HOUSE OF ASSEMBLY

Tuesday, October 31, 1967

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

QUESTIONS

HACKNEY REDEVELOPMENT

Mr. HALL: On Sunday, in answer to an invitation, I addressed a meeting in the Premier's district that had been called to discuss intended redevelopment of an area in Hackney. Some concern was expressed about the uncertain future of the area. For example, as property is no longer saleable because of the as yet undefined plans, consequent disruption has been caused in plans individuals have for their future. In fact, a lady told me that she wished to sell her property the proceeds of which sale she wanted to invest outside the area. Can the Premier say whether he can have the planning of this redevelopment expedited so that inconvenience to residents can be minimized?

The Hon. D. A. DUNSTAN: I have done everything I can to expedite the planning of redevelopment in this area. The moment I became Minister of Housing I asked the Housing Trust to prepare plans for the area. As I did not consider certain features of initial plans made by the trust to be satisfactory, I asked it to make a new submission. However, in the meantime the Corporation of the Town of St. Peters had asked that no decision be made until submissions from two consortia concerned with possible redevelopment in the area had been received and submitted by the council to the Government. It was agreed that this should take place so that all possible alternatives for redevelopment of the area could be properly considered before a decision was taken. I have asked that all submissions in the matter be expedited. I understood from reports that the Leader said at the meeting that he thought the Government had been too hasty in the matter. I do not understand the basis of that statement. Submissions from the councils were made some time ago and have been carefully considered. There has been no undue haste in the matter; indeed, a member of the Leader's party has questioned me in this House about how the Government is proceeding with redevelopment. I do not know what was the basis of the Leader's statement in my district other than that he had to have something to say that was critical of the Government.

FIRE RISK

Mr. HUDSON: Has the Minister of Education a reply to my question of last week regarding the possible fire risk caused by high grass on land held by his department in Bowker Street, Paringa Park?

The Hon. R. R. LOVEDAY: Following the honourable member's question, the Deputy Headmaster of the Paringa Park Primary School was asked to visit the departmentally-owned land in Bowker Street to report on the probable fire risk. I am informed that there is little grass between the rows of vines on the site but that grass in the 20ft. perimeter strip between the vines and the fence does present a definite danger. Officers of the Public Buildings Department are aware of this and will take early action to remove the fire risk by grading around the fence.

PSYCHOLOGISTS

Mrs. STEELE: I understand that there is a grave shortage of psychologists in the Psychology Branch of the Education Department and that the response to advertisements inviting applications for the position of psychologist in the department has been disappointing. I understand further that this is because of difficulties regarding promotion within the service and the fact that salaries offered are lower than those applying in other branches where psychologists are employed. In view of the dire shortage of teacher psychologists in the Psychology Branch of the department, can the Minister of Education say what improvements are intended to be made in order to encourage adequate staffing of this branch of the department?

The Hon. R. R. LOVEDAY: I shall get a report, and inform the honourable member as soon as possible.

MOSQUITOES

Mr. BROOMHILL: Recently the Minister of Health said that aerial spraying for mosquito control in the St. Kilda area would not be proceeded with this year. Will the Minister of Social Welfare take up with the Minister of Health the matter of aerial spraying of the Henley Beach area? I refer to the Torrens River outlet and the upper reaches of the Port River, and I should like to know whether this work will be undertaken this year.

The Hon. FRANK WALSH: I shall take the matter up with my colleague, with a firm request that an endeavour be made to have this spraying carried out.

GRAPES

The Hon. B. H. TEUSNER: Has the Minister of Agriculture a reply to my recent question about the annual report of the Grape Industry Advisory Committee?

The Hon. G. A. BYWATERS: I have a report from the Chairman of the committee, Mr. J. M. Guinand, which sets out the composition of the committee and then states:

Proceedings: Two meetings of the committee were held during the period. At the first meeting it became obvious that little effective work could be done until reliable acreage and production figures could be obtained in far greater detail than was currently available. It was decided to approach the Commonwealth Bureau of Census and Statistics seeking its co-operation in obtaining the type of information required. Recognizing the importance of the project, the bureau agreed to undertake this work and a very valuable set of figures from individual grapegrowers and winemakers was collated. Because of some unexplained discrepancies between returns from winemakers and grapegrowers, the figures themselves will not be released this year. However, the bureau expects to overcome these initial difficulties, and future returns will be both more reliable and available at an earlier date. Based on the figures presented by the bureau, the committee has drawn up a schedule of planting recommendations.

Other Matters Requiring Investigation:

(*a*) Trends in demand by winemakers: At least as far as 1969, a steady increased demand in overall tonnage of approximately 3.5 per cent per annum is indicated.

(*b*) Consideration of the relationship between dried and wine grape types: At this stage of the collation of figures it is not practicable to form any conclusions.

(*c*) Consideration of the problems of over-production: Information has been obtained from various sources, mainly through the Commonwealth Bureau of Agricultural Economics, on methods of control of over-production in other countries. In most cases Government control in some form has been introduced. No recommendations on this subject have yet been formulated by the committee.

The ready assistance of the Commonwealth Bureau of Census and Statistics and the Commonwealth Bureau of Agricultural Economics during the committee's first year is gratefully acknowledged.

I have a table and I ask permission to have it incorporated in *Hansard* without my reading it.

Leave granted.

VINE PLANTING RECOMMENDATIONS FOR 1968

Preliminary: Assuming an average life of 35 years, about 3 per cent of total vine acreage must be replanted each year to maintain acreage. Generally, vines are recorded as non-bearing (NB) in the statistics during the first three years of life; therefore, it is generally assumed that if the NB acreage is about 8 per cent of the total, replanting is just sufficient to maintain acreage.

Recommendations: At its meeting on September 13, 1967, the Grape Industry Advisory Committee examined the statistics of vine plantings, winegrape usage and anticipated grape usage for 1968 and 1969, which were presented by the Bureau of Census and Statistics. On the basis of these statistics the committee makes recommendations in respect to plantings of winegrapes in South Australia under four categories. Increases in varieties marked with an asterisk (*) are not needed by all winemakers, and in these cases the potential purchaser should be consulted before planting.

A. Acreage should be expanded to meet a strong demand.

Irrigated districts:
- cabernet sauvignon
- *cabernet gros
- malbec
- *oeillade
- *shiraz

Non-irrigated districts:
- cabernet sauvignon
- *cabernet gros
- malbec
- *oeillade
- rhine riesling (provided it is grown on a site acceptable to the winemaker)
- shiraz
- tokay
- *white sauvignon

B. Acreage could be expanded slightly to meet an anticipated demand.

Irrigated districts:
- *frontignan
- mataro

Non-irrigated districts:
- carignane
- *frontignan
- grenache
- madeira
- mataro
- *verdelho

C. Acreage should be maintained to meet a steady demand.

Irrigated districts:
- *albillo
- clare riesling
- doradillo
- grenache
- madeira
- malaga
- muscat gordo
- palomino
- pedro ximenez
- sultana
- white hermitage

Non-irrigated districts:
- *albillo
- clare riesling
- muscat gordo
- palomino
- pedro ximenez
- white hermitage

D. Acreage should be allowed to diminish by discouraging plantings.
Irrigated districts:
false pedro
Non-irrigated districts:
doradillo
false pedro
sercial

WALLAROO PRIMARY SCHOOL

Mr. HUGHES: Has the Minister of Education a reply to the question I asked last week about levelling and asphalting the yard at the Wallaroo Primary School and future plans at the school?

The Hon. R. R. LOVEDAY: Funds have been approved for the relatively costly project of levelling and asphalting the yard at this school. A design for the work is being prepared, and tenders are expected to be called before the end of this year. The enrolment at the school is expected to remain relatively steady at about 250. New toilets have been built and the children are well housed. Additional works will be undertaken as the need arises, but it is not possible to advise where and when buildings will be erected. Should the school committee wish to site or resite playground equipment a plan should be submitted to the Education Department for approval. I have a plan showing the position of existing school buildings that I shall be pleased to hand to the honourable member.

VICTOR HARBOUR SEWERAGE

Mr. McANANEY: Has the Minister of Works a reply to my recent question about a sewerage scheme for Victor Harbour?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports that sewerage construction is fully committed in areas with high population densities and for towns where drainage could affect water resources. At present, approved schemes and available finance indicate that it would not be possible to consider commencement of work at Victor Harbour until 1971-72.

MURRAY RIVER SALINITY

The Hon. T. C. STOTT: At the weekend I visited Loxton and Waikerie, where many responsible settlers are becoming increasingly alarmed at the effect the salinity of the Murray River is having on their orchards. One of the best known orchards at Waikerie is in a distressing state and many other settlers at Waikerie are alarmed at the leaf fall and the effect the salt is having on trees. The same position applies at Loxton, where settlers are seriously alarmed at the increased density and its effect on the trees, and at the blossom fall and leaf fall caused by the river salinity. After investigating the river above Renmark with a local man familiar with the readings of the river, I believe, although I am not an expert, that South Australia is also contributing much salt to the river. We took a reading at Salt Creek, below Seventh Avenue, Renmark, at 9,000 parts a million of sodium chloride flowing at four and a half to five cusecs into the river. Above Renmark the salinity was about 240 grains, at Loxton it was about 350, and it was worse at Waikerie. I know that this is an alarming situation and a difficult one for the Minister of Works, but will he try to find out as soon as possible what date would be suitable to him and responsible officers of the department to visit Waikerie and Loxton to obtain first-hand knowledge of the serious and urgent problem, so that an immediate solution can be found? I think that this problem can be solved. As soldier settlers also are involved in this matter, will the Minister of Works confer with the Minister of Repatriation with a view to ascertaining whether urgent assistance cannot be provided for the people concerned and the drag hose method of spraying, instead of overhead spraying, instituted? As millions of dollars of Commonwealth and State Government money is involved in this area, I emphasize the fact that something must be done urgently so that the position will not become worse than it is at present. Will the Minister consider visiting the area soon?

The Hon. C. D. HUTCHENS: Having answered a number of questions about this problem, I have previously assured the House that everything possible will be done so that this water can be used. Appreciating that this is a serious problem, I shall consider the suggestions made by the honourable member and see what can be done. I am astonished at the figure he gave concerning Salt Creek; as I have not heard of this figure previously, I shall have it checked. However, it is acknowledged that water in certain areas of South Australia is draining back into the river. I appreciate this sort of question, because it enables action to be taken to overcome, if possible, the difficulties that may exist.

Mr. HALL: Last week, when asking a question, I drew the attention of the Minister of Works to a report concerning the problem of salinity in the Upper Murray and quoted from two sources regarding saline water of about

1,400 parts a million entering the river. Has the Minister a reply to my question?

The Hon. C. D. HUTCHENS: A report from the Director and Engineer-in-Chief states:

The salt entering the river below Lock 9, which can be taken as this State's area of influence, comes from ground water. The saline ground water of the valley is a natural phenomenon, but it has been largely influenced in level by river operation and irrigation. There are many points where salt contamination is known or suspected to occur, and there is no line of action for full control yet devised that can be effectively introduced. The disposal of irrigation drainage water has closed off one of the worst single sources of salt entry.

Of the general entry of ground water a number of sources are being defined, and where local action is likely to be effective it will be taken. The two specific cases cited have been examined to this end. The Brilka Creek which enters Rufus River downstream of Lake Victoria is picking up saline seepage out of the ground water on the lower side of the Lake Victoria embankments. That area has been studied and some abative measures are being considered, far enough back to avoid immediate diversion of the salt water through other channels. The discharge of Salt Creek that is suspected of reaching the main river system does so by seepage, and this, too, is subject to some present study.

In several other cases there seems some opportunity to lessen saline inflows and these are being tackled. The establishment of any further committee to develop cures to the salinity problems by the introduction of more research and investigating work in the field would basically rely on the provision of suitable skilled personnel. There is now room within established organizations for such people, were they available, but the results would tend to be felt in the future.

FREELING SCHOOL

Mrs. BYRNE: The Minister of Education is aware that I have previously asked him questions about the need for erecting new toilets at the Freeling Primary School, and on September 26 last the Minister said that revised plans for standard toilets to suit the needs of schools such as the Freeling school had been completed by the Public Buildings Department and that a revised scheme was expected to be submitted for consideration by the Education Department. Will the Minister ascertain what progress has been made in this matter?

The Hon. R. R. LOVEDAY: Yes.

BUILDING INDUSTRY

Mr. MILLHOUSE: In the report of the Director of Social Welfare which was tabled last week, the Director referred to a number of building projects which had not made the progress hoped for. The Director says that the progress at Magill has been disappointing; that extensions at Brookway Park are needed urgently; and that there has been little progress with the new institution at Newland Park; and there are various comments to this effect. In view of this expression of disappointment implying that more should have been done about this, and especially in view of the rather disappointing building figures announced in this morning's paper (disappointing especially in view of the optimism shown by the Premier a few weeks ago when he said the State would be booming by Christmas), I ask the Premier whether it will be possible to increase the tempo of Government works, especially, in order to increase employment in South Australia's building industry and to meet at least some of the points raised by the Director in his report.

The Hon. D. A. DUNSTAN: The Magill Reformatory (as it is now known) is to be renamed and re-opened shortly. The need for extensions at Brookway Park has occurred because of the committal of boys to it in excess of the number planned for by the previous Government. In fact, it was not intended in its original plans to make extensions to Brookway Park by this time. However, additional pressure has been placed on the institution because of the number of younger boys committed to institutional care. The proposals regarding the land at Newton are necessarily long-term and have to be taken into account in considering the priorities of the whole Government programme. There is no department or State Government that does not consider added buildings are urgently necessary. I could point to numbers of areas in which it would be desirable, if the States had vastly more money than they now have, to provide additional buildings. However, the honourable member is asking me to overcommit Government expenditure. Government expenditure on buildings at present is at an all-time record. The honourable member has been protesting throughout the State about the sums we have spent, yet he now asks me to spend more without saying where it should come from.

In relation to building employment, this State has spent record sums on construction work in South Australia in the past three years, and it will continue to do so. If the honourable member wants a fillip from Government expenditure for building employment in addition to what this State

is doing (and I should be glad to see it). I earnestly suggest that he take up with his Commonwealth colleagues a request for additional Commonwealth works in this State, as those works have fallen to almost nil.

Mr. McAnaney: You haven't been able to prove that.

The Hon. D. A. DUNSTAN: Where is any post office building going on at the moment?

Mr. McAnaney: I have been waiting for weeks for your reply on Commonwealth expenditure in this State.

The Hon. D. A. DUNSTAN: I am getting details from the Commonwealth Government as soon as it supplies them.

Mr. McANANEY: Is the Premier aware that in September the Minister for Works in the Commonwealth Parliament told Senator Laught (Liberal, South Australia) that post office works in South Australia estimated to cost more than $1,800,000 were scheduled to be undertaken by the Commonwealth Works Department in 1967-68, and that these works comprised erection of telephone exchanges at Ceduna ($163,000), Bordertown ($82,000), St. Marys ($140,000), and Morphett Vale ($195,000), a post office and telephone exchange at Robe ($40,000), a post office at Clare ($74,000), alterations to telephone exchange buildings at Blackwood ($85,000), North Adelaide ($69,000) and Woodville ($180,000), the erection of radio-telephone buildings at Whyalla ($60,000) and Kongwirra ($72,000), the building of an engineering depot at Mount Gambier ($80,000), and the erection of a three-storey building at Collinswood as an Australian Broadcasting Commission news, film and production centre ($193,000)?

Further, is the Premier aware of an explanation that has been given by the Commonwealth Minister for Supply to the Leader of the Opposition in the Commonwealth Parliament that in 1966-67 the sum of $51,500,000 was spent in South Australia and that that sum was 29 per cent of the total expenditure by the Department of Supply?

The Hon. D. A. DUNSTAN: Regarding the first part of the question, I have seen the statement. I suggest that, if these works are to be let by the Commonwealth Government, it would be wise for members opposite to urge that Government to get on with the job if it is interested in fostering the building industry in this State. Regarding the latter figure, I have not been able to get a dissection on this matter, and have had some questions posed to the Commonwealth Government as a result.

Mr. MILLHOUSE: Since the Premier replied to me, I have had put into my hands the bulletin issued by the Commonwealth Bureau of Census and Statistics setting out the preliminary estimates of the number of new houses and flats erected in South Australia for the September quarter, and I notice that the total figures are down in all three respects (commencements, completions, and number under construction) compared with both the June quarter and the corresponding quarter in 1966. For example, there is a reduction of more than 1,600 units of completions in the three quarters up to the end of September, 1967, compared with the three quarters of 1966. In view of this very disappointing trend, especially as the Premier has said that the State will be booming by Christmas time, I ask him whether he or his Government has any additional plans to stimulate the building industry in South Australia.

The Hon. D. A. DUNSTAN: Several moves have been made by the Government recently, as the honourable member must have seen from the legislation passing through this House, in which the Government has co-operated with the building industry to try to make more money available (and on better terms) to that industry in order to stimulate it. Also, legislation has been introduced (admittedly the Opposition has called it repressive, restrictive, and socialistic) that has had the full support of the building industry, in order to stabilize that industry, and this is something the industry has sought. Only this morning the President of the Australian Institute of Architects indicated the thanks of that body to me for the work the Government had undertaken in this sphere. I emphasize that unemployment in the building industry has fallen markedly. Several builders have told me that they are unable to obtain operatives—

Mr. Millhouse: They have gone to other States.

The Hon. D. A. DUNSTAN: On the contrary. If the honourable member considers the building trade unions' figures, he will find that that is not so. In fact, there are over 10,000 more people employed in South Australia than there were two years ago.

Mr. Millhouse: In the building industry?

The Hon. D. A. DUNSTAN: No, not in building, but overall, despite the gloomy things that the honourable member and his colleagues have been continually saying to knock the economy of this State.

Mr. Millhouse: We are knocking the Government, not the State.

The Hon. D. A. DUNSTAN: The honourable member has been saying that the economy of the State is in bad shape. I am discussing with the building industry several other projects that will be announced when they are ready because, unlike the previous Government, this Government is not in the habit of making important announcements before projects are finalized.

HILTON BRIDGE

Mr. LAWN: Can the Minister of Lands, on behalf of the Minister of Roads, say whether it is planned to reconstruct the Hilton bridge?

The Hon. J. D. CORCORAN: I have discussed this matter with my colleague. No plans are in hand for the replacement of the Hilton bridge, for its further use could be affected by the Metropolitan Adelaide Transportation Study that is currently proceeding.

BLUFF ROAD

Mr. HEASLIP: On August 17, in reply to my question regarding a road which leads to a point in the Flinders Ranges known as The Bluff, the Minister of Lands said:

As a result of representations made by his predecessor, only last week the Premier received from the Prime Minister a letter regarding the road to The Bluff. The letter was forwarded to me, the Premier requesting that I consult the Minister of Roads about the future of this road for possible tourist activity.

The Minister went on to say that he had had preliminary discussions with the Minister of Roads. When I first took up the matter four or five years ago, the Commonwealth Government asked the State Government to pay $100,000 for the right to take over the road. However, I understand that the Commonwealth Government is not now asking for that sum to be paid. Therefore, as I believe it could be an inducement to tourists if the road was opened to enable them to visit that part of the Flinders Ranges, will the Government consider opening this road?

The Hon. J. D. CORCORAN: I agree with what the honourable member said in the latter part of his remarks. If this road could be opened to the general public, then because of the splendid view available from The Bluff I am sure many people would use it and be attracted to the area. I said previously that I would confer with the Minister of Roads on the matter: I have done this but our discussions are not yet complete. Naturally the Minister of Roads is concerned with the added financial burden to his department. However, I assure the honourable member that the negotiations will continue and I hope that eventually we may be successful in having the road opened to the public.

HOVERCRAFT

Mr. McKEE: Has the Minister of Marine anything further to report about the establishment of a hovercraft service in the Spencer Gulf area?

The Hon. C. D. HUTCHENS: I am informed that no further progress has been made regarding establishing a hovercraft service across Spencer Gulf.

GILBERTON FLATS

Mr. COUMBE: Has the Premier any information about the project to build Housing Trust flats at Gilberton?

The Hon. D. A. DUNSTAN: Further demolition has taken place in the area, but plans for redevelopment (with which we want to proceed as soon as possible) are held up pending finality of the Metropolitan Adelaide Transportation Study. It appears that some of the land taken in this area will be affected by the proposals of the study.

CLARENDON ELECTORAL CENTRE

Mr. SHANNON: Has the Premier a reply to my question of last week about the problem that has arisen regarding the use of Clarendon as a counting centre at elections?

The Hon. D. A. DUNSTAN: The State's Returning Officer strongly believes that the Clarendon booth, together with the Meadows booth, should be used as the counting centre for the Clarendon district, and it will be so used again at the next State election. However, the present Commonwealth Electoral Officer (Mr. F. W. Summers) strongly believes that this could not happen for the Commonwealth election. He has said that in the forthcoming Senate election Meadows will count, in addition to its own box, boxes from Echunga, Kangarilla, Kuitpo and Prospect Hill, while O'Halloran Hill will count boxes from Cherry Gardens, Clarendon, Coromandel Valley, Happy Valley and Ironbank. Clarendon will still have normal voting facilities. The only change is to have the Clarendon ballot box taken to O'Halloran Hill to be counted.

DROUGHT ASSISTANCE

Mr. NANKIVELL: Last evening, at Wunkar, the Minister of Lands suggested that people requiring hay should proceed to buy it and send the account to the Government. As he

did not say that this was to apply only to people who were approved applicants, will he now say whether this arrangement will apply to anyone wishing to purchase hay?

The Hon. J. D. CORCORAN: I thank the honourable member for the question because, after the meeting, there appeared to be doubt on the matter. I believe I said last evening that the Government did not intend to engage in the purchase and distribution of fodder.

The Hon. T. C. Stott: Or grain.

The Hon. J. D. CORCORAN: Yes. By the same token, the Government believes that fodder can be conserved more effectively by allowing anyone (not only approved applicants for relief) desiring to purchase hay for his own requirements to do so immediately. One reason for this is that, as hay is available to be cut, the decision has to be taken within the next week or so whether or not to cut the hay. If people with these crops know that buyers are willing to take fodder, they will cut their crops but, if buyers are not available, they will reap them. We are anxious that the hay be cut and that as much of it as possible be conserved. It is on that basis that the Government is prepared to allow anyone to acquire hay for his own needs. If a person is feeling the pinch slightly and thinks he needs assistance, then he should purchase the hay and send the Bill to the Government, which will meet it.

Mr. Nankivell: That is the important part.

The Hon. J. D. CORCORAN: Arrangements will be made for the repayment of the money.

Mr. Nankivell: These people must be needing assistance.

The Hon. J. D. CORCORAN: They need not necessarily be people who need assistance, because such a need will not be established at this time. However, the need to purchase is important now.

Mr. Nankivell: If they feel they need assistance.

The Hon. J. D. CORCORAN: I want even people who are having some difficulty, and do not believe that they will actually qualify for assistance, to purchase fodder.

Mr. Nankivell: Those who do not qualify for assistance will have to pay later.

The Hon. J. D. CORCORAN: The position is that all farmers concerned will eventually have to pay because, under the conditions laid down, this will come under the provisions of the Bill relating to repayment. We will not lose by this arrangement and it will be far more convenient. Therefore, I am not perturbed whether or not these people qualify for assistance. If they believe they want the fodder and we can help them get it, then I want them to get it. I am not concerned about the final details of whether or not the people will need assistance eventually: I want to assist now with the purchase of fodder so that it can be conserved.

