mr. MILLHOUSE: I am obliged to the member for Gumeracha for what he has said, and I am the first to acknowledge the great difficulty of drafting something acceptable. When I moved the amendment I was not satisfied with the drafting, and I am even less satisfied with it now. This is a difficult point but, in the particular case to which I referred, so that the public servant criticized would not be left without redress I think the Minister should reconsider the matter.

Amendment negatived; clause passed.

Clauses 59 to 78 passed.

Clause 79—"Power of Governor to transfer or retire."

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

To strike out "may" first occurring.

This is a clerical correction, as the word appears twice.

Amendment carried; clause as amended passed.

Clauses 80 and 81 passed.

Clause 82—"Entitlement of officer to a grant of recreation leave."

Mr. MILLHOUSE: I move:

In subclause (1) to strike out "four" and insert "three".

The effect of this amendment, and the one to come, is to leave the situation concerning annual leave as it is now. This matter has been completely canvassed. I do not begrudge extra benefits if the State can afford them, but with the State's finances in their present condition, and with the general state of the economy aggravated as it will be within the next few months by the effects of the present dreadful drought, this is not the time when the State can afford to grant extra leave to any section of the community. I realize that it is Labor Party policy, but neither the Government nor the private sector of South Australia can afford this move, and we should leave the position as it has been heretofore.

The Hon. R. R. LOVEDAY: The Government cannot accept the amendment: this provision is Government policy. It has been claimed that it will be a financial burden and that the extra leave will affect grace days. Grace days will be included as part of this leave and the Government considers that this provision will not be the burden Opposition members have suggested it will be. Whenever the Labor Government has introduced this kind of legislation it has been told that the time is

not appropriate. The time is never appropriate no matter what the economic circumstances, but the Government considers that this is the appropriate time because it undertook to introduce this legislation.

The Hon. B. H. TEUSNER: I have already given several reasons why I oppose this provision but, in addition, I refer to an article published on the leader page of the *News* of October 13, which states:

Leaders of business and industry will view with concern the Government's plan to give public servants four weeks' holiday. If the Bill goes through, Public Service costs will rise substantially. But the more worrying factor is the widespread pressure it will create in the private sector for similar leave increases. The result will be a much bigger burden on the State's economy, which, in its present condition, can ill afford it.

I endorse that view, and I trust that the Minister will reconsider the position, in view of the present state of the economy and because I believe there has been no general demand by the Public Service for this extra leave.

Mr. McANANEY: Will the Minister say what the provision of the extra week's leave will cost the State, at a time when there is unemployment and when many people are suffering from the effects of a drought? If the Government wishes to implement the provision because it was featured as part of its policy speech, it must face up to its obligations and tax the people accordingly; it cannot afford to implement the additional leave otherwise.

Mr. SHANNON: I do not recollect grace days being referred to when the extra week's leave was promised. I do not think the Government originally intended to include the three grace days that the Public Service at present enjoys.

The Hon. D. A. Dunstan: You had better read what I said in *Hansard*.

Mr. SHANNON: I think I had better read what the Minister of Social Welfare said; if he said that only two extra days were to be granted, and not five days, I should be surprised. This is a further example of the Government's involving industry in this State in additional cost that will adversely affect our economy. Who can offer the most in order to obtain votes! If that is the principle to be applied, I am rather pleased that I am on the eve of my retirement. Industries in South Australia are being placed in a position where they cannot compete with industries in other States; the Government is loading them with additional costs. Apparently South Australia will lead the field in social amenities.

Mr. McKee: Why not?

Mr. SHANNON: It is strange to hear a member representing an industrial area make such an interjection. If the Government intends to impose additional charges on industry, irrespective of their impact on the State's cost structure, then the sooner we have a change of Government the better it will be for everyone, including those who want jobs in industry.

The Hon. D. A. DUNSTAN (Premier and Treasurer): As usual in a matter of this kind, we have had an exhibition of politics on the part of the Opposition.

Mr. Shannon: I think it is political, don't you?

The Hon. D. A. DUNSTAN: I am glad to hear the honourable member's assertion. I agree with him entirely about the attitude of his Party. It has been suggested that somehow or other public servants have been conned into believing they would receive an extra week's leave and that now it has been proved that the Government has been particularly dastardly in this matter and has misled the Public Service by including three grace days in the leave. The original announcement about this matter was made by me to the press on June 22 this year. In asking me a question about the matter, the member for Mitcham referred to the announcement in the *Advertiser* of that morning. At page 3, the following appears:

Some Government employees, including office workers who have three grace days at Christmas, will have these days taken into account and will receive two extra days.

The Hon. Sir THOMAS PLAYFORD: During the Estimates debate, the Treasurer challenged the Opposition to tell him how the Government could save money. By the amendment, we have suggested a way to save money, and I should have thought he would accept this suggestion. He could have told the Public Service that he had tried to give them an extra week's leave but that the wicked Opposition was not in favour of it: he could have laid the responsibility on the Opposition. That procedure would be almost as good as the procedure of promising four weeks' annual leave in the policy speech, forgetting about it until the end of the session, then passing a Bill and leaving the matter for the new Premier coming in after the next election to find the $1,750,000 involved. This matter should not be dealt with on a political basis. However, if it is, we find that the provisions

in the Bill are completely different from this promise made by the Government in its policy speech:

Four weeks' annual leave will be provided for all Government day workers with an additional week for continuous shift workers.

Despite that, the Bill specifically excludes day workers and gives extra leave to public servants, who were not mentioned in the policy speech. This provision sets a pattern of industrial conditions that is different from the pattern elsewhere in Australia. If the Commonwealth Conciliation and Arbitration Commission tomorrow granted four weeks' annual leave to all workers covered by Commonwealth awards, there would be no reason, except perhaps the ultimate economic reason, why South Australia should not make the provision contained in this Bill. However, Commonwealth public servants receive only three weeks' annual leave, without grace days, and it is not likely that the Commonwealth Government will make subventions to this State to enable the State to give these conditions.

This provision has many ramifications of public finance and industrial growth. Industrialists considering establishing in South Australia will see this provision as the thin end of the wedge and they will establish their industries in Victoria. I ask the Premier to accept the amendment and to blame the Opposition for it. I assure him that, at the next election, I shall not have the slightest worry about it. Of course, we will advance the argument that all people should have equal conditions, that we should not have one section struggling with an adverse season while another section is getting a hand-out that we cannot afford. The Premier does not even have to blame the Legislative Council in this instance: he can blame the House of Assembly.

The Hon. D. A. DUNSTAN: The member for Gumeracha's gentle invitation is just as gently declined. He knows he has made many incorrect assumptions. The public servants of South Australia do not enjoy and never have enjoyed equal conditions with others in industry in South Australia, nor do they enjoy equal conditions with Commonwealth public servants. Generally speaking, payments to public servants in South Australia are lower than those to comparable officers in other States, although substantial improvements in conditions of public servants have been made by the present Government.

Public servants do not receive over-award payments such as workers in industry enjoy in South Australia, nor do they get, for the most part, overtime payments for the considerable amount of work that is done unselfishly and devotedly outside normal hours. Officers in my department could walk out of the office tomorrow and receive, in private employment, three times the emolument paid by the Public Service. The member for Mitcham knows the position regarding senior officers in the Crown Law Office. The salary that those officers receive is an indication of how unselfishly they have given service to the people under conditions that are by no means easy.

In certain areas, public servants have always enjoyed privileges not available to general industry. That has been some small meed as compensation for the fact that they have not enjoyed conditions comparable with those enjoyed by people in outside employment. We have established for South Australian public servants conditions that are some small compensation for the disabilities that they suffer compared with people in outside employment, and I do not believe that that is inhibiting industrial development in this State. In order to ensure industrial development we need an adequate Public Service and to be able to recruit officers. We can do that if we can offer them reasonable conditions of employment. The State is not being extravagant in these provisions. The improvements we have made in conditions for public servants were necessary in order to maintain the staff and a proper level of recruitment to it. We still face difficulties.

If the honourable member wants to produce a constant decline in the number of qualified officers he can not do it better than by having this amendment passed. Having undertaken to maintain reasonable conditions for public servants, the Government has honoured that undertaking. We have received high praise and appreciation from the Public Service Association for the arrangements we have made with it. We have received loyalty and hard work from public servants in this State, and I believe that that state of affairs will continue. If Opposition members want to improve the State's finances at the expense of the Public Service they may use their numbers in the Upper House to reject the Public Service Association's request, which, in the Government's view, is entirely reasonable. We do not intend to succumb in this House either to the sophistry or blandishments of the honourable member's argument.

Mr. MILLHOUSE: I am glad that the Premier has taken control of the Bill, at least on this matter, and has quoted from the

Advertiser, because he has enabled me to find in *Hansard* the reply to the question I asked him on June 22. Obviously, from what the honourable gentleman has said and from the fact that he chided me for not remembering that he made it clear then that only an extra two days was to be given to the Public Service—

The Hon. D. A. Dunstan: No, certain public servants.

Mr. MILLHOUSE: Whatever was said initially it was clear in the Premier's mind before he replied to my question how much the Government intended to give by way of added concessions to public servants, and how much it would cost. When the Minister of Education was handling this amendment he chided me for using two arguments that he said were opposed to each other. He said that Opposition members said that the Government could not afford an extra week's leave for the Public Service but that, on the other hand, we said that this was a sham (as it is), because it only gave public servants an extra couple of days. The Premier, more neatly than I could have done without his intervention, has married the two arguments. When he replied to my question on June 22 he estimated the cost for this financial year, during which it will operate for only six months, at $1,300,000.

The Hon. J. D. Corcoran: He amended it the next day.

Mr. Hudson: Why not quote the rest of it?

Mr. MILLHOUSE: I will quote the lot. The Premier said:

It is estimated that the leave in the coming financial year will cost about $1,300,000. That is only an approximate estimate, because it is almost impossible to ascertain accurately in each department the results of the leave.

The Hon. B. H. Teusner: That is from January to June?

The Hon. J. D. Corcoran: He amended it the next day.

Mr. MILLHOUSE: The *Hansard* report of the Premier's reply continues:

In some cases, the leave can be covered by existing staff. Therefore, the approximation has been arrived at simply by anticipating an increase in staff of one in 45, but that is only a vague estimate. The sum I have stated would be the absolute maximum cost: it might well cost considerably less.

Mr. Millhouse: Is that figure for a full financial year?

The Hon. D. A. DUNSTAN: That is for the coming financial year.

Mr. Millhouse: That will be for only half the year.

The Hon. D. A. DUNSTAN: It is for only part of the year.

The SPEAKER: Order! I ask honourable members to refrain from commenting when Ministers are replying to questions.

Mr. MILLHOUSE: The Premier said that the cost would be about $1,300,000 in the next financial year. I take it that is for the period January 1, 1968, to June 30, 1968, and I presume that it will be about double the figure in a complete financial year?

The Hon. D. A. DUNSTAN: The honourable member's assumption is correct: he has managed to add two and two together quite well. Very funny! That is what he said on June 22—only a vague estimate! The Government had announced it, but the honourable gentleman had not bothered to do his homework. I will satisfy the Minister of Lands on his point. We had then what we have come to know so frequently since—a retraction by the Premier and a revision of the estimate. It was not the next day, but on June 27, five days later.

Mr. Langley: Anyone would think that you were infallible.

Mr. MILLHOUSE: The Premier had not done his arithmetic as well as I had done mine.

Mr. Curren: On the next sitting day an answer was given, wasn't it?

