

## HOUSE OF ASSEMBLY

Thursday, October 10, 1968.

The House met at 2 p.m.

The CLERK: I have to inform the House that, owing to illness, the Speaker will be unable to attend the House this day.

The DEPUTY SPEAKER (Hon. B. H. Teusner) took the Chair and read prayers.

## PUBLIC PURPOSES LOAN BILL

His Excellency the Lieutenant-Governor's Deputy, by message, intimated his assent to the Bill.

## PERSONAL EXPLANATION: WEED CONTROL

Mr. HUGHES (Wallaroo): I ask leave to make a personal explanation.

Leave granted.

Mr. HUGHES: On September 18, I drew the attention of the Minister of Roads and Transport, through the Attorney-General, to the danger existing at the Melton railway crossing where weeds on railway property had grown so prolifically and so high that it was difficult for a motorist to see whether a train was approaching the crossing. I asked, in the interests of safety, that the Minister of Roads and Transport treat my request to have the weeds disposed of as urgent. The Minister took the necessary steps to have the weeds disposed of as requested by me, and was good enough to request the Attorney-General to advise me to that effect. Yesterday I found on my desk the usual note informing me that the Attorney-General had a reply on weed control. In reply to my question the Attorney-General proceeded to be discourteous to the Minister of Roads and Transport by taking out of context the Minister's reply. He said only this: "Action has been taken to remove the weeds," whereas the reply contained other information for the House. By replying in this way, the Attorney-General tried to convey to the House that the weeds had been removed prior to my asking the question, and that is totally untrue. Mr. Deputy Speaker, if the Attorney-General intends to take out of context replies from Ministers who are members of another place, may I suggest to you that he be not allowed to have the full replies recorded in *Hansard*.

## QUESTIONS

## WHYALLA OCCUPATION CENTRE

The Hon. R. R. LOVEDAY: Has the Minister of Works a reply to the question I recently asked about the Whyalla Occupation Centre?

The Hon. J. W. H. COUMBE: The fencing work involved in the siteworks contract at the Whyalla Occupation Centre is not subject to dispute regarding roadway levels, as reported in the *Whyalla News* on September 20, 1968. The site of the occupation centre is only a portion of a larger area of land, and it is understood that it is the remainder of the area that is the subject of the dispute. The contractor for the formation of siteworks and the erection of fencing at the Whyalla Occupation Centre has verbally advised that all work apart from one or two very minor items has now been completed. It is therefore possible for the centre to be now occupied, and the Education Department is being notified accordingly.

## AFRICAN DAISY

Mr. GILES: Has the Minister of Lands obtained from the Minister of Agriculture a reply to my recent question about the spread of African daisy in the Adelaide Hills and the subsidy provided to councils in that area?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states:

I am pleased to be able to advise that, following my discussions with Cabinet, approval has been given for the allocation of an additional \$15,000 for subsidies to district councils for noxious weed control this year. This additional amount will have to be found from within the approved total appropriation for the Agriculture Department, but it is expected that the extra funds thus provided will be sufficient to alleviate the present situation that councils are facing.

## TOURIST CENTRES

Mr. CORCORAN: In his policy speech before the March election, the Premier said that his Government would set up tourist centres near the border in order to help tourists from other States by providing them with plans and itineraries. Can the Minister of Immigration and Tourism say whether any steps have been taken to establish these centres and, if they have, whether Millicent has been considered as one of the localities?

The Hon. D. N. BROOKMAN: I hope to be able to say something about this matter soon, and I will certainly bear in mind what the honourable member said about Millicent being an important centre in relation to tourism.

## MARGARINE

Mr. McANANEY: Has the Minister of Lands obtained from the Minister of Agriculture a reply to my question about margarine?

The Hon. D. N. BROOKMAN: The Minister of Agriculture states:

The legal aspects of this matter are being closely examined with a view to possible amendment of the present legislation if it is found that this is desirable and would be effective. The results of the operation of the new Victorian Act will also be watched carefully. As this matter comes within the provisions of the Food and Drugs Act, any legal action would require authorization by the Minister of Health.

## DANCING LESSONS

Mr. LAWN: Yesterday at 8.16 p.m. I received a letter bearing the General Post Office stamp for 5 p.m., which would indicate that the letter was posted at that time. The letter comes from Owen, which is in the district of the Premier, is addressed to me at Parliament House, and states:

After watching the Premier on television at the Miss South Australia Ball, I suggest you ask the Treasurer the following question: will the Government consider financing dancing lessons for the Premier to enable him to discharge his social duties in a manner befitting the head of the Government of this State?

I do not think the State should bear the cost of seeing that the Premier is able to carry out his social duties. However, will the Treasurer suggest to the Premier that he approach his cousin Aubrey Hall, who has proved a most successful instructor in dancing over many years or, alternatively, approach the ex-Minister of the Playford Government who was well known to members of this House for his dancing ability, most particularly as a great exponent of the twist?

The DEPUTY SPEAKER: Does the Treasurer wish to reply?

The Hon. G. G. PEARSON: Only the first part of the question is worthy of reply: that is, the part in which the honourable member repeated a question asked by his correspondent about whether the State would bear the cost of such tuition for the Premier. The honourable member said that he did not think that the State ought to bear such cost, and I do not think so, either.