The Hon. T. C. Stott: They will negotiate their own price.

The Hon. J. D. CORCORAN: Yes, they can negotiate with the person providing the hay and send the Bill to the Government. The honourable member should bear in mind that eventually they will be required to repay this money.

The Hon. T. C. Stott: The price of hay could become excessive.

The Hon. J. D. CORCORAN: That matter will be watched closely because we realize that this arrangement could lead to an increase in prices. However, the people who have notified me that they have hay to cut are willing to sell it at the ruling price. They are even prepared to sell it in the paddock and, if necessary, to allow the people buying it to arrange to cut it. The difficulty we have had is in letting the people with hay available know that prospective purchasers are available. Last evening I suggested to the people at the meeting that they contact Mr. McAuliffe of the Agriculture Department. Already field officers of that department have given information about where hay is available: they will immediately inform any prospective purchaser where hay is available.

The Hon. T. C. Stott: Who will determine the ruling price?

The Hon. J. D. CORCORAN: I believe it has been said that the present ruling price for good quality hay is about $32 a ton. In fact, the people who have told me they have hay available have said that they are willing to sell it at $28 a ton. The Minister of Agriculture is watching the price of fodder closely and, if action has to be taken to control the price, it will be taken.

Mr. NANKIVELL: Last evening mention was made of two farmer members of the drought relief committee who, it was suggested, would undertake considerable responsibility and would have much work to do as members of that committee. Does the Minister intend to set up a permanent committee and, if he does, does he intend that these two men shall

represent the whole of the State? Alternatively, does he intend having other farmers on the committee representing different areas that may at various times be considered as coming within the ambit of the Act?

The Hon. J. D. CORCORAN: I have not yet fully examined this matter. The honourable member will appreciate that the appointment of the two landholder representatives was expedient because of the current situation. True, if this is to be a permanent advisory committee (as it will be, because the Act is permanent) it will be necessary to have other parts of the State represented on the committee. It was suggested that there should be representatives from various district council areas and that, if the business concerned a certain district, the representatives for that district could be present but that, if such matters were not considered, those men need not attend. I pointed out, however, that many matters dealt with by the committee would affect any part or the whole of the State and, if his suggestion was implemented, it would be necessary for every member to be present on every occasion, which would make it a rather unwieldy committee. However, I am prepared to consider the matter before I announce the ultimate constitution of the committee.

TIMBER STOCKS

Mr. RODDA: Has the Minister of Forests a reply to my question of September 22 about the accumulation of timber in the South-East?

The Hon. G. A. BYWATERS: The Premier has forwarded to me the following information from the General Manager of the Housing Trust, because this matter applies to trust houses in the South-East:

Radiata pine (graded and branded in accordance with the S.A.A. Code) is now accepted by the lending institutions for wall (and very recently roof) framing, and the Housing Trust has encouraged its use, with the result that almost 90 per cent of wall frames to its brick-veneer houses within the greater metropolitan area of Adelaide are being constructed with radiata pine. Although the trust encourages the use of radiata pine, it is understood builders can obtain Victorian hardwood at less cost and, since the use of Victorian hardwood is included in the specifications of existing contracts, its use cannot be prevented. However, in future contracts its use, other than for situations in which radiata cannot be used, will be considered.

CEDUNA-PENONG ROAD

Mr. BOCKELBERG: Has the Minister of Lands a report from the Minister of Roads about work on the highway between Ceduna and Penong? As this is probably the last question I shall ask about this road, I hope that any reply he may have is favourable.

The Hon. J. D. CORCORAN: Nothing gives me greater pleasure than being probably the Minister who will reply to the last question asked by the honourable member, and I think we may able to help him regarding this road. The Minister of Roads reports that it is considered that, irrespective of the Commonwealth Government's refusal to co-operate in the construction of the Ceduna-Western Australian border section of the Eyre Highway, the State, from its own resources, will seal the Ceduna-Penong section.

Subject to there being no unforeseen demands made on the Highways Department during 1967-68, it is possible that an allocation to permit the work to commence can be made in the 1968-69 Budget. However, before any final decision is made, it is intended to discuss with the Western Australian Government whether it wishes to take further action regarding the Penong-Western Australian border section.

SHARK FISHING

Mr. HUDSON: In view of the problems currently being experienced regarding shark fishing in South Australian waters, will the Leader of the Opposition carry out the same under-water investigation of this matter as he carried out yesterday in regard to fishing for "a baloney"? Secondly, will the Leader say whether the water spout in the photograph on page 3 of today's *Advertiser* was made prior to his surfacing for the photograph on page 1 of the same newspaper to be taken?

The SPEAKER: I rule that question out of order on the grounds of triviality.

MAIN NORTH-EAST ROAD

Mrs. BYRNE: On October 19, when replying to my question, the Minister of Lands told me that a short-term improvement in main roads in the Modbury area was urgent and that the Highways Department intended to reconstruct the Main North-East Road on its present alignment as a temporary measure. In view of this decision will the Minister ask his colleague what plans the department has for ultimately improving safety at the dangerous intersection of Main North-East Road, Golden Grove Road and Montague Road, as I have previously asked questions concerning the need for safety measures at this intersection?

The Hon. J. D. CORCORAN: Yes.

KANGARILLA WATER SUPPLY

Mr. SHANNON: Has the Minister of Works a reply to my recent question about a proposed water supply for the Kangarilla district?

The Hon. C. D. HUTCHENS: The Director and Engineer-in-Chief reports that his department has now made a new study of possible water supply arrangements for the Kangarilla district. These range from a simple "backbone" scheme, requiring the establishment of numerous water trusts to reticulate and sell water from a central trunk main system, to reticulation throughout the area. It has been shown that no supply system can be devised that would not incur very heavy charges to the State to subsidize both construction and operation. South Australia is generous in the support given to rural water supply, but the returns in this instance cannot justify the costly project involved in giving a basic supply.

FLUORIDATION

Mrs. STEELE: I read with some interest in the press last evening and this morning, that in five months' time fluoride is to be added to Sydney's water supply.

Mr. Millhouse: Hear, hear!

Mrs. STEELE: It will be the largest city in Australia to have fluoridation, which is intended to serve the city of Sydney and districts south of Sydney, with the fluoride being pumped in at 13 different points in liquid form. People who do not wish to drink fluoridated water will have this period in which to install rainwater tanks. Because of the interest in fluoridation and the suggestions that Adelaide's water supply should be fluoridated, and as I understand that there has been a recent change of heart among members of the Party to which the Minister of Works belongs, will he say whether the Government has reconsidered its attitude on fluoridation and, if it has, when it intends to introduce fluoridation?

The Hon. C. D. HUTCHENS: The honourable member will realize that, on the advantages and disadvantages of adding fluoride to the metropolitan water supply, there is still a division of opinion among members of the public.

Mr. Millhouse: A pretty small one.

The Hon. C. D. HUTCHENS: Yes, like the honourable member. The Minister of Health and I have discussed this matter with both the section of the community that favours fluoridation and the section that is opposed to it, and the matter is being considered with an open mind. It is a matter on which there may be greater discussion next year.

SURVEYORS ACT

Mr. COUMBE: Can the Minister of Lands say whether the Surveyors Act, 1935-1961, is to be amended and, if it is, when the relevant legislation will be introduced?

The Hon. J. D. CORCORAN: I am not considering amendments to the Surveyors Act. However, legislation is being considered relating to the Survey Co-ordination Act, and a draft Bill has been prepared and circulated to the various interested bodies. Needless to say, that Bill is not intended to be introduced this session.

WALLAROO HOSPITAL

Mr. HUGHES: In the Loan Estimates under "Public Buildings Department", $45,000 is provided for additions to the Wallaroo Hospital. After inquiring, I believe that $20,000 is allocated for additional air-conditioning to be installed at the hospital. As the effects of heat are already being felt on the top floor of the hospital, will the Minister of Works ascertain what type of air-conditioning is intended to be installed and when the work is expected to be commenced?

The Hon. C. D. HUTCHENS: Appreciating the necessity for additional air-conditioning at the Wallaroo Hospital, my department, at the request of the Chief Secretary, is having the matter fully investigated. Knowing that this air-conditioning is sorely needed, I shall inform the honourable member of the outcome of those investigations as soon as possible.

RED SCALE

The Hon. T. C. STOTT: In September last a poll was conducted at Loxton among growers concerning the future of the red scale committee. As growers are now receiving letters from the department requesting them to pay the levy and threatening legal action if they do not, and as the poll indicated a desire on the part of growers that the committee be dissolved, will the Minister of Agriculture inquire into this matter?

The Hon. G. A. BYWATERS: I have received two letters from people in Loxton concerning the poll taken to wind up the red scale committee. As the honourable member knows, this matter is covered by the Act, and any surplus money is to be paid into General Revenue. The first letter, received from the committee itself, was a little critical of the fact that neither the department nor I, as Minister,

had intervened with a view to retaining the committee. I replied that it was not my prerogative to go against what was truly the democratic way of deciding the issue, namely, the poll that is provided for under the Act. I pointed out also that, a poll having been petitioned for, it should be left for growers to decide the issue for themselves. The other letter related to the matter specifically raised by the honourable member, and I believe that payments are due until June, 1968. I have referred that matter to the Auditor-General and have asked him to send to the area an officer, who, I understand, will be leaving either tomorrow or Thursday to examine the position. That officer will suggest the course I should follow in this regard.

ABATTOIRS REPORT

The Hon. G. G. PEARSON: On examining the report, which the Minister of Agriculture has just tabled, of the accounts of the Metropolitan and Export Abattoirs Board, I note that under the heading "Source of funds" appears what seems to be a new line headed "Advances from other sources secured by debentures—$400,000". Can the Minister disclose the source of these funds? Secondly, I notice that in the list of assets, which represent these funds, there is under the heading "Fixed Assets" an increase in the line "Plant and vehicles at cost" of about $600,000; and concerning the line for "Land and buildings at cost" there is an increase of about $715,000. Will the Minister ascertain what items are represented by these increased assets listed at cost?

The Hon. G. A. BYWATERS: As I should prefer to obtain a detailed statement for the honourable member, I shall inquire and let the honourable member know within the next day or so.

PENOLA PRIMARY SCHOOL

Mr. RODDA: The Minister of Education recently visited the Penola Primary School and examined two old houses and much debris lying on three blocks of land near the school buildings. I understand that the department refused a request made by the school committee that it should salvage the timber and roofing iron of these houses and apply the proceeds to school funds. However, the committee has been told that it is planned to demolish and clear the area, which is a snake hazard and, because of the many rats present, a specific health hazard as well. Will the Minister of Education negotiate with departmental officers with a view to having this area cleared as soon as possible?

The Hon. R. R. LOVEDAY: I will ascertain whether this work cannot be expedited.

HILLS FREEWAY

Mr. SHANNON: Residents in the area surrounding the new hills freeway are delighted that the Highways Department is pursuing a beautification policy which, I point out to the Minister, should be facilitated by the existence of fairly good soil in the area. However, a major problem has arisen concerning the westerly approach into Stirling where the northern embankment has eroded considerably in this year of low rainfall. Will the Minister representing the Minister of Roads ascertain what steps are to be taken to retain this embankment? Will the Minister also say what is to be done about the rather unsightly hole that has been left as a result of the reconstruction?

The Hon. J. D. CORCORAN: I shall be happy to obtain a report from my colleague and bring it down as soon as possible.

HANDICAPPED CHILDREN

Mrs. STEELE: As the Minister of Education realizes, the South Australian Education Department has for a number of years pioneered classes for handicapped children, and I instance the deaf-blind and multiple handicapped children, as well as children suffering from brain damage and mental retardation. I pay a tribute to the teachers of such children who have given tremendous service in the interests of handicapped children and who have shown a great devotion and dedication to the work they have undertaken. As the Minister will also realize, we depend on outside institutions for the training of our teachers, and I instance the school at Kew, in Victoria, where the teachers of deaf children are trained. We also sent a teacher to the Perkins Institute in the United States of America for the training of deaf-blind teachers. Other than that, training is carried out by means of inservice courses within the Education Department. Will the Minister therefore say whether the Government has considered setting up, in this State, a training centre so that teachers with special aptitudes who desire this sort of training can be trained within the State, bearing in mind that there is a diversity of classes in this field? If such a training centre is planned, is this project likely to be proceeded with soon?

The Hon. R. R. LOVEDAY: To the best of my knowledge, this has not been planned, but I will ascertain whether a report has been

made on the matter and whether it has been considered by departmental officers. I appreciate the honourable member's reference to those who teach handicapped children. The standard of the teaching of handicapped children in South Australian schools is regarded overseas as very high, and we can be proud of what is being done in our schools in this regard.

HILLS SEWERAGE

Mr. MILLHOUSE: A couple of weeks ago, following a question asked by the member for Barossa, I asked the Minister of Works whether he could speed up the plans for sewerage in the hills area in the electoral district of Mitcham, and he was kind enough to undertake to get a report. Has he now a reply to my question?

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

Investigation work for the Blackwood-Belair sewerage scheme is proceeding satisfactorily. The intended scheme will drain into the trunk sewers being constructed as part of the south-western suburbs re-organization scheme. It is expected that it will be 1969 before the new trunk sewer has been completed to the stage where the hills suburbs can be drained into it. The sewerage scheme for Blackwood-Belair will require examination by the Public Works Standing Committee, and, if recommended and approved by the Government, progress will depend on the Loan funds available. Following approval, it is expected the work will be commenced in 1969-70 and take from five to seven years to complete. The Loan funds available to the department are fully committed on approved and urgent works, and the Blackwood-Belair sewerage scheme could not be speeded up without seriously affecting other works.

Mr. MILLHOUSE: In his answer to my question regarding hills sewerage, the Minister of Works said that sewerage of the hills area of my district had a lower priority than areas at Modbury and Tea Tree Gully, in the Barossa District. However, the areas in the Mitcham District have been settled for much longer than have the areas in the Barossa District. Can the Minister explain to the House how the priorities for such works are decided by him and the Government? In view of the facts I have stated, will the Minister reconsider the comparative priorities of the two cases?

The Hon. C. D. HUTCHENS: I appreciate the honourable member's need for water-borne transport. However, as he knows, a number of factors determine the priorities affecting the provision of sewerage services: first, the need; secondly, the engineering feasibility; and thirdly, the economics of the scheme.

VICTOR HARBOUR TRAIN SERVICE

Mr. McANANEY: A modern Bluebird carriage was used on the passenger service to Victor Harbour during the off season but, now that the tourist season is approaching, some of the old green and gold railway cars (such as Nos. 43 and 212) are being used. Will the Minister of Social Welfare therefore ask the Minister of Transport whether this important tourist resort could be serviced by the most modern passenger train during the coming season?

The Hon. FRANK WALSH: Although I do not dispute that Victor Harbour and its surrounding areas are fine tourist resorts, I point out that the annual report of the Railways Commissioner, tabled today, indicates the serious position confronting the South Australian Railways, particularly in relation to passenger services. Indeed, some services are not patronized sufficiently to warrant their continuation. Although I do not know whether the Victor Harbour service is one of those, I suspect that it may be to some extent. However, I will request a full report from my colleague.

TRAMWAYS TRUST

Mr. COUMBE: Recently the annual report of the Municipal Tramways Trust for the year ended June 30 was laid on the table of the House. It states:

The fares for some tram and bus sections were increased on October 2, 1966, and the prices for some scholar concession tickets on November 1, 1966.

As a result, traffic revenue for the trust increased by $191,700 in the year. At the same time, there was a marked reduction in patronage, the report showing that the passengers carried dropped by 3,377,000. Of course, I realize that similar problems exist in other parts of the world, but I believe this is important with regard to finances and to the facilities provided to the public. Therefore, will the Minister of Social Welfare ascertain from the Minister of Transport the Government's policy on attracting more patrons to use the trust's buses and trams? Also, what plans has the trust in this regard?

The Hon. FRANK WALSH: I will ask my colleague to obtain full information from the trust on this involved matter.

BORDERTOWN PRIMARY SCHOOL

Mr. NANKIVELL: I have accompanied the Minister's predecessor and the Minister of Education on an inspection of the Bordertown Primary School. The Minister will know that, as a result of the extension of the agricultural course at the high school and as a result of the erection of certain new high school buildings on primary school property, this primary school (which I think has about 500 students) is considerably overcrowded. At present it is divided by the main road. On the western side of the high school is an excellent site, which is dedicated for primary school purposes (I understand this was made possible by an interchange of land). Can the Minister say whether the department is considering building a new primary school at Bordertown and, if it is, will he obtain a report on when the school is likely to be erected?

The Hon. R. R. LOVEDAY: I will get a report. However, the honourable member knows that several schools are, to say the least, in a similar position. We must look at this matter from the point of view of allocating to all schools their correct priority.

STRATHMONT HOSPITAL

Mrs. STEELE (on notice):

1. Have tenders been called for construction of Strathmont hospital?
2. If not, when is it intended that they will be called?
3. When is it expected that actual work will commence?
4. Is it expected that the building will be progressively occupied?
5. What is the estimated date of completion of this hospital?
6. How long thereafter will it be ready for complete occupation?

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

1. Tenders have not yet been called for this project.
2. It is intended to call tenders for the preliminary siteworks contract in December of this year. Thereafter, tenders will be called in sequence for various works required to complete the project.
3. It is expected that work will commence on site in March, 1968.
4. It is intended to complete all building work before occupation because full facilities of administration, training and treatment will be required by the trainees from commencement of occupation.
5. The training centre is programmed for total completion by the end of June, 1970.
6. Complete occupation should be achieved by the end of June, 1970.

INDUSTRIAL WATER

Mr. MILLHOUSE (on notice):

1. Is it known how many industries in South Australia to recirculate the water used for the purposes of industry?
2. If so, how many industries recirculate water in this way?
3. What proportion of water used by industry is recirculated?
4. What action has the Government taken to encourage industry to recirculate water?
5. Is it satisfied that as much water as practicable is so recirculated?
6. If not, what steps is it intended to take to increase such recirculation?

The Hon. C. D. HUTCHENS: The Engineering and Water Supply Department, for many years, has been very conscious of the need for all sections of the community to be educated and encouraged to conserve water. Engineers, chemists and waterworks inspectors have accordingly been trained and made available to advise industry on the best practices that they should adopt in the use of water in their particular industry. Industries have been advised to install storage tanks, water treatment plants, filters and recirculation equipment. The department has also been a member and actively participated in the activities of productivity groups, which have been sponsored by the Commonwealth Department of Labour and National Service. The Productivity Groups Advisory Council South Australia, earlier this year, through the Productivity Comparisons Committee, made an examination of the water usage of 91 industries in South Australia. A copy of the report from this committee reveals that in the 91 companies examined, 39 use recirculation in some way or other; 20 industries indicated a waste of reusable water totalling 100,000,000 gallons a year.

As a result of this survey and the study which was made, many industries have been made aware of the fact that they have been wasting water and have taken steps to correct this position. One large firm discovered that it was unable to account for 100,000 gallons a day. This has now been rectified. A cool drink firm which had been wasting each of the four rinse waters used for cleaning its bottles now uses the final rinse water as the

first rinse and so is saving 25 per cent of the water previously used. A number of firms have equipped bores and are using these—separate meters have been put on water lines throughout the plants to check on the water consumption in each section. A washing machine manufacturer is now reusing the water used for testing the machines which was previously wasted. A large firm, with heavy machinery, has replaced water-cooled bearings on one of its machines, with sealed-frictionless bearings. These are just a few of the large number of instances where industry, having been made aware of the loss and waste of water, has co-operated with the department and taken steps to recirculate and conserve water. Talks have been given by departmental officers to representatives of industry on this matter, and conferences have been held in recent months on the whole question. Understandably, industry is answerable to its shareholders and must be convinced that it is economic and in its best interest to practise these economics with water. Nevertheless, industry has by and large been very conscious of the need to conserve water and has co-operated very closely with the department towards this end.

WATER PUMPING

The Hon. Sir THOMAS PLAYFORD (on notice):

1. On how many occasions has water been pumped from Mannum to Adelaide with the consequence that some excess water has overflowed the spillways at metropolitan reservoirs?

2. In which years, if any, did this occur?

3. What was the extent of the loss through this overflow on each such occasion?

4. Was this loss considered excessive in assuring an adequate metropolitan water supply?

The Hon. C. D. HUTCHENS: The replies are as follows:

1. It is considered that water has overflowed the Millbrook spillway, as a result of the water pumped from Mannum to Adelaide, on two occasions.

2. These occasions were in August, 1958, and September, 1966.

3. The extent of the loss is difficult to determine and has been estimated at about 300,000,000 gallons in 1958 and 500,000,000 gallons in 1966.

4. These losses were not considered excessive and were due in each case to late rains.

HOSPITALS ACT AMENDMENT BILL

Second reading.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That this Bill be now read a second time.

It makes similar amendments to sections 53 and 54 of the principal Act dealing with payment of the cost of hospital treatment of persons injured as a result of the use of motor vehicles. These sections provide that, where an insurer pays any amount under an insurance policy or any person pays any amount by way of damages in respect of the death or bodily injury of a person caused by or arising out of the use of a motor vehicle, the insurer, or person concerned (if he has had notice) shall pay the cost of treatment direct to a hospital in which the treatment took place. However, in both cases the extent of this direct liability is limited to $200 for a person treated as an inpatient and $50 for treatment as an outpatient—amounts fixed some years ago and now completely out of line with hospital fees and charges.

Since the enactment of the Supreme Court Act Amendment Act earlier this year, it has become possible, as honourable members know, to obtain interim payments of special damages. However, the liability of insurers to hospitals remains limited in terms of the Hospitals Act to the relatively small amounts that I have mentioned. The amendments made by the Bill will remove the limitations and provide that the amount payable to a hospital shall not exceed the total amount of its claim or the total amount payable by the insurer or person concerned, whichever is the lesser. It is considered that this provision will meet the situation which the original provision was designed to ensure, namely, that when a claim is settled wholly or in part the hospital account will be paid directly rather than left at large to be settled by the patient, if at all, at some future date. Clauses 3 and 4 make the necessary amendments to sections 53 and 54 of the Act.

Mrs. STEELE secured the adjournment of the debate.

LONG SERVICE LEAVE BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 2, line 4 (clause 3)—After "with" insert "free".

No. 2. Page 3, line 11 (clause 4)—Leave out "ten" and insert "fifteen".

No. 3. Page 3, line 13 (clause 4)—Leave out "ten" and insert "fifteen".

No. 4. Page 3, lines 16 to 18 (clause 4)—Leave out paragraph (*b*) and insert new paragraph as follows:

"(*b*) in respect of each ten years' service completed with the employer after such fifteen years' service to eight-and-two-thirds weeks' leave."

No. 5. Page 3 (clause 4)—After new paragraph (*b*) insert new paragraph as follows:

"and

(*c*) on the termination of the worker's employment or his death, in respect of the number of years service with the employer completed after such fifteen years' service, to a payment in lieu of leave on the basis of thirteen weeks for fifteen years' service."

No. 6. Page 3, line 25 (clause 4)—Leave out "five" and insert "ten".

No. 7. Page 3, line 26 (clause 4)—Leave out "as an adult".

No. 8. Page 3, line 26 (clause 4)—Leave out "ten" and insert "fifteen".

No. 9. Page 4, line 13 (clause 4)—Leave out "ten" and insert "fifteen".