Mr. MILLHOUSE: Yes. I thought the Minister of Lands was saying "the next day", and he was. Anyway, on that occasion the Premier had to make a Ministerial statement to clear up the misunderstanding and, in part, he said:

In reply to a question asked by the member for Mitcham (Mr. Millhouse) last week, I gave some figures to the House in relation to the additional week's leave. However, as I am afraid I may have misled the honourable member and the House on this matter, I wish to make the position clear at the earliest possible opportunity. The figures I quoted at the time were based on the calculation of an increase of one in 45 for all Government employees which would have accounted for $2,600,000 a year. In fact, on the basis of the Government's announced proposal, however, it would . . .

He brought down his estimate to $1,750,000 for a full year, but expected that the cost would be less than half of that for 1967-68. That is a considerable sum when the Government is hard up. Whether it means two extra days or a full week, that is a substantial added burden to the Government's finances. That is the fact on which we stand and why we suggest that this is not the time to introduce such a provision. We do not for a moment say that public servants do not give good service to whichever Government is in office. I have no doubt that the Public Service worked just as hard, effectively, and efficiently during the term of the Playford Government as it works now.

No-one complains about the Public Service of this State and the way it works. We are saying, however, that the Government is trying to buy votes just before an election in a way which is utterly irresponsible.

If the Premier really believes that by giving two extra days' leave to the Public Service he will attract recruits to it and raise its standard in some way, I think he is much mistaken, yet that is the line he took when he was replying to the member for Gumeracha just now. No reasonable man or woman considering entering the Public Service would be attracted thereto simply because he or she were to receive an extra two days' annual leave. That is just too absurd to consider. But the cost is there, whatever the benefit may be. We know the cost; it is the Premier's own figure and it is, I repeat, more than we can afford at present.

The Hon. Sir THOMAS PLAYFORD: What the Premier said about conditions in the Public Service is not accurate: the Public Service Board in the past has fairly considered the relative values of work performed in other States by comparable public servants and has made determinations accordingly. The senior officer who has been Chairman of the board in the past will continue as Chairman under this Bill although, whereas the Public Service Association has had direct representation on the board in the past, it will not have that representation under the Bill. The glamour of outside employment to which the Premier referred does not, in fact, exist. If the Government's provision is advanced as compensation for inferior salaries, it is an improper way of making such compensation. The provision of four weeks' annual leave will prevent new industries establishing here. I support the amendment.

Mr. McANANEY: When I first queried the cost of the present provision the Premier said it would be $1,300,000 and then later reduced the figure by one-third. We are arguing not whether the Public Service should receive additional leave but whether the Government is actually able to meet the cost thereof. As our population is not increasing at its previous rapid rate, we shall receive less next year in tax reimbursement moneys than we have received in the past. Does the Government intend to increase taxation to pay for the extra week's leave rather than use trust funds to obtain the money? The Government should approach this matter in a businesslike manner. Recently the Minister of Social Welfare insulted a certain accountant, implying that because he was an accountant he had a heart of stone. However, I am an accountant and accountants are warm people who create good conditions.

On the other hand, the member for Glenelg has spoken on behalf of the Government and suggested airy-fairy schemes of finance whereby something is taken out of one pocket, put into another pocket, and thus doubled. That type of finance has put the Government in a position where it cannot afford to honour its promises. That is what we are arguing about, rather than whether or not public servants should have an extra week's leave.

Amendment negatived; clause passed.

Clause 83—"Application of s. 82 to service prior to 1/1/68."

The CHAIRMAN: The member for Mitcham has given notice of an amendment, but I point out that he can achieve his objective by opposing the clause.

Mr. MILLHOUSE: In view of the fate of my last amendment, it is not worth my going on with this amendment.

Clause passed.

Clauses 84 to 86 passed.

Clause 87—"Closure of offices, etc."

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

In subclause (1) after "notice" first occurring to insert "published".

This is a clerical correction.

Amendment carried; clause as amended passed.

Clauses 88 and 89 passed.

Clause 90—"Absent on leave without pay."

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

To strike out "calendar".

This is a drafting amendment. The word "calendar" is inappropriate in the context.

Amendment carried; clause as amended passed.

Clause 91—"Long service leave".

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

In subclause (5) (*c*) to strike out "Act" and insert "Part".

This is a clerical correction.

Amendment carried.

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

In subclause (5) after "leave" third occurring to insert "if he had been granted that leave on the day his resignation or retirement took effect".

This amendment clarifies the basis on which the pro rata leave is calculated.

Amendment carried; clause as amended passed.

Clause 92—"Pro rata long leave on retirement, etc."

Mr. COUMBE: I oppose the clause. Whereas clause 91 contains the same wording as the present Act, this clause breaks new ground. Subclause (1) (*a*) refers to clause 77 which relates to a case where the board finds that more officers are engaged in work than is necessary for the economical and efficient operation of the Public Service. In such a case, a person losing his job shall be granted pro rata leave for five years' service. Subclause (1) (*b*) refers to clause 78 which relates to the case of an officer who is inefficient or incompetent in the discharge of the duties of his office. Therefore, under clause 92, such an officer who is being retired will be granted pro rata long service leave. This is not long service leave: it is additional leave. Clause 78 also refers to an officer who is unfit to discharge his duties or is otherwise incapable of discharging them.

The Hon. R. R. Loveday: Clause 92 refers to injury or illness.

Mr. COUMBE: If a public servant received an injury because of a car accident during his service, he would be covered. A man injured in a motor car accident when he is not on duty has other recourse to compensation. A person injured during the course of his employment has recourse to workmen's compensation. During the last session special provision has been made in the Superannuation Act for people who wish to retire before the normal retiring age, and I do not think that the long service leave provisions are applicable in those cases. I am opposed to the introduction of pro rata long service leave after only five years' effective service. The present provisions are far more generous than those that usually apply in industry outside and, as they are already in the Act, I agree to them.

Mr. McKee: You fear that the worker will obtain some improved condition.

Mr. COUMBE: When we are discussing conditions, the member for Port Pirie uses the old shibboleths. I am trying to ensure that the legislation will be respected and that everyone will get a fair deal.

The Hon. Sir THOMAS PLAYFORD: The principle of long service leave was introduced originally on the ground than an officer who had served the State for a long time would become stale and that it was in the interests of both the officer and the State that he have a complete break from work and then return with renewed vigour and eagerness. However, this principle has been bent over the years and now the cash equivalent can be paid as an extra gratuity on retirement. Each week Cabinet approves lump sum payments in lieu of accumulated long service leave, and I do not object to that. In fact, I helped public servants by getting an equitable consideration by the Commonwealth of taxation provisions so that public servants would not lose much of the lump sum payment in income tax. However, the pro rata leave provisions prostitute the whole purpose for which long service leave was originally granted. When it is payable because an officer cannot carry out his duties—

The Hon. R. R. Loveday: It doesn't provide that.

The Hon. Sir THOMAS PLAYFORD: It does. Clause 78 lays that down clearly.

The Hon. R. R. Loveday: Paragraphs (*a*) and (*b*) of clause 78 (1) are not relevant.

The Hon. Sir THOMAS PLAYFORD: I accept the fact that they may not be relevant, but other provisions are relevant. These paragraphs are inappropriate, because other provisions are made to deal with these matters. Immediately this provision is allowed many demands will be made by industries throughout the State for the same provision, but workers will not enjoy this provision and, through State and Commonwealth taxation, will have to pay so that others enjoy it.

The Committee divided on the clause:

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

Noes (15)—Messrs. Bockelberg, Coumbe (teller), Ferguson, Freebairn, Hall, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pairs—Ayes—Messrs. Casey, Jennings, and Ryan. Noes—Messrs. Brookman, Heaslip, and Stott.

Majority of 1 for the Ayes.

Clause thus passed.

Clauses 93 to 97 passed.

Clause 98—"Payment in respect of dependants of deceased officers."

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

In subclause (1) after "officer" second occurring to insert "of"; and after "officer" third occurring to insert "if he had resigned on the date of his death".

The first amendment rectifies a clerical error; the second is designed to establish clearly

the basis for the calculation of the sum payable to the dependants of the deceased officer.

Amendments carried; clause as amended passed.

Clauses 99 to 102 passed.

Clause 103—"Service in the Commonwealth not to disqualify for State service."

Mr. COUMBE: How does a person who is an officer of the Commonwealth Public Service perform duties in the Public Service of this State, unless he is seconded?

Clause passed.

Clauses 104 to 107 passed.

Clause 108—"Continuation of officer's service."

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

After "sixty-five" first occurring to insert "years".

This merely corrects a clerical error.

Amendment carried.

Mr. MILLHOUSE: The Minister may recall what I said previously about an officer in the Public Service who is due to retire in about 12 months: when he retires he will have completed service amounting to 22 years 11 months and a certain number of days. For the purpose of his leave payment, I think it is, he receives payment at the rate of nine days a year for 22 years, and his service is about 10 days short of 23 years. That will mean a difference in payment to him of about $100. This clause gives power to allow a person who has completed such length of service to continue so that he can complete the full 23 years of service and thereby receive the extra payment.

I believe it has not been the policy in the past to allow this to happen because the Government, or I suppose the Public Service Commissioner advising the Government at the time, has not considered it to be in the "interests of the State that the officer should continue in the performance of his duties". It seems not stretching it too far to allow an officer in these circumstances to complete a particular period of service. I hope the Government will be in favour of allowing an officer in these circumstances to complete where only a few days is involved. Can the Minister say what is intended?

The Hon. R. R. LOVEDAY: I think this matter should be referred to my colleague who is the appropriate Minister.

Mr. MILLHOUSE: The officer concerned happens to be in the Education Department.

The Hon. R. R. LOVEDAY: I am talking about the Minister. The honourable member has raised a matter of principle, which I said I would refer to the appropriate Minister on a question of principle regarding this matter.

Mr. MILLHOUSE: But is not the Minister of Education the Minister in charge of the Bill and therefore able to answer the question?

The Hon. R. R. LOVEDAY: I explained this was a matter of policy and that my colleague the Minister of Labour and Industry was the appropriate Minister to whom a question of this sort should be referred.

Mr. Millhouse: Will you transmit my question to him?

The Hon. R. R. LOVEDAY: I said I would.

Mr. SHANNON: It is an amazing situation, when the Committee seeks information, that the Minister should adroitly refer the matter to a colleague in another place.

The Hon. R. R. Loveday: I was asked to seek information.

Mr. SHANNON: I should have thought that, as we were in Committee, the Minister in charge of the Bill would be able to give the information sought without referring to someone else. If that is the way we are to deal with the measure, we are simply putting our imprimatur on the Bill and hoping for the best when it goes to another place. Surely the honourable member's request is not unreasonable.

The Hon. R. R. LOVEDAY: I should think the honourable member would know that, in marginal cases such as the honourable member has raised, Cabinet makes a decision on the merits of the case. As I wanted to assist the honourable member with the most accurate reply possible, I gave him the reply I did: surely that is a reasonable approach. I point out that, if a colleague of mine in another place were dealing with a Bill relating to the Education Department and he could not reply to a question, he would take the course that I have taken.

Clause as amended passed.

Clause 109 passed.

Clause 110—"Limitation on period of employment."

Mr. COUMBE: Can the Minister assure the Committee that this bracket of clauses dealing with the employment of temporary officers in the Public Service is substantially the same as the relevant provisions of the present Act?

The Hon. R. R. LOVEDAY: Yes.

Clause passed.

Clauses 111 to 115 passed.

Clause 116—"Recognized organization."

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

To insert the following new subclauses:

(3) Any recognized organization shall have the right to make submissions to the board on any matter arising out of or in relation to the exercise or performance of any power or function of the board under this Act and the board shall consider any submission so made.