## MURRAY BRIDGE CLUB

Mr. WARDLE: Has the Treasurer a reply to my question about the conditions under which Government grants are made to elderly citizens' clubs for establishment and equipment?

The Hon. G. G. PEARSON: In terms of the Aged Citizens Clubs (Subsidies) Act, 1963, the Treasurer may make payment of a subsidy to "any council or to any body, institution or authority recommended by any such council and approved by the Treasurer, for the purpose of assisting such council, body, institution or authority to purchase land with or without buildings, to construct or enlarge buildings or to purchase furniture or equipment". To comply with the requirements of the Act the Treasurer must satisfy himself (1) that the land, buildings, furniture or equipment to be purchased or constructed are intended to be used wholly for the purpose of a club for the provision of physical and mental recreation of aged citizens; (2) that the council is also contributing to the cost involved, and the amount of the subsidy shall not exceed the amount contributed by the council and any additional amounts contributed by other bodies or persons, and under no circumstances may exceed \$6,000 in respect of any one club; and (3) that an assurance has been given that, if the club is wound up after having been assisted by the Government, the net assets of the club will be transferred to the sponsoring council. The honourable member will see that the conditions are quite explicit and that the Government will subsidize, to the extent of up to \$6,000 for any one club, amounts contributed by the council and private citizens for the purposes mentioned.

## MOSQUITOES

Mr. RYAN: Yesterday I received from the Local Board of Health, Port Adelaide, a letter, part of which states:

At a meeting of the Local Board of Health held on October 3, 1968, consideration was given to a report on the mosquito nuisance in the Osborne and Taperoo areas, following complaints from ratepayers and the Taperoo and Largs North Progress Association. Further detailed inspections have been made of the whole of the municipality, and no significant breeding grounds have been located within our boundaries. However, an inspection of the land south of the North Arm and east of Magazine Creek has again revealed a bad breeding ground; this breeding ground was in existence in March, 1968, and the attention of the Salisbury Local Board of Health and the Department of Marine and Harbors was called to same, with a request that some immediate attention be given to this breeding ground.

As the Minister of Marine knows, this matter has also been raised by the member for Semaphore (Mr. Hurst) and the member for West Torrens (Mr. Broomhill) over a long period

and, although it has been referred to the Public Health Department, apparently progress is not being made. I have been told that, even at this early stage of the summer, the mosquito nuisance is worse than it has been for years. Because the progress we thought might occur by calling the various bodies together under the Health Department has not been achieved, will the Minister of Marine, who is in charge of the department on whose property the mosquito nuisance seems to have originated, take action to prevent mosquitoes becoming a complete nuisance in the coming summer?

The Hon. J. W. H. CUMBE: I will take this matter up personally with my colleague in an effort to see whether a remedy can be made available to the honourable member's constituents.

#### RAILWAY CROSSINGS

Mr. EDWARDS: Has the Attorney-General received from the Minister of Roads and Transport a reply to my recent question about the use of amber warning lights at railway crossings?

The Hon. ROBIN MILLHOUSE: My colleague has informed me that amber lights are commonly used in built-up areas for street lighting. Therefore, whilst they would naturally illuminate a level crossing when erected in the vicinity, it is considered that they would not necessarily indicate the presence of such a crossing and they could perhaps be mistaken for a normal street light. Further, the provision of such lighting, the effectiveness of which would be subject to test, must necessarily be restricted to townships where electric power is available.

#### MEDICAL SERVICES

Mr. BROOMHILL: In his policy speech delivered before the last election campaign the Premier said that one action his Government would take would be to extend the existing free school medical service to all schoolchildren, and I understood that this would include children at independent schools. Can he say what action has been taken to provide this service?

The Hon. R. S. HALL: In the past I have spoken of this matter to the Minister of Health and drawn his attention to our intention. As I understood that he was to investigate the matter, I will obtain a report for the honourable member, probably next week.

#### CONCESSIONAL FREIGHT RATES

Mr. VENNING: Has the Attorney-General received from the Minister of Roads and Transport a reply to the question I asked on September 25, about concessional freight rates?

The Hon. ROBIN MILLHOUSE: My colleague has informed me that concessional freight rates have not applied to the carriage of livestock between Western Australia and South Australia.

#### TRANSPORTATION STUDY

Mr. VIRGO: On August 22 I asked a question of the Premier following his announcement about the siting of the festival hall, and drew his attention to the difficulties that his proposal would have in relation to the Metropolitan Adelaide Transportation Study recommendations for the underground railway. On that occasion he gave me an undertaking that, before making any firm decision about where the hall would be sited as a result of the committee's report, he would consult with competent people to inform him on the aspect I have referred to. Because of yesterday's announcement of the Government's decision on the hall site, can the Premier say whether he honoured the undertaking he gave me in this House that he would consult with the South Australian Railways on the effect of the siting of the hall on the M.A.T.S. recommendations for the underground railway proposals? If he did, will he name the engineer who gave him the advice and say what the advice was?