No. 10. Page 6, line 19 (clause 5)—Leave out "ten" and insert "fifteen".

No. 11. Page 6, line 22 (clause 5)—Leave out "five" and insert "ten".

No. 12. Page 6, line 22 (clause 5)—Leave out "as an adult".

No. 13. Page 6, line 39 (clause 5)—Leave out "ten" and insert "fifteen".

No. 14. Page 7, line 42 (clause 7)—After "in" insert "not more than two separate periods in".

No. 15. Page 7, line 43 (clause 7)—Leave out all words after "entitlement".

No. 16. Page 10—After clause 11 insert new clause as follows:

"11a. *Application of money paid into funds of employers*—Where an employer—

(*a*) has contributed money to a fund for the purpose of providing retiring allowances, superannuation benefits or other similar benefits for any of his workers; and

(*b*) becomes bound by this Act or by an award or agreement prescribing long service leave for such workers,

he shall, notwithstanding the provisions of any instrument, be entitled to use any of the money contributed by him into such fund, for the purpose of paying or reimbursing himself for the cost of complying with the obligations imposed by this Act or such awards or agreements."

No. 17. Page 10, line 24 (clause 12)—Leave out "six years" and insert "one year".

No. 18. Page 11, line 32 (clause 15)—Leave out "six years" and insert "one year".

No. 19. Page 12, line 6 (clause 15)—Leave out "six years" and insert "one year".

Amendment No. 1.

The Hon. FRANK WALSH (Minister of Social Welfare): I move:

That the Legislative Council's amendment No. 1 be agreed to.

This is a drafting amendment, and I accept it.

Amendment agreed to.

Amendments Nos. 2 *and* 3.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendments Nos. 2 and 3 be disagreed to.

These are the first in a series of amendments that concern the period of leave, and the entitlement to long service leave has been altered to three months after 15 years' service, instead of three months after 10 years' service, as was the position when the Bill left this place. The granting of 13 weeks' leave after 10 years' service gave effect to the policy of this Government, as enunciated during the 1965 election campaign and included in my policy speech. This entitlement is the same as has been available to all persons employed in the Government service, whether salaried employees or weekly-paid employees, for many years. These amendments are not acceptable to the Government and I ask the Committee to reject them.

Mr. COUMBE: I do not care about what the former Premier had in his policy speech: I am still opposed to his suggestion. The other place has offered a compromise between the present position and what the Government provided for. I am completely opposed to a qualifying period of 10 years. The position in the Government service has no bearing on this matter, because this provision applies to industry. A public servant expects certain tenure of service and a guarantee that, having joined the service, he will be there until he retires. As a reasonable compromise I tried to amend the period to 15 years, and I now support the Legislative Council's amendments.

The Committee divided on the motion:

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

Noes (14)—Messrs. Coumbe (teller), Ferguson, Hall, Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pairs—Ayes—Messrs. Burdon, Jennings, and Ryan. Noes—Messrs. Bockelberg, Brookman and Freebairn.

Majority of 2 for the Ayes.

Amendments thus disagreed to.

Amendment No. 4.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 4 be disagreed to.

When the Bill left this place it provided that the person who had served more than 10 years was entitled to nine calendar days' leave for each completed year of service in excess of 10. The amendment provides that after the completion of the first 15 years' service no leave is due until after the worker has served a further 10 years, when he becomes entitled to eight-and-two-thirds weeks' leave. As the original provision was Labor Party policy, the Government cannot accept the amendment.

Amendment disagreed to.

Amendment No. 5.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 5 be disagreed to.

This amendment, which is consequential on amendment No. 4, is not acceptable to the Government.

Amendment disagreed to.

Amendment No. 6.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 6 be disagreed to.

It seeks to provide that a worker be not entitled to pro rata leave under any conditions unless he has been in a particular employment for 10 years. However, the Bill as passed in this Chamber provided for pro rata leave after five years. In addition to the fact that a similar provision has been enacted in another State, the Government's policy in this matter was endorsed by the people.

Mr. COUMBE: I support the Legislative Council's amendment. Under the existing provision in the Bill, a person leaving the services of an employer after five years is entitled under certain conditions to pro rata long service leave. For instance, a female worker who becomes pregnant is entitled to claim pro rata payment after working for an employer for five years. This sort of provision will be a burden not only on the employer but also possibly on an employee.

The Hon. B. H. Teusner: And it is no longer long service!

Mr. COUMBE: Correct. Under paragraphs (*d*) and (*e*), a male approaching the age of 60 and a female approaching the age of 55, who are almost within five years of the respective retiring ages, may well be refused employment on that very ground. We should be encouraging in employment that large section of the community who may be affected by this provision. Apart from that, I am opposed to the five-year period, because it does not represent long service leave at all: it merely represents service leave.

The Committee divided on the motion:

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

Noes (14)—Messrs. Coumbe (teller), Ferguson, Hall, Heaslip, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pairs—Ayes—Messrs. Burdon, Jennings, and Ryan. Noes—Messrs. Bockelberg, Brookman, and Freebairn.

Majority of 2 for the Ayes.

Amendment thus disagreed to.

Amendment No. 7.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 7 be disagreed to.

We are concerned to see that adult persons engaged in industry will benefit from this legislation. As the Committee has already disagreed to a previous amendment to this clause, it is inappropriate that this amendment be accepted.

Mr. COUMBE: I agree with the Minister that this amendment must be rejected; it was inserted because of a proposal to amend an earlier part of the clause. It is inappropriate to leave this amendment in, as the former amendment was defeated.

Amendment disagreed to.

Amendment No. 8.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 8 be disagreed to.

It is similar to amendment No. 6; it provides for 15 years instead of 10.

Amendment disagreed to.

Amendments Nos. 9 and 10.

The Hon. FRANK WALSH moved:

That the Legislative Council's amendments Nos. 9 and 10 be disagreed to.

Amendments disagreed to.

Amendment No. 11.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 11 be disagreed to.

The Committee has already dealt with a similar amendment to a previous clause.

Amendment disagreed to.

Amendments Nos. 12 and 13.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendments Nos. 12 and 13 be disagreed to.

These amendments are similar to amendments to an earlier clause, which amendments have already been disagreed to.

Amendments disagreed to.

Amendment No. 14.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 14 be disagreed to.

This amendment alters the intention of the Bill. As the Committee has already disagreed to similar amendments, it is inappropriate that it be accepted.

Mr. COUMBE: I would not have thought that this amendment would worry the Government. It deals with the subsequent period of entitlement after the initial 13 weeks. I do not think this interferes with Government policy.

Amendment disagreed to.

Amendment No. 15.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 15 be disagreed to.

This amendment is consequential on the passing of a previous amendment to which we have disagreed.

Amendment disagreed to.

Amendment No. 16.

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendment No. 16 be disagreed to.

The purpose of the amendment is to enable employers to use moneys, which they have paid into funds to provide for retiring allowances, superannuation or other benefits, for the payments of amounts due for long service leave. Such a clause is not included in any Commonwealth or State award nor is it contained in the Acts of any of the other States. The only basis for using it is that it is included in the present Long Service Leave Act of this State, passed in 1957, which the Bill seeks to repeal. The purpose of long service leave is to grant some additional benefit to persons engaged in industry and there is no reason why payments made into a fund for the purposes of granting a superannuation payment on retirement should be used to pay for long service leave benefits. In the Public Service, long service leave is granted in addition to a superannuation pension. Another point is that it is not unusual for contributions to be made both by the employer and the employees to a superannuation fund. This clause would permit an employer to use the employer's contributions to such funds to offset payments for long service leave. If this is done, what happens to the sum contributed by an employee?

Mr. COUMBE: The Minister missed a completely fundamental point and showed abysmal ignorance on it. Most employers, as a matter of prudence in commercial practice, make regular payments into a fund to provide for long service leave commitments. Sometimes these commitments are made earlier than normal, such as in the case of an employee who, because of sickness, wishes to take advantage of the pro rata leave provisions. All the amendment seeks to do is to cover this practice. The amendment refers to retiring allowances, superannuation or other similar benefits. The procedure to which I have referred has been carried out under the present State award and, if the amendment is not accepted, the present system will be restricted. Members opposite would complain if employers did not make some regular contribution into a fund to meet the commitments that have to be met under the legislation. I ask the Minister to accept the amendment.

Mr. SHANNON: Employers build up reserves from profits made. The provisions of the Bill will load an extra burden on to industry. However, unless the amendment is accepted, moneys from the reserve built up by employers will not be able to be used for this purpose: only moneys from current sources will be able to be used. It will be embarrassing for many companies if they have to meet expenses from current sources. The amendment merely gives the employer the right to use for a specific purpose money that he has put aside for that purpose.

The Hon. G. G. Pearson: In what circumstances would he be permitted to use that money?

Mr. SHANNON: There is no prohibition if it goes into a general reserve. This amendment would encourage employers to make such provisions to meet expected payments as are made by all companies.

Mr. McANANEY: I support what other members have said. When provision was made for long service leave for council employees, the councils had not set aside funds for the purpose. Now the Government is preventing employers from making provision to meet commitments.

The Hon. FRANK WALSH: No Commonwealth or State award covering employees in this State makes a provision such as is contained in the amendment.

Mr. McAnaney: You always claim you want to be first.

The Hon. FRANK WALSH: Sometimes we are first, but this is not such an occasion. We

are dealing with long service leave, not with superannuation. Few superannuation schemes do not provide for a contribution by the employee: certainly, no such scheme covers Government employees in this State. Members of this Parliament contribute to their superannuation scheme. This amendment enables an employer to act in breach of contract and to use trust funds to satisfy his obligations under the Act.

Mr. COUMBE: The first part of the amendment is in the past perfect tense, because it refers to cases where an employer "has contributed", and paragraph (*b*) provides that such an employer is bound by the Act. Greater obligations are being imposed on employers, who ought to have access to their funds in order to meet their obligations. This provision deals with money that has been contributed for several purposes: retiring allowance, superannuation, and other similar benefits for any worker. The employee's contribution for superannuation would be a small part. There should be provision for access to the money to the extent of compliance with the provisions of this Bill.

The Hon. FRANK WALSH: At present, nothing prevents an employer from using funds contributed for superannuation to pay for long service leave entitlement. This Bill is a new approach to long service leave, as it provides that there shall be 13 weeks' leave after 10 years' service, and also that pro rata leave may be taken after five years' service. The Government cannot accept the amendment.

Mr. SHANNON: The Minister has introduced matters that are not being dealt with by the Bill. The member for Torrens drew attention to the use of the past perfect tense, a most significant feature. Any superannuation fund to which both employer and employee contribute must be governed by some form of trust, for the benefit that will accrue to the employee. Some superannuation funds are non-contributory, as the money is supplied by the employer, and in these cases there is no trustee for the fund. The Legislative Council in its wisdom has provided for all eventualities. However, the main part of the amendment is contained in paragraph (*b*), because the employer becomes—

Mr. Hudson: What about the effect of the words "notwithstanding the provisions of any instrument"?

Mr. SHANNON: I think it is to protect the employee. In other words, an employer cannot avoid his obligations.

Mr. Hudson: What about the case in which a superannuation scheme has been in existence, and it is purely on an employer contribution basis? Doesn't that create at least a moral obligation on the part of an employer towards his employee?

Mr. SHANNON: In the case of a superannuation scheme to which an employee does not contribute, the employee is at his employers mercy. The employer does not have to tell an employee that a fund has been set aside; he certainly does not have to give him any details.

Mr. Hudson: But if he tells him, he has a moral obligation.

The ACTING CHAIRMAN (Mr. Hughes): Order! The honourable member for Onkaparinga is addressing the Chair, and we do not wish members to have a private conversation across the Chamber.

Mr. SHANNON: Thank you, Sir. I shall have a private conversation with the honourable member elsewhere, because I do not think he understands this matter. Shall we permit an employer to put money aside for a certain purpose, and then tell him he cannot use such money for a purpose that is obviously similar to the purpose intended, say, 10 or 20 years ago?

Mr. McANANEY: I endorse what the member for Onkaparinga has said. Most funds involve trust deeds, and the money cannot be touched. However, money that is set aside to meet certain contingencies must be used if those contingencies arise. In addition, as money in a superannuation fund is subject to Commonwealth income tax legislation, an employer may deduct contributions to such a fund from his income, provided a proper trust is established. Although superannuation funds may have been established loosely in the past, there will be an agreement that cannot be touched by an employer if—

Mr. Hudson: The amendment allows the employer to touch the agreement—"notwithstanding the conditions of any instrument".

Mr. McANANEY: It is a water-tight agreement. The amendment relates to moneys paid into a fund by an employer. If one has a properly run scheme, it must be a sound trust fund, and if an employer sets up a fund in his own books, he has the right to deal with it as he wishes. A scheme to which an employee contributes would not involve the funds of the employer, and I can see no risk involved in accepting the amendment. As the Minister has not given a satisfactory reason for opposing the amendment, I support it.

The Hon. FRANK WALSH: I have already indicated to the Committee that this amendment enables an employer to act in breach of contract and to use trust funds to satisfy his obligation under the Act. The Government will not accept the amendment.

The Committee divided on the motion:

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

Noes (14)—Messrs. 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 Burdon, Jennings, and Ryan. Noes—Messrs. Bockelberg, Brookman, and Heaslip.

Majority of 2 for the Ayes.

Amendment thus disagreed to.

Amendments Nos. 17 *to* 19:

The Hon. FRANK WALSH: I move:

That the Legislative Council's amendments Nos. 17, 18 and 19 be disagreed to.

These amendments mean that an application for payment for long service leave due has to be made within one year of the date of termination of the worker's service. The Bill, as it left this place, permitted an application to be made within six years of the date of termination. The Government considers that there should be no artificial limitation on the right of the workman to recover wages due to him as they are, after all, a civil debt. Normally civil debts are recoverable within six years of their being incurred. The Government sees no reason why workmen's wages or payment for long service leave should be treated any differently, and therefore it has provided for their recovery within a period of up to six years after their becoming due.

Mr. COUMBE: I do not agree with the Minister. I would have thought that one year would be sufficient time for any claim under clause 12 to be made. If an employee considers he has not received a payment to which he is entitled, he has the right to make a claim. The Government has suggested he should make such claim within six years, but that is a terrific time—an unconscionable and unreasonable time. Surely a man would know within one year if he had been underpaid or if wrong leave had been allocated to him. Very few workmen would not know their entitlement. Although workmen's compensation is a different matter, in that case, where far greater sums are involved than are ever likely to be involved with long service leave, it is mandatory to lodge a claim within six months. Therefore, I believe this amendment is reasonable.

The Hon. G. G. Pearson: What would be involved in keeping the necessary records?

Mr. COUMBE: In large establishments the records would be fairly voluminous, and this provision might cut across provisions in other legislation requiring records to be kept for a shorter period only. I completely agree that where a malpractice has occurred an employee should have his rights upheld and receive compensation for any wrong done to him, but the provision of six years within which a claim can be made is completely unreasonable. This case has no connection with the limitation of actions provision, which applies mainly in civil cases. The amendment in no way relieves the employer's obligation.

Amendments disagreed to.

The following reason for disagreement was adopted:

Because the amendments adversely affect the Bill.

Later:

The Legislative Council intimated that it insisted on its amendments Nos. 2 to 19, to which the House of Assembly had disagreed.

The Hon. FRANK WALSH (Minister of Social Welfare): I move:

That disagreement to the Legislative Council's amendments be insisted on.

Members will realize that the Legislative Council's amendments change the Bill greatly from the form in which it left this place.

Motion carried.

A message was sent to the Legislative Council requesting a conference at which the Assembly would be represented by Messrs. Broomhill, Coumbe, Lawn, Millhouse and Walsh.

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments.

No. 1. Page 2, lines 29 to 32 (clause 4)—Leave out all words after the figures "1940".

No. 2. Page 4, lines 6 to 9 (clause 5)—Leave out all words after the figures "1940".

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the Legislative Council's amendments be disagreed to.

The amendments remove from the control of the Act any buildings that would otherwise

be affected by the Strata Titles Act. The amendments will defeat one of the purposes of the Planning and Development Act: namely, that no land should be capable of being separately owned unless it is an allotment or an undivided share of an allotment as defined in the Act. The amendments would enable a person who failed to get approval to a plan of subdivision or plan of resubdivision of any land to effectively subdivide the land by erecting home units (or pairs of shacks in country areas) on the land. He would also avoid payment of the prescribed reserve contribution into the planning and development fund administered by the State Planning Authority. Indeed, this would enable people to avoid the very provisions that the Leader of the Opposition sought to have increased.

Section 44 of the Act is designed to prevent the disposal of land by long-term leases and so avoid the requirements that a subdivider has to fulfil. However, section 44 (4) was included as a temporary provision to avoid inhibiting the promotion of home units and other structures comprising a building unit scheme while the strata titles legislation was being drafted. This was purely temporary and designed to end as a temporary measure when the Strata Titles Act was introduced, and that Act has now been passed in this place. The effect of these amendments will be to destroy a vital provision of the Planning and Development Act and to allow the creation of allotments, in effect, although they have not been approved in a plan of subdivision or resubdivision under the Act. That runs entirely counter to the whole scheme of the legislation, and I ask the Committee to disagree to the amendments.

Mr. MILLHOUSE: I think I am right in my understanding that, if the amendments are accepted, it will not be necessary to use the Strata Titles Act in every case in which it is proposed to build home units.

The Hon. D. A. Dunstan: That is one of the effects.

Mr. MILLHOUSE: I point out that the only reservation I had about this Bill when it was debated in this place was that it made compulsory the use of the strata titles provisions. I have reservations about this, as have members of another place. I would prefer that the strata titles provisions be operated on a voluntary basis for a period in order to see whether they worked. There is much to be said for not forcing people to operate under this legislation, because it is complex and the amounts payable under it will be substantial. That is what the Legislative Council had in mind, and the Committee would be well advised to try the legislation for a period.

Amendments disagreed to.

The following reason for disagreement was adopted:

Because these amendments would defeat the purpose of the Bill and also affect other legislation passed this session.

MINING (PETROLEUM) ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 17, line 16 (clause 26)—Leave out "Subsection (4) of".

No. 2, Page 17, lines 17 to 20 (clause 26)—Leave out all the words in these lines after "amended" and insert:

"(*a*) by inserting after subsection (3) thereof the following subsection:

(3*a*) Every notice under this section shall specify the rights, under this Act, of a person having an estate or interest in the land, to compensation in consequence of any operations conducted, or other action taken, by the licensee in pursuance of the licence or this Act;

and

(*b*) by striking out the passage 'any mining operations' in subsection (4) thereof and inserting in lieu thereof the passage 'any operation in connection with the exploration for or production of petroleum'."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

That the Legislative Council's amendments be disagreed to.

There is only one substantive amendment, the other amendment being consequential. The substantive amendment inserts the following new subsection:

(3*a*) Every notice under this section shall specify the rights, under this Act, of a person having an estate or interest in the land, to compensation in consequence of any operations conducted or other action taken by the licensee in pursuance of the licence or this Act.

There is a lacuna in the grammar of the new subsection. The words "for injury to the land" should be inserted after the word "compensation", but that is a minor matter. It is impossible for the new subsection to be complied with. The rights of a person having an estate or interest in the land for injury to the land cannot be determined unless it is known precisely what that person's estate or interest is. The licensee cannot be expected to undertake a protracted legal inquiry to determine the

estate or interest of each occupier before giving notice of entry.

Even if it were possible to make a generalization as to the rights of persons having an estate or interest in the land and thus to comply with the new subsection, such compliance would only induce confusion in the minds of many occupiers. Whilst the Act makes general provision for the payment of compensation for injury to land, some interests (that is, those enjoyed by virtue of pastoral leases) by their nature exclude a right to compensation. Similarly, an occupier merely having grazing or agistment rights that amount to no more than a profit *a prendre* has no right to compensation under the Act. A notice served on such an occupier informing him of the rights of a person having an estate or interest in the land would serve no useful purpose and would merely create confustion. I ask the Committee to disagree to the amendments.

Mr. HALL (Leader of the Opposition): I cannot agree that these amendments would be of no use. Many landholders or people with an interest in land do not know their rights in the law of compensation, and it is desirable that they should know. A person who takes some sort of possession of the land for the purpose of exploration should be able to inform landholders of their rights.

The Hon. D. A. Dunstan: How will he know?

Mr. HALL: How much of this measure defines that?

The Hon. D. A. Dunstan: A person cannot specify to someone else the rights to compensation that that other person has. It is not possible for a person to establish these rights by mere inquiry.

Mr. HALL: Surely the legislation must prescribe those rights.

The Hon. D. A. Dunstan: How would one person know exactly the rights of another? This is a most complicated legal inquiry that could not be concluded in certain circumstances.

Mr. HALL: I ask the Premier how many provisions define the compensation rights of landholders.

The Hon. D. A. DUNSTAN: Not many clauses relate to compensation of landholders, but how does a person giving notice to anyone who has an estate or interest in land establish by mere inquiry exactly what that estate or interest is? He would have to establish that before he knew whether the person had a right to compensation. The simple procedure is that notice is given, and then a person who has an interest is put on inquiry about whether he ought to claim compensation. That is the only effective way to operate.

We cannot have mining companies racing around in order to find out whether a person has, say, agistment rights, or to find out precisely the rights of an occupier in relation to an agreement that a mining company may not be able to establish upon search. These matters are in the knowledge of the occupiers, not in the knowledge of the mining companies. All we can ask is that the companies give notice. Then the occupier, knowing his own rights of occupation, can claim compensation.

Mr. HALL: Sections 75 to 80 deal with compensation and define the claim of each interested person. Surely that is the part of the Act on which a court would operate.

The Hon. D. A. DUNSTAN: The amendments require a company, having given notice, to say what are the rights of the occupier. That cannot be done. The Legislative Council could have said that the notice had to specify in a *pro forma* way the sections that give a right to compensation. However, it has not said that. The amendments provide that the person who is given the notice has to be given notice of what rights he has to compensation, but the mining company cannot establish those rights.

The Hon. G. G. PEARSON: Frequently, mining companies tend to disregard the owner's rights and do not minimize any disturbance they may create. Why cannot the notice be given on a document setting out plainly the rights of landholders to compensation because of disturbance by the prospecting company? A landholder would then be acquainted with his rights under law.

The Hon. D. A. DUNSTAN: I do not see why the notice should not include sections 75 to 80 of the Act, but the amendments do not set that out. The rights to compensation are not contained in sections 75 to 80: they are a right of action to claim. As I cannot see any harm if each notice includes the provisions of the sections, I ask leave to withdraw my motion with a view to moving others.

Leave granted; motion withdrawn.

The Hon. D. A. DUNSTAN moved:

That the Legislative Council's amendment No. 1 be agreed to.

Amendment agreed to.

The Hon. D. A. DUNSTAN moved:

In the Legislative Council's amendment No. 2, in new subsection (3a) to strike out all words after "shall" first occurring, and insert "set forth the provisions of sections 75 to 80 of this Act".

The Hon. G. G. PEARSON: That is a useful amendment and will put the company and the occupier on equal terms.

Mr. HALL: I approve the amendment in that form, because providing for compensation is not always easy.

Amendment carried; Legislative Council's amendment, as amended, agreed to.

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

Adjourned debate on second reading.

(Continued from October 19. Page 2857.)