(4) For the purposes of this Act, the Public Service Association of South Australia Incorporated shall be deemed to be a recognized organization.

In new subclause (3) the right of recognized organizations to make submissions and be heard by the board is made clear. In new subclause (4) the special position of the Public Service Association is recognized.

Mr. SHANNON: These subclauses should have been included in the Bill as drafted. We are asked to deal with these matters without the information that the Government obviously has. The Minister has not said why these provisions were not included in the Bill as drafted: he should have given more adequate information.

Amendment carried; clause as amended passed.

Clause 117 passed.

Clause 118—"Grievances."

The Hon. R. R. LOVEDAY moved:

To insert the following new subclause:

(3) An officer of a recognized organization, of which the officer referred to in subsection (1) of this section is a member, may present evidence or argument on behalf of the officer.

Mr. SHANNON: Is this the way the Government intends to legislate in South Australia? I will not argue about this matter.

The CHAIRMAN: Order! The honourable member must direct his remarks to the amendment.

Mr. SHANNON: The Minister has given no explanation whatever of this amendment. This is a further indication of the way this Committee is being treated. We are just accepting the Minister's word. We do not know whether this is a good provision.

The Hon. R. R. Loveday: It is.

Mr. SHANNON: I think it is a curse.

The CHAIRMAN: The Minister says it is good.

Mr. SHANNON: He did not even say that.

The CHAIRMAN: He did, by way of interjection.

Mr. SHANNON: I am sorry to disagree with you, Mr. Chairman.

Amendment carried; clause as amended passed.

Clause 119 passed.

Clause 120—"Officer not to engage in duties unconnected with his office."

The Hon. R. R. LOVEDAY moved:

In subclause (2) to strike out "but an officer shall not take part in the conduct of the business of the company or society otherwise than as a member and in common with the other members".

The Hon. Sir THOMAS PLAYFORD: There is a considerable difference between the implications of the clause and the implications of section 72 of the Act. In some ways, the clause is more restrictive. The previous provision was difficult to administer and was honoured more in the breach than in the observance. We are now making the provision much more restrictive, and I doubt the value of a provision that is so much honoured in the breach. I ask the Minister why it is necessary to tighten a provision that has been loosely applied for many years.

The Hon. R. R. LOVEDAY: It was considered that, by tightening the provision to this extent, it would be practicable to implement it. I have not had the experience that the honourable member has had in the matter, but the purpose of the amendment is to enable officers who are shareholders of societies among Public Service officers to become directors of their society.

Mr. Coumbe: They are still prevented from becoming directors of a public company, are they?

The Hon. R. R. LOVEDAY: Yes.

The Hon. Sir THOMAS PLAYFORD: Section 72 (1) of the Act provides that no officer shall—accept or engage in any paid employment other than in connection with the duties of his office or offices in the Public Service. However, this clause uses the words "remunerative employment", which could mean that an officer was not allowed to keep a few fowls in the back garden and sell the eggs.

The Hon. R. R. LOVEDAY: No.

The Hon. Sir THOMAS PLAYFORD: The term "remunerative employment" is much wider than "paid employment", and I ask the Minister why this substitution has been made.

The Hon. R. R. LOVEDAY: The first difference between the provisions of the clause and those of the Act is that paragraph (*d*) of subclause (1) is more embracing than paragraph IV of section 72 (1) of the Act. I understand "remunerative" to refer to a person in business on his own account as distinct from a person in paid employment. The provision is inserted to cover a person who may be in a business conducted by himself.

Amendment carried; clause as amended passed.

Clauses 121 to 123 passed.

Clause 124—"Operation of Industrial Code not affected."

The Hon. Sir THOMAS PLAYFORD: I point out to the Premier that this is the overriding provision on salaries and wages for the Public Service, and that the precise provision of the old Act is being maintained.

Clause passed.

Clauses 125 and 126 passed.

Clause 127—"Application of long service leave provisions to all persons in employ of State."

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

Before "So" first occurring to insert "Notwithstanding anything in or under this or any other Act,"; to strike out "services" and insert "service"; and to strike out "it is provided expressly or by necessary implication by any Act that those provisions shall not so apply" and insert "in the conditions of their employment leave of a type similar to long service leave under that section is provided for".

The amendments ensure that the long service leave provisions of this Bill apply to all persons in the service of the State unless other long service leave provisions are applied to them, even though they may otherwise be excluded from the provisions of this Bill by a proclamation under, say, clause 8.

The Hon. Sir THOMAS PLAYFORD: These amendments are far-reaching and I should like to know their purpose. It seems that they apply to people not in the Public Service.

The Hon. R. R. LOVEDAY: Most State Government employees would have long service leave provisions applied to them, and there would be only a few that these amendments would affect.

Amendments carried; clause as amended passed.

Clause 128—"Application of section 107 of this Act."

The Hon. R. R. LOVEDAY moved:

In subclause (1) before "The" first occurring to insert "Notwithstanding anything in or under this or any other Act,".

Amendment carried; clause as amended passed.

Clauses 129 to 132 passed.

First Schedule passed.

Second Schedule.

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

To strike out "Adelaide Local Court Department" and insert "Local Courts Department"; to strike out "Country and Suburban Courts Department . . . Chief Country and Suburban Magistrate"; before "College" to strike out "Agriculture" and insert "Agricultural"; and to strike out "General Manager" second occurring and insert "Director of Marine and Harbors".

The first amendment reflects a change in the organization of departments of the Public Service since the Bill was drafted; the second corrects a clerical error; and the third corrects the description of the title of a permanent head.

Amendments carried; schedule as amended passed.

Third Schedule.

The Hon. R. R. LOVEDAY moved:

Before "Highways" to strike out "for" and insert "of".

Amendment carried; schedule as amended passed.

Title passed.

Bill read a third time and passed.

SENATE VACANCY

The Governor's Deputy, by message, informed the House of Assembly that the President of the Senate of the Commonwealth of Australia, in accordance with section 21 of the Constitution of the Commonwealth of Australia, had notified him that, in consequence of the death on October 24, 1967, of Senator Douglas Clive Hannaford, a vacancy had happened in the representation of this State in the Senate of the Commonwealth. The Governor's Deputy had been advised that, by such vacancy having happened, the place of a Senator had become vacant before the expiration of his term within the meaning of section 15 of the Constitution of the Commonwealth of Australia, and that such place must be filled by the Houses of Parliament, sitting and voting together, choosing a person to hold it in accordance with the provisions of the said section.

The SPEAKER: I am sure that I express the sentiment of all members when I say that we feel a sense of loss in the passing of Senator Hannaford, and that we share with his colleagues in both Houses of the Commonwealth Parliament a sense of loss that we will long remember. Senator Hannaford served South Australia well and was known for the courage of his convictions and for his conscientious attention to duty.

I have received an intimation from the President of the Legislative Council that he intends to summon a joint meeting of the two Houses at 12.30 p.m. on Thursday, November 2, 1967, in the Legislative Council Chamber, for the purpose of choosing a person to fill the vacancy in the Senate caused by the death of Senator Douglas Clive Hannaford.

CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 19. Page 2855.)

Mr. QUIRKE (Burra): This Bill seeks to amend the original Act, which was passed in 1965 and which set up the Citrus Organization Committee. That committee and, indeed, the whole of this legislation came into existence as a result of a report made by a committee which inquired into the citrus industry in this State and which was appointed on January 14, 1965. The report made by that committee was received on October 13 of the same year, and I was responsible for bringing the inquiry committee into existence.

The Hon. J. D. Corcoran: It had a good chairman, too.

Mr. QUIRKE: A very good one. Although the inquiry committee performed monumental work, my only regret today is that the Citrus Organization Committee that was subsequently established has not been as successful as the original Act intended it to be. Unless this committee, as reconstituted, works better than it has worked hitherto, nothing more will be achieved than has been achieved in the past. I am sorry to have to say that: I had high hopes that when the original legislation was enacted the problems of the citrus industry would be solved. However, most of those problems remain today. Although the problems of the industry are many, I deprecate the current practice of saying that a particular industry is ruined or is likely to be ruined. News value is generally gauged by the sensationalism it produces. However, the gravity of the position is that there is some truth in the statements made concerning the industry through the various media: many trees are today being damaged by saline water, and many more will be damaged in the future, although I do not think they will be damaged irreparably. When in the Murray River district recently I saw the glorious sight of orange trees: the abundance of blossom and the perfume that pervades the whole area is something that many people should witness. However, horticulturists (and I count myself among them) know that blossom is not necessarily good blossom: there is an old saying that the more prolific the blossom, the smaller the fruit crop.

Indeed, I hope that a good crop of fruit will be produced this year in order to compensate for the lesser crops of the past two years. But many trials face the industry today that have nothing to do in the main with the growth of the citrus trees: problems are associated with the marketing of the fruit that these trees produce. This aspect has never been satisfactory: certain sections of people along the river have always been able to reap greater advantage from producing oranges than have others. The aim of this legislation was to even things out so that citrus growers would benefit from a more orderly system of marketing in South Australia and benefit ultimately through a Commonwealth association. Unfortunately marketing problems still confront citrus growers. The C.O.C. has made mistakes regarding marketing: it did not approach the problem with the necessary force. Legislation must be accompanied by force. If force is necessary to achieve the ultimate result from the legislation and if the people responsible are not prepared to use the necessary force to implement the legislation, then they are falling down on the job. In its early operations, the C.O.C. was beset by so many conflicting influences that it was often more timid than resolute, but it should now be able to assert its authority.

The export market is a valuable market for citrus and its promotion was due in great part to a man to whom I wish to pay a tribute for his part in organizing that side of the citrus industry. Mr. J. J. Medley did sterling work for the export industry. I hope that meed of praise will be heard by him. The most suitable market in South Australia should be the Adelaide market. Here there is a small degree of increased efficiency since the commencement of the C.O.C. operations, but the increase has not been even remotely proportionate to the expansion of facilities since the Murray Citrus Growers Co-operative Association was relieved by the C.O.C. of its marketing responsibility. In fact, in some respects that market is a shambles for the citrus grower. It is one of the things that must be cleared up. Clear evidence exists that fruit coming from the market is often not true to label. Where the blame lies I cannot be sure, and it is hard to apportion blame. However, I have seen fruit received by a country greengrocer that would disgrace any label, yet it has carried a prominent label name.

Wherever the fault lies, such fruit should not have left the market; it should never have been sent to the market to go out as packed fruit from a packing house to a country storekeeper. I am perfectly certain that there is

a deliberate downgrading of fruit and advantage consignments. I am not guessing about that. Advantage consignments are those where 100 cases of fruit are sent to someone in the market and he receives 105 cases. Practices such as this can affect growers.

This legislation has been introduced mainly in the interests of the grower. It is the same old story: everyone can recover his costs except the man who produces the articles that give all the others their livelihood. That applies to all primary production and that is why so much organization has taken place in order to give to producers a fair measure of what they are entitled to. Wheat stabilization has been brought about by a vast organization handling every bushel of wheat in Australia. This has created order out of the chaos that was formerly the wheat market. We have an Egg Board and a Potato Board.

All sorts of boards and combinations of people are working to overcome the disability from which producers always suffer by not receiving adequate returns for their products. Grape co-operatives have been formed. One of the disabilities of a co-operative is that the bigger it becomes the further away it is from the grower, and the more demanding it is in relation to the grower. Other than that, co-operatives have done and are doing extremely valuable work. However, co-operation must go the whole way. It is no use having a co-operative company taking oranges at Renmark, having another at Berri, and another at Barmera, and so on, unless the co-operatives themselves are prepared to co-operate. There is a difficulty in co-operation and that does not apply only to the citrus industry. Co-operatives have worked magnificently and have been supported by the growers; to an extent they have helped growers. I hope that they will combine under this type of legislation to continue to help growers and that the ultimate result of their combined efforts will be to the advantage of growers.