The Hon. R. S. HALL: The committee of inquiry I asked to investigate the siting of the festival hall in Elder Park considered in depth the question of whether the use of this site would affect the proposal recommended in the M.A.T.S. Report for an underground railway entering King William Road from this quarter, and its unqualified findings were that this would not affect the possibility of the underground railway being built in the future. If the honourable member reads the committee's report he will find that its reason is that the site made available by removing the Government Printing Office was not considered as being available by the M.A.T.S. So the effect of using this site does not lessen the possibility of installing an underground railway in this locality.

#### KALANGADOO KINDERGARTEN

Mr. RODDA: Has the Minister of Education a reply to my question of September 19 about a building for the Kalangadoo kindergarten?

The Hon. JOYCE STEELE: As the honourable member knows, there are old solid-construction classrooms and a single wooden classroom now surplus at the Kalangadoo school because of the erection of the new Samcon building. The department considers that the wooden classroom would provide more suitable accommodation for the use of the local kindergarten. It is expected that it will remain at Kalangadoo for some time, although no definite undertaking can be given as to the period of time. In any case, if it were found necessary to remove the timber room, facilities in the old solid-construction section could probably be made available for some time. Until the Public Buildings Department disposes of these old premises, there would be no objection by the Education Department to the kindergarten making use of accommodation, in accordance with the usual provisions of the Public Buildings Department. If the honourable member arranges for the secretary of the kindergarten to inform the Education Department of its requirements, consideration will be given to them.

#### CHOWILLA DAM

Mr. HUDSON: On August 7, I asked the Premier a question in connection with a request that had been made by Senator Cavanagh to the Premier, in writing, for further information on the Chowilla project, as Senator Cavanagh, pursuant to representations made to him by the United Farmers and Graziers Association, wished to bring the matter of the Chowilla dam to the notice of the Senate. At that time the Premier apologized for not having forwarded the information, but said he had had certain difficulties as a result of being overseas. He said, "I hope I shall soon be able to forward this material which, of course, cannot be lightly prepared." When I spoke to Senator Cavanagh just before lunch today, he told me that he had still not received any material or even an acknowledgment to his letter. As a result of certain material being made available to Senator Bishop and me, as members of the Chowilla Dam Promotion Committee, photostat copies of this material have been made available to Senator Cavanagh. It seems unfortunate that the material, which apparently is now available, should have had to reach Senator Cavanagh in this round-about way. Will the Premier say why Senator Cavanagh's letter has not been replied to officially and why the material has not been sent directly to him?

The Hon. R. S. HALL: The material has been prepared for about three weeks. It was received from the Minister of Works, and is the same material as the member for Glenelg has received as a member of the promotion committee. The delay occurred because of the visit to South Australia by the Commonwealth Minister for National Development. This added a complicating factor in respect of the preparation of the material, as the Commonwealth Minister had objected strenuously to the material that had been put out previously by the Government. Indeed, the member for Glenelg objected to it as being puerile, and he criticized the Government and me for getting the Commonwealth Minister offside, so I thought I should wait and see what the Minister had to say before replying to Senator Cavanagh. However, when the Minister came to South Australia he brought with him a statement of historical fact about Chowilla which the State Government examined and had altered in some small detail, and it was agreed that the document represented a fair statement of events.

The Hon. J. W. H. Coumbe: This was issued to all members.

The Hon. R. S. HALL: Yes. It is now my duty to send out the relevant material to an indeterminate number of people who have written letters (I do not know just how many letters are on my file regarding this matter), and I understand that those concerned will receive the same material as that made available to the committee and to the honourable member.

Mr. Hudson: It is most unfortunate that Senator Cavanagh should receive this material through the back door, as it were, without receiving an official reply.

The Hon. R. S. HALL: He will receive a reply. I have already explained why the long delay has taken place: it was a result of the Commonwealth Minister's visit to the State and the consultations that took place in connection with that visit, although I freely admit that I may have caused the more recent delay. I believe that it is now my duty to send the Minister all the material that is now available, so that we do not offend him as he was apparently offended previously when he found one of our pamphlets on his desk one morning.

#### LICENSING ACT

Mr. NANKIVELL: An article appears in this morning's paper, referring to the Leader of the Opposition, as follows:

In Parliament, Mr. Dunstan gave notice of a Bill to amend the Licensing Act. Outside he said there were a number of anomalies which needed urgently to be cleared up. There seemed to be no sign of action on this from the Government.

Will the Attorney-General say whether this is a correct statement and, if it is not, will he say what action he intends to take in this matter?

The Hon. ROBIN MILLHOUSE: I read with surprise the report in this morning's paper, because it has been made publicly known on a number of occasions that the Government intends to introduce a Bill to amend the Licensing Act to clear up a number of anomalies. I myself made this announcement on television about 10 days ago, and the matter then received publicity in the daily press. Indeed, it was part of the policy of this Government, announced before the last election, to introduce amendments to the Act, particularly in regard to the hiring of halls. (Obviously members opposite have been diligently studying the policy of this Party; this has certainly been obvious in the last few minutes in the House.) However, I am glad to say that, as a result of the announcement I made regarding amendments to the Act, which the Leader and his assistants either ignored or missed in some way, I have had a great response from members of the public.