Mr. NANKIVELL (Albert): Although I support the general principles of the Bill, I intend to move an amendment to clause 14 at the appropriate stage. As the Minister explained, although the Bill is not designed specifically to prevent milk and cream coming into South Australia from Victoria, it is designed to enable local producers to compete equitably in this respect. Victorian cream in various forms has been coming into South Australia for a number of years under section 92 of the Commonwealth Constitution, and we have had no means of preventing its entry. That cream, being sold freely in South Australia, has captured about two-thirds of this State's market. Annual milk and cream sales within the city milk-producing area total 19,368,106 gallons and 940,965 lb. respectively. Taking the average fat content of milk received for sale as 4.3 per cent and that of milk sold as 3.7 per cent (which is a little higher than the statutory requirement of 3.5 per cent) I point out that an excess of .6 per cent butter fat exists for every gallon of milk sold in the metropolitan area.

That amounts to about 3,317,000 lb. of cream, which is available within the present city milk-producing area of this State, that is, the area under the control of the Metropolitan Milk Board. Therefore, a substantial quantity of cream produced in South Australia could be marketed within this area, which is controlled by the Metropolitan Milk Board. Although producers are anxious to take advantage of that market, I point out that certain strict health requirements applying in this State have made it difficult and virtually impossible for producers to compete with Victorian producers who send cream to this State. The Bill places the control of milk sold within the metropolitan area under the Metropolitan Milk Board, taking the powers of inspection and supervision and the issuing of vendors' licences away from the Metropolitan County Board. This health protective measure is introduced in the interests of the people of the metropolitan area, and the whole of the health regulations regarding the wholesaling and retailing of milk are being placed under the one authority, enabling that authority, for health reasons, to control the quality and standard of all milk and cream sold within the metropolitan area.

The Bill, which introduces a new definition of "vendor", provides for the issuing of vendors' licences by the Metropolitan Milk Board, and repeals the provision which contains this power in the Food and Drugs Act and which is administered by the Metropolitan County Board. Provision is also made regarding the keeping of records: records must now show whence the milk is obtained, the place in which it is treated, and the conditions under which it is stored. These matters must now be accounted for by the vendor, whereas previously it was provided that certain documents and information should be made available to inspectors, if required. The vendor is now tied to refrigerated depots. The zoning that previously applied under the Metropolitan Milk Board is retained and, although a licence issued by the Board of Health and the Metropolitan County Board will continue to operate in some cases for a time, zoning will not be affected. Provision is made for a progressive takeover from one health-inspecting authority to another. I instance these matters in order to emphasize the care that has been taken in the past by the Metropolitan Milk Board to ensure the high quality of milk sold in Adelaide.

Indeed, these are matters in which pride has been taken in the past by those concerned. Although we cannot, under section 92 of the Commonwealth Constitution, prevent milk and cream entering South Australia from other States, it has not previously been possible to impose restrictions on the standards of these commodities. However, the Bill seeks to protect the public in this regard by ensuring that equal standards are applied to all milk and cream sold in the metropolitan area, irrespective of the origin of the product. The Bill also provides for supervision to be undertaken by the Metropolitan Milk Board. Another important provision relates to South Australian producers, whose dairies are licensed by the Metropolitan Milk Board and who, in addition to being required to build dairies of a certain standard at substantial capital cost, are

obliged to observe rigid standards of hygiene in relation to production. Standards are now to be provided for the storing and delivery of milk, and this will add to the considerable sums already spent by these producers.

The price of butterfat for making butter is at the lowest level of the butterfat rate. The price of milk used for whole milk, cheese or cream is fixed on the market in Adelaide at 37.95c a pound of butterfat, to which is added a levy collected on city milk. The price for a pound of butterfat received for whole milk is about 57.04c, whereas for cheese it is only 37.95c. I understand it is about the same for butter. Cream is sold on a "per pound" basis, and when it is considered that there is 36 per cent of butterfat in a pound of cream, the amount per pound of butterfat sold to the producer in the form of cream as opposed to butterfat being sold to the cheesemaker or to the butter factory is, in fact, equal to the amount he would receive if he sold it as whole milk. This is a considerable advantage to the producer, who is entitled to get the benefit of this market if it can possibly be made available to him.

One of the things that has prevented this from happening in the past has not been only that our health restrictions have made it impossible for them to compete. The dairy farmers have wanted something done about this but the manufacturers have not been anxious in the past to come to the party. It has been as a result of the action by the producer that the manufacturer is now taking an interest in the marketing of cream. The manufacturers are prepared to forgo the whole or part of the levy they receive on this cream: they are prepared to forgo some of their return in order to encourage the manufacturer to enter the market. When the manufacturer said he could not compete with the price, the producer said, "Yes, you can, and we will help you compete." That is the position at present: the producer wants his outlet and the manufacturer is showing an interest in it. We are trying to make it possible to have this market taken advantage of.

Mr. Quirke: Do we manufacture filled cream in South Australia?

Mr. NANKIVELL: No, but we use certain materials such as gelatin to thicken cream. Certain preservatives are approved as efficacious from the point of view of the product. Any filling or additive must be made known in South Australia. We have not known precisely what has been used in the past in some of the Victorian filled creams, but now an organic chemical, although hard to detect, has been detected by the Milk Board. As a consequence, it is no longer being added, and manufacturers are now getting back to using a gelatin cream. If one looks at the top of a Devondale cream bottle, one will see that the product is thickened by gelatin.

Cream from Victoria and other places is drawn from any dairy supplying cream for butterfat, and it is bought at a price slightly higher than the butterfat price in order to attract the cream sales. The conditions under which it is produced are not as rigid as the conditions under which it must be produced in the metropolitan area of Adelaide, yet it is permitted to be sold here freely. We do not necessarily want it stopped: the Bill aims to ensure that the product is brought up to the required standard and that no product sold here is not up to the standard with which our local producers have to conform.

Mr. Quirke: Is it supposed to taste like cream?

Mr. NANKIVELL: If the honourable member knows what cream is supposed to taste like, I should say it does, because people have acquired a taste for it. It is a normally accepted sweet cream, the taste of which most people know. The Bill aims to open the market on a fair and competitive basis in the licensed milk producers area of the State, and to enable fair and equitable competition on the market. I do not believe that dairymen are frightened of competition; all they want is fair competition. In the past, a big market has been built up on what might be called an unfair basis. All the dairymen want is an equal opportunity to develop a larger share of the market. Their share of the market has increased by almost 100,000 lb. in the last two financial years. The total production to June 30, 1966, was 853,027 lb., and to June 30, 1967, it was 940,565 lb. This works out at an average of about .003 pints of cream per capita. However, in addition, it is estimated that between 1,800,000 and 2,000,000 lb. of additional cream comes from other States.

The Bill does not attempt to circumvent section 92 of the Commonwealth Constitution. The definition of "treat" provides for the treatment of milk for the purpose of destroying bacteria, organisms or micro-organisms. The Bill makes it legitimate to use the process known as U.H.T., or ultra-heat treatment, whereby milk is treated in excess of 270 deg. F. The milk is sterile and it will keep for four months. Also, it can be transported without

refrigeration. It is important to keep that in mind, because the only power the Minister has is to hold milk until he is satisfied that it comes up to standard and is fit for human consumption. Therefore, I should think that samples of milk could be taken in advance (the same could be done with cream). If the milk has been properly treated by this process it will last for four months and longer, provided it is in sterile containers. Therefore, no suggestion can be made that unfair advantage is taken because this cream has to be transported.

The Bill provides that, where we are satisfied that the milk or cream is properly treated, the market is still open to Victorian producers. Of course, it could be that Tasmanian producers will be concerned. I believe that Baker & Company has been taken over by the British Tobacco Company and is operating in Tasmania. Therefore, it is not inconceivable that Tasmanian milk could come to Adelaide. If it is not up to our standards, it can be required to be retreated. This provision in the Bill is to ensure that the milk or cream being sold here is of a standard equivalent to the standard required of the local producer, and this is designed to protect the health of people in the community. Also, in order to enable a sales promotion programme to be undertaken, provision is made for advertising to be carried out. The Bill relaxes the price arrangements so that a maximum and a minimum price can be fixed under regulation, and this will enable fairer competition. At present, the price in South Australia is fixed and it has been easy for competitors to undercut that price.

I have drawn the Minister's attention to the fact that by the repeal of section 37a we will take away the powers from the Metropolitan Milk Board to obtain milk from other sources in a case of emergency. This year could be one of those years in which we might be obliged to bring in milk from some source other than the licensed area. Of course, section 37a was redundant because its provisions applied only until the end of December, 1958. However, the intention of that section could be preserved by removing from it the subsection that relates to its termination. This is what I intend to move to do later. Thus the provision will state:

The board may, if it considers it necessary to do so, issue a permit to any holder of a milk treatment licence authorizing him to buy chilled milk from any proprietor of a dairy produce factory or milk depot in any part of the State.

Although milk obtained in that way will still have to be treated, it will enable milk to be obtained from sources other than the licensed area. I suggest that this provision should be included in the Bill in order to meet any contingency that may arise. If this provision is not made, I foresee the situation arising in which the only way to increase the supply in the metropolitan area in an emergency will be to proclaim a new area and to issue a new set of licences. Of course, the only other alternative is to open the market to people from other States (we cannot stop this, provided the milk is properly treated). We want to ensure that, as far as possible, the producers in this State are given every opportunity to supply milk to the city milk area.

All the other matters dealt with in the Bill are clear. I have no objection to the intention of the measure. Although it may appear to be directed in one way, that is not necessarily how it is to be interpreted. Anyone who wants to challenge the legislation may do so, and there is no point in my raising controversial legal issues, because members who have a knowledge of the law could do in five minutes what I have taken days to do. Any provision can be interpreted by a person with the ability to interpret legal documents. In the second reading explanation, the Minister refers to the price-fixing powers. We are loosening those powers to enable competition to take place. I support the second reading, and intend to move an amendment to clause 14 in the Committee stage.

Mr. McANANEY (Stirling): I support the member for Albert, who has given a comprehensive outline of the Bill. The production of milk is now a specialized matter and the Act must be amended to ensure production of high quality when refrigeration is used. The introduction of refrigeration presents difficulties in any industry. Victoria has found that the methyl blue test is not so effective and that people using refrigeration are able to do undesirable things without being found out. All these matters will be dealt with when the Act is amended.

Fair and equitable competition between States is desirable and I think it will prove beneficial to our producers. I agree that the Milk Board should have power to inspect milk up to the time when the milk goes into shops. We know that shops that sell milk also sell other commodities, and it is the responsibility of the health authorities to ensure that an adequate standard of cleanliness is maintained in the shops. Therefore, I agree that the

Metropolitan County Board should continue to have power to make inspections in shops. I point out here that the position in the milk industry is different from that in the meat industry, because in the case of the latter the industry has to bear the cost of shop inspections.

I think we ought to give some praise to those engaged in the dairy industry. That industry has often been criticized as being highly subsidized. However, in the last 10 years the selling price of a bottle of milk has increased from 15.8c to 18c, or by about 14 per cent, yet during the same period the basic wage has increased from $25 a week to $39 a week, or by more than 50 per cent, and the average weekly wage has increased by 50 per cent in that time. The industry has been required to incur much expenditure in the provision of better dairies and more refrigeration, as well as in purchasing milk tanks and paying the high wage rate of treble ordinary time to employees working on Sundays. Despite that, the Adelaide housewife receives her milk at a comparatively cheaper cost than she did in earlier years.

The Minister has not yet replied to my question about the basis adopted in regard to the allowance made in the determination of the price of milk for the wage cost of an owner who is a working manager. It seems that the position in the milk industry is different from that in industry generally, where wages and profit margins are increased when productivity increases. Only last week the price of milk in Victoria was increased by 1c, and I think the cost structure in South Australia must be carefully considered, particularly in this time of drought, when the cost of producing milk will increase considerably. It is all very well to conduct meetings such as that held at Wunkar last night in order to lend money to farmers to tide them over the drought period, but the recipients of that money will be loaded with debt.

We must ensure that those engaged in the dairy industry are given adequate payment, on terms similar to those applying in other industries, particularly because of the expenses that dairy farmers have to meet as a result of the drought. In the metropolitan milk area, the number of cows has increased only slightly, if at all, yet production per cow has increased tremendously. That is why milk is available at the price applying today. I support the provisions that give the Milk Board power to spend money on the promotion of milk and cream sales.

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

Mr. McANANEY: I think the Bill is reasonable, and I support it.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Clause 10—"Enactment of ss. 30a-30e of principal Act."

The Hon. G. A. BYWATERS (Minister of Agriculture): I move:

In new section 30c to insert the following new subsection:

(2a) A person upon whom a notice has been served under subsection (2) of this section shall not sell or otherwise dispose of any milk or cream referred to in the notice until the board has informed him in writing that the milk or cream is fit for human consumption and complies with the prescribed standards or until the expiration of twenty-four hours from the time at which the notice was served upon him, whichever is the earlier.

Where the Milk Board issues a notice to a person that an inspection is required that person has the opportunity to maintain the milk or cream within his premises for some time. This clarifies the Bill.

Amendment carried.

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

In new section 30c (4) after "person" to insert "who contravenes this section or".

This is purely consequential.

Amendment carried; clause as amended passed.

Clause 11 passed.

Clause 12—"Refusal of licence."

Mr. McANANEY: This refers only to a vendor's licence and not to primary producers?

The Hon. G. A. BYWATERS: Yes.

Clause passed.

Clause 13 passed.

Clause 14—"Repeal of section 37a of principal Act."

Mr. NANKIVELL: I move:

To strike out "repealed" and insert "amended by striking out subsection (5) thereof".

This section of the Act deals with the issue of special permits to purchase milk, and the provision is still necessary because emergencies can arise. One could arise and, as the Bill stands at present, the Milk Board could not obtain milk from other sources other than by proclaiming additional areas to be licensed under the Act. It would mean a permanent issuing of licences to meet an emergency, and this would be unnecessary and undesirable. With the exclusion of subsection (5), after leaving the present section 37a in the Act, the Milk Board at any time may, if it considers it necessary, issue a permit to any holder of a licence in an emergency.

Amendment carried; clause as amended passed.

Remaining clauses (15 to 28) and title passed.

Bill read a third time and passed.

ACTS REPUBLICATION BILL

Adjourned debate on second reading.

(Continued from October 24. Page 2931.)

Mr. COUMBE (Torrens): I support this Bill which, among other things, repeals the Amendments Incorporation Act and the Acts Republication Act. Its purpose is to enable the republication of all Statutes to proceed without delay. I understand that this big job will take about six and a half years to complete, because about 2,000 Statutes will have to be revised and republished. Although we confidently expected that the Acts Republication Act passed in 1966 would have in itself enabled this work to proceed forthwith, it has been found necessary to tidy up certain matters. Mr. Jack Cartledge, a former Parliamentary Draftsman, had been appointed as the editor of the republication work but his untimely death prevented the work from proceeding.

It is interesting to note that apparently only one major republication (in 1937) has occurred since Parliament commenced, and that republication involved about 100 years of legislation. It is now almost 30 years since the last republication occurred and there are now about 31 annual volumes on our shelves comprising, as I have said, about 2,000 Statutes, which must be revised. Although I understand that Mr. Edward Ludovici, the Assistant Parliamentary Draftsman, has been appointed as the Commissioner of Statute Revision, I have no idea how this office originated.

The Hon. D. A. Dunstan: It is an office created in the Public Service by the Public Service Board, and that was the title allotted to the office.

Mr. COUMBE: I had previously examined the *Government Gazette* and seen that Mr. Ludovici had been appointed. Mr. Ludovici, who will do the necessary work, expects that it will take about six and a half years, and I understand that the procedure to be adopted will be similar to that intended in the 1966 measure: although the Government Printer will officially print the revision, the Law Book Company will actually handle the work under the editorship of Mr. Ludovici. I understand also that after the Government and Parliament have been provided with the required sets of volumes, the remainder will be available to the company for sale to the legal profession and others who require the volumes, so that the company may recoup its costs. Honourable members will know, by the high standard of the work previously undertaken by the company, that the revision will be in good hands.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"General reprinting and republication of Acts."

The Hon. D. A. DUNSTAN (Premier and Treasurer): I move:

After subclause (4) to insert the following subclause:

(5) Where any portion of an Act consists of or wholly relates to an amendment that is, or the substance of which is, wholly incorporated in any other Act reprinted under this section, that portion may be omitted from any reprint made under this section of the Act of which it is a portion if there is included in the reprint an appropriate reference to the other Act or to the provision of the other Act in which the amendment is so incorporated.

It is not necessary, and would serve no purpose, to include in any reprinted Act any amendment of another Act if that amendment had been incorporated in the reprint of that other Act.

Amendment carried; clause as amended passed.

Remaining clauses (5 to 13) and title passed.

Bill read a third time and passed.

MENTAL HEALTH ACT AMENDMENT BILL (CRIMINAL DEFECTIVES)

Received from the Legislative Council and read a first time.

SHEARERS ACCOMMODATION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

TRUSTEE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 24. Page 2960.)

Mr. HALL (Leader of the Opposition): The Bill, which extends the power of trustees to invest in two directions, appears to incorporate proper safeguards in each of these new powers. A money dealer must be approved by the Reserve Bank of Australia and either Government securities or a bill of exchange must be available to guarantee the investment made by the trustees on behalf of the trust they hold. Pursuant to clause 4, the trustee is enabled to invest more than two-thirds of the

valuation of the real estate, but such sum must be guaranteed by the Commonwealth Housing Loans Insurance Corporation. It appears that this is a desirable extension to the powers of trustees, and that there is every safeguard to back the value of the money in trust. Because of the desirability of it and the safeguards incorporated therein, I support the Bill.

Mr. COUMBE (Torrens): I, too, support the Bill. The inclusion in the Trustee Act of the short-term money market facilities is a wise one. There has been a little problem for some years regarding trusteees who are entrusted with the obligation to invest trust moneys in the rather narrow field of investments open to them. Of course, the Bill will slightly widen their powers in this respect.

The position under our Act is that trustees can invest in Commonwealth gilt-edged securities, such as Commonwealth bonds of various types. The South Australian companies are virtually confined to the Electricity Trust, the South Australian Gas Company and the Housing Trust. These are the only organizations with which they can invest money. The Housing Trust has not gone on to the market for many years, and, from my observations, I do not think it is likely to, because it appears to be getting cheaper money elsewhere. Therefore, the average trustee who is obliged to invest moneys on behalf of an estate or undertake other types of investment probably finds it best to invest with the Commonwealth or with the Electricity Trust and the Gas Company. The latter two organizations usually give a slightly higher return than does the Commonwealth.

One can see from tonight's paper that the Electricity Trust's loan has closed. I would think it was probably over-subscribed. Indeed, this has happened on a number of occasions, and the same has happened with the Gas Company loans. They are both greatly sought after, so much so that the advance subscriptions have, on a number of occasions, been sufficient to close loans before the official opening date. This has been brought about because of the popularity of those loans, and because trustees have been confined in the field in which they can invest. After the scare a few years ago with industrials and the Reid Murray type of investment, people went back to the secure type of investment where they got a slightly lower rate of income but where their investment was secure.

I do not know what other type of investment could be introduced, but I hope the Premier, when he replies, will say whether the Government has considered widening the provisions of the Bill. This must be done carefully. First, it must be seen whether the security being offered is safe and secure and guaranteed by the Government. On the other hand, it must not be so wide as to weaken the support now given for other public utilities such as I have mentioned. As our population increases we will find that we are slightly restricted in this matter compared with the other States, where there are more public utilities and organizations in which trustees can invest.

The Hon. D. A. DUNSTAN (Premier and Treasurer): Consideration was given to widening the range of trustee investments, but at this stage of proceedings it was thought that this was as far as we should go. However, the matter is still under consideration.

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

POLICE OFFENCES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 25. Page 3019).

The Hon. G. G. PEARSON (Flinders): I wholeheartedly support the provisions of the Bill dealing with the method of controlling the use, manufacture, sale, etc., of the hallucinatory drug. I am pleased the Government has introduced the Bill because, during recent months, the Opposition has repeatedly expressed itself definitely about this drug. It is fair to say that the Opposition's pressure in this matter has borne fruit and that the Government has seen fit to introduce legislation for which we have often asked.

I do not intend to go over the grounds leading to the introduction of the Bill, except to say that this afternoon I went through *Hansard* and the earliest reference I could discover to this matter was a question asked by the Leader of the Opposition on September 20. This was followed by questions on at least six occasions by Opposition members. The matter was also the subject of a short debate during which the Opposition urged as strongly as possible that the matter should be treated seriously and as one of urgency, and that legislation should be introduced.

It is also correct that in the early stages the Government was not seized with the urgency of the matter. During discussion, it was the subject of reference by members on this side, particularly the member for Burnside and me. We referred to what we

had seen in recent visits overseas and to the effect that this drug was having on the youth of communities there, particularly in the western cities of the United States of America and London. One has only to see what this is doing and what it has done to many young people overseas to realize how dreadful it is.

I know that all drugs are dangerous; indeed many commodities are dangerous if they are abused, and most drugs are capable of abuse. Narcotic drugs are reasonably well controlled—at least they were until a more sophisticated community has perhaps tended to abuse them more. This is, particularly in the case of younger people, an age of experimentation. The searching minds of young people seem to extend into realms of research and experimentation that tend to be extremely dangerous, and the consequences of abuse can be long lasting.

One applauds the inquiring minds of young people. It is an age when our education is slanted towards the idea that young people should be given, by means of their education, the mental equipment and aptitudes to think for themselves. This is desirable and necessary in an age when the horizons of knowledge are extending to such limits that it is impossible to teach by rule of thumb the education required for later life out of the narrow confines of a series of textbooks. The purpose of education these days is to equip young people to form their own attitudes, to conduct their own research and to reach their own conclusions, and this is what they are doing. This is the only attitude that can hope to cope with the wider and still growing fields of knowledge.

When it comes to experimentation and the development of a widespread idea that the only way a person can find out about certain things is to try them out, whatever the inherent risks may be physically and mentally to young people, then I think we have the responsibility as makers of the law to see that at necessary points we curb this activity, having in mind the well-being of people involved in it. This particular drug, which has a long and difficult scientific and pharmaceutical description, is one of the drugs in which young people have indulged because it is alleged to sharpen their mental outlook, to take them into the realms of make believe and hallucination, and to lead them into fields of thought which otherwise may be closed to them. This may be all right if it stopped at that point but unfortunately it does not and it becomes on its own account a compelling drug. I believe it is now accepted as being dangerous to the mental and physical well-being of those who try it.

I am sure that we are taking wise and necessary steps by prohibiting the use of the drug, except under strict control and prescription, and by stopping the growth of the practice in the community. True, as yet it probably has not gained very widespread use in South Australia. However, we should not wait until use of the drug becomes evident to a marked extent before taking action: rather, we should nip it in the bud now.

I am pleased that the Government, in response to widespread requests, has introduced this legislation. The wording of the Bill suffices to achieve the purposes I have mentioned. Clause 3 is specific and refers, in particular, to this type of drug. New subsection (1a) gives power to control any additional drugs that are considered to be dangerous to the persons who use them, and I do not think there is any loophole in the provision, which states:

A person shall not, without lawful excuse, proof whereof shall lie on him—

(*a*) manufacture, prepare, sell, distribute, supply or otherwise deal in any prescribed drug;

(*b*) have in his possession any prescribed drug; or

(*c*) use any prescribed drug.