It is well nigh impossible to detect all the practices that take place but it is up to the C.O.C. to exercise tight control. Even with the amendments made by the Bill, the provisions of the Act can still be avoided by clever and designing people. However, I am sure that the legislation contains sufficient provisions for the good order of the citrus industry. The whole fabric will collapse if the C.O.C. does not act firmly within its powers. I consider that the time has come for the C.O.C. to institute primary marketing.

One of the faults in the past was that the C.O.C. never did the marketing but handed it over to people other than the direct representatives of the growers, to people who marketed in their own interests and not in the interests of the grower. I do not think an opportunity will exist to re-order the citrus industry until the C.O.C. institutes primary marketing in which at least it places goods on the market so that people buy from it and not from a multitude of individuals who may get into collusion with growers and others in order to direct the activities of the C.O.C. We do not place our lives in the hands of the enemy, and anyone who makes his living from the sale of citrus cannot be said to have any interest other than his own. Some people have honest intentions but many others are prepared to side track, for their own particular gain, the conditions laid down by the C.O.C.

I do not suggest that the C.O.C. should be a salesman for primary marketing, but I suggest that a central market be established, either in the depot or elsewhere, to which all fruit from registered sources would be sent and from which orders would be distributed either direct to purchasers to save double handling or from the depot. This legislation will not be successful until these people have their own marketing arrangement. I can see no other way of bringing about pooling and pro-rating, or the supply control recommended by the committee of inquiry, unless we have a primary marketing organization. The committee states at page 40 of its report, under the heading "Marketing":

> C.O.C. should be responsible to see that all citrus grown in South Australia is produced, handled, packed, processed, presented, distributed and marketed in such a manner as would improve returns to growers and protect the interests of consumers, and, further, arrange for fruit marketed by a licensed organization to be pooled and growers paid from realizations in accordance with counts and grades of fruit delivered both for marketing within Australia and for export.

That was said by the committee upon whose recommendation C.O.C. was set up. I do not suggest that the C.O.C. should actively market fruit: it should be the authority controlling and directing the marketing and, if necessary, it should be tough with those who are trying to break down the establishment to the detriment of all concerned. Marketing should be handled by an organization built from M.C.G.C.A. and registered private operators wholly responsible to and directed by the C.O.C. This follows another recommendation of the inquiry committee. The machinery

measures for this set-up are also contained in the report. Another extremely important factor is what is known as factory citrus. The inquiry committee states, at page 40 of its report:

It is important to maintain balance between sales of fresh and processed citrus and not to unduly encourage consumption of juice to the detriment of fresh sales. South Australia must ensure that every effort is made to export juices produced from surplus supplies. For this reason the Citrus Organization Committee must assume responsibility not only for the conversion of surplus supplies into juice but for the eventual disposal of the juice.

At present, Berri Fruit Juices Co-operative Limited does most of the processing, although other people are involved. The co-operative has performed extremely well in regard to the quality of its products, which receive universal acclaim; but, in order to avoid waste, action must be taken, if necessary, to expand the activities of the co-operative. However, this is a problem for the C.O.C., and I am sorry that a provision of the 1965 Act enabling the handling of citrus juices is to be struck out. I know the matters involved in that argument. Berri Fruit Juices Co-operative Limited was set up by grower interests as a co-operative, with assistance from the loans to producers scheme and an overdraft from the State Bank.

The co-operative has been through many trials and vicissitudes. It has such a tremendous and valuable knowledge of juices in all forms that it is a pity that the co-operative is asking that it be allowed to forgo the responsibility that the Act placed upon it. The co-operative says that it is not fair that outside people should come in, that these people have not contributed anything to the co-operative. The co-operative also says that it should not be forced, either through the C.O.C. or anyone else, to process fruit delivered by people who previously had no interest in the co-operative.

The experience gained by the co-operative is also so valuable that it could not be replaced readily. Setting up such an organization is not as easy as setting up a winery when there is a surplus of grapes. The handling of fruit juice is a highly technical process, and another organization that could do the same as the co-operative has done could not be set up. The C.O.C. has been able to work in the interests of all citrus growers.

The co-operative probably takes 60 per cent or 80 per cent of the fruit. Other bodies, including a Victorian company, may take some. With the expansion of the citrus industry, the C.O.C. must protect the fruit of the people who were not associated with the original setting up of the co-operative. Are we to have a repetition of what happened years ago, when many tons of fruit was to be dumped? I was severely criticized for my action, but I could not sit idly by and see 400 tons of fruit buried. I showed some of that fruit to Cabinet members: the oranges were over-size and some had thick skins, but inside they were oranges that anyone would wish to eat. To bury that fruit in order to take it off the market was sacrilege, and I would not permit it. I suggest to the Government that B.F.J. and growers associated with that company should reconsider the problem to see whether the company can be expanded, not by taking money from growers but by means of a major contribution coming from the Government, as it always does.

No reason exists why substantial sums cannot be paid to the company so that the industry may expand and be able to cope with all fruit that has to be processed. This action must be and can be undertaken if we are to make the industry a success. Because of the possibility of a bumper crop this year (salinity permitting), arrangements for pooling fruit should be put in hand. Pro-rating is the term used by which pool fruit conveys to the grower a just reward for the fruit pooled, the quality of grade being paid for on its merits. The lack of pooling or pro-rating gives some sections an unfair advantage, and imposes disadvantages on others. As the powers of the C.O.C. have been more clearly defined by this Bill we can expect a less timid approach to the problems of the industry. The Minister may consider a deadline on pro-rating in order that all growers can share in the markets for which their fruit is suitable.

Growers should ensure that those members appointed to the C.O.C. should not have conflicting interests. They must be men with a knowledge of commerce and industry and, although not necessarily orange growers, they should be dedicated to the job of marketing. In no circumstances should packers be members of a marketing authority. The report of the committee of inquiry marked a turning point in bringing order out of the shambles that was the citrus industry, and not the least important of its recommendations concerned the organizing of the industry on a Commonwealth basis. The inquiry committee states at page 41 of its report:

The committee does not feel that such a federal organization should intervene in State marketing overseas, but considers that it should help and support these efforts. Each State should continue to make its own sales arrangements, subject to the knowledge and consent of the federal organization. The committee realizes that efforts are being made by grower bodies through the Australian Citrus Growers Federation, to endeavour to achieve the establishment of an industry statutory authority on a Commonwealth basis which would be in a position to assist in the promotion of the sale of citrus and citrus products both within Australia and by export. This committee strongly supports these efforts and commends them to the earnest consideration of all growers in South Australia.

As in the case of every other commodity that has to be put under orderly marketing, a weakness could be provided by section 92 of the Commonwealth Constitution, but this should not be altered. Those who remember the James case will remember that it cost the dried fruit growers in this State $100,000 to pay that aggrieved gentleman his just dues for what he said were his rights. Since then everyone has been wary of that section. There are ways in which States can combine (as under the dried fruits legislation) to ensure that order is introduced into interstate trading. Investigations should be made of the avenues necessary to do that.

The Australian Citrus Growers Federation is at present trying to draw all State organizations into a common front to support a united approach to the Commonwealth Government to establish a statutory authority on a Commonwealth basis. Much remains to be done and there is a heavy programme ahead of the C.O.C. This organization could be the pacesetting component of the movement towards Commonwealth unity. So many people depend on the success of the industry in South Australia that a statutory authority necessary to order the destiny of so many must be unwavering in protecting the interests of these people. A body like the C.O.C. must be objective and tough. The first duty of its members should be to make a close study of the report of the committee of inquiry. It is time the growers on the river, and all those associated with the organizations in the area handling citrus (and certainly all prospective members of the C.O.C.), made themselves fully acquainted with that report because, unless the organization recognizes the wisdom of the report there is little chance of success. I suggest that the C.O.C. suspend all operation and consideration of matters not directly concerned with the preparation, presentation and marketing of the fruit which the industry produces.

It should not become tied up with salinity problems and all the other problems likely to be dumped on such an organization. Other bodies can easily handle those problems, and handle them better. The responsibility for technical extension, and so on, should be handed over to a body such as the Murray Citrus Growers Co-operative Association Limited. A scheme providing for equity to all growers according to the basic quality of their fruit should be devised and instituted. As soon as practicable, the industry should be notified of a firm date for implementing such a scheme. All marketing planning should be based on present grade standards within the industry, until the industry is fully equipped to use the C.O.C. standards that will give a better differentiation between fruit.

Primary wholesaling should be adopted at least for the Adelaide market. It is absolutely imperative that primary marketing should be instituted so that order will come out of the present chaotic situation in which oranges are sold today. Sellers' licences should be revoked or suspended where performance is unsatisfactory. The merchant that likes to complain that he is durable (that is a great word among merchants: they are durable—always there!) is not a seller of fruit: he is only masquerading as such. People have to come to him for fruit: a merchant's durability is a durability associated with the people to whom he sells fruit. However, a seller of fruit is in an entirely different category: his clients must go to him. The merchant must not be allowed to dictate regarding the containers in which citrus should be packed. Whether the fruit is in a carton, dump box, or anything else, is the province of the C.O.C., and all the wrangling that takes place at present should be stopped.

The C.O.C. is merely being pushed around in the midst of arguments as to the type of containers in which fruit should be sold. Firmness in this regard is needed, and it will have to come. We must ensure as far as possible that there is no conflict of interests in the activities of members of the C.O.C. Anyone appointed to the C.O.C. should give much of his time to the committee and should be well paid for doing so. A complete understanding should be reached with Berri Fruit Juices Co-operative Limited. If possible, those associated with the commercial aspect of M.C.G.C.A. should assist in these negotiations.

The loose end that exists must be attended to, and no-one can do the job better than B.F.J. If that organization can remedy the position, money must be made available for it to do so.

The collective ability of a committee comprising seven or eight men is never sufficient to make a good job of organizing marketing. Someone is needed who will implement the committee's orders, and that person should be a highly paid executive, perhaps worth $20,000 a year at a minimum. There must be a strong and resolute man in executive authority, commanded only by the C.O.C., who will organize the factions existing in the industry.

It is not a good thing to start speaking on a matter as important as this in the middle of the night. I am sorry that it is so late, but I believe the matter is important and I realized its importance when I was associated with the growers as Minister of Irrigation. How can growers be expected to pay their water rates when they are getting nothing for their oranges? We do not want this industry to get down to that standard. The physical conditions now besetting the industry are things over which we have limited control. However, as time goes on we will gain greater control. The marketing and sale of oranges, with a fair return to the growers from exporting and from the local market, must be taken in hand. On the West Coast people pay maximum prices for the worst oranges and this should be stopped. This can only be achieved by an executive with the power and authority to do it, and that is one man of undoubted ability.

The main feature of the Bill is that it provides a new zoning board for the appointment of people to the C.O.C. I thoroughly approve of the methods devised to give adequate representation to the river areas on this all-important committee. I entirely agree to the marketing clauses, but they must be amplified. I regret the deletion of the provision regarding the handling of products; this matter could have been handled in some other way.

Mr. Curren: It is for the economic welfare of the company concerned.

Mr. QUIRKE: If the company concerned is interested in the citrus industry on the river it will operate in the best interests of that industry. It should have used its resources to carry out what the Act demanded of it. As I have said, I approve of most of the provisions of the Bill. Berri Fruit Juices Co-operative Limited should reconsider its attitude and take a wider view of the matter. Great care should be exercised to see that the people appointed to the C.O.C. have no ties with anyone else and that they are the most effective growers. Apart from the matters to which I have referred, the Bill does not contain much, other than a few generalities. If these provisions will help resolve difficulties then I favour them, but I believe the original Act should have been sufficient.