Since I went on T.V. concerning this matter, I have received over 30 letters from members of the public making specific suggestions for amendments to the Licensing Act to make it work better than it is working now (although it is working reasonably satisfactorily) and to get rid of any bugs that are in it. Before the T.V. interview, I had had a number of deputations from organizations such as the Australian Hotels Association and the wine and brandy producers' organization, and from reception houses, asking for certain alterations to make the legislation work more smoothly. It is beyond my comprehension how the Leader could not have known this and could not have known that we had announced our intention to introduce a Bill. Naturally, as he will know, and as other members will know, it takes much time to correlate the various matters that have to be considered, and I think it will be a month or more before we can introduce the Bill. However, I confidently expect that, in line with our policy and in line with repeated announcements, the Bill will be introduced this session.

It will, as I have said, be mainly a matter of administrative rearrangement of machinery matters. There may be some matters that members on both sides will regard as policy because it is difficult to draw a precise line between matters of a machinery nature and matters of policy. One matter which I am able to say is to be included in the Bill (and Cabinet gave me instructions last Monday to include it in the draft) is a provision to reduce the age (from 21 to 18 years) at which people may go into hotels to drink. Of course, all the matters in the Bill will be matters on which, I think, even members of the Labor Party will be able to make up their minds, and members of this House and members of another place will be able to vote as their consciences dictate on this matter.

#### GAUGE STANDARDIZATION

Mr. CASEY: Last Tuesday the Premier, replying to a question I had asked about railway standardization between Adelaide and Terowie, said that the estimated proposal would cost about \$19,000,000 of which, under the standardization agreement with the Commonwealth Government, this State would pay about \$5,700,000. The Premier went on to say that the line between Adelaide and Port Pirie was, of course, much more direct than the line through Terowie and Peterborough in connection with travel to Perth and also to Alice Springs. I wish to correct the Premier, however, because the railway line through to Alice Springs via the latter route has not been used for at least 30 years, to my knowledge. Of course, the Premier forgot to say that the route through Terowie and Peterborough to Broken Hill would involve a saving of about 90 miles, Broken Hill being the largest city serviced by rail from Adelaide through to Sydney. In view of the Premier's previous reply, will he obtain for me information about the estimated cost of standardizing the line, at this stage anyway, between Adelaide and Port Pirie?

The Hon. R. S. HALL: I will obtain the information.

#### BURRA COPPER

Mr. ALLEN: Has the Premier obtained from the Minister of Mines a reply to my recent question about the low-grade ore still existing in the area of the Burra copper mines?

The Hon. R. S. HALL: The work of Mines Exploration Proprietary Limited at Burra has confirmed and increased the tonnage of remnant ore previously indicated by Mines

Department investigations. Although both the tonnage and the grade appear to be such that the deposit could be developed, grave difficulties have arisen in achieving an economic recovery of the copper from the ore. Experimental work is still proceeding, both in Adelaide and overseas. In respect of the testing for new ore-bodies at depth, no success has been achieved.

#### GREYHOUND RACING

Mr. McKEE: Following the investigation of a Select Committee into greyhound racing in South Australia, a member of the committee in another place said that many witnesses gave evidence that legislation on the matter would not be satisfactory until betting facilities were provided. In view of the Government's desire to obtain increased revenue, and in view of the great expense incurred by the clubs in establishing racing tracks in various centres throughout the State, I ask the Premier whether the Government intends to legislate in the near future to enable betting facilities to be provided for coursing in this State.

The Hon. R. S. HALL: I will obtain a considered reply for the honourable member.

#### ROYAL PARK SEWERAGE

Mr. HURST: Has the Minister of Works a reply to my recent question about sewerage at Royal Park?

The Hon. J. W. H. COUMBE: The streets referred to by the honourable member are within the area at Royal Park for which a sewerage scheme is being considered, and the preliminary plans and estimates have been prepared. Owing to the flat nature of the ground with a high water table, sewer construction in the area will be expensive, as two pumping stations will be necessary with expensive de-watering of trenches and close timbering. As the estimated cost of the scheme will exceed \$200,000, it will be necessary for the scheme to be referred to the Public Works Committee. Should the scheme be recommended and approved by the Government, it is expected that funds could be made available for the scheme to be commenced in the 1969-70 financial year.

#### LAW REFORM COMMITTEE

Mr. McANANEY: In the policy speech of my Party the establishment of a law reform committee was promised. Although some weeks ago the setting up of the committee was announced, the members had not been

appointed. Can the Attorney-General now say when the appointments will be made and when the committee will commence operating?