The penalty prescribed is a fine of $2,000 or imprisonment for two years, or both. We are putting the onus of proof on the accused person, whereas traditionally this and other Parliaments have not normally so provided. If this matter were not so serious we should not be justified in placing the onus of proof on the accused in this case. However, the well-being of the person himself is directly involved and we are protecting him from unwise and unwarranted actions on his part. Parliament's only interest is the well-being of the person concerned, and that justifies our placing the onus of proof on him.

It will be a complete defence to show that the drug has been prescribed by a person's medical adviser for his use and that he uses it in accordance with the dosage prescribed. I am entirely in accord with this part of the Bill. The penalties are not unduly severe. Indeed, if the penalties are an adequate deterrent to the misuse of these drugs, they are justified. The court will be able to have regard to the nature of the accusation. In other words, a victim of this drug may be (and, I think, would be) dealt with far more leniently than would the person who supplied the drug to him. I can think of nothing lower in this world than that a person should make a profit from the supply of such nefarious substances

as these drugs. That is the worst form of exploitation of human nature, and an offence that sets out to subvert the moral and physical well-being of a younger member of the community by providing him, on any terms, with a substance such as this deserves the severest penalties.

I hope the courts consider the matter in that light. If cases come before our courts, I hope that the early instances are dealt with in the most severe manner, particularly so far as they concern those people who have been low enough to profit from the manufacture, sale and distribution of these substances. Other substances will be contrived in future and it is wise that the scope of the Bill is not specifically restricted to the known drugs about which we are concerned at present. I hope that the appropriate authority will take action to have any new substances similar to the ones we are discussing brought within the section promptly.

The second part of the Bill, which is in no way related to the first, deals with censorship, and I was surprised at the inclusion of this provision. It is welcome in regard to what it does. As I understand, and as the Premier has explained, the provision arises from agreement reached by 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.

The Premier has said that 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 matter submitted for the board's opinion. That is a proper provision to protect members personally from liability for damage in the event of action being brought against them as a result of their expression of opinion about matter contained in literature submitted to them. There is inherent in the provision the presupposition that until the Commonwealth actually sets up this board there will be no interference with the present operation of the various censorship and appeal boards in existence. Therefore, we are creating no problem in passing the measure at this stage. I note that the purpose of the new board is merely advisory: the board is to advise the appropriate Commonwealth and State Ministers of its opinion on any literature that enters this country; it will not affect in any way the right of a State Minister to decide whether or not a prosecution is to be instituted in a particular case. The final decision whether a publication does or does not come within the ambit of the law will continue to be made by the court.

It is not intended to open up the wide question of censorship: this clause will not affect the general principles of censorship and the grounds on which they are based. However, I think it is appropriate to comment on censorship itself. I believe that we have tended to be too lenient regarding prosecution under censorship provisions. If we accept the principle that young people, in particular, are influenced by their environment, at least for their good, and that a good example engenders good conduct and good habits in young people in their formative years (and I think we accept this principle), I think the reverse must also apply with perhaps even greater force: I think that the ready access, which young people have to literature of doubtful moral value is, and has been proved to be, detrimental to their behaviour. The commercialization of sex and acts related thereto has, without doubt, completely perverted the finer attributes of sex. I believe that the subject has been completely prostituted and commercialized and that the constant bombardment of the teenage mind by doubtful literature has produced an effect and a result which are directly responsible for much misbehaviour in the community today.

The experience that seems to derive from an examination of the situation in other countries where censorship has been even more lax than it has been here is sufficient to convince me that what I am saying is true. One only has to wander around the rather sleazy bookshops in some of the suburban areas of oversea capital cities to see the range and scope of literature available to those who have the money to buy it; it is available, in its worst form, to anybody and it is obviously reflected in the behaviour of the young people in those countries, leading to the kind of thing we have not yet actually seen in this country to any serious extent. However, such literature is having its effect in our country, and it will continue to have its effect unless we take firmer action in this regard. I believe that we have tended to take too lenient a view of obscenities in literature: we have tended to view such literature with the purpose of discovering in it some literary merit. If we can discover even a minor ingredient of literary

merit, we tend to say that the literature concerned is of literary value generally, and we overlook therein the material which I think is obnoxious and degrading in its reading.

Section 33 (5) of the Act shows the attitude which has been written into the Act and which ought to guide us regarding censorship but which I believe has largely been overlooked. This section provides:

Notwithstanding anything in subsection (1) of this section, the court shall not hold that books or other matter do not fall within the definition of indecent matter because of their literary or artistic merit, if such books or matter describe with undue detail, or emphasize, coition, unnatural vice, or other sexual, immoral, or lascivious behaviour, or the organs of generation or excretion.

That is a clear instruction to the court that, if a book contains a matter that describes in undue detail, etc., the matters to which I have referred, the court shall not hold that such a book falls within the definition of literary or artistic merit. It seems to me that in our general interpretation of censorship and of our application of its principles, we have adopted the reverse viewpoint: people tend to look amongst the filth for something that can be construed as being of literary merit.

Many of us probably have on our shelves books, which are perhaps of doubtful literary merit and which probably almost come within the scope of this section. I recall some of A. J. Cronin's and Nicholas Monsarrat's books, which are starkly realistic and which were held (and may still be held) to be works which, because of the sheer vividness and character of the writing, contained literary merit. Indeed, they are vivid and stark in their description of the realities and the sordidness of life, and they present them in a fashion that leaves nothing to the imagination. If such literature has merit, our writers who are capable of such literary expression might better devote themselves to something on a higher moral plane. I believe many writers today deliberately go as close to the line of decency as they can and, indeed, frequently step over that line in order to sell their books. There is no doubt that people will, and do, buy such books.

When I was looking at the Act I came across a section that I did not realize was in the Act. However, I was pleased to see it there. I hope that in future censorship activities the censor will pay more heed to this section, and I hope the Minister in charge of this matter will read the section and decide whether or not prosecutions should be made under it. The purpose of the Commonwealth board is to try to achieve uniformity in censorship throughout Australia, and I presume this is the purpose of the Commonwealth and the States in approaching the matter in this way. Indeed, this is desirable. It is obviously unwise for one State to ban a certain book when the other States do not see fit to do so. No better method of advertising a book could be devised than to ban it. If a book is not banned in all States it becomes a best seller in the States in which it is not banned, which means it travels throughout the whole of the Commonwealth anyway.

Mr. Clark: It is usually obtainable where it is banned.

The Hon. G. G. PEARSON: It frequently is. That is one of the unfortunate things about it. The honourable member will probably agree that because it is available and people seek it proves they have an unhealthy appetite for this kind of book.

Mr. Clark: I think that is a pretty good argument against censorship.

The Hon. G. G. PEARSON: I do not agree with that. If that is an argument it could mean, taking it a step further, that one could say it would be unwise to take action against anything because such prohibition only whets people's appetites to indulge in it. I do not agree with that and, indeed, it is contrary to the legislation in the first part of this Bill whereby we are banning the use of certain drugs. It has an application through the whole field of social and moral behaviour: if people are stopped from doing something, they immediately want to do it.

Mr. Clark: Books are slightly different.

The Hon. G. G. PEARSON: They may be, but my argument still pertains, that appetites grow with feeding. This is not a healthy appetite and we should do our best to discourage its growth. The only way in which we can do that is to take action to screen the inquiring minds of young people from this kind of immoral rubbish which is written and distributed with only one purpose in mind—monetary gain. The people who seek to make their living out of this kind of activity would do better to spend their energies on something more worth while. After all, thousands of worthy citizens in every community devote their time and energy in setting an example and trying to encourage people to live a contributing, healthy and decent life. Why should we, on one hand, lend our support to these things and approve or even laud them, and participate in these activities such as youth organizations, but on the other hand negate

the effect of these efforts by allowing the retailing of literature detrimental to their higher thinking and to their best development?

I hope this provision has the desired effect and that it leads to some degree of uniformity, and some uniformity of advice by the Commonwealth board to the State Ministers. I hope that, as a result, they take joint action in their respective spheres to heed the recommendations of the Commonwealth authorities so that the variations in attitude toward literature of doubtful quality should be largely eliminated. This would be a good thing, but at the same time I point out that it remains the prerogative of the Minister to authorize a prosecution in his own State, and it is the court's prerogative to decide whether such a prosecution should proceed and what action it should take. I hope the court and the Minister have regard to section 33 (5) of the parent Act in forming their opinions as to what matters come within the scope of general literary merit and what matters that fall outside that scope should be dealt with by the court. I support the Bill and hope it has the desired effect.

Mrs. STEELE (Burnside): I rise to support the Bill and I welcome its introduction, which is a great relief not only to the members of this Parliament but to the public. Without doubt, the Opposition can claim much credit for the introduction of this legislation. Indeed, one need only refer to *Hansard* to see the number of times this subject has been brought forward by the Opposition and the length at which it has been debated to realize that the Government for some time was completely out of step with what the people and the Opposition wanted by way of control over this great menace, particularly to the young people. I was interested to see that, when there was so much discussion some weeks ago, a concensus of opinion was taken from the young people. In a section of the *News* devoted to the views of people under the age of 20 on questions of topical interest, I found that five out of six young people interviewed were concerned about the matter and favoured legislation to prevent the manufacture and sale of drugs.

In his second reading explanation, the Premier said that the immediate effect of the legislation would be the control of the hallucinatory drugs, which include lysergic acid diethylamide (L.S.D.). It was also provided that action would be taken to control the sale of what I think are known as amphetamines, which are stimulant drugs that are peddled to young people and are much used by transport drivers to keep themselves awake. Although this latter practice is supposed to be controlled, many Governments within the Commonwealth are concerned that the offence is still rife. Any legislation that leads to controlling the peddling and encouragement of drug taking amongst young people is vitally necessary.

One of the important things about the legislation is the penalty, and everyone waited with interest to see what it would be. For the particular offences under the Bill of manufacturing, selling, distributing, using or being in possession of these kinds of drug the penalty is $2,000 or two years' imprisonment or both, and I hope this will be a salutary deterrent to people in the community who are responsible for this kind of offence. As the member for Flinders said, one of the lowest things to which people can sink is to peddle drugs amongst young people who are unsuspecting and who do not realize the full implication of drug taking.

It is interesting to realize that it was the Labor Opposition in New South Wales that forced the New South Wales Government to introduce legislation for this purpose. Already the authorities there are beginning to wonder whether the legislation goes far enough. Before the legislation was brought into that State, a magistrate there, in sentencing some young people responsible for this kind of peddling, referred to the ridiculous situation whereby he was compelled to pass such a light and totally inadequate sentence on people offending in this way. Not many weeks ago, everyone was surprised (probably more particularly the public of N.S.W. but certainly the people in this State) to find out that in a university paper in that State the formula for the manufacture of these drugs had been printed. I understand that because the powers did not go far enough nothing could be done to prosecute or take other action against the editors of the paper responsible. Perhaps the Premier can tell the House when he closes the debate whether we have power to make regulations to prevent people from publishing the formula of these drugs, which are being circulated in the community today.

Another question uppermost in my mind and in the minds of many people is the extent to which students should be educated about the danger of drug taking and put wise to the people who circulate drugs in the community. I recall that, in answering a question put to him by the

member for Mitcham, the Minister of Education said that he had had discussions with the Director-General of Education and other senior members of the department about the advisability or otherwise of initiating that sort of education in the schools. He said that he came down on the side of not doing anything about it at this stage because he believed that, by talking about it, inquisitive young people might be made more eager to venture into something about which they knew nothing rather than be educated about the dangers of it.

Of course, there are two schools of thought on the matter as there are on other moral issues of this kind. There is still divided opinion whether or not sex education should be undertaken in schools. However, I suggest that many people believe, even at the risk of perhaps some student gaining enlightenment about drugs in the wrong way, that we should still try to make them aware of the dangers of drug taking and of the fact that there are people who will go to all sorts of lengths to try to get them to embark on this kind of adventure and to "take a trip", which I think is the appropriate jargon used. I believe that to be forewarned is to be forearmed. We should examine this matter much more closely to decide whether there is not some method by which students susceptible because of their age can be safeguarded and educated against the use of drugs and educated about the dangers associated with taking them.

I now wish to deal with censorship. This, too, will be welcomed because, if there is any field in which there should be some uniformity, it is in the field of overseeing literature imported into the country or published here. A few moments ago I spoke about the irresponsibility of editors of a university paper in New South Wales in printing the formula for making L.S.D. I often read university papers and I am surprised at the depths to which they can sink and at the kinds of article and illustration published therein. To me it seems that the university paper in South Australia runs close to the wind.

To think that such papers are published by young people who are studying at universities and who have the benefits of and the facilities for education with which the public of South Australia provides them, seems to me a pretty poor reflection on their scholarship. It surprises me that they get away with the kinds of thing they do in university papers. I don't know to what extent they are censored. I don't know who is responsible and who judges whether or not what is published by the students in a university paper is appropriate or otherwise, but it seems to me that in many cases these papers are just inside the law. I make this comment because many people in the community feel the same way about it.

Naturally, we give to university students, as we expect to be given, freedom of expression and speech but it seems to me that they take it almost to the limit, and that is something that could be referred to in the context of censorship. That is because, to my way of thinking, dangers lie within this kind of publication. I, and I think most other members, have received letters from constituents deploring the type of literature that sometimes falls into their hands, and most members have asked questions from time to time in this House about the desirability of allowing this sort of literature to be circulated. Many wonder how some papers and journals ever came to be permitted entry into Australia. I consider the move foreshadowed in this legislation to be good, because it will enable the States and the Commonwealth to collaborate and co-operate to a certain extent. The measure will not take from the States the rights that they have.

The Hon. G. G. Pearson: Or the responsibilities.

Mrs. STEELE: That is correct. The new Commonwealth board will be able to advise the States about literature it considers to be questionable and the States will then be able to prosecute if they want to do so. The board will comprise nominees of the Commonwealth and the States and, as I have said, it will advise the appropriate Commonwealth and State Ministers who, retaining their rights, will decide whether a prosecution is to be instituted. It seems to me that the trend these days is towards uniform legislation in many of these matters that concern the community, wherever they may be within the Commonwealth. Provided that the rights of the States are preserved, that the States can still institute their own prosecutions (as provided for in this legislation), and that the matter is kept within these bounds, I think uniformity of legislation in this type of legislation is good. I welcome the measure, particularly the part that refers to the control of drugs. It will be interesting to see whether, in the light of experience, the penalties imposed are sufficiently severe to deter people who otherwise would be offenders under this measure. I, like the member for Flinders (Hon. G. G. Pearson), consider that the first offenders brought before the courts should be given the maximum penalties, because they would act as a deterrent

to any other people who might otherwise indulge in this nefarious practice.

Mr. COUMBE (Torrens); I support the Bill and am pleased that the Government has introduced it. There has been some prodding by the Opposition, and I think credit must go to the member for Rocky River (Mr. Heaslip), who has been fairly persistent in this matter particularly during the last month or so. The Government has now introduced the measure and we shall be able to go ahead and take action. I think the linchpin of the whole legislation is what is to be a prescribed drug. When the list of drugs is drawn up, care will have to be taken to ensure that it is sufficiently wide to give effect to what Parliament wants to do and, on the other hand, to ensure that it does not interfere with the legal supply of the medicinal or pharmaceutical range of drugs.

The Bill provides that a person shall not, without lawful excuse, do certain things. I take it that medical practitioners and pharmacists will have certain rights, as they have now. Care will have to be taken in preparing the list of drugs, because doubtless much of what is happening today has been brought about by people who have brought to bear ingenuity in skirting around the law, such as the provisions of the Drugs Act. A great deal of money has been made by these people. I am after the pedlar, who is the despicable person in this scheme. Not only do we have to protect the person who takes a drug: we have to get after the pedlar. It is difficult to detect many of these, as has been found in regard to narcotic drugs, which are worked in these days on an international basis.

Once an addict is hooked (I think that is the term that is used), he will not talk, because he thinks that if he does his supply will be cut off. Doubtless, the taking of drugs today by many young people in the community has a certain attraction. Taking cough drops, purple hearts and other things seem to be almost a status symbol in the community, no matter how much other people may detest it. Some people regard the taking of these drugs as being "with it", if I may use that phrase, and they take the drugs, to a certain extent, for kicks. People are going to the extent of taking large doses of a commonly-marketed cough repressant. This cough repressant is freely available as a pharmaceutical line. Other drugs being taken are on the list of drugs prescribed by doctors.

We find that young people are taking huge doses of this cough repressant because they get a kick from it. It has an hallucinatory effect. We must be careful to ensure that we get a good line on what we want to do, because sooner or later someone will try to get around the side door. The provisions of the Bill are wide. They cover manufacture, preparation, selling, distribution, supplying and dealing in any prescribed drug. That fairly wide field should catch most of the people concerned. The penalties prescribed are a fine of $2,000, or imprisonment, or both. They are severe penalties, but they have my wholehearted support. When I heard that the Government intended to introduce this measure, I did not know into what Act it would place the new provisions. The Government has taken the view that it is convenient to include the provisions in the Police Offences Act.

I have wondered whether, as the Police Offences Act is administered in courts of summary jurisdiction by either magistrates or justices, this is severe enough, or whether the Government should consider including the provision in the Criminal Law Consolidation Act. Does the Government regard this as a criminal offence or as a minor offence, even though the penalties may be severe? Has the Government considered treating this as a criminal offence, with the heavier penalties?

The Hon. D. A. Dunstan: All offences in the Police Offences Act are criminal offences.

Mr. COUMBE: Yes, but I am just posing the question whether this should have been dealt with under the Criminal Law Consolidation Act.

The Hon. D. A. Dunstan: The only difference is whether or not a man has a right to trial by jury.

Mr. COUMBE: The matter can be dealt with summarily by a justice or two justices, or by a magistrate.

The Hon. D. A. Dunstan: It is unlikely it would be handled by two justices.

Mr. COUMBE: I agree; it should be handled by a magistrate. I recently studied fully the matter of censorship, because I had to give a paper on the subject. I believe that the amendment contained in the Bill will give added strength to the Act. I am surprised that the important provision to the effect that a member of the board is not subject to libel has not been included previously. I hope this measure will be quickly passed and that when it is implemented it will be as effective as all members hope it will be.

The Hon. Sir THOMAS PLAYFORD (Gumeracha): I support the Bill and commend the Government for having introduced

it. I cannot say that I entirely agree with the member for Flinders regarding the onus of proof under the particular clause to which he referred. A loophole exists if a person can establish a lawful excuse. Indeed, under the Police Offences Act a lawful excuse always has to be proved by the defendant himself: where a lawful excuse is pleaded, it is up to the defendant to establish that such excuse exists, although the onus of proof is not placed on the defendant regarding the offence itself. I do not agree with the honourable member that we are establishing in this Bill something that is uncommon or something that is unfair on the defendant. However, I agree with the member for Torrens (Mr. Coumbe) regarding the placing of these provisions in the Statutes. An offence under the Police Offences Act has to be dealt with summarily except in certain cases, which are enumerated in the Justices Act and which, I understand, can be dealt with only by the Criminal Court. If I understand correctly the relevant provision in the Justices Act, it establishes a demarcation between the cases to be dealt with under the Justices Act and the cases to be dealt with by a higher tribunal. I believe that this particular provision should be dealt with not by a magistrate or two justices but by a judge, for I believe that it concerns an offence which, if it is not checked, will have a most serious social consequence.

Much financial inducement exists for some people to indulge in the manufacture and distribution of the drugs concerned. I do not quarrel with the penalties provided for in the Bill, although they may well prove to be inadequate where a drug trafficking ring is involved.

I do not know whether recent press reports regarding penalties provided in other States are accurate, but, if those reports are accurate, I believe that the penalties provided in this measure are not as severe as those applying in other States. However, that matter can no doubt be remedied by Parliament from time to time, if necessary. If the penalties prove to be inadequate, Parliament will be completely justified in imposing harsher penalties in the future. Much lesser offences than those created under this Bill are undoubtedly reserved for consideration by a judge and jury: offences of a more minor nature in their social effect are reserved for consideration by a higher court, which I believe is more likely to impose an adequate penalty. The Attorney-General will agree, particularly regarding the justices courts, that there is quite frequently much divergence between the penalties imposed in some courts as compared with similar instances in other courts. However, I do not desire to deal with that at the moment.

In his second reading explanation, the Premier dealt with two types of drug proposed to be prescribed under the Act. However, there is a vast difference between the two categories of drugs he mentioned. I agree that it is undesirable for persons travelling long distances to take a pep pill of some sort with the object of keeping awake to maintain a long schedule of driving: that is a serious matter and should be stopped, not only in the interests of the drivers but also in the interests of road safety. I have had experience of a number of cases in which it has been reliably presumed that the driver concerned was not in perfect condition because he had been driving for a long time without any breaks. Much difficulty is experienced in policing the present State laws regarding the period of driving. I agree with the Premier that that offence should carry a substantial penalty. However, I do not regard it in the same category as the offence of providing narcotic drugs that will undoubtedly debase young people. Those drugs are habit-forming and, undoubtedly, there should be much more severe penalties in respect of them.

I am sorry that at least some of the drugs proposed to be declared under the regulations are not included in the schedule. It has been a frequent practice in the past to set out in a schedule of a Bill some of the matters prescribed and to leave the regulating powers to the Administration, which can extend those lists as may be necessary from time to time. I hope, when this Bill becomes law (and I hope that will happen quickly), that there is no undue delay before the regulations are gazetted.

I do not know whether my information is authentic, but I have been told by some reliable people that the use of the drug lysergic acid diethylamide has not been confined to other States, but that it has been made available in one or two of our schools. I have no proof of that other than the report of the parents who have been told by their children that that is the case. Although such information may not be reliable and, perhaps, would not stand up to investigation, I believe that to delay this matter would not serve any useful purpose. I am quite sure that the Government's advisers will be able to quickly give a

list of what are the most dangerous of these drugs and that they can be gazetted quickly.

Two Opposition members presumed that these drugs could be obtained on a doctor's prescription, and the Premier signified by a nod that that would be the case. In itself, that could lead to a considerable number of loopholes. What would happen if a doctor supplied a patient with a prescription to get some of these drugs, and the patient took it to the chemist who proceeded to dispense the prescription? Can the chemist make up more than the amount prescribed, and hold the surplus? Would it be a lawful excuse to have drugs already made up?

Mr. Coumbe: It can be bought in a packet form.

The Hon. Sir THOMAS PLAYFORD: Yes, one could buy it from a wholesale manufacturer and hold it. That is a loose provision. We all know that many things can be obtained from a chemist only on a doctor's prescription. However, it is also true that that practice is frequently honoured in the breach. Every honorable member would have had some experience in this regard: if a person has not had his prescription and while in another State he goes to a chemist to get something, the chances are that he will be able to get it. I cannot condemn that practice because quite frequently there may be a good reason for it. However, I should not be happy if it were possible under the Bill for a chemist to get a wholesale supply of this drug, hold it and dispense it from time to time against prescriptions. That would be a rather loose method of control. The alternative involves strict registration and strict control. Although I do not intend to move an amendment, I hope that this matter will be policed stringently. I also hope that if there are any evasions of the provisions of the Bill the Government will not hesitate to secure additional powers to deal with those matters. Perhaps it might be better to provide that those offences be tried by a judge and not merely by a magistrate or justices of the peace in a court of summary jurisdiction.