No organizations should reap high rewards at the expense of producers. Of course, everyone must have a reward. Greengrocers are entitled to a profit for the service they give. However, above all the man who produces the product must have his position in life placed on an economic basis, because he has to meet all the costs out of his receipts. Often his costs are greater than his receipts. What he receives is not comparable with what is received by individuals who often batten on him. The time has come to improve the lot of the grower and his family and to produce a trustworthy commodity to the consumer.

I give this measure my blessing and I sincerely hope that it works. The measure of success is in the future. One thing is necessary, and that is absolute determination and application with no half measures: if anything less than full measures is used, nothing will be achieved. I support the second reading.

Mr. McANANEY (Stirling): We are indebted to the member for Burra for the work he has put into his speech on the Bill. I appreciate his sincerity in this matter because he had a prepared speech, and I know that usually he does not refer to notes. When I made my first speech in this place and referred to notes, he gave such a discourse on the subject that I have since spoken without the assistance of notes. It always takes time for boards like the C.O.C. to settle down and we should not be too harsh in our criticism of them. However, we should be constructive.

Of course, a board to assist primary producers must have power. Primary producers do not like to give up liberties, but we have to accept strong control from a board. Wide powers were given to this board, but I doubt that the operations to date have been effective. I agree with what the member for Burra (Mr. Quirke) said about the need for a pooling system. Dissatisfaction was expressed by potato growers before a pooling system was introduced in that industry, and the pooling system has proved most effective. Potato growers made such claims as that a member of the board was marketing more potatoes than

he should have been. I do not accept that that happened, but such statements showed that something was wrong.

I have heard it said that members of the board that we are now discussing have been getting an unfair share of the Adelaide market. Again, I do not necessarily accept that, but the present marketing system gives rise to such statements. Marketing of primary products through a board is extremely costly if the operations are not carried on efficiently. Families in the Mypolonga area used to pack oranges themselves and get the product to the consumer more cheaply than could be done through a marketing authority. I think it was wrong to require such groups to give up packing. The potato growers say that it is one of the most expensive ways of disposing of a commodity.

The SPEAKER: We are not discussing the Potato Marketing Board.

Mr. McANANEY: I was relating the operations of that board to what was being done in the citrus industry and trying to show why the position was unsatisfactory. The Minister admitted that people comprising an outside organization had a monopoly in disposing of production through the East End market: a person had to be a member of this organization in order to get a licence, and this outside body determined who would be members. I think that is bad, and I agree with the member for Burra that the committee itself should do the marketing. That presents difficulty when a board deals with only one State, but we have the pooling system with the Potato Marketing Board.

The SPEAKER: Order! The honourable member has referred to the Potato Marketing Board again, although I asked him not to do so.

Mr. McANANEY: I understand that the Minister referred to it in his second reading explanation.

The SPEAKER: Well, I have allowed the honourable member to refer to it, but I do not want him to develop it.

The Hon. G. A. Bywaters: I referred to it once.

Mr. Millhouse: No, twice at least.

The SPEAKER: I think I have allowed a lot of latitude to another speaker in this debate for obvious reasons, and I am asking for the co-operation of members to facilitate the business of the House by keeping somewhere near the Standing Orders.

Mr. McANANEY: I shall really make a long speech if we are going to be cut down to the very elements. On a previous occasion I spoke for an hour and a half because I did not think I was getting the same deal as other members.

The SPEAKER: Order! I have asked the honourable member for co-operation, and I expect to get it, without repetition.

Mr. McANANEY: We are dealing with the way the sales in the East End market have been through a particular organization. I know that it has been by-passed because it has been unsatisfactory and has not had the control of the industry that it should have had. We are getting around to a new way of electing the members. It has been claimed that, if we have an election, we may have a new board in December, and it has been said that that would be bad because control might be lost. However, I understand that an election cannot take place unless it is done in a certain way.

The term of office of members has been increased from two years to three years. A period of three years is far too long if there is dissatisfaction with the organization. Growers should be able to replace members in a shorter time. The processing of fruit is to be brought under control. Perhaps this is going too far. The constitution of this board could be improved. Boards on which growers are members have been successful, but those with merchants as members have not been successful. Where there are conflicting interests among members boards are usually not successful. It is necessary to give the C.O.C. these additional powers, but the powers will be useless unless a pooling system is introduced, from which returns can be adjusted and by which growers can ensure that someone is not getting a larger share of the lucrative market. Necessary controls must be used with discretion to ensure justice for all concerned.

Mr. MILLHOUSE (Mitcham): No-one seems to like this committee or to have much good to say about it. I have been interested in this legislation because of the experience that one of my constituents has had. Now, after battling with the Minister for 15 or more months I have been completely frustrated—

The SPEAKER: Order! I thought I made the position clear to the honourable member for Stirling. I remind the member for Mitcham that Erskine May, in relation to the second reading of a Bill, states that the debate on the

stages of the Bill should be confined to the Bill and not be extended to a criticism of the administration, and so on.

Mr. MILLHOUSE: I am going to criticize the provisions of the Bill, Sir.

The SPEAKER: The honourable member may do that.

Mr. MILLHOUSE: After battling on behalf of my constituent for about 18 months I feel frustrated: I do not know what to do to obtain justice for him. We find in his case that by virtue of this legislation and the actions of the committee his business has been ruined but he has had no redress, and the Minister has not been prepared to give him any.

The SPEAKER: Order! The honourable member does not need me to tell him what he can or cannot do under Standing Orders. I do not intend to be continually drawing attention to Standing Orders. I shall take other action unless the honourable member complies with them.

Mr. MILLHOUSE: I have never been stopped when discussing the general principles of a Bill before, and that is what I intend to do now.

The SPEAKER: As long as the honourable member does that he will be in order, but he was not doing that when I called him to order.

Mr. Hudson: Sit down!

Mr. MILLHOUSE: Mind your own business.

The SPEAKER: Order!

Mr. MILLHOUSE: I suppose I am in order in discussing what has happened to a constituent of mine under the legislation now before the House, and that is what I want to do. I particularly call attention to the efforts that I have made on Mr. Eitzen's behalf and to the undertakings that the Minister gave concerning amending legislation that I had hoped would help Mr. Eitzen, to some extent at least. Amending legislation had been foreshadowed last session, and as late as March 21 of this year, but, when I asked the Minister why it had not been introduced during the session which ended about that time, he said:

I honestly intended to introduce legislation this session. However, the Citrus Organization Committee has come up against other problems associated with the Act, all of which it is having examined by its solicitors. It has requested that the introduction of legislation be delayed, possibly until Parliament resumes in June, when it will have all of its amendments ready for presentation. To introduce legislation now and again in June would be rather piecemeal . . .

The Minister concluded his remarks by saying, "However, I will introduce the Bill as soon as possible." He had said he would introduce it in June and he gave an undertaking to introduce it as soon as possible, but now we find it introduced (as so often contentious legislation is introduced) in the last fortnight of the session and, no doubt, it is to be pushed through in one sitting in the early hours of tomorrow morning. I wonder why it is necessary to carry on like this, especially in view of the undertaking the Minister gave.

I was very disappointed when I considered the Bill and read the second reading explanation given by the Minister. No provisions will do anything to help those in the situation of Mr. Eitzen, who was deprived of his livelihood. The only thing the Bill seems to do is give the board more and more power, and this will help no-one. I remind you, Sir, of some things said about this legislation by Mr. Justice Travers when he gave judgment in an action in which the Act had to be considered. In that case, *Kalliontzis v. The Citrus Industry Organization Committee of South Australia*, reported in 1966 S.A.S.R., the learned judge said, in part, when commenting on this legislation:

The Government no doubt took the view that it was no use having a dog and doing its own barking, and accordingly chose as members of the committee men who, I am satisfied, were well qualified for the task, and the Government gave them very little (if indeed any) guidance as to the methods to be adopted by the committee, but left it to the committee to devise its own means of achieving the desired result. It is no part of my function to comment on this approach beyond saying that I think the trouble which has arisen in this case might well have been avoided if Parliament (which after all is responsible to the people of the State) had taken the trouble to say specifically in its enactment whether it intended or did not intend the committee to go so far in pursuit of its objectives as to completely eliminate from the industry some of those who, like the appellants, had for years past played an active and honest part within the industry, and to effect this elimination as was done in this case on the ground that this was in the best "interests of the industry", and also whether or not the Government wished to sanction any such action as the committee may take (and in this case has taken) of depriving the appellants and (I gather) others who were trading similarly of their livelihood within and as part of the industry, and substituting for them a company Citrus Distributors Limited whose members can consist solely of the members of the Chamber of Fruit and Vegetable Industries Incorporated. Those members comprise a comparatively small circle, a total of either 53 or 54 who would appear to be tightening the circle to which they

belong by a current move to raise the entrance fee of members of that chamber from $800 to $2,000.

He goes on in that vein. This shows that the experience, which I know about in my own district, is not a unique experience. Of course, the learned judge went on to make specific suggestions for amendments to the Act, and those suggestions have been completely ignored in the Bill.

The Hon. B. H. Teusner: Has any compensation been paid?

Mr. MILLHOUSE: Heavens, no. We knew there would be no compensation: the Minister turned that down flat in replies to questions asked on notice. The learned judge canvassed the so-called appeal provisions in the Act, saying they were unsatisfactory, and then said:

In my opinion, the Act is unsatisfactory as it stands, and it should be amended to clearly state whether it is or is not intended to authorize the committee to deprive some sections of the industry of their livelihood, and if so, and if it is being done "in the interests of the industry", whether consideration should at least be given to whether what remains of the industry will in some way compensate them for their loss. Also the appeal sections should be either wholly repealed or, alternatively, amended to give the court all the rights which are ordinarily exercised by the court on the hearing of an appeal under the Justices Act. The appeal section, as it stands, is simply wasting the time of the court and of the litigants.

Yet there is not any attempt at all to amend the appeal provisions. I wonder why that is so, and I invite the Minister when he replies to make this clear. I do not intend to go into the trials and tribulations which my constituent has undergone as a result of this legislation and of the actions of the committee. However, I do not believe that in our community it is right wilfully to ruin a man's business in the name of any industry or any other group of people. It is basically unjust to do this, and I cannot believe that any organization that sets out to achieve its objectives in this way will ever succeed. I am fortified in that belief by what I have heard tonight from the member for Burra and the member for Stirling. I register my emphatic protest at what has happened under the committee, and I protest at the fact that the Government is apparently not prepared to do anything to help Mr. Eitzen or others whose businesses have been affected in this way. I ask the Government, even though it is too late now to do anything effective about these things in this Bill, at least to consider what is just and unjust and, if by any mischance it ever is again in the position of being able to introduce effective legislation in this House, to do something about it.

Mr. FREEBAIRN (Light): I wish to say one or two words in praise of the Citrus Organization Committee and one or two words in mild criticism of the Minister. I do not go all the way with my colleague the member for Mitcham when he makes such trenchant criticism of the C.O.C. I realize his criticism stems from his own personal experience—

Mr. Millhouse: You would feel the same if your business had been ruined.

Mr. FREEBAIRN: Although I sympathize with the honourable member's constituent, I have not had that experience. Speaking on behalf of 50 or so orange growers at Cadell, who are interested in the function of the C.O.C., I believe most of those growers wish the committee well and hope that this legislation will enable it to work rather better than it has worked in the past. Having had a little to do with several of these growers within the last day or so, I know they have rather mixed feelings about the introduction of this important legislation at such a late stage in the session. It seems that none of the growers had an inkling of what would be introduced. I believe none had any idea that the term of grower members on the committee would be extended from two years to three years or that the franchise from a grower member would be raised from 50 trees to 500.