The Hon. ROBIN MILLHOUSE: The commencement of the work of the committee is being held up by the need to appoint a secretary, and we have this matter in hand. Regarding the appointment of members, although I have now had recommendations from the Law Society and the University of Adelaide in accordance with my invitations to those bodies, I have not yet had any response from the Opposition. On September 19, I wrote to the honourable Leader of the Opposition inviting him to make a recommendation for the appointment of the fifth member of the committee. Of course, the other members are the Chairman, who is appointed on the recommendation of the Government, and also the Crown Solicitor or his nominee. I have to say that, although it is now exactly three weeks since I wrote to the honourable gentleman, I have had not even an acknowledgement from him of my letter. The only response of which I know from him was a rather half-hearted and disparaging comment that I read in the paper the next day. I hope that the Leader and the Opposition as a whole will be prepared to co-operate in what I believe to be a very worthwhile step in law reform in this State, a step that has been widely acknowledged by the profession and by members of the public. I hope that I will hear from the Leader on this matter very soon because, until I do, it is not possible to recommend to His Excellency the Lieutenant-Governor the actual appointments, and therefore it is not possible for the committee to get on with the work that we have for it to do.

#### JUSTICES OF THE PEACE

Mr. BURDON: When he was Attorney-General, the Leader of the Opposition introduced a scheme providing for a course of instruction for justices of the peace in this State to enable them to discharge the duties of presiding over courts of summary jurisdiction. He announced that, when sufficient justices had passed the course, a system would be instituted of a quorum of justices and that only those who had undertaken the course or who had had long experience in presiding over courts would from that time be invited to preside. Other justices were to have their duties confined to the witnessing of documents and so on. As some justices of the peace have now undertaken the course and as more are doing so, can the Attorney-General say whether he

intends to proceed in the way outlined originally by his predecessor and, if he does, when the quorum of justices will be appointed? If this step is some time ahead, does he intend in the meantime to recognize with some form of certificate all justices who have undertaken the course?

The Hon. ROBIN MILLHOUSE: The honourable member has missed this announcement, too, because I made an announcement six weeks or two months ago, originally at the annual dinner of the Justices Association, and it was fairly widely reported thereafter. We have put into effect, with some adaptations, the scheme originally proposed by my predecessor. We have already named as justices of the quorum about 70 justices, I think, and they have successfully completed the first course of instruction. I have written to all of them informing them of the appointment, those letters having been sent out six weeks ago. What we propose, as has already been announced, is that for the time being there will be absolutely no change in the status of any justice but that, in due course (it may be 10 years or longer or a shorter time) when there are sufficient justices of the quorum throughout the State to undertake court duties, only those justices will be asked to sit on the bench. However, that is a long way ahead. In the meantime, the present system, which has operated for as long as any of us can remember and before that, will be maintained. I certainly do not want, nor could we afford, to dispense with the services of experienced justices who have been serving the community in this way for many years. Eventually (it may be a long time in the future) sufficient justices may have undertaken and successfully completed the course of instruction for us to rely on them for the discharge of court duties.

From now on all applicants for recommendation for nomination as justices of the peace will be asked as a matter of routine whether, in due course, they will be prepared to undertake the course of instruction. I hope that all new justices appointed will be willing to undertake this course sooner or later, when there is room in the courses.

Mr. CLARK: I was interested in the Attorney-General's statement that about 70 justices of the quorum have been sworn. Will the Attorney give members the names of justices appointed or to be appointed in their respective electoral districts?

The Hon. ROBIN MILLHOUSE: I should like to think about that request. If it is possible to do so and there are no reasons against it, I will do it. At present I cannot think of any reason why we cannot circulate this information.

Mr. Clark: I personally would like it.

The Hon. ROBIN MILLHOUSE: It probably would help members to know the number of justices in their districts who have successfully undertaken the course of instruction. I think the total number is about 70 and that there were some justices of the quorum in each district. I will consider the matter and, if possible, make the information available.

#### PORT PIRIE PLATFORM

Mr. RICHES: Has the Attorney-General a reply to my question about the location of the refreshment rooms at the Port Pirie railway station? Again this week it has been impossible for Port Augusta passengers to get refreshments at the station, merely because of the place at which the carriages stop to discharge passengers.

The Hon. ROBIN MILLHOUSE: I am sorry to hear that, but the honourable member will be glad to know that the matter is in hand. However, in view of the personal explanation by another honourable member, I think I should read the reply from the Minister of Roads and Transport. My colleague has informed me that this matter involves both the Commonwealth and South Australian Railways and that the honourable member's comment has been referred to the Commonwealth Railways for consideration.

#### FESTIVAL HALL

Mr. GILES: As the site for the festival hall has been decided, and as I am sure that the people of South Australia would be interested to know when a committee would be formed to design the hall, can the Premier give that information and also say when work on the hall will start?

The Hon. R. S. HALL: Certain things must be done before it can be established finally that the festival hall will be built on the Elder Park site.

Mr. Riches: Will Parliament have a say in it?

The Hon. R. S. HALL: First, the Adelaide City Council will have to consider whether it approves of the site. As soon as possible, I should like to give the honourable member further details of the planning that may be proceeded with, but I cannot anticipate the approval of this venue as the festival hall site.