Mr. SHANNON (Onkaparinga): In relation to making sure that a doctor's prescription is required before any drug can be purchased, we have to depend largely on the integrity of those concerned with giving the patient what the doctor prescribes. I do not completely agree with what the member for Gumeracha said in regard to chemists. I speak with some experience on this matter, because my wife has taken a drug that is classified as one that should not be taken without a doctor's prescription. In some cases, even though a repeat prescription for the use of a drug has been given by the doctor, chemists will suggest to people that they should consult their doctor before the repeat is given. In these matters, we must trust the doctors. I do not believe doctors generally would issue a repeat prescription for a drug that they knew was habit-forming unless a great need existed for the further use of that drug. Obviously in this case we are dealing with fundamental principles that apply in medicine and pharmacy. There must be some give and take. If mistakes occur in certain cases, then obviously the man first responsible is the doctor. He should not give a patient a repeat order of a drug unless he is convinced that the patient will suffer no harm.

Doctors and patients have a close and personal relationship. In my experience, doctors advise patients that a drug recommended is for a specific ailment suffered by the patient, that it is extremely dangerous, and that it should not be taken lightly or without the doctor's instructions. I do not think the medical profession could reasonably be charged with laxity in this regard. On the contrary, I believe doctors are inclined to be conservative and to take note of how a patient reacts to the first issue of a drug before prescribing further treatment. However, the Bill is mainly associated with the illicit handling of harmful drugs, and I believe it is adequate in this respect. In cases of public revulsion towards something, Governments can be carried away and can do things that are undesirable. After all, this drug should be used in certain circumstances under strict medical supervision. Therefore, we should not hamstring the medical profession, which observes strict standards (the Hippocratic oath is certainly strict). We should be careful not to interfere with these standards.

As I think the Bill goes far enough, I should like to see it implemented in its present form and to see how things work out under it. Doctors and chemists work for the benefit of the community. With due despect to the member for Gumeracha, I believe that he tried to make out a case for something that would not occur. I know that he is imbued with one motive only and that is to protect people from themselves, but that is hard to do. Safeguards already exist regarding the issuing of drugs by doctors, who do not administer them without proper consideration of their effects. Of course, this does not apply only to L.S.D.: many other drugs are habit-forming, and

doctors have a great responsibility in that regard. I have reservations about a doctor's prescription being repeated for a person who is travelling in another State. In my own family I have had experience of trying to get a repeat order when I was not able to produce the doctor's prescription to the chemist concerned. I think that that should be so. I support the Bill. By and large, it will achieve what we are seeking to do.

Mr. MILLHOUSE (Mitcham): I support the second reading of the Bill, which contains two provisions on quite different matters. The first deals with dangerous drugs, and I am glad that the Government has, at last, been prepared to introduce a Bill on this matter, because earlier in the session it was obvious that the Premier did not want to take any action at all about this matter.

The Hon. D. A. Dunstan: You talk nonsense.

Mr. MILLHOUSE: I do not. It was obvious, from his reples to questions and from what was said in a debate on a motion to go into Committee, that he was unwilling to take any action about it at all.

Mr. Hughes: I am able to say that that is not true.

Mr. MILLHOUSE: The Premier said on September 20, in answering a question asked by the Leader of the Opposition:

A comprehensive report on this matter will shortly be presented to the Parliament. On present instruction, in my view, the action suggested by the Leader is unnecessary because it is already covered.

It was the Leader who was suggesting action along these lines at that time. Does the member for Wallaroo still say that what I have said is untrue?

Mr. Hughes: Yes, I do.

Mr. MILLHOUSE: I do not know how he can do that. The Premier said much the same thing in the debate on a motion to go into Committee on the Estimates, when the matter was again raised by the Leader of the Opposition and me. At that time the Premier said that whether imprisonment and higher fines would be a greater deterrent was open to argument. The member for Wallaroo had better look at page 2180 of *Hansard*. I have been given another reference, just to drive home the point for the member for Wallaroo and others.

Mr. Hughes: You can drive all night but you won't affect what I have said.

Mr. MILLHOUSE: On September 21, the member for Angas asked:

Can the Premier say whether any legislation in South Australia makes it an offence to take a deleterious drug, including L.S.D., otherwise than pursuant to a prescription issued by a medical practitioner?

The Premier replied:

No, but presumably, if it could be proved that somebody had taken L.S.D., it would not be difficult to prove that at some stage prior to that he had had it on his person, in which case he would come within the Statute.

Those are three examples of the answers the honourable gentleman has given, and I think we can presume confidently that they mirrored his view of the matter at that time. I am pleased that saner counsels in the Government have prevailed and that this measure has been introduced. The penalties provided are heavy, but I do not think they are too heavy if we are to prevent commission of the offence.

Mr. Casey: What do you suggest?

Mr. MILLHOUSE: As I say, I do not think they are too heavy for the offence we are trying to prevent. Other matters have been canvassed by the member for Burnside (Mrs. Steele) and other members. I think she mentioned a suggestion I had made regarding education in our schools regarding drugs. I still think that preventive measures of this nature are desirable, and I hope that the Minister of Education, who until now has said that he is not prepared to do this, will reconsider the matter in the same way as the Premier has reconsidered the matter of making this a specific offence and imposing heavy penalties for it.

Regarding censorship, I do not oppose new section 33a. However, I think it would be desirable for the Government to give more information about the plans of the Commonwealth and the States regarding the National Literature Board of Review. So far as I am aware, information about the board and its precise functions has not been published. I ask the Premier to give that information when he replies to the debate, because this clause is really only an indemnity in relation to any actions flowing from the work of the board.

The Hon. D. A. DUNSTAN (Premier and Treasurer): During the latter stages of this session, the matter of the drug L.S.D. has been current not only in this State but also in other States. When it became so current, the Government asked the Director-General of Public Health in South Australia to prepare a comprehensive report on this matter, including the possible incidence of illegal drug taking and measures that might be necessary to deal with it. While this report was in course of preparation Opposition members seized on this

issue and asked that the Government immediately produce not legislation that would come as a result of the representations of the public servants in this sphere but legislation to alter the situation, the claim originally being that there was no legislation at all to cover it.

That latter claim was incorrect. To cover the situation there was legislation under which people could be penalized currently for the offence of carrying a deleterious drug, and that would cover almost any aspect of the matter covered by the present Bill. That is because, in any dealing with the drug, a person must have had it in his possession at some time. On this basis I gave certain replies in the House, saying that the matter was covered at present but that further consideration was being given to it. The consideration was given to it before it was ever raised by members of the Opposition. I am sorry that the member for Mitcham is leaving the Chamber, because I intend to reply to some of the things he said. It was perfectly proper for Opposition members to raise this matter in the House. That was their prerogative and obviously they were concerned about the matter. I do not wish to detract from their very proper efforts in this regard.

Mr. Hughes: That is the sentiment of everyone on this side.

The Hon. D. A. DUNSTAN: Of course. The Government had proceeded in connection with the introduction of legislation before there was any indication that the situation in South Australia was in any way out of hand. We have not had to bring a prosecution and there has been no proof of the commission of any offence under the existing section. However, after a complete examination of the position, we proceeded, but not in the way the matter was proceeded with in other States. We considered the form that the legislation should take and whether drugs other than those about which members had been complaining should be covered. We have done that. I can only conclude from the speech made by the honourable member for Mitcham, who has just resumed his seat, that he is, without the influence of the drug, under some hallucination, because the things he has said are typically absurd.

Mr. Millhouse: They are quotes from *Hansard*.

The Hon. D. A. DUNSTAN: The honourable member's comments on the quotes from *Hansard* show what little judgment he has in this matter as in many others, and that lack of judgment is making the honourable member a by-word in this State at the moment. I suggest to the honourable member in his own interest and in the public interest that he exercise a little more sense in matters of this kind. The member for Gumeracha suggested that this matter would be more appropriately dealt with in the Criminal Law Consolidation Act as an indictable offence. I point out, however, that minor indictable offences are already dealt with in that Act but are subject to summary procedure before magistrates.

Some serious offences are dealt with today by magistrates where condign punishment can be imposed by magistrates, and the only difference the honourable member suggests is that this is a suitable case for indictment before a judge and jury. With great respect to him I suggest this matter can be adequately dealt with by magistrates, and the sections of the Police Offences Act, regarding the way in which offences under that Act are to be dealt with, are clear. I agree that there are certain things which now have to be dealt with on indictment and which the populace would commonly regard as comparatively minor offences, and it is because of this that we have a committee investigating both procedural and substantive aspects of criminal law in order to ensure that our procedures more nearly comply with the general view of the populace as to the seriousness of offences: but that cannot be done overnight. I think this measure is appropriate.

Concerning the statements made by the member for Flinders regarding prosecutions under section 33 of the Police Offences Act, I point out that, in fact, I have authorized a number of prosecutions under this section—more prosecutions than have been authorized for some years. If the honourable member has followed recent press reports, he will have seen that some convictions have occurred in this area. With great respect, I do not agree with his general view of censorship. In fact, the legislation in this case is not concerned with censorship. Concerning publications produced within the Commonwealth, South Australia has no censorship: this Government does not believe in censorship.

Censorship is a form of administration by which an administrative board of censors decides what the populace may or may not read, and nothing may be published except, in the words of Milton, "by the pipe of a licensor". In South Australia we have maintained throughout the traditional position of the common law—the rule of law, which prescribes

that the basis on which an offence occurs is to be published; it is to be triable before the court, and a man may decide whether or not he comes within the terms of that offence. He may decide to publish and to risk a prosecution. But it is not for a censor beforehand to say whether he may publish or not. He is to be punished only for a clear offence, and I do not believe (again, in the words of Milton) that "books should go around with gaolers in their title". In the agreement with the Commonwealth we have provided that there will be a joint Commonwealth and State Literary Board of Review, which will take over the functions of the Commonwealth in relation to customs imports, because the Commonwealth, in exercising its customs laws, does not allow into Australia certain prohibited imports, which include works of obscenity and the like.

Concerning internal publications, the board will advise the various State Administrations whether in its view a book accords with the general view of literary merit and whether the book, if it emphasizes matters of sex and violence, is nevertheless a book which in all of the circumstances is generally acceptable to the community. These are books that claim literary merit: the board will not decide on pulp magazines and the like. The agreement between the States is that, if the board agrees that this is allowable, no State will prosecute.

Mr. Clark: This would, in fact, protect authors and publishers.

The Hon. D. A. DUNSTAN: Yes; it will enable them to submit works prior to publication and make certain that they are acceptable. There is no agreement concerning the course that States will take if the board holds that a work is not acceptable: it is in the hands of the various State Administrations whether or not they prosecute. Other States are bringing their law into line with the law in this State; no prosecution takes place except with the certificate of the Attorney-General; and prosecutions are not at large. This will obviate the situation that previously occurred when a book was seized and prosecuted in Victoria and, shortly afterwards (indeed, I believe, while the prosecution was pending), the Commonwealth Literary Censorship Board, under the Customs Act, advised the Minister concerned that the book should be released as an import into Australia, and it was so released. This, of course, illustrates an undesirable lack of uniformity in administration, and the new provisions will considerably enhance the protections given to *bona fide* authors and publishers putting forward works of literary merit. At the same time, it will maintain the rule of law, and it will not give rise to a censorship administration in Australia.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Protection of members of National Literature Board of Review."

The Hon. G. G. PEARSON: The Premier clearly said that it was not the Government's policy to regard as obscene matters which contained any element of literary merit. That attitude, in my view, is a direct contravention of the attitude expressed in section 33 (5).

The Hon. D. A. Dunstan: I didn't say that.

The Hon. G. G. PEARSON: I am sorry if I misunderstood the Premier. Section 33 (5) is specific: it clearly defines what should and what should not have artistic merit in respect of certain first principles. It says that a book shall not be considered to have artistic merit and therefore be considered to be exempt if such book or matter describes in undue detail certain things. As I understand the section, that is a direction to the court. It seems to me that, under those circumstances, although a prosecution cannot be instituted without the authority of the Attorney-General, if the Attorney-General withholds such consent in order to contest the validity of the literature concerned, he is denying the court an opportunity to express itself in terms of this subsection.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The relevant section of the Police Offences Act lays down the tests of indecent matter, and they are similar in wording to legislation elsewhere, including that in the United Kingdom. Recent judgments of superior courts in the United Kingdom and in New South Wales have made it clear that decidedly different standards apply now from those standards that were the test in law at the time the Act was passed in 1953. For instance, if the honourable member reads the record of the trial in the case of Sir Allen Lane's prosecution regarding *Lady Chatterley's Lover*, he will see the view now taken by the courts. In these circumstances, one has to be careful in granting a certificate for a prosecution that such a prosecution is likely to succeed. Given present tests, there may be books which at the moment are considered offensive by some people who read them but which would not, nevertheless, fall within the test.

The Hon. G. G. Pearson: That means the benefit of any doubt is given to the author.

The Hon. D. A. DUNSTAN: I do not know about that. With great respect, I have to be satisfied in this matter, as indeed in every indictment, that we would have a *prima facie* case. After all, as Attorney-General, I have to sign every information and, regardless of the view of the lower court in committing people for trial, from time to time I refuse to sign an information.

Mr. Millhouse: In what proportion of cases would that occur?

The Hon. D. A. DUNSTAN: It is not large, but it does happen. The honourable member would probably know of cases in which it has happened and in which certificates have been given, as they were given by my predecessor. In consequence, since I have been Attorney-General, I have not had a complaint concerning a book that could conceivably be claimed to have literary or artistic merit. Indeed, I have had few complaints (I think only two) where I thought I could successfully prosecute. Much is said about this, but it is said at large. I have not had submitted to me books where I thought there could be a successful prosecution. Indeed, I have had only two complaints regarding books which could conceivably be claimed to have literary or artistic merit.

I have had a few complaints regarding magazines, but in this case, it would be difficult to bring them within the provisions of the section, because similar publications in a somewhat more glossy form have been allowed in the book shops in Australia for years as standard sale material and have, apparently, been generally acceptable in the community. None of those have come within the specifics of subsection (5). In consequence, the administration has been quite proper in relation to this section, and I have authorized prosecutions.

The Hon. G. G. Pearson: Don't you think it would be a good thing to tighten up the provisions a little?

The Hon. D. A. DUNSTAN: No, I do not. Quite frankly, I think a move of that kind is not likely to be successful. There is much more frankness in these matters than there was even 10 years ago, and there is much psychiatric support for a view contrary to that put forward by the honourable member.

Mr. Millhouse: I hope you don't support it.

The Hon. D. A. DUNSTAN: I have not come to any conclusion about it, but there is little evidence to support the view that the books that have been admitted by the Commonwealth board at the moment have in any way contributed to delinquent or immoral behaviour. In consequence, the way in which the Act in South Australia has been administered has wide support. It has been successful and where there has been clear pornography, there has been a successful prosecution.

Mr. MILLHOUSE: The Premier's last remark that there has been no evidence of corruption as a result of the stuff people read nowadays prompts me to remind the Committee of something I read in Eccles's *Life and Politics* a few weeks ago in the form of a rhetorical question:

Is not the imagination, exactly like the body, poisoned when fed on a diet of dirty food?

That is only an opinion, and I do not intend to canvass it further. The Premier has talked of the board which is to be set up by agreement between the Commonwealth and the States and which is to deal only with literary works. He said this was not concerned with what he called pulp magazines, which is a good description of the stuff one can buy. Stuff of this low calibre is indeed a matter of concern. As I understand it, it is not intended to do anything in this regard. Am I right in this understanding of the situation, or is there something that covers material of this type?

The Hon. D. A. DUNSTAN: The honourable member will have read the tests in the law, if he has read the decisions of the superior New South Wales courts which are on all the precedents likely to be followed in South Australia. I cannot see how such books could be banned. If such a book is offensive to some people, they should not read it. I see no chance of a prosecution of some of the things that have been submitted to me. On the other hand, as I have said, some cases of clear pornography have been detected, as a result of which there have been successful prosecutions.

The Hon. G. G. PEARSON: This afternoon's *News* contains an interesting article that has some bearing on the matter. It is reported that Dr. Grace Browne (a former Director of the Bureau of Maternal and Child Health in New South Wales) addressed a conference of the Headmistresses Association and had much to say about the increasing incidence of births out of wedlock, abortions, and so on. She made a rather astonishing statement, as follows:

The ex-nuptial and premarital conceptions comprised 56 per cent of all babies born alive in this age group in one year.

The article concludes:

She said there was also a startling increase in venereal disease, particularly in the 15 to 19 age group. A significant factor was that sex was flaunted as an every-day commodity.

I believe that the increasing frankness about these matters, to which the Premier recently referred, is not having a beneficial result, socially at any rate, in our community.

Clause passed.

Title passed.

Bill read a third time and passed.

LOTTERY AND GAMING ACT AMENDMENT BILL (No. 3)

Adjourned debate on second reading.

(Continued from October 25. Page 3020.)

Mr. McANANEY (Stirling): I support the Bill, which provides for an extension of totalizator agency board facilities. In the interests of the good relationships between the people of Broken Hill and South Australia, the provisions of the Bill have some merit. Many people from Broken Hill spend their holidays in South Australia and, while here, they become interested in South Australian racing. As a whole, Sydney people are not interested in South Australian races and insufficient scope exists in that State for a pool on our races. Therefore, it is good that South Australia should provide in its pool for betting on South Australian races in Broken Hill. We will receive 1 per cent from this as well as the fractions on the betting. I take this opportunity to say that I believe T.A.B. agencies are being placed in too many of the smaller towns. In some cases, losses will result. Also, racing clubs will find that they will not get as much money as they expected.

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

PUBLIC EXAMINATIONS BOARD BILL

Adjourned debate on second reading.

(Continued from October 25. Page 3018.)

Mr. FREEBAIRN (Light): The Bill aims to drastically alter the well known and well respected Public Examinations Board. I appreciate that changes are necessary because of the emergence in the education field of Flinders University, and to that extent I am prepared to support the second reading. The old familiar Public Examinations Board, which was run as a department of the Adelaide University, will, if the Bill is passed, be no more. We will have an independent autonomous body made up of representatives of the two universities, representatives of independent schools, and representatives of the Education Department. One of the distinguishing characteristics of the public examinations system we have known has been the enormous amount of voluntary and selfless service given to the Public Examinations Board and to the examination system by academics and leading citizens in our society. I believe most members know that the university itself owes its origin to a generous grant by Mr. W. W. Hughes.

Famous names have been connected with the educational system, and in particular with the public examinations system, in this country over the years. That goes back many years. We recall such names as Thomas Quinton Stow, Canon Farr, and J. A. Hartley (who at that time was Headmaster of Prince Alfred College and was the first President of the Educational Council, as I think is was known then). Since 1900 the University of Adelaide has accepted responsibility for the organization of public examinations in this State.

Because this Bill radically changes the institution as we have known it, I intend to outline briefly the history of the Public Examinations Board in South Australia. From 1900 until 1907 the board comprised the professors and lecturers of the Faculties of Arts and Science of the University of Adelaide, together with the Professor of Law. From 1908 until 1913 it comprosed professors and lecturers of the Faculties of Arts and Science, assisted by the Public Examinations Committee. That committee comprised the Headmasters of St. Peter's College and of Prince Alfred College, one representative of other secondary boys' schools nominated by those schools, one representative of other secondary girls' schools similarly nominated, one representative of State schools nominated by the Director of Education, and one representative of Roman Catholic schools nominated by those schools.

From 1913 until 1920 the board was augmented by the addition of the Chairman of the Board of Commercial Studies. The membership of the committee changed in that, instead of one representative from Roman Catholic schools, there was one representative of the Christian Brothers College and its allied schools, nominated by those schools. Also, one representative of commercial schools, nominated by them, was also appointed. In 1921 the constitution of the committee was changed by the addition of the then Director of Education, one additional State school nominee and one nominee of the School of Mines and Industries.

Again, in 1922 the committee was augmented by the addition of the Headmistress of Methodist Ladies College and the Headmistress of St. Peter's Girls School. From 1940 until 1963 the board was constituted in its present form, comprising the Chairman, the Chancellor

and Vice-Chancellor of the University of Adelaide, eight professors and lecturers, eight nominees of the Director of Education, and eight representatives of independent schools (that is, four headmasters of boys' schools, three headmistresses of girls' schools, and one representative of commercial schools). There is also one representative of the School of Mines. One of the distinguishing features of our public examinations system that I believe is not to be found in its entirety in other States has been the voluntary contribution made by academics and other distinguished South Australians, who have given services without receiving any fee or reward. I say this in the realization that, in terms of the Bill, some attendance grants will be paid to members of the board.

Distinguished South Australians who have made a contribution to the work of the board are Professors G. V. Portus, Edward Rennie, Darnley Naylor, and J. M. Stewart. Other names, such as Sir William Bragg, Sir Kerr Grant, and Sir Leonard Huxley come to mind when we think of those who assisted. With these men it has been a matter of professional pride that they could contribute in the public interest and in the interests of South Australia. To give an idea of how the Public Examinations Board has been able to keep down the costs of public examinations, I point out that in 1900, when the board was first formed, the cost of taking five leaving subjects was $3. At that time, that amount was fairly large in proportion to the average worker's wage. In 1966, the cost was $6, or only double the cost in 1900.

Apart from the voluntary services given by academics and others, these figures show that some of the costs of operation of the Public Examinations Board have been absorbed by the University of Adelaide. For example, the bursar's accounting staff is responsible for handling all money received by the board, and also the board has free access to rooms and halls at the university for examination purposes. Caretaking and transport staff, as well as stationery and incidentals, are also met by the university from its general fund. The House will appreciate that the Public Examinations Board examines about 25,000 public examination candidates annually and an additional 5,000 candidates for examinations in music. At the matriculation level, the board is examining, as I think the Minister said in his explanation, 2,250 students from Education Department schools, 1,050 students from independent schools. The Minister did not say there were another 625 private students.

I emphasize the large proportion of private students. These students, who enter for the matriculation examination of their own volition, have no direct representation on the board. Members will appreciate that these students come mostly from the Public Service and are officers who are trying to increase their qualifications so as to improve their status in the service. In addition, many come from private industry and hope to go on later to the Institute of Technology. All these examinations are conducted by only a small staff in the Public Examinations Board, comprising a Secretary, Assistant Secretary, one senior male clerk, two senior female clerks and three junior female clerks. This small staff, augmented by extra people at examination time, is able to conduct public examinations for nearly 30,000 students in South Australia each year.

One of the features of the Bill about which I am not very impressed is the decrease in the number of representatives that the independent schools of South Australia will suffer. The independent schools' quota is being reduced from eight to six, and this provision is made by clause 3 (4) (*b*), which states:

six shall be persons engaged as teachers in, or in the administration of, South Australian schools other than those of the Education Department, two of whom shall be 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;

The Hon. B. H. Teusner: Does the honourable member know how many members there are in those respective associations?

Mr. FREEBAIRN: No, but the Minister said in his explanation that he had arrived at the allocation as between State Education Department representatives and the representatives of independent schools on the basis of the approximate ratio of students from each group who presented themselves for the matriculation examination. I think it is a pity that the number has dropped from eight to six, because many of the new ideas and innovations introduced into education in South Australia have come from the independent schools. Although I am not knocking State schools in any way, I point out that most of the principals, at least, of the independent schools in this State have either come from overseas or have had

extensive experience overseas, and their knowledge and experience are, I believe, valuable on the Public Examinations Board.

Again, although I am not criticizing or knocking the officers of the Education Department, I point out that, although the number of State officers on the board may be increased from eight to 10, the Minister will not achieve the variety of opinion and the variety of experience that representation from the independent schools can offer. There will inevitably be a tendency for the senior officer representing the Education Department on that panel of 10 to dominate the other nine members, for it is a fact of life that junior officers tend to take special note of a senior officer's opinion. After all, no junior officer will cross his senior, because he depends on his senior for eventual promotion. I know that the Minister and the member for Gawler appreciate this fact.