I believe the Minister of Agriculture has done the citrus industry a great disservice in bringing forward these ideas, which I believe are mostly his own personal ideas, without acquainting the industry of their nature beforehand. There has been no reference to this matter in the monthly publication of the Murray citrus growers organization, although such growers represent, I understand, more than 90 per cent of the citrus growers in South Australia. Those people should be thoroughly acquainted with legislation that is to be introduced by a responsible Government such as this one should at least try to be. I believe that, when the citrus growers of South Australia become aware of what the Government has tried to put over them at such short notice, they will be cross. We all know that citrus growers will have the opportunity at the end of this year to decide whether or not they wish the C.O.C. to continue in existence.

It will not improve relations between the Government and the citrus industry if the latter finds that the constitution of the committee has been changed almost without its knowledge. The citrus industry of Australia is worth about $25,000,000 annually to the Commonwealth Government, and I understand that South Australia is the major exporter of citrus fruit from Australia, exporting about 60 per cent of the total. Victoria, I believe, is the next largest exporter, and our principal markets are New Zealand, Singapore and Malaysia.

[*Midnight*]

I have tried to take an interest in the work the C.O.C. has been doing over the last two years, and I have tried to follow the difficulties it has experienced in making the legislation under which it operates work. Some months ago I attended the Henley Beach court and heard the legal representative of the C.O.C. prosecuting a family of Greek fruit merchants for a breach of the Citrus Industry Organization Act. The lawyer who had been retained by the Greek family is noted for his socialistic views; in fact, so socialistic was he I believe he stood as a member of the Communist Party Senate team at the last election. I was fascinated to hear this extremely socialistic lawyer say that the family enjoyed prosperity in Australia before the Citrus Industry Organization Act came into operation; he described the period prior to the operation of this legislation as "the halcyon days of free trading in the citrus industry". This remark was made by a noted Communist!

The DEPUTY SPEAKER: The honourable member must get back to the Bill.

Mr. FREEBAIRN: Now that I have the attention of members opposite I shall point out the first thing to which I take strong exception; I know that the South Australian citrus growers will be most displeased that the minimum qualification for election of a grower member of the committee has been raised from 50 trees to 500 trees. This means that more than one-third of the citrus growers in South Australia will not be eligible to stand for election as grower members of the C.O.C. Surely it would be in the interests of the industry to have as wide a choice as possible, for this would enable the best men to take their seats on the committee. Why is the Minister of Agriculture deliberately restricting the range of choice that citrus growers have when electing members to the committee?

I should like to quote from a report on the citrus industry, an economic survey of the major producing areas in Australia that was produced by the Bureau of Agricultural Economics. This report was issued in 1965, but it is contemporary enough to make a case that even the member for Port Pirie will understand. The report states that in South Australia in 1965 there were 1,257 growers, of whom 403 owned up to 2.9 acres; 532 owned three to 9.9 acres; 187 owned 10 to 14.9 acres, 112 owned 15 to 24.9 acres, and 23 owned 25 acres or more. The member for Glenelg may think this is a lot of humbug, but it is not; it is a very important matter that affects the lives of many citrus growers in South Australia, who will be very displeased with what the Minister of Agriculture is trying to do to them.

Mr. Langley: How many letters have you received on this matter?

Mr. FREEBAIRN: There has been no time for letters because the Bill was introduced only last Thursday, and I point out that at that time only members of this House had copies. Copies for the public have only just come to hand.

Mr. Millhouse: Even though the Minister said they would be ready in June.

Mr. FREEBAIRN: Yes, so what opportunity have South Australian citrus growers had to study this Bill? They have had no opportunity to study the Bill.

Mr. Langley: Go and see them and find out.

Mr. FREEBAIRN: It is impossible to see growers at such short notice.

Mr. Curren: Then how do you know citrus growers are going to be displeased?

Mr. FREEBAIRN: If the honourable member listened he would know that I said that my representations were on behalf of citrus growers in my district of whom there are 50 or 60. I hope the member for Chaffey will speak on behalf of the citrus growers in his district. I have quoted statistics to indicate that the Minister of Agriculture, in his usual high-handed way, is giving an opportunity to only two-thirds of the citrus growers in South Australia. The Minister tries to do a good job but quite often he does not think. He should listen to what Opposition members have to say. The Bill refers to two members of the C.O.C. who, in theory, are appointed by the Governor, although in practice they are appointed by the Minister of Agriculture. As far as I can make out, growers in my district are not satisfied to have non-grower members on the board. I am inclined to think that

industry representatives are not always a great help to the organization of a primary producers' marketing board. The Minister of Agriculture would raise his status in citrus areas and in Parliament if he were to ensure that the industry members on this committee were growers as well. Surely with the large number of growers in South Australia he could find two who could be classed as men experienced in industry. I hope the Minister will take notice of that criticism. New subsection (4b) of section 11 pertains to partnerships. This type of provision does not exist in any other legislation relating to bodies associated with the marketing of primary produce. New subsection (4b) provides:

Not more than one party to any partnership or share-farming agreement under which trees are grown for the production and sale of citrus fruit shall be entitled, as a registered grower in his capacity of a party to that agreement, to vote at any election under this Act. . . .

This means simply that the partners of a business enterprise (and we find many in the rural sector) will not receive the franchise to which they are entitled. I think the member for Mitcham will agree that every partner in a primary-producing organization should be entitled to a franchise if his share of the partnership assets are large enough to qualify him to vote.

Mr. McKee: What about the franchise of the Legislative Council?

Mr. FREEBAIRN: This provision means that if a partnership owned 1,000 or 2,000 trees and comprised three or four partners, that partnership would still have only one vote for a grower member on the C.O.C. That is most unjust. I hear a member opposite trying to interject and say something about the Legislative Council.

The DEPUTY SPEAKER: The honourable member is not obliged to reply to interjections.

Mr. FREEBAIRN: Thank you, Mr. Deputy Speaker. This clause will make it impossible for members of a partnership, however large, to each exercise a vote. Let us consider the other agricultural marketing boards. In connection with the election of members of the Australian Wheat Board, every wheatgrower in Australia—

Mr. Burdon: What's this got to do with citrus?

Mr. FREEBAIRN: I am trying to make a comparison so that members opposite will understand. However, all they understand is how to organize disruption in trade unions. Regarding the franchise for the election of growers' representatives on the Australian Wheat Board, every wheatgrower in the Commonwealth, regardless of the quantity of wheat he delivers, has a right to vote in such elections. In the case of the authority set up under the Barley Marketing Act, the minimum acreage required in connection with the franchise is 30 acres of barley a year grown. Regardless of the number of members in the partnership, provided that minimum acreage is grown all the partners are entitled to vote.

Every grower of wheat in South Australia who is a partner is entitled to vote for the election of grower members of the South Australian Co-operative Bulk Handling Limited, regardless of the number of members in a particular partnership and regardless of the quantity of grain that a partnership markets. However, the Minister of Agriculture, in the case of the citrus marketing authority, wants to restrict the voting rights of a partnership to one. That is unfair, unrealistic, unappreciative of the situation, and the sort of high-handed attitude that could cause the poll of growers at the end of this year to be defeated. If the poll is defeated, I shall lay the blame at the door of the Minister of Agriculture.

Mr. Hughes: It would do you good to get out into the country.

Mr. FREEBAIRN: I do not want to hear interjections from the member for Wallaroo. The Leader of the Opposition addressed more than 400 people in Kadina, including a number of Labor voters who were disenchanted with the member for Wallaroo. The Australian Labor Party tried to conduct a meeting in opposition to the Leader's meeting, but only three people attended.

Members interjecting:

The DEPUTY SPEAKER: I draw the attention of the House to the fact that there are far too many interjections.

Mr. Broomhill: This has nothing to do with the Bill.

Mr. FREEBAIRN: The extension of the term of grower members from two years to three years without reference to any of the growers of South Australia will not be well received. I would have thought it would be a matter of simple courtesy for the Minister of Agriculture to discuss this matter with the industry to find out whether the industry was prepared to accept this extension. Members opposite may laugh, but measures such as this will help the member for Chaffey (Mr. Curren) to lose his seat at the next election.

The SPEAKER: Order! I ask the honourable member to keep to the Bill.

Mr. FREEBAIRN: Yes. I had almost finished my remarks, Mr. Speaker. I conclude by regretting that so few members opposite take an interest in citrus marketing and the problems of the man of the land. I wish the C.O.C. more success in the future than it has had in the past. I support the second reading.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): As I do not know very much about this legislation, I am in that respect almost on all fours with the member for Glenelg (Mr. Hudson), who does not know anything about it. I should like some information from the Minister on one clause in the Bill, because it has been altered, I presume for some purpose. I seek information about the amendments made to clause 21, which amends section 30 of the principal Act. The stated purpose of the amendments is to strike out subsection (1) and insert in lieu thereof a new subsection, to the effect that a person who is not the holder of a licence authorizing him to do so shall not take citrus fruit for sale by wholesale, sell citrus fruit by wholesale or offer citrus fruit for sale by wholesale or (and this will interest the Minister of Social Welfare) take citrus fruit by any special process for the purposes of marketing any product thereof derived from such fruit.

We can compare that with section 30 of the Act, which is amended. The amendment to section 30 not only extends the operation of the Act to the sale of citrus fruit in the form of fresh fruit but also "gets into" the jam factories making marmalade from the poor man's orange, for in the future a jam factory will not be permitted to manufacture marmalade unless it is licensed by the C.O.C. I do not know whether that is the purpose of the Bill but that is what it provides. Secondly, every honourable member knows that there is reject fruit that goes to juice production. This juice is prepared for consumption in Australia and it is an article of high quality. Also, it disposes of the reject fruit that would otherwise be a handicap to the industry. I understand that the new section will apply to juice production also.

I doubt the wisdom of covering the manufacture of marmalade and associated products by this Bill, which was designed to control the marketing of citrus fruit. The industry with which I am associated recently had a juice factory established in my area, largely with the help of Government money. The then Premier (Hon. Frank Walsh) opened the factory, the purpose of which was to juice apples and oranges. I believe that the factory has been successful, and relieved the apple industry of a large quantity of undesirable fruit last year. How will this clause affect that industry? Is it intended to take away the necessary fruit from an industry established by the Government? I believe that the public investment in this factory was about $300,000. Perhaps the Minister can explain why the manufactured products of citrus are brought under the provisions of the Bill, because the ramifications of this clause will carry over into the cool drink manufacturing industry. I can tell the former Premier that, if the Citrus Organization Committee is to stop fruit from going to Victoria, it will not be long before the Government's investment in this activity will be lost.

Having been interested in this industry all my life, I know that its administration at present is bad and that some of the most ardent supporters of this administration are doing their utmost to undermine the provisions of the Act. Many who have supported this legislation have taken advantage of its provisions to the detriment of other growers. If the member for Chaffey is so happy about that, let him say so. He was smiling just now, but I know what is going on in the industry in this State and, unless the present position is rectified, the orange growers of the State will be responsible for disbanding the committee altogether. Indeed, they have the right under the Act to do that. Numerous contraventions are taking place—

Mr. Curren: Name one!

The Hon. Sir THOMAS PLAYFORD: The honourable member knows about them.

Mr. Curren: You quote them!

The SPEAKER: Order! Interjections are out of order. I have been asking members to confine their remarks to the Bill. The honourable member for Gumeracha!