## DIRTY WATER

Mr. LAWN: The Minister of Works was present when I spoke during the Budget debate of the filthy water coming through our water pipes. I suggested then that it would be better for the Government to provide a filtering system rather than to fluoridate our water supply, and I quoted an instance of not being able to do washing without using rain water (and this would apply also to other people). This morning my wife showed me half a jug of water with which she intended to make coffee. She said that she would have to throw out that water, and she has told me that yesterday, after I left home, the water coming through the pipes was dirty for the remainder of the day. This morning we let our taps run for some time but the yellow-brown appearance of the water remained, and that accounts for my appearance today: I could not use tank water for showering, although I had to use it for drinking purposes. When I went outside to fill my German shepherd dog's bowl (as I do every morning), the water that I put into the bowl was also discoloured. The dog looked at the water, then at me, and went inside. By the way, I left a billy can of discoloured water at home, if the Minister or a member of his staff would care to look at it. Similar complaints are made by my constituents, and the water is not fit for a dog. Will the Minister consider installing a filtering system to filter the water supply?

The Hon. J. W. H. COUMBE: I can do some of these things, but I cannot do anything about the honourable member's appearance. That is one thing for which he cannot blame me. The problem of the turbidity of water frequently arises in South Australia because of several factors, including our fairly hard water. When the reservoirs are full, mud is washed down the inlet channels and gets into householders' water pipes. Also, the laying of new mains in streets adds to the problem. For these reasons, turbid water of the type to which the honourable member refers is received by consumers. This morning I received a complaint on this matter from the Parafield Gardens area. Inquiries showed that, although one person in the street was receiving dirty water, all the other people had crystal clear water. This is one of the difficulties about the investigation of the problem. Regarding the mud in the water, it is not possible, because of the excessive cost, to filter water coming from reservoirs. However, I will examine the complaint further to find out whether the problem can be solved completely or at least lessened.

## ADELAIDE-MANNUM ROAD

Mr. WARDLE: I have received a letter from the District Council of Mannum, reminding me of the list of roads to be constructed in the next five years, as published in the *Advertiser* a few days ago. The council, concerned at the omission from the list of the Adelaide-Mannum Main Road No. 33, has pointed out to me that this road is narrow and winding, is used for the transport of raw materials to Shearers manufacturing works, for bringing large machines through the Adelaide Hills, and for the transport of many wide speedboats, particularly at weekends. Will the Attorney-General ask the Minister of Roads and Transport whether the road work on this road will be included in the roadworks programme for the next five years?

The Hon. ROBIN MILLHOUSE: Yes.

## DISTRICT ALLOWANCES

The Hon. R. R. LOVEDAY: Has the Treasurer, in the absence of the Premier, a reply to my question about district allowances paid to public servants in the Woomera, Andamooka and Coober Pedy areas?

The Hon. G. G. PEARSON: The matter of "district allowances" or "locality allowances" payable to employees of Government departments stationed in the remote areas of the State is being considered by the Public Service Board at present, following an application by the Public Service Association of South Australia. Indeed, during this week, two members of the board, accompanied by officers of the association, are conducting an inspection of these areas at the request of the association. The locality allowances determined by the Public Service Board are usually applied to other officers in the employ of the Government.

## CEDUNA PRIMARY SCHOOL

Mr. EDWARDS: Has the Minister of Education a reply to my recent question about the Ceduna Primary School?

The Hon. JOYCE STEELE: The Lands Department has been asked to resume and dedicate for educational purposes 17½ acres in section 229, hundred of Bonython, which area is close to the present Ceduna Area School.

## RAILWAY HOUSES

Mr. VIRGO: In last week's *Sunday Mail* an article, which referred to railwaymen's houses that were empty, stated:

Empty houses such as this one—  
referring to a photograph—  
being overwhelmed by weeds at Kilburn are a source of bitterness for employees of South Australian Railways. The houses belong to the



South Australian Railways and are in and around the metropolitan area. They are empty because the South Australian Railways will lease them for only two years which railwaymen claim is unsatisfactory for most families.

Although this article referred basically to houses in another electoral district I am informed that there are many such houses in my district. As I realize it is extremely hard to obtain rental houses for people, particularly those in needy circumstances, will the Attorney-General ask the Minister of Roads and Transport how many Railways Department houses are unoccupied at present, their location, and the date on which each of them was last occupied?

The Hon. ROBIN MILLHOUSE: Yes.

#### CRYSTAL BROOK SCHOOL

Mr. RICHES: Last year I was requested by residents of Crystal Brook to arrange a deputation from the school committee to the Minister of Education. The Minister visited Crystal Brook and agreed with the deputation that two additional classrooms should be erected this year at the school. This morning I have been informed from that area that it has been announced over the radio that the proposal has now been postponed indefinitely because of more urgent demands in other places. Can the Minister of Education say where the more urgent demands are, and whether she will reconsider this decision in order to honour the undertaking given by the Minister and the department about 12 months ago?

The Hon. JOYCE STEELE: I believe that the information to which the honourable member refers was given by me in answer to a question by the member for Rocky River yesterday. I do not have the papers concerning this matter in my bag today, but I will next week obtain the information required.

#### SOCIAL WELFARE

Mr. BROOMHILL: The Premier's policy speech, delivered before the last election, contained the following passage in respect of social welfare benefits:

We will as soon as possible, as an urgent matter, increase the payments to widows, invalid pensioners and their children, in necessitous circumstances, so that the purchasing power of these supplementary provisions is restored to at least the 1963 level.