Mr. Clark: You do not know the Education Department as well as I do. I could not agree with what you have said.

Mr. FREEBAIRN: I shall be pleased if I am proved wrong, but I can see nothing other than that the senior departmental officer will tend to have an influence on his more junior colleagues, and I think that is most undesirable. Many of the senior departmental officers have had extensive oversea experience, and that is a good thing.

Mrs. Byrne: Many officers have been sent overseas.

Mr. FREEBAIRN: Yes, and this has proved invaluable to our State education scheme. I believe that the representation of the Education Department could be improved. I think most members have received a communication from the General Secretary of the South Australian Institute of Teachers which sets out a good case for direct representation of the institute on the board. The latter states:

The executive of the South Australian Institute of Teachers has been advised of a proposal to provide for an autonomous Public Examinations Board in South Australia. Following long and careful consideration of the terms of the proposed Bill dealing with the composition of the board, I am directed to ask that you be informed of the views of the executive of the South Australian Institute of Teachers on this vital matter. The executive favours the idea of autonomy for the proposed Public Examinations Board and asks that in your deliberations in Parliament you give consideration to our request on the composition of the proposed board.

The Secretary then outlines the suggested representation for a more limited board than is provided for in the Bill, and states:

The composition of the board (with the suggested 24 members) favoured by the Executive of the South Australian Institute of Teachers would be:

(*a*) two representatives of the Education Department;
(*b*) six teachers nominated by the South Australian Institute of Teachers;
(*c*) six representatives of independent schools of whom one shall be the representative of a girls school and two shall be representatives of Catholic schools nominated by the Director of Catholic Education;
(*d*) one representative of the South Australian Institute of Technology; and
(*e*) four representatives of the Council of the University of Adelaide, and four representatives of the Council of Flinders University.

As the Secretary points out, this would lead to a board of 23 members plus the chairman, bringing the total membership to 24. The Secretary continues:

Should a larger board be desired, then the composition favoured by the institute would be:

(*a*) two representatives of the administrative staff of the Education Department and eight teachers nominated by the South Australian Institute of Teachers—

and I draw the attention of honourable members to the suggestion that eight teachers be nominated by the institute and two members be nominated from the administrative staff of the Education Department—

(*b*) six teachers representing independent schools of whom one shall be the representative of a girls school and two shall represent Catholic schools nominated by the Director of Catholic Education;
(*c*) one representative of the South Australian Institute of Technology;
(*d*) six representatives of the Council of the University of Adelaide; and
(*e*) six representatives of the Council of the Flinders University.

That would result in a membership to 29, plus a Chairman, bringing the total membership on the board to 30. Although I do not know whether the Minister is prepared to accept the institute's suggestions, I suggest with the greatest respect that he should allow himself more scope than is allowed pursuant to clause 3 (*a*), under which he is entitled to nominate 10 members of the board from his department. I believe that the Minister would be allowing himself much more scope if he enlarged the scope for selection, thus enabling him to appoint people from outside the State education system.

The Minister should be able to appoint the 10 best men in the education field in South Australia. Some of those men may well be outside the State system and not included in the six members nominated by the three respective groups that are entitled to nominate members on the board from independent schools. Although I have the greatest confidence in the Minister's appointing the 10 members concerned, I point out that he could do the education system and himself a good turn by widening the choice of membership on the board. As I cannot follow the necessity for clause 12 (2), I hope that the Minister will be able to supply more information on that provision in Committee. With the reservations to which I have referred, I support the second reading.

Mr. MILLHOUSE (Mitcham): Although I think I wish to make only one main point in complementing the member for Light in his support of the second reading, I must say before I make it that I am glad indeed that the Government has introduced a measure of this type. It was obvious, and it has been obvious for many months (if not longer), that something like this had to be done. However, the Government left it so late that I was beginning to think that it would be left to the next Government to do it, after the next election and during the next session.

Mr. Langley: It is either in haste or it is no good.

Mr. MILLHOUSE: I would not say that.

Mr. Lawn: They are all good Bills that this Government has introduced.

Mr. MILLHOUSE: Some Bills are not as bad as others, and this is one of those. It is quite obvious that as we now have two universities, and both have requirements for matriculation, both should be represented on the Public Examinations Board, which is charged with the duty of conducting examinations. Flinders had to come in. Indeed, one wonders really why the Bill did not come in earlier. The main point here is as to the membership of the board. I know that over the months there has been much discussion on this matter, and I understand there has been at least one change of plan on the part of the Government. Originally, or at some stage, there were to be eight Education Department representatives and four representatives from the independent schools. However, this has now changed to 10 and six respectively.

Mr. Coumbe: Why did that change occur?

Mr. MILLHOUSE: I think to give the independent schools a more appropriate representation on the board. I do not propose to argue one way or the other that their representation should be altered. I am content, as I think the independent schools are reasonably content, with the representation that they have. However, there is a point (and I propose to move an amendment in due course on it) regarding the 10 Education Department representatives, because that is what they are: they are nominated by the Director-General of Education. I have been told not only in connection with this Bill but over the years that there has been a definite tendency (as the member for Light suggested in his speech) for the nominees of the Education Department to feel that they cannot take any decisions without referring the matter back to the department. They look over their shoulders very carefully before they commit themselves. They are, therefore, really more delegates than representatives, and this is not desirable. Independent representatives, people who are prepared to exercise an independent judgment, are needed.

Even more important is the question of how many of the department's representatives should be administrative men and how many should be practising schoolmasters. The tendency has been for quite a fair proportion of the representatives to be administrators.

Mr. Clark: They have all been teachers.

Mr. MILLHOUSE: At some time, but many of them were teachers a long time ago, and having got to Flinders Street (as I am sure the member for Gawler would be the first to admit), their attitude is different from when they were out teaching in the schools. At present, three or four of the eight representatives are administrators and are no longer teaching. I am not quite sure on this, so I will run through the list and the honourable member for Gawler can correct me if I am wrong. First, there is Mr. Barter: members know that he is an administrator; then there is Mr. Campbell, Mr. Close, Mr. Cosgrove, Mr. Glastonbury, Mr. McPherson, Mr. Rooney and Mr. White. I think that splits even: four are administrators and four are teachers. The proportion of teachers actually teaching should be higher. That is in line with the views of the South Australian Institute of Teachers. All members have been circulated to that effect. I propose to take some action on it when in Committee.

Mr. Coumbe: Are all the university nominees professors or tutors?

Mr. MILLHOUSE: I think they are all academics. There is another significant point

that I should mention. When one examines the present constitution of the board one finds that there are no women amongst the Minister's representatives: all the eight representatives are men. It could be that this is rather unbalanced, and I would like to hear the Minister comment on this aspect. Apart from this question of representation, which could be argued backwards and forwards, the Bill seems, by and large, to be acceptable. It follows fairly well the general outline of the present P.E.B. set-up under regulations within the University of Adelaide.

There is only one other point I want to mention, and perhaps the Minister might say something about this. I refer to the power of the board, under clause 12, to make rules. Such rules are subject to the approval of the Minister, and it is expressly provided in clause 12 (2) that they shall not be laid on the table of either House of Parliament. I am not certain that it is appropriate that they should come before Parliament. After all, they are rules on a special subject. However, one of the benefits of having these things laid on the table is that interested parties outside have some chance of getting an alteration made through members of Parliament. It may be that this clause gives the Minister too much power, power from which there is no appeal at all as there is, in effect, when the regulations or rules are laid on the table of the Houses of Parliament. However, the Minister may be able to satisfy me on that point. With the reservations I have as to the membership of the board, I support the Bill.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Establishment of board."

Mr. MILLHOUSE: I move:

In subclause (4) (*a*) after "Department" to insert "of whom two shall be".

This is the matter to which I referred during the second reading debate. The present provision is that 10 members of the 32 members shall be nominated by the Director-General of Education, and they are to be members of the teaching or administrative staff of the Education Department. For the reasons I gave, it is undesirable to have a high proportion of administrators on the board. The member for Gawler was kind enough to check me when I read out the names of the eight members nominated by the Minister of Education. However, we found that half of them are administrators. This board should consist almost entirely of practising schoolmasters. If one looks at the representatives of the independent schools one sees that they are all heads of schools and are therefore not only administrators but teachers as well.

Mr. Clark: Possibly not.

Mr. MILLHOUSE: I should be surprised if there were any of the representatives of the other schools who do not teach at least part of the time. I am sure the member for Gawler would agree with me here.

Mr. Clark: You realize that men who are administrators of the department become administrators for a particular reason.

Mr. MILLHOUSE: They become administrators because they are usually regarded as having been very good teachers: there is no doubt about that. My point is that they can soon get out of touch. I do not know how long it is since some of them taught. Mr. Barter has been in the department's office in Flinders Street for at least 13 years to my knowledge. I remember Mr. MacPherson when he was headmaster of the Unley High School, and that is going back a long time. I do not know how long it is since the other members taught.

Mr. Clark: They would all still be very able teachers.

Mr. MILLHOUSE: Yes, but out of touch.

Mr. Clark: More in touch than anybody else, because of their position.

Mr. MILLHOUSE: I think the board should be made up largely of teachers who are actually engaged in teaching duties. Here I am fortified by the view circulated by the Institute of Teachers, which put forward two schemes. The Bill provides for the larger board which the institute canvassed when it suggested that if there were to be 10 departmental representatives on the committee two should come from the administrative staff and eight should be teachers nominated by the institute. By having nominees of the institute, we virtually ensure that we will get practising teachers, which I think is desirable. Because of the views I hold, and because I am fortified by the expression of views of the institute, I hope that my amendment will be accepted.

The Hon. R. R. LOVEDAY (Minister of Education): For good reasons, I cannot accept the honourable member's amendment. Careful consideration was given to the composition of the board as proposed in the Bill. People from the universities, the Institute of Technology and the independent schools were consulted. There were good reasons for the composition of the board as proposed. It was

obviously desirable, as expressed by the universities, that there be as nearly as possible equal representation of tertiary representatives and secondary representatives, and that is the case in the Bill. The universities desired sufficient numbers so that the subject faculties could be individually represented. We had to have a sufficient number of representatives in order to do that. That was one of the main factors in our coming to the conclusion that the number of 32 was desirable. To start off with, that premise led us to half of the total number.

Mr. Millhouse: You didn't start at 32.

The Hon. R. R. LOVEDAY: No, we did not start at that number. The honourable member said that we made some changes. Obviously, someone has to put up a proposition for consideration in the first place. There is nothing unusual or wrong about that, and I imagine that the honourable member has often done it himself. Regarding the question of representation from the non-departmental or independent schools, the member for Light seemed to be rather sorry that their number of representatives was different in relation to that of the departmental representatives proposed. However, I point out that the situation has changed entirely from what it was when the Public Examinations Board first came into existence.

If one was to look at the matter purely on a proportional basis (which I may say we have not done), then the non-departmental schools would have less representation than is provided in the Bill. Therefore, no criticism can be offered on that score. The point made by those representing non-departmental schools was that they wanted the headmasters and the headmistresses represented. Also, the Catholic schools believed that there should be an opportunity for a brother and a sister from their schools to be represented. In other words, these schools wanted the male and female teachers represented. Furthermore, another point involved in having two representatives from each school was that if one was unable to attend there was always another who would probably be able to attend. We endeavoured to meet all these requests, and I believe we have done it in the most equitable manner.

I shall now turn to the criticism of departmental representation made by the member for Mitcham. We heard from him and also from the member for Light that officers of the department who would be represented would be looking over their shoulder for instructions and would be afraid to do anything of their own volition. Of course, in fact, this has not been so for a long time. I do not know what was the position 20 or 30 years ago, but that is not the case now. I can produce good evidence that it is not the case from the most recent discussion that took place with the Public Examinations Board to consider the proposed draft of this Bill. It is interesting to note the comments regarding what took place on the very matter raised by the member for Mitcham. I will read the following report of what happened when this matter was discussed:

In reply to some of the above criticisms, a university member said that he felt he owed more loyalty to his subject committee's views than to any other body, and he rejected the suggestion that university members, for example, voted *en bloc*. They, and indeed departmental members too, often were split in their voting. Two departmental members, one a headmaster and one an administrative officer, held that too much tended to be made of a distinction between teaching and administrative members: all were concerned with education, and it might well be said that the administrative members supplied a broader view than a teacher from a single school.

The idea that because an administrative officer who was once a good teacher, because he has been in the department for some time, has lost touch with teaching in respect of examinations (and the board is concerned with public examinations) is sheer nonsence for the good reason that an officer in the administrative part of the department is in touch with the officers we are sending overseas every year, and those officers come back with all the latest information. What is more, he is dealing with the subject on a much broader basis than is the man who is a teacher at one school, and this should be obvious to the honourable member.

Whereas the headmaster of a particular school brings a particular point of view, so does the man who has this other sort of experience. I suggest to honourable members that both sorts of experience are desirable on a board of this nature. I submit that the arguments of the member for Mitcham completely fall to the ground, in view of what I have just said. I think I am right in saying that one of the headmasters who is now on the board on behalf of the department was until recently President of the South Australian Institute of Teachers. That shows that the department has no desire to exclude the highest representatives of the institute. The member for Mitcham is drawing an artificial distinction between teachers and administrators who have been teachers. Equally artificial is the other distinction he wants to make between those people and

people who might be nominated by the institute. Undoubtedly headmasters nominated by the Minister would all be members of the institute, so this artificial distinction is unnecessary. Those men go there in the interests of education and of achieving the best results.

Mr. Millhouse: Why don't you have some women representatives?

The Hon. R. R. LOVEDAY: Our concern about having women there is shown by the way in which we have dealt with the matter of independent schools. I assure the honourable member that he need have no fears about this in future. We shall endeavour to rectify the point he has raised. I think the fact that we have provided for headmistresses to have equal representation with headmasters, together with the fact that we have provided for a woman representative from the Catholic schools, shows our good intentions. I cannot agree to the honourable member's amendment.

Mr. FREEBAIRN: The Minister did not convince me. I ask him whether he will give further consideration to the wishes of the institute when he nominates the 10 members from his department.

The Hon. R. R. LOVEDAY: The officers who will be appointed will obviously be selected not because of their position in the institute, but because they are the people whom we consider best suited for the job. The Director-General will nominate them, but may I say that I have the closest liaison with the Director-General and that he does not take steps of this kind without consulting me, nor is he likely to do so in future.

Mr. McANANEY: I support the amendment. I consider that the appointment of members of the board from the institute would do much to foster independent thought and produce a wider range of views.

The Committee divided on the amendment:

Ayes (14)—Messrs. Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse (teller), Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

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

Pairs—Ayes—Messrs. Bockelberg, Brookman, and Heaslip. Noes—Messrs. Burdon, Jennings, and Ryan.

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. FREEBAIRN: I move:

In subclause (4) (*a*) to strike out "nominated by the Director-General of Education" and insert "or persons engaged as teachers in, or in the administration of, South Australian schools other than those of the Education Department".

This will allow the Minister to choose 10 members not only from officers of his own department but also from the administrative or academic ranks of the independent schools. It may well be that the six members chosen from the independent schools (two from the Catholic schools, two from the boys schools and two from the girls schools) will not include all the outstanding educators and administrators in private schools that we have in this State.

Mr. Clark: Would you expect the Minister to know who were the best?

Mr. FREEBAIRN: I do not expect him necessarily to know who the best would be, but he may know of some outstanding educator in the private school sector whom he wishes to nominate to the board.

The Hon. R. R. LOVEDAY: I oppose the amendment. In fact, the representatives of the independent schools have expressed complete satisfaction with the provision in the Bill regarding their representation. Further, as the Minister is obviously not likely to be able to express an expert and professional opinion as to securing the "best educators" he will have to seek advice on the matter. I have complete faith in the officers of the department for their good advice, which is not biased, concerning people who should be on a board of this sort. I have heard one or two things said tonight that show, I think, an unhappy lack of appreciation of the excellence of the officers in the Education Department, as well as a lack of understanding of just how good in this field those officers are. I do not need the extra selection of members to which the honourable member has referred.

Mr. FREEBAIRN: I hope the Minister was not thinking of me when he said that there was a lack of appreciation of the excellence of the officers of his department, for I never meant that. If I did say it, I certainly did not mean to. I have the greatest respect for the officers of his department but I repeat that my amendment will give the Minister even greater scope than exists at present.

Mr. MILLHOUSE: I support the amendment, although I do not think it is as good as my amendment. However, I think it is an improvement on the clause as it stands, because it broadens the discretion of the Minister. The

Minister has said that he personally has great faith in his officers, and I accept that, but I point out (I hope without any undue lack of charity) that there will be other Ministers who may be happy to exercise a wider discretion than that which the present Minister wishes to exercise. I point out also that, under the amendment, the Minister does not have to go outside his department. The honourable member merely seeks to give the Minister the opportunity to look further than his own department if he wishes. I think this is a desirable increase in the scope which the Minister will have.

Concerning the point taken by the member for Gawler by way of interjection, I believe there is nothing in that, because the eight representatives of the Education Department on the board are nominated by the Minister, and the mechanics will be little different (if different at all) if the phrase "nominated by the Director-General of Education" is left out. I suggest that, because it adds to what the clause already provides—

Mr. Clark: If that is so, there is not much point in doing it.

Mr. MILLHOUSE: Yes, there is, because it gives an extra discretion to the Minister without in any way affecting the discretion he has under the clause as he drafted it.

The Committee divided on the amendment:

Ayes (13)—Messrs. Coumbe, Ferguson, Freebairn (teller), Hall, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke and Rodda, Mrs. Steele, and Mr. Teusner.

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

Pairs.—Ayes—Messrs. Bockelberg, Brookman, and Pearson. Noes—Messrs. Burdon, Jennings, and Ryan.

Majority of 3 for the Noes.

Amendment thus negatived; clause passed.

Clause 4—"Office of member of the board."

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

In subclause (3) (*b*) after "if the" to insert "person or"; and after "body by" to insert "whom or".

These amendments are necessary because clause 3 (4) (*b*) provides that two persons shall be nominated by the Director of Catholic Education. The "person" refers to the Director of Catholic Education.

Amendments carried; clause as amended passed.

Clauses 5 to 11 passed.

Clause 12—"Rules."

Mr. MILLHOUSE: I am disappointed that the Minister did not see fit to reply to me on this matter.

The Hon. R. R. LOVEDAY: The meaning of this is as the member for Mitcham said: any rules made by the board will not be laid on the table of the House. This has not been past practice and it has not been considered necessary to alter that practice.

Mr. MILLHOUSE: But they have not previously been laid on the table because they were not made pursuant to any Act of Parliament: they were made pursuant to regulations of the university, and I think I am correct in saying (although I am not absolutely certain) that the Senate of the University of Adelaide could have taken action on such rules had it so desired. We are now giving the board statutory authority instead of an authority merely pursuant to regulations made by the University of Adelaide. By this, the Minister has a veto, but no-one else has any say. That is the point. I would not argue for a moment that Parliament is a proper body to pass judgment on rules of this nature, but tabling them at least gives an opportunity to those who may be aggrieved by the rule to approach members of either House. Without strong justification for this, I hesitate to assent to this provision.

Mr. FREEBAIRN: What is the comparable provision in the existing legislation?

The Hon. R. R. LOVEDAY: Section 38 of the Acts Interpretation Act shall not apply, and therefore the rules do not have to be tabled. Indeed, it was not considered necessary to have them tabled in the past.

Clause passed.

Clauses 13 to 15 passed.

Clause 16—"Officers and servants."

Mr. FREEBAIRN: Will officers of the Public Examinations Board be considered to be attached to the university or will they become public servants?

The Hon. R. R. LOVEDAY: They will be employees of the board.

Clause passed.

Remaining clauses (17 to 21) and title passed.

Bill read a third time and passed.

INDUSTRIAL CODE BILL

Returned from the Legislative Council with amendments.

PACKAGES BILL

Returned from the Legislative Council with amendments.

HARBORS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

VERMIN ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 26. Page 3095.)

Mr. NANKIVELL (Albert): As I understand it, the provisions of the Bill have been long awaited by many councils. This will make a permanent committee (out of what the Minister described as an *ad hoc* committee) comprised of Messrs. Frank Heaslip, Richard Harvey, Jack Dunsford (Director of Lands), B. V. Fennessy (of the Commonwealth Scientific and Industrial Research Organization), and and J. E. Bromell (of the Lands Department). These men have done a tremendous amount of work over the past years. I cannot remember precisely when they visited my property on one of their tours but I know they have looked critically at vermin control for many years.

They have been working in the practical field in conjunction with the Tatiara District Council in my district which, I believe, was the first council in the State to adopt the recommendations of the committee in relation to vermin control. After looking critically at the work done by that council, I am satisfied that the recommendations of the committee have considerable substance. The fact that other councils have seen fit to follow the example of the Tatiara council supports the view that, although some of these matters were slow to appeal, the principle is being accepted by most councils.

The provisions of the Bill are fairly comprehensive. Not all councils will be anxious to come immediately under the controls set out in the Bill. By "controls" I mean that in order to obtain the advantages that the Bill provides the councils must agree to come under this scheme. The Pinnaroo District Council, as the Minister knows, has expressed objections in this regard in the past. Its area is close to the Victorian border and it has observed what has happened in Victoria. At present, it considers the Victorian scheme to be reasonably efficient and much cheaper. Although that scheme may appear to be cheaper, I do not think that in the long-term its advantages will be as great as those offered in South Australia once this scheme is put into effect.

Undoubtedly we are at a stage where the need for vermin control is critical, particularly in regard to rabbits. Myxomatosis is having a substantially reduced effect. In the past many farmers and graziers put into effect controls to reduce rabbit numbers such as netting and clearing their properties of warrens, burrows and other harbouring places for rabbits. Thus, virtually, they cleared their properties of rabbits. This brought home to most farmers in the most effective way (by affecting their pockets) what the damage done by rabbits meant to their production.

My own practical experience was that I did not believe that rabbits were so destructive until I had got rid of them. Then I realized what trouble they caused in certain areas of the country where they were at that time. Myxomatosis reduced the number and, by control measures, we have them down to a point where there is some possibility of retaining control over them. I think we can get to the stage where they will be less of a pest than they are at present in many areas, but I do not think that can be done unless some form of programmed control, such as is provided in this Bill, is undertaken.

The Bill follows closely the provisions of the Weeds Act in relation to many aspects. It changes the whole concept of vermin control, as I understand it, in that an inspector will have the right of access to a property and he will have power to define an area that is to be controlled or cleaned out. Further, in the event of what he requires not being done by the landholder, the inspector is given power to take action against the landholder. Authority is given to a council operating a scheme of this sort, or to Government officers to carry out this work and, in due course, to recover the money from the landholder in question. In other words, the Bill insists that the work be carried out.

Most of us know that the so-called simultaneous destruction of vermin is no more than a system of routine advertising, a non-inspected and non-supervised operation in most council areas. It has been reduced to a formality. That position will no longer apply if the Bill is implemented in the true sense, as I believe it will be. The councils that come under this, either separately or in conjunction as joint councils (and provision is made for boards of contiguous councils to be set up, comprising two representatives of each council) will have power to administer control within a particular

area. If they do this, certain additional powers are granted to them. Those councils that have been carrying out a programme along the lines envisaged in the Bill have been asking for these powers.