The Hon. Sir THOMAS PLAYFORD: The marketing of citrus is something for the industry itself to determine: if the industry wishes to have this form of marketing, it has every entitlement to it. With the grower representation on the committee, I am not concerned about maintaining control of the committee. However, the Bill widens the scope of citrus marketing to include all sorts of product that may be derived from citrus, yet the Minister did not explain the necessity for this extension. Indeed, I understand discussions have taken place in the river area concerning the wisdom of this provision. I understand also that the people who had provided substantial financial assistance towards the plant believed that outside packers

might get some advantage if they had the right to use the plant to which they had not contributed financial support. The growers discussed this matter, but it was not discussed with regard to other products that are undoubtedly included in this Bill. It was never contemplated that the provision would be so wide as to include lemon peel that might be used in a cake. Why should this provision be so far-reaching? I do not believe this is necessary and, unless a sound reason is given, I shall try to amend it during the Committee stage.

Mr. CURREN (Chaffey): I support the Bill. The member for Gumeracha put up his Aunt Sally, which he does whenever he speaks on a Bill, and he then proceeded to knock it down himself. I congratulate the Minister on introducing this Bill. The need for amendments to the Citrus Industry Organization Act became apparent during the 18 months for which the committee operated. The committee and other responsible people in the citrus industry believed there was insufficient power in the Act to enable the C.O.C. to control some of the activities that were detrimental to the economic welfare of the industry.

Mr. McAnaney: What were the activities?

Mr. CURREN: I suggest that the member for Stirling ask the member for Gumeracha, because the latter member claimed he had personal knowledge of these malpractices. Much good has been done for the citrus industry by the operation of the C.O.C. Unfortunately, the need to pass the original legislation speedily to establish the C.O.C. in time for the approaching citrus harvest season produced some weak points in the Act. Under some sections, the committee was given insufficient power. The Act follows mainly the recommendations of the Citrus Industry Inquiry Committee, the work of which has been commended by all members with any knowledge of the citrus industry.

Although I respect the views of the member for Burra, I do not think we should instruct the industry in every detail of the conduct of its affairs; rather, I believe it is our function to give the industry statutory backing to enable it to set up its own marketing organization. Then the C.O.C. can control the destiny of the citrus industry and bring about orderly marketing of the citrus crop of the State. Although the initial representation on the C.O.C. served its purpose, it was not wide enough: with four grower members to be elected from the State as a whole, not all areas of the State were represented on the committee. The provision in the Bill to provide for five grower members to be elected to represent five separate zones is a step in the right direction. Regarding the number of trees necessary for a grower to have before he can qualify for election to the C.O.C., I have on the file an amendment the purpose of which is to reduce the relevant number of trees from 500 to 300. If that amendment is carried, I believe it will give many more growers an opportunity to stand for election.

Mr. Hudson: Do you want to ensure by the number of trees that a member of the committee will be fully occupied in citrus growing and thereby have sufficient knowledge of this matter?

Mr. CURREN: That is our basic reason for requiring a grower to have a reasonable number of trees; then he obviously has a stake in the industry, as he should if he is going to be a member of the committee which influences the affairs of the industry. The member for Burra criticized the operations of the C.O.C., but I point out that the success of any marketing scheme, irrespective of the strength of the legislation controlling the scheme, depends on the goodwill and co-operation of all in the industry.

Mr. McAnaney: It would depend a lot on the administration, too, wouldn't it?

Mr. CURREN: For a change, that was an intelligent interjection from the member for Stirling. I agree that forthright administration is required. However, that is only part of the job: the complete co-operation of all engaged in the industry is needed. I agree with what the member for Burra (Mr. Quirke) has said about the pooling system. I know that the committee wishes to establish an industry pool for all citrus, particularly for oranges, grown in this State. The setting up of such a pool would ensure that all growers participated in the results achieved from all markets on the basis of quality. That is the only way such a scheme can function for the benefit of all concerned.

The matter of compensation, which was raised by the member for Mitcham, is one for the industry itself to determine in cases where people have been put out of business because they were not able to pack in accordance with the requirements of the committee. In 1936, following the famous James case (which is often referred to in this Parliament in connection with primary production matters), the Australian Dried Fruits Association levied growers in Australia $2 a ton in order to pay compensation to packers who, for the

benefit of the industry as a whole, were bought out and, therefore, put out of business as fruit buyers and packers. It was necessary for the levy to be collected at that rate only in the first year: in the second year only $1 a ton was collected from each grower.

I have explained the amendments that I have on file regarding qualifications. My amendment to clause 18 (which amends section 26 of the principal Act) results from lengthy discussions with the C.O.C. and with people closely associated with the processing of citrus fruit. However, I will explain that in more detail in Committee.

Mr. HALL (Leader of the Opposition): I add my support to this Bill, which should give the C.O.C. further power to pursue its object of the orderly marketing of the citrus crop. I discussed the problems some months ago with representatives of that committee. Last Friday I attended a meeting at Berri to which I was invited as I was in the district at that time. Members then discussed with me the problems as they saw them in the industry, and they then saw for the first time the Bill as presented to the House, although I believe they knew before most of the objects that the Minister had in mind. In my opinion, they were fully informed of the Minister's views, although most of them were not clear about the full effect of the provisions of the Bill. Whether that was their fault or whether it was because they were seeing the Bill for the first time, I do not know.

Clause 21 caught their attention. That clause, coupled with the powers in the original Act, worried the members of the industry present at that meeting. They discussed whether or not they would like an exemption for their industry. Of course, I gave them no undertaking that I would pursue a course along those lines, but it was decided at the end of the meeting, as it was realized that to achieve effective control it must be complete, that no action for exemption should be taken. However, since then further anxiety has arisen in the minds of those people, some of whom approached me. I advised them to get in touch with the Minister, and I take it they have done so.

We have what happens to be a compromise regarding the powers included in clause 21 (c). It is obvious that the success or failure of the work of the C.O.C. will depend on the administration of the powers it is given. Complaints have been made about the present situation, and some were made known to me by an individual concerned with the industry. It would do no good to list them here, as the debate has covered these points in some detail.

I do not intend to derogate from the work of this committee now. It is difficult quickly to set up an organization under any conditions to market primary produce. Some time must elapse before it is known whether it has been successful, but it is in the hands of the growers whether the organization continues. The addition of another grower member to the committee must strengthen grower control of its work, and I am sure that the details can be left safely in the hands of the committee. We cannot give it wide powers on the one hand and yet retain, as legislators, the power for day-to-day action in this Parliament. I agree with the amendments: I have several legitimate questions to ask about the working of the committee, but I know that members of the committee would be pleased to discuss them with me at any time. I agree that the committee should have additional powers to enable it to get on with the job of marketing citrus produced in this State. The committee will be confronted by difficulties, but I am sure that it will be able to cope with them and that, by next year, there will be a sound marketing system that will bring security to growers in the industry.

The Hon. G. A. BYWATERS (Minister of Agriculture): I have listened with interest to the debate and I appreciate what has been said, particularly by the members for Burra and Chaffey and the Leader of the Opposition. I congratulate the member for Burra (Mr. Quirke) on the work he did to prepare his speech. He was interested in the formation of the committee of inquiry, which did an excellent job and brought down recommendations. I do not agree with everything that the member for Burra said, but I respect his views. Regardless of the criticism that has been levelled at it, the C.O.C. has done an exceptionally good job since it began operating. Both in 1962 and 1964 there was a large surplus of citrus fruit, much of which had to be destroyed. Growers received uneconomical returns, and I received many complaints about the poor returns. In 1966, the first full year of the committee's operations, there was an all-time record crop of nearly 3,000,000 bushels. Although it was a larger crop than in either 1962 or 1964, the return to growers was economical and every orange was sold.

I commend the committee for the work it did in the early stages and for the progress it made. It was necessary initially, because

of the need to have the committee functioning as soon as possible, that I should appoint the first four grower members, and I did so realizing that it was the democratic right of the citrus growers themselves eventually to elect their own representatives on the committee. At the following election growers elected two members to the committee, and the other two grower members who continued as members of the committee would have been re-elected next year. All members of the committee (both present and past members) have applied themselves diligently to the task.

I agree with the member for Burra that personalities should not be involved in this industry, although I fear that this has been one of the problems in the past. I refer not to members of the committee but to growers generally throughout the industry. Customs die hard, and certain people who have grown up in the industry have done what they thought was right for the industry and are still doing this. However, mistakes were made, and a completely new committee was established so that many of these mistakes might be corrected. Although certain people may have had their noses put out of joint when the committee was established, I maintain that it is time to forget about personalities and to ensure the the best possible form of marketing is implemented. Indeed, I believe that progress is being made in this regard. Previous speakers have referred to the processing of fruit products and the packaging of fresh fruit: although the Leader of the Opposition, the member for Burra and the member for Chaffey apparently understood what was taking place in this regard, I am afraid the member for Gumeracha did not, and his remarks were ill informed. The processing of fruit products is bound up with the overall marketing of fruit.

Had this activity been successful in the past, no need would have existed for a committee to undertake an inquiry or for the C.O.C. to be established. It was necessary to introduce marketing control and, therefore, to introduce control of the marketing of the various citrus products. This does not mean that the situation of such organizations as B.F.J. will be jeopardized in any way. These organizations were to be only part of the overall scheme. The member for Burra correctly said that the C.O.C. should have full control of the marketing of all fruit and its products and that a pool system should exist and, in face, that is the ultimate goal of the C.O.C. However, with markets supplying quality fruit that have been built up in the past, and with people wishing to purchase that quality fruit, it is necessary that some sort of control exist within the industry so that marketing does not suffer.

Regulations are being prepared to give effect to this control, and I believe that when they are implemented many of the problems referred to will be solved. True, some concern was expressed in the River districts, but I believe this was based on fear rather than on fact. Overall, I do not think there is any need for the amendments suggested by the member for Chaffey but, to promote goodwill in the industry, I am prepared to accept them. Discussions have taken place and I think the people concerned are now fully satisfied.

I thank the member for Chaffey, and the Hon. Mr. Story of another place, for advice regarding boundaries. This plan has been approved by all organizations along the river. Tonight we heard something totally ill informed from the member for Light, something he knew nothing at all about. He said the industry had not been consulted on this matter and that the Bill was introduced only last Thursday, prior to which nobody had seen it. I point out that the Chairman of the Murray Citrus Growers Association was in the House last week and was given a copy of the Bill immediately. The association had been fully consulted on this matter before then. Both the association and the C.O.C. have known for a considerable time of the Bill's purpose. To say that the industry was not informed shows the ignorance of the member for Light.

The member for Mitcham raised a matter that he has often raised in this House. I do not object to his doing this, but it is not a matter for legislation; rather it is for the industry itself to deal with. It was stated that there was an occasion when compensation was paid in respect of another form of marketing control, but this is something for the industry itself to provide. Somebody must suffer in all cases of orderly marketing control; this applies to containerization, bulk handling, and other improvements that have occurred: they have all displaced some individual, who has lost income as a result. In this instance some individuals did stand to lose through changed circumstances. Packers in my district who could not carry out the policy of the C.O.C. lost in this way.

This policy has been designed by people interested in the industry: four of the members of the committee are growers. We should leave it to the committee to determine whether

compensation should be paid. The member for Light said that two other members were appointed by me as Minister, but there are three. However, they are not appointed by me personally. If the honourable member reads the Act he will find that it is necessary for me to consult with the four grower members before any appointment is made of these three members. Of these three members, two must have a knowledge of industry and commerce and the other is the Chairman. These people are appointed with the full approval of the four grower members, so this does not bear out the member's mild criticism of me.

Mr. Freebairn: You have the last say, don't you?