Will the Minister of Social Welfare say whether he still considers this an urgent question, and how soon we can expect a move in this direction?

The Hon. ROBIN MILLHOUSE: There already has been a move. The honourable member must have been asleep during the Estimates debate, because we have provided 75,000 extra dollars for this purpose.

#### TRAFFICATORS

Mr. RYAN: Has the Premier received from the Chief Secretary, in reply to my recent question, an opinion from the Police Department whether the semaphore-type trafficator is permissible under the new regulations operating from October 1?

The Hon. R. S. HALL: Regulation 6.01 of the Road Traffic Act, which deals with signalling devices on motor vehicles, permits semaphore signalling devices commonly known as "trafficators" to be used for giving turn or diverge right or left signals. The regulation requires the device to be an "illuminated sign of amber colour not less than 6in. long and of a width being not less than 1in., and not exceeding one-quarter of the length, and that at least 6in. of the length of the side must be visible both to the front and the rear of the vehicle while a signal is being given".

Because of the Royal Automobile Association publicity informing motorists that such devices would meet the law so long as they complied with the regulations, several queries were received from persons concerned with the fact that some of the standard in-built trafficators on older types of cars such as Morris Minor, Ford Prefect, Volkswagen, Austin and Vanguard, did not strictly comply with the length requirements of the regulations.

Because of the foregoing, members of the Police Force and the Police Prosecution Division have been instructed, as a matter of policy through advice given to all superintendents on both September 20 and 27 last, that police are to exercise a reasonable tolerance in relation to the size of such devices where they exist as part of the standard equipment initially supplied with such vehicles. Members have been asked, however, to ensure that that part of the regulation which deals with all such signals requiring to be clearly visible by day or night at a distance of 200ft., must be complied with in the interest of road safety.

#### WALLAROO HOSPITAL

Mr. HUGHES: Will the Premier ask the Chief Secretary what individual contributions are to be paid this financial year by corporations and district councils that contribute to the Wallaroo Hospital, and how these amounts compare with the rate for last financial year?

The Hon. R. S. HALL: Yes.

### MEAT PRICES

Mr. McANANEY: Has the Treasurer, as Minister in charge of the Prices Department, further information in answer to my recent question about meat prices?

The Hon. G. G. PEARSON: This question was asked by the member for Port Adelaide, as well as by the honourable member, and this is a reply to both questions. The Prices Commissioner reports that a comprehensive survey was made last week of the prices and margins of over 90 butchers representing all suburban areas. This survey showed that, during September, retail prices were reduced on all categories of meat. The reduction was most evident in the price of lamb, the retail margin of which was previously reported as being too high. On mutton and pork, butchers reduced prices by more than the fall in market prices in the last month. With regard to beef, since the department's last survey on September 2 and 3, there has been some reduction in market prices of heavyweight and manufacturing types of cattle, but only a small reduction in prices of good quality cattle. This reduction has been passed on to the consumer in most cases. However, the Prices Commissioner considers that retail prices of a number of butchers for beef, lamb and pork still remain somewhat higher than wholesale prices would indicate. The matter will be taken up again with the Meat and Allied Trades Federation, and price movements will be kept under review.

### COMPREHENSIVE INSURANCE

Mr. McKEE: Recently, I have received complaints from people who claim that they cannot obtain comprehensive insurance. As a result, there are many uninsured motor vehicles, particularly sports cars, on South Australian roads, simply because some insurance companies are reluctant to handle such insurance. I do not know what can be done in this matter.

Mr. Clark: A State insurance office.

Mr. McKEE: That would be the answer. Can the Attorney-General say whether something cannot be done about companies that refuse to give this type of insurance cover?

The Hon. ROBIN MILLHOUSE: The honourable member's question deals with insurance against bodily injury, or third party insurance as we call it, and with comprehensive insurance. The only sanctions concern third party insurance: there is an obligation on companies in this field to accept these risks. However, as far as I know there is no sanction regarding

comprehensive insurance, which covers damage to the owner's vehicle, other vehicles or other property. A company can make up its own mind whether or not to accept the risk. This is not an undesirable situation, as there are many old cars which, although technically road-worthy, are not good risks. In the absence of strong reasons to the contrary, I would not be willing to take any action to alter the present arrangements.

Mr. CASEY: I am surprised at the Attorney-General's reply. No doubt, all members have had people ring them up or write to them repeatedly complaining that they have applied to an insurance company for comprehensive insurance but have been refused on the grounds that they did not agree to take all their insurance cover with the one firm. This is common practice today. When people who want comprehensive insurance but who are not prepared to have all their insurance with the one company are refused insurance by a certain company, will the Attorney-General say what action he would take if such a refusal were reported to him?

The DEPUTY SPEAKER: Does the Attorney-General wish to answer the hypothetical question?

The Hon. ROBIN MILLHOUSE: Yes, but naturally I cannot precisely answer what I would do in this hypothetical circumstance. I am prepared to have examined any specific instance which the honourable member, or any other honourable member, may care to bring to my attention. However, I point out that insurance is a contract between the insurer and the insured and, except in relation to third party insurance, I would be most unwilling to force one party to enter into a contract against his will.