One of the great sources of spread and infection (if one may use that term) of rabbits has been the roads. The old Act did not permit a landholder to poison with 1080 within 100 yards of a road, although 1080 is the most effective method of dealing effectively with rabbits. I know that that law has been broken many times. The new measure will allow the control of rabbits, not only by poisoning them on roads, but also by enabling warrens and other harbours to be cleaned out. This is a forward move, but some protective measures need to be taken, because 1080 is known to be a fairly deadly poison. We are taking account of that in the Bill. The poison needs to be handled by competent people. If it is used properly it can be economic and effective. However, in the hands of inexperienced people, the work can be done wastefully, and probably dangerously in the long term.

Roadways are common movement ground for stock, although not so much today as previously. Today stock are mostly moved by transports, but a man moving stock from one part of his property to another may take them along a road, and I understand it is intended that certain regulations will be laid down to cover this matter. Of course, these regulations are not set out in the Bill, but I understand that due notice will be given about the roads on which poison is to be laid and about when it will be laid. Notices will be posted on the roads indicating that poison has been laid in trails.

I now wish to refer to some particular points dealt with in the Bill. First, the new definition of "vermin" enables an area to be proclaimed as a vermin area under section 16. I take it that, when this is done, it will be done by way of direction by the Minister and that concerted action will be taken to control vermin within the particular area. If a direction is given by the Minister, provision is made for certain moneys to be refunded to the local council or board, but that applies only in relation to work done under the specific direction of this campaign. In that sense, the provision is not the same as the provision in the Weeds Act, under which the Government pays half the cost of the inspectorial work. The provision of this Bill is such that, provided the officer is a properly constituted local authorized officer and not another servant of the local body such as the district clerk or the overseer, while he carries out this work as directed by the Minister half his salary or wages will be met from grants.

That substantially alters the whole concept of control, in that Government itself is accepting some responsibility for the cost. Government instrumentalities will also be obliged to accept some responsibility for the cost. Just as in the case of poison being laid on a road, landholders along a road will have to bear the cost on a 50 per cent basis, so if one property bordering a road is Crown land or under the control of some instrumentality (it may be a drainage reserve), the body concerned may take action to destroy or control the vermin on its own property.

Whereas it is encumbent on a landholder to take action on his property, clause 15 provides that the Minister "may" take such action. Again, in clause 23, the board "may" be paid out of moneys provided by Parliament for the purpose. It is not mandatory; there is a discretion. I do not know whether there is anything wrong with that, but it seems to me that, if the Government is going to accept responsibility, it should be obliged to pay, and the word "shall" should be used instead of "may".

One matter that was raised with me by councillors in my own district with whom I have discussed this matter, particularly those councils that are at present not actively operating in terms of this programme, was how they would recover their costs. I have pointed out to them that provision is made for work carried out by contract. A landholder can contract with a council (in this case, the board or the council, depending on whether the board or council was operating separately) to make this a charge against the land. Provision is made in clauses 35 to 38 to recover in a court of summary jurisdiction the costs of carrying out work refused to be undertaken by a landholder in compliance with a notice issued to him. Every protection is provided for those obliged to carry out this work.

As I said earlier, I support the Bill in principle, for I think it is a forward step. I believe that the measure will ultimately be accepted and appreciated by all councils and that it will provide a form of control over all vermin, reducing their numbers to the extent that landholders will benefit economically. As has already been proved in the case of landholders in the Tatiara district, the costs will not be excessive if the work is carried out properly. I do not believe that a landholder

can carry out this work as economically as can a council with experienced and competent officers at its disposal. Athough landholders will incur certain costs, I believe that in the long run they will receive substantial benefits not only because their own labour will not be required but also because they will achieve more economical production.

Mr. RODDA (Victoria): I support the Bill, and I endorse the remarks made by the member for Albert, who has covered all the aspects of the Bill. The provision relating to the eradication of rabbits on roads is a forward step. Although the poisoning of rabbits has been carried out successfully in certain areas, re-infestation has occurred on roads bordered with scrub and in inaccessible areas. The machinery provided by the Bill to undertake the necessary work completes the eradication process. Having seen re-infested areas in my own district, I emphasize that warrens and other harbours must be destroyed; if they are not destroyed, even the best poisoning scheme in the world will be unsuccessful, for re-infestation will occur.

Mr. McANANEY (Stirling): I support the Bill ,for I think it is necessary in respect of the more undeveloped parts of the State. In the developed areas, such as the area in which I live, I do not think these provisions are necessary, because producers themselves can adequately cope with the situation. Poisoning rabbits is merely a way of keeping their numbers down and is not a way of eradicating them completely. About 30 years ago, when I left a bank to go farming, the first thing I did was to try to eradicate rabbits on a property, not with rippers or machines but by digging them out by hand. In fact, I dug 300 rabbits out of one warren.

I deplore the Government's policy of providing the fees for inspectors to examine areas, for I think that landholders whose properties are infested should pay the penalties, thus providing the funds for these inspections. However, that may be a rather old-fashioned idea. We pay land tax and various other charges in order to keep the Government financed, and the Government will now provide the money for land to be inspected where eradication may be necessary. In the past, Crown lands have produced rabbits prolifically: the Government has been the most prolific producer of rabbits.

The Hon. C. D. Hutchens: The Opposition is rats!

Mr. McANANEY: I include Liberal Governments in this regard. If the Government looked after Crown lands, half the problem would be solved. Rabbits have bred as prolifically in the forests of the South-East as in any other area; at least, that was definitely the case five years ago.

The Hon. G. G. PEARSON (Flinders): I wish to refer only to two matters in the Bill. First, I notice that "vermin" includes wild dogs and foxes. If there is any known way of successfully eradicating foxes, I should like to know about it. To prescribe rabbits as vermin under this Act and to prescribe all the provisions for their eradication is doing something that, in practical application, cannot be done. Perhaps the Minister can tell me how it is proposed to eradicate foxes. I would appreciate his advice, because they are a real problem. I think that this is accepted by most landholders.

Mr. Quirke: That is true.

The Hon. G. G. PEARSON: Every predator looks for a means of subsistence, and when rabbits are about foxes do not bother lambs or fowls. The Bill imposes an obligation in terms of the definition of "vermin", and if foxes are to be declared as vermin the obligation to destroy them is as definite as it is for destroying rabbits.

The other point I wish to raise is in regard to the powers of councils in respect of the declaration of a special rate. Clause 22 provides that a council may declare a special rate without the consent of the ratepayers. I question the equity of that proposal. Another provision is that the rate may be declared notwithstanding the fact that the rating adopted by the council is at the maximum permitted under the Local Government Act. Admittedly, councils could need funds to carry out this work, but I suggest that they are already well provided for in two ways. First of all, where they are doing work on land other than land held by private owners, or on roadsides adjacent thereto, they will undoubtedly be reimbursed by funds to be provided by Parliament. Where they are carrying out the eradication on privately-owned land or roadsides adjacent thereto, they can obtain reimbursement from the landholder, so they are covered in that respect. What other funds will the council actually need by way of a special or additional rate? Admittedly, they may need some funds with which to set up operations, but their costs should be met in the two ways I have enumerated, and it should not be necessary for them to have the right to declare a special rate.

The application of this provision will be somewhat inequitable to ratepayers. For instance, where the owner has effectively eradicated his vermin and someone else within the ward or council area may not be so assiduous in carrying out his duties, the council will come in and do the work, charging him for it. Why should the ratepayer who conscientiously carries out his duties be rated in order to meet the costs incurred by someone who does not do his job? There is some problem here. Generally speaking, I think it has been proved that landholders will adopt the view that it is to their advantage to be rid of their vermin. I do not think it is equitable that a council should, without reference to ratepayers (this is the point I am emphasizing), have power to declare a special rate on lands in order (*a*) to meet costs which in the first instance it should not have to meet and (*b*) to carry out work for which it has access to either landholders' or Government funds to do.

Mr. Quirke: I guarantee that the councils will do all the work.

The Hon. G. G. PEARSON: That is a pertinent interjection, and possibly that will be a profitable activity for the council to carry on. Why is this clause necessary, and why should it be framed as it is? Although a council may declare a special rate, without reference to the ratepayers, the amount of that rate is not determined: it is unspecified, and there is no limit to it. Those are matters that will invariably cause friction between ratepayers and councils and between individual ratepayers as neighbours.

The other point to which I wish to refer was mentioned by the member for Albert. It relates to the obligation of the Crown and instrumentalities of the Crown. Clause 15 is drafted much too loosely regarding the responsibilities of the Crown. Perhaps I may be pardoned for expressing a considered view on this matter, but I was a Minister of the Crown for a number of years and I know something of the obligations, real and implied, on a Minister in some of these matters. On the other hand, I have also been an owner of land and the representative of a district where substantial reserves of Crown lands are held. It has been my experience that one of the matters that irks landholders most is the fact that Government instrumentalities do not, and have not in the past, carried out their obligations in this respect. This is not a matter of any particular Government being involved: it is a matter of long standing complaint.

The worst problem I have on my property is that the railway line passes right through my land and I have to trespass on the railways property with a tractor, bulldozer or reaper to eradicate the rabbits. I can ask the department until I am blue in the face to do something about it, but it cannot and will not do much about it.

Mr. McKee: How long has that been going on?

[*Midnight.*]

The Hon. G. G. PEARSON: For many years. The Commissioner has never prosecuted me for trespassing on his land to eradicate rabbits, and I do not think he would want to do so. Until 1956 there were substantial areas of reserves in my district that have now been transferred to the district of the member for Eyre. It was virtually impossible for landholders with properties adjoining some of those reserves to grow a crop within chains of the boundaries of the reserves because of the depredations of vermin from the reserves, some of which were protected and some of which were not. This has been a source of serious complaint.

As the provision in the Bill is drafted, the Government instrumentality has to be satisfied that the land adjoining that land is free from vermin or that the owner has done his best to eradicate vermin on his own land. I believe this is putting the cart before the horse. The first responsibility in practice should rest on the Crown. Although I do not object greatly to that provision, I do object to the clause that gives the Government instrumentality a let out. Under this provision, it only has to state that it is not satisfied that the adjoining owner has got rid of vermin on his own property and it is not obliged morally or legally to take any action on its land. The Bill is important, and every right-thinking property owner will subscribe to it and will not cavil at some minor possible problem it raises or at some anomalies that may be created. However, when we consider a Bill of this type we should be more stringent in our requirements of Government instrumentalities.

In the clause to which I have referred, I suggest that the Minister should strike out the word "may" and insert the word "shall". I believe that, instead of the Minister having to be satisfied that the adjoining landholder has done everything he should do to eradicate vermin, the decision should be in the hands of the district council or the vermin authority in the area. After all, the vermin authority in

the area decides what action can be taken against the landholder. Why should that authority not decide similarly what action should be taken against an instrumentality of the Crown?

Mr. QUIRKE (Burra): I had some experience with the committee, when it was first formed, in the eradication of rabbits, and it did great work. Myxomatosis achieved grand results in South Australia, as it still does in many areas. However, its effects have faded out in other areas and it is those areas that we must keep clean. There are areas in South Australia, notably in the central districts, where the rabbit has almost disappeared. Although an occasional rabbit can be seen in such places, the number of rabbits never seems to increase. There were many rabbits in these areas before myxomatosis cleaned them up.

It is interesting to note that, although the rabbits that are seen are not afflicted by myxomatosis, the number of rabbits is not increasing; the reason for this should be investigated. It used to be well known that a farmer could kill all the rabbits on his property (if it was not netted) and think that he had done a good job, but in a few months there would be just as many rabbits as there were before. I travel over the northern roads at all hours of the day and night and, where previously hordes of rabbits used to cross the road, now I hardly see one. This applies in regard to the road from Adelaide to Port Wakefield, the Main North Road and the north-eastern roads. The rabbits that I do see carry none of the signs of myxomatosis and yet the numbers are not increasing. I hope that the committee will investigate this matter in an endeavour to keep down rabbit numbers in other parts of the State to the same extent that they are down in the central districts. There are a few around in sandy areas and, if they are cleaned out, it will not be expensive to keep them down to safe numbers.

It would be of benefit if some method could be found to eradicate foxes. In a year such as this foxes will be hungry, particularly if rabbits are not plentiful, and it may be a good idea to put a bounty on foxes just for a season if only to pay for the cost of the cartridges used to shoot them. The powerful, brass-cased cartridges necessary to shoot foxes cost 10c and more. If the cost of the ammunition were subsidized, some of the younger people on properties would be encouraged to use a spotlight at night and to kill foxes in that way.

Mr. Casey: Can you claim spent cartridges as an income tax deduction?

Mr. QUIRKE: I do not know. I hope the Government will consider my suggestion, which would reduce the fox population to a marked extent. In its early stages, the rabbit eradication programme was most successful. If the same application is given to the future eradication of rabbits throughout the State, and if district councils are kept up to the mark—

The Hon. J. D. Corcoran: They have not been in the past.

Mr. QUIRKE: That is why they mentioned the idea. I thought the Minister might have overlooked it. Many councils have been unwilling to undertake the work, and much rabbit breeding has occurred in areas that could have been controlled had district councils been more energetic in seeking the services of people whose job it was to undertake the eradication of the little pest. With that compliment to the people involved, and wishing them success under the new legislation, I support the Bill.

The Hon. J. D. CORCORAN (Minister of Lands): I shall reply briefly to several points raised. First, I thank members for their support of this Bill and their encouraging remarks about the excellent work done by the Vermin Advisory Committee. It is largely because of the efforts of that committee that this Bill is now before us. It has taken some time to reach this House and that committee will be as anxious to see it in operation as I am.

The member for Albert (Mr. Nankivell) suggested, when talking of the Minister's responsibility (in clause 23) to pay the councils the money they may have spent on work on Crown lands, as the member for Flinders suggested, that "may" be altered to "shall". In the first place, the Minister must agree that it is necessary for the work to be carried out, and there are conditions applying to this. This is a first move in this direction; it has never in the past been the responsibility of the Crown, and this has been recognized. It is a step in the right direction; let us go forward step by step.

We have said that the Minister "may" agree to the councils' doing certain work if certain conditions apply in adjoining areas. The member for Flinders suggested that we should hand over this power to the councils and that they should be able to say to the Crown, "We will do that." That is fair enough, but should we, as the State Government, hand over the government of the State to the councils and let

them tell us what to do in any particular case! We could say to the landowner, "All right; we will hand over the power to you, and you tell the councils what to do." Considering the area that the Crown has in this State under its control and the sum that may be available to the Crown for this work, it is necessary that the Minister should say, "If certain conditions apply, the councils should do this work." We have recognized the need for the work and we shall be responsible in our approach to it, but it should not be mandatory that, if a council is in a position to do the work, it "shall" tell us it is going to do it.

If the Minister agrees, in the first instance, to the councils' doing this work, I cannot imagine any Minister not paying for any work done. It is provided that the council or board may be paid out of money provided by Parliament. If we said "shall be paid out of money provided by Parliament", what if Parliament did not provide the money? There is no need at this stage to change the wording, and make it "shall"; I am happy with "may". It does not necessarily follow that the Minister will try to avoid any responsibility, particularly where he has entered into an agreement with the council to do the work, because "may" and not "shall" appears in the provision. The member for Flinders made his point well when he said he was experienced in Government. Having held a Ministerial position, he would realize that it was not always advisable to say "shall".

The Hon. G. G. Pearson: The Minister says that in this section there is no provision for any authority bringing to the Minister's notice the fact that vermin is on its land. The initiation of action here rests entirely with the Minister.

The Hon. J. D. CORCORAN: The point here is that in the past we have had enough indication, not only from landholders but also from councils, that there is vermin on Crown lands. The member for Stirling (Mr. McAnaney) spoke about it tonight. It is common knowledge. We are told of a case where the Railways Commissioner had not always done his work in that regard, and no doubt the honourable member applied to the Railways Commissioner for assistance in the eradication of rabbits on the Commisioner's property. Landholders now being aware that the Government has at last accepted some responsibility in this matter, there will be no need for any authority to direct the Minister's attention to the need for the eradication of vermin on Crown lands if it exists in large quantities.

Mention has also been made of the power given to councils to strike a special rate without the express permission of the ratepayers. This power already exists in section 17 of the Weeds Act and in section 18 of the present Vermin Act, except that there is a limit of up to 1.25c in the dollar on the annual assessment, but we have combined the two and put it in this Bill. I can foresee a circumstance where it will be necessary for a council to use this power—for instance, a plague, where drastic action may have to be taken by a council. However, if there is no need for that, surely the actions of any council are governed by certain things that the honourable member may not be aware of. No council would be irresponsible enough to use the power casually or without good reason. If it has been there in the past, it has not been abused and I see no harm in leaving it there in case it is needed in the future, in which case I am confident it will not be abused.

Mr. Nankivell: That is covered in a general way in the old Act, where under section 18 there may be a levy to recover, in the same way as general rates are levied.

The Hon. J. D. CORCORAN: I realize that, but it still does not require any special permission from the ratepayers. There is an upper limit on what can be drawn. Because of some unforeseeable circumstance, it may be necessary to have this power. It has existed for years although it has not been used. It is an indication that councils are responsible in their attitude towards this matter. Although the power has not been used, there will always be some circumstances in which it may be used in the future. I do not think there is any danger in the matters I have developed. I look forward to this Bill being effective and used to good purpose by councils.

I understand that the member for Albert, when referring to a form of vermin control that may be used by councils, suggested that it could be said that we were not merely trying to lead people to use the type of control that the department considered suitable and practicable, but were compelling them. I assure the honourable member that if councils are not using the departmental control scheme they will still be able to poison on roadsides by using their employees or contractors, provided that the council assumes the responsibility for the work. Councils will not be restricted in obtaining the poison material through the

normal channels, which are open to the many landholders who now use the poison.

Mr. Nankivell: Will they recover it in the same way by charging the adjoining landowners?

The Hon. J. D. CORCORAN: Provisions in the Act allow them to do this, but they can use means other than the control advocated by the Lands Department through its extension service. I assure the honourable member that this provision will be made by regulation. The Government will not compel people to use its scheme, but I strongly advise councils to use it because it is an extremely effective scheme, and I hope that more councils throughout the State, particularly where there is a rabbit problem and where councils can combine to use the scheme, will do so. Although the Government is not compelling councils, it is appealing to them to derive the benefits from using this scheme. I hope that they will inspect areas in which it is working effectively, and so be convinced of its efficiency.

The Hon. G. A. Bywaters: You have to see it to believe it.

The Hon. J. D. CORCORAN: The member for Flinders asked me to tell him how foxes could be eradicated, but I could not tell him how to do that. Until now we have concentrated on eradicating rabbits. I have told people in the South-East who have been bothered with foxes, particularly those on holdings bordering pine forests and those who have been troubled with the problem during lambing season, that, although they advocated a bounty on scalps, it seems that no research has been done on this matter, because we have devoted our resources to eradicating rabbits. I think that the most effective way to get rid of foxes would be by spotlight shooting or traps, or something like that. I have no secret method to eradicate this menace: I wish I had, but I am unable to help on this question.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

IRRIGATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 26. Page 3097.)

Mr. RODDA (Victoria): I support this short Bill which, as the Minister said in his second reading explanation, gives effect to what modern engineering has done in irrigation in that re-lift pumps and sprinkler irrigation materially alter the mode of watering compared with the gravitational method of flooding from an adjoining departmental channel. It is now possible to water land at much higher levels, and clause 3 amends the definition of ratable land, which means any land situated within an irrigation area for which the Minister has approved and makes available a water supply in return for a rate fixed and payable annually. Clauses 4 and 5 amend sections of the principal Act and give to a landholder the right to hold more than 50 acres of ratable land. That means that the area is extended by this measure in so far as the Minister approves of the available water supply.

There is a touch of irony about the Bill, in that we are extending areas that can be watered, with the Minister's blessing, at a time when restrictions are being placed on water diversion from the Murray River and when the whole State is looking at this great waterway and questions have been asked about salinity. Then, of course, there is the matter of the Chowilla dam. However, the legislative effect of the Bill will make a contribution in the long term and, in view of the importance of the irrigation area, I support the measure.

Clause 6 makes a wise amendment to the principal Act. It is important that the Minister should have this control, because, although he can give permission to remove timber, stone, etc., he will have power to control or restrict such actions. Clause 7 is also important. It provides for persons of Asian origin who are not British subjects to take leases under the Act. I have no quarrel with this. If these people are good citizens and hard workers, we can show an example to the part of the world from which they come by living side by side with them.

Mr. CURREN (Chaffey): I briefly support the Bill. Its principal purpose is to increase the permissible maximum holding of ratable land held by any one individual or partnership. It will be possible for a settler to exceed the 50-acre limitation, with the permission of the Minister and on the recommendation of the Land Board where it can be shown that for economic or other reasons it is desirable to increase the acreage up to a maximum of 100. This is achieved by clause 3, which alters the definition of ratable land. The need for a greater area of individual holdings has become apparent in recent years, with the changed economic aspect in regard to fruitgrowing. Large acreages enable a property to be worked more effectively, with greater equipment and a greater spread of overhead.

The member for Victoria (Mr. Rodda) remarked that it was ironical that we were extending areas under irrigation. I point out that there will be no extension in the total area irrigated. The Bill merely increases the total holding that any individual or partnership may hold. It is rather ironical that there has been agitation for this lifting of the acreage limitation from 50 to 100. In the area served by the Renmark Irrigation Trust, under which there is no control whatsoever over the acreage that may be held by any individual, there is a freehold tenure system and there is no control by the trust over subdivisions of the holdings for aggregations.

Figures supplied by the trust show that in the area there are 277 holdings of up to 10 acres in size, 482 holdings from one acre to 20 acres, 111 holdings between 21 acres and 50 acres, and only 11 holdings over 50 acres in size. I support any move that will make it easier for settlers in the irrigation settlements to increase their holdings if they desire to do so.

Mr. FREEBAIRN (Light): The Bill is interesting because it cuts directly across Australian Labor Party policy, which is to make holdings smaller and to make the man on the land more like a peasant. It was the Chaffey District Committee of the Liberal and Country League that two or three years ago recommended that it be Party policy that the 50-acre limit be increased. Members opposite realized that that was a good policy and, in an endeavour to gain votes at the next election, they have adopted it accordingly.

The Hon. B. H. Teusner: A seat-saving policy.

Mr. FREEBAIRN: Yes. The Labor Party is basically opposed to allowing a grower to have an increased holding, and this measure has been introduced at a late stage of the session to try to help the member for Chaffey, who is in a difficult position in his district. I support the Bill.

Mr. QUIRKE (Burra): True to Labor Party policy, the Government, I suppose, will make all these areas leasehold.

The Hon. J. D. Corcoran: They are leasehold now.

Mr. QUIRKE: The original size of some blocks around Renmark may have been 20 acres, but migrants have come in and taken blocks of two to five acres; this has made a shambles of Renmark. Under the Irrigation Act all land is leasehold. The breaking up of irrigation properties into minute holdings presents tremendous administrative preblems. Members should consider the complexity of watering areas around Renmark. Blocks have been split into three or four parts and this complicates the problems of supplying water to them; this is not easy or desirable. We must avoid the situation where there are small areas, each insufficient to maintain a family; the areas I am thinking of are used only for purposes of habitation—the people work somewhere else. This is all right under non-irrigation conditions or specialized irrigation conditions, but not in established irrigation settlements. I support the Bill.

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

ADJOURNMENT

At 12.50 a.m. the House adjourned until Wednesday, November 1, at 2 p.m.