The Hon. G. A. BYWATERS: It is not a matter of who has the last say: it is a matter of co-operation between the four grower members and me. I believe the members would agree that the co-operation between us was good and that there was no disagreement. I did not wave a stick in their faces and say, "Take this or else." In appointing the three members, there was complete co-operation between us, and they have been worthy appointments.

The member for Gumeracha expressed some fears about whether arrangements regarding poor man's oranges from the town of Lobethal to Hall and Sons and Woodroofe Proprietary Limited would be affected by the Bill. The C.O.C. has exercised no control over grapefruit, lemons and mandarins. The honourable member has no need to fear what will happen regarding jam, grapefruit, poor man's oranges, and so on. Regarding soft drink processes most of the fruit juices are purchased as cordials from people manufacturing them direct from fruit and, again, there is no danger of those people being affected. Certainly they will not be controlled by the C.O.C. in the same way as are packing sheds, selling sheds and so on.

Mr. Millhouse: What about an amendment of the appeal section as suggested by Mr. Justice Travers?

The Hon. G. A. BYWATERS: I notice that Mr. Justice Travers has quite a bit to say on matters affecting this House. In this case he said two things about the appeal section. First, he said that insufficient powers were given by Parliament to exercise the court's thinking on the matter. Before that he also said that the appeal section was put in as a sop to the legislators. He cannot have it both ways. I would have been happy had there been no appeal section in the original Act: I did not put it in as a sop to the legislators. If Mr. Justice Travers minds his business, we will mind ours.

Mr. Millhouse: Good heavens, he was giving judgment in an action before him.

The Hon. G. A. BYWATERS: I take exception to his saying that we included that provision as a sop to the legislators. I believe I am entitled to take exception to that, no matter where he said it. However, apparently we must not criticize, but we can be criticized and that is all right. The member for Mitcham referred to my saying that legislation would be introduced at an earlier stage. I intended to introduce legislation similar to this but perhaps not as extensive, the C.O.C. having suggested some changes to the present Bill which are included in the amendments on the file. In February it was not possible to introduce the legislation. This session has been busy and the Parliamentary Draftsman and others have been fully extended. However, the Bill before the House is largely similar to what I intended to introduce in the first place. There has been no suggestion of other legislation, as implied by the member for Mitcham.

Mr. Millhouse: You said it straight out.

The Hon. G. A. BYWATERS: I did not. Let the honourable member prove it!

Mr. Millhouse: I did: I quoted it.

The Hon. G. A. BYWATERS: The honourable member did not refer to any specific type of legislation that I said I would introduce. I was asked in this House whether I intended to open up the legislation and I said "Yes". An honourable member has an opportunity, when a Bill is introduced, to deal with new matters if he desires to get an instruction. Apparently, the member for Mitcham did not want to do that. Further, during the time allowed for private members' business, he could have introduced legislation along these lines, but he did not do so. His crocodile tears shed on behalf of one person are purely political, not genuine.

Bill read a second time.

In Committee.

Clauses 1 to 6 passed.

Clause 7—"Members of committee."

Mr. CURREN moved:

In new subsections (3) and (3*b*) to strike out "five" wherever occurring and insert "three".

The Hon. G. A. BYWATERS (Minister of Agriculture): I accept the amendments.

Amendments carried; clause as amended passed.

Clauses 8 to 17 passed.

Clause 18—"Duties of licensees."

Mr. CURREN: I move:

To strike out "amended—" and paragraphs (*a*) and (*b*) and insert "repealed."

I move this amendment because B.F.J., which processes fruit not required for marketing or unsaleable, has expressed the fear that, with the power that the C.O.C. has to direct fruit not only to markets but to processors, at some future date it may be directed to accept fruit in excess of its requirements which would, if accepted and processed, be detrimental to the company and its shareholders.

The Hon. G. A. BYWATERS: I accept the amendment.

Mr. QUIRKE: I regret the necessity to move this amendment: it shows a complete lack of confidence in the C.O.C. It has been said that this company is fearful that it would jeopardize the interests of its shareholders. I regard this Bill as something for the general good of the citrus industry, with no exceptions. Berri Fruit Juices Co-operative Limited is a splendid organization capable of playing its part in the rehabilitation of the citrus industry. I regret that it seeks exemption from participating in these wider provisions. It has the right of refusal now, which it has as a private company, and I should not like to see that right taken away, but I thought it might have joined in with the general purposes of this Bill and been prepared to associate itself with these wider provisions.

The Hon. G. A. Bywaters: I think it still would.

Mr. QUIRKE: I have no doubt it will, but there are some aspects of this that I do not like. I regret that this company is adopting this attitude, because it has a part in the fruit industry: if the industry collapses the shareholders of the company collapse with it. I regret that B.F.J. has taken this puny, self-centred attitude. We are introducing legislation to assist the whole industry, but that company is complaining about what may happen to its shareholders. It has a magnificent line of fruit juices, and it could have ascertained whether the legislation would protect its shareholders so that the company could accept the crop, because it is well equipped to handle it. This provision that is sought to be removed was in the original Act, but apparently certain people are now fearful, otherwise this step would not have been taken. I do not oppose this clause.

Mr. CURREN: I remind the member for Burra that the shareholders of B.F.J. are registered co-operatives along the Murray River—

Mr. Quirke: I acknowledged that when I spoke to the second reading debate.

Mr. CURREN: —and that they represent about 80 per cent of the citrus growers in South Australia. Berri Fruit Juices Co-operative Limited has every confidence in the future of the citrus industry; it has co-operated fully with the C.O.C. in the past, and I am sure it will continue to co-operate fully by negotiation and agreement. The seven tons of grapefruit to which the member for Burra referred was only one small part of a large tonnage of grapefruit that was taken in. The original estimate given to B.F.J. was 2,500 tons, and the company agreed to take in that quantity. Up to the time referred to by the honourable member, it had taken in 3,100 tons, and from that time onwards the only fruit it refused to take in was fruit from non-shareholders of the company. The company was protecting the interests of shareholders who had initially established the organization for their own protection and benefit.

Mr. HALL: In the discussions that I had with B.F.J. representatives, I found them to be co-operative, and I was aware of no antagonism on their part. However, as the member for Chaffey has said, I believe they had proper regard for their shareholders' interests. One of the fears expressed to me was that an increase could occur in the number of packers and that they would depend on off-grade fruit directed through B.F.J. The company believed that its packing operation could be undermined by the lowering of the throughput and that overhead expenses would increase concerning the fruit that was packed, naturally to the company's detriment. I imagine that those responsible for administering the Act would ensure that difficulties did not arise concerning off-grade fruit being directed through the company's premises. Indeed, those responsible in this regard would do well also to ensure that the legislation was correct in the first place. It is wrong to rely simply on the goodwill of people who may be replaced by other personnel in five years' time. I agree that the clause should be removed, for its removal seems to meet all the objections put to me. I believe that the co-operation that has previously existed will certainly continue to exist in the future.

Mr. QUIRKE: I still do not agree with either the member for Chaffey or the Leader.

The member for Chaffey referred to an incident that involved only a small private packer who was given a contract for 22 tons of citrus. Having taken what it thought was necessary (and the member for Chaffey thinks this was all right), the company left the small trader with about seven tons. Under no stretch of the imagination can this be called right. This is an absolute travesty of trading; the company was utterly wrong, and it broke every tenet of good trading practice. It defaulted on its contract, which is binding irrespective of the form it takes. These things must be honoured. The member for Chaffey has not given evidence that it did not dishonour its contract.

When an organization like this pulls out, by what means can the shareholders be protected? I do not think this applies to all its activities, which in the past have been carried out satisfactorily. I was surprised to hear the evidence that it had done this. The Leader has said he agrees with the withdrawal. If we are to provide for the good order and control of a primary industry we must have full control, and if we do not have full legislative control then there is an element of weakness in the matter.

Mr. McANANEY: Does this clause mean that if the licensee orders fruit and breaks his contract he is liable to a penalty? I should think he is liable, but I wish to know how far-reaching this power is.

The Hon. G. A. BYWATERS: This whole matter has been discussed fully by the member for Chaffey and the Hon. Mr. Story with people involved in the industry in order to achieve agreement and to ensure that good relations are maintained between all concerned. I believe that what is required will be achieved by co-operation. The question of contracts is a matter for B.F.J. and the producer concerned, and it has nothing to do with the legislation at this stage.

Mr. McANANEY: Is B.F.J. compelled to accept direction from the C.O.C. to take fruit?

The Hon. G. A. Bywaters: Not at this stage.

Mr. McANANEY: But will it be?

The Hon. G. A. Bywaters: No.

Amendment carried; clause as amended passed.

Clauses 19 and 20 passed.

Clause 21—"Offences in connection with the marketing of citrus fruit."

The Hon. Sir THOMAS PLAYFORD: I thank the Minister for the reply he gave me earlier, but I regret that he interspersed it with a few personal remarks that were unnecessary. The Minister believes that anyone who does not agree with him is ill informed.

The Hon. G. A. Bywaters: I did not say it disparagingly.

The Hon. Sir THOMAS PLAYFORD: Although the Minister said that lemons and so on were not dealt with by the C.O.C. under this legislation, no provision is made for them to be exempted. In the principal Act, the definition of "citrus fruit" states that it means "citrons, lemons, limes, grapefruit, mandarins, oranges, sevilles and tangerines". The word "citrus" is used in the clause and no provision is made for the exemption that the Minister has said will apply. Provision is made in the principal Act for an exemption relating to a grower. However, section 30 (1) of the principal Act is now struck out and a new subsection (1) inserted. The only exemption provided in the Act is in the words, "by order exempt from the operation of this Act a grower who produces a small quantity of citrus fruit". Therefore, even if it desires to exempt these things, the C.O.C. will have no authority to do so. To solve the problem, I move:

In new subsection (1) after "not" second occurring to insert "unless authorized in writing by the committee".

This amendment will give the committee the authority to grant exemptions. At present, if a person does not have a licence and he treats fruit he is liable to a penalty of $400. Although the Minister may assure me that the Act will not apply to miscellaneous matters, I suggest that it will apply. The committee has no power to exempt and a person has no defence unless he has a licence. I ask the Minister to say whether he considers that the committee has power and, if he thinks it has not, whether he will accept the amendment.

The Hon. G. A. BYWATERS: I see no objection to the amendment, except that it will make more administrative work for the committee. From past experience, I see no real need for this provision, because it has not been expedient for the committee to delve into matters connected with grapefruit, lemons, and so on, which are the fruits about which the honourable member is objecting. In the case of citrus, particularly oranges, this position has been overcome by the deletion of a section from the principal Act. The honourable member says that the committee should put in writing that those concerned shall be allowed to process small packets of fruit if they want to do so.

The Hon. Sir THOMAS PLAYFORD: The Minister did not understand my point. He said that the committee did not want to control the miscellaneous things at present but, unless an amendment along the lines I have suggested is included in the Act, the committee will be obliged to do it, because nothing in the Act exempts what the Minister suggests may be exempted. Under the clause as drafted, everybody in the industry would have to be licensed. If the committee does not want to control these things, written permission to that effect should be issued. I am not taking away a power from the committee or giving it additional work; I am enabling it to have a freer administration than it has at present.

The Hon. G. A. BYWATERS: I do not see the need for this amendment but, if it will satisfy the honourable member, I will accept it.

Amendment carried; clause as amended passed.

Remaining clauses (22 and 23) and title passed.

Bill read a third time and passed.

HARBORS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 24. Page 2962.)

The Hon. G. G. PEARSON: (Flinders): I support the Bill.

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

ADJOURNMENT

At 1.51 a.m. the House adjourned until Thursday, October 26, at 2 p.m.