Mr. McKEE: Certain businesses advertise articles for sale and display them with a price attached. The law provides that on demand such articles must be sold at the price advertised.

The Hon. Robin Millhouse: No, that is not right.

Mr. McKEE: I thought that a person could demand the article at the price advertised. However, if I am wrong I stand corrected. I am trying to draw a comparison between the case I have mentioned and insurance companies which advertise that they will provide comprehensive insurance and which, on demand, refuse to do so. I believe the public should be protected in such cases, because hundreds of motor cars on South Australian

roads are not comprehensively insured simply because people cannot find a company that will insure them. Will the Attorney-General comment?

The Hon. ROBIN MILLHOUSE: The general rule of law is that a price tag on an article exhibited for sale is merely an invitation to treat and not an offer to sell. This was changed under the National Security Regulations during the last war, but those regulations have happily long since been repealed. If my memory serves me correctly, the Prices Act has some provisions which in certain circumstances, provide, as the honourable member has suggested, an exemption to the general rule. However, I am not certain of that, as I am speaking from memory and it is a bit hazy. There is a significant difference between the sale of goods, which is a transaction once and for all between the seller and the buyer, and a contract of insurance. A contract of insurance is what is known in the law as a contract *uberrimae fidei* (that is, of the utmost faith). The insurer must be satisfied with the prospective insured and, if he does not think he is a fit and proper person to insure, then at law he has the right to decline the insurance. We have altered that law in regard to third party insurance because one cannot have a motor car on the road unless it is insured against third party risk. That is not the case with comprehensive insurance and the general rule stands, because there is nothing unlawful about having a car on the road that is not comprehensively insured. However, I point out that, as there are dozens of insurance companies, if one company regards a particular prospective insurer or vehicle as a bad risk that person's only redress is to shop around and find a company prepared to carry the insurance.

#### TRAFFIC COUNT

Mr. FERGUSON: Will the Attorney-General ask the Minister of Roads and Transport when the last road traffic count was taken at the Port Wakefield railway crossing, what period the count covered, the number of road vehicles that passed over the crossing, and the daily average of road vehicles passing over the crossing?

The Hon. ROBIN MILLHOUSE: I shall be happy to try to obtain that information.

#### MEMBERS OF PARLIAMENT

The Hon. R. R. LOVEDAY: Has the Premier a reply to the question asked by the member for Hindmarsh on September 25 regarding clergymen being eligible to stand for Parliament?

The Hon. R. S. HALL: This was an interesting question, the answer to which could reflect any individual's opinion but it could hardly be regarded as an answer to embrace the whole Government. I have had inquiries made regarding section 44 of the Constitution Act, which prohibits a clergyman or officiating minister from being elected a member of Parliament. *Halsbury's Laws of England*, volume 28, paragraph 546, states that it appears that the clergy of the Church of England from an early date were held incapable by law of sitting in the Houses of Commons. No Statute upon the subject existed, however, until 1801, when it was provided that any person who had been ordained a priest or deacon, or who was a minister of the Church of Scotland, was incapable of being elected a member of the House of Commons; and, further, that if any person, after his election to the House of Commons, was ordained to the office of priest or deacon, or became a minister of the Church of Scotland, he should vacate his seat, and a penalty of £500 for every day in which he continued to sit or vote in the House of Commons was imposed. These provisions extended to priests of the Church of Ireland as having received episcopal ordination. Since the disestablishment of the Church of England in Wales by the Welsh Church Act, 1914, no such disqualification or penalty is imposed on any priest or deacon if the ecclesiastical office he holds is an ecclesiastical office in the Church in Wales.

A footnote states that ministers of protestant nonconformist religious bodies are capable of being elected to membership of the House of Commons. It appears that when the House of Commons Disqualification Act was reviewed in 1957, the disqualification of the clergy was allowed to continue. The South Australian Constitution of 1855-56 provided for disqualification of clergymen in section 36 and undoubtedly followed the English practice. My Government has no objection to clergymen or officiating ministers being elected to Parliament and this section could well be repealed when the next Constitution Bill is before Parliament.

#### CRYSTAL BROOK HOUSING

Mr. VENNING: Over a number of years the Housing Trust has constructed rental houses in the Crystal Brook area. Can the Minister of Housing say when it is expected that the trust will build more rental houses, and whether housing for pensioners will be given special consideration as part of this programme at Crystal Brook?

The Hon. G. G. PEARSON: I will consult the trust on this matter and obtain a report for the honourable member.

#### WATERVALE WATER SUPPLY

Mr. FREEBAIRN: Every time I visit the pleasant village of Watervale in my constituency, at least one inquiry is made of me concerning how the department under the jurisdiction of the Minister of Works is progressing in connection with the water scheme there. As I know that the Minister has a genuine interest in Watervale and in the welfare of its citizens, will he obtain a progress report on the situation?

The Hon. J. W. H. COUMBE: Although I recall recently giving the honourable member a favourable reply in this regard, I will follow up his question and obtain the latest information.

#### WATER CONSUMPTION

Mr. HUDSON: I have raised with the previous Minister of Works a matter concerning the meter reading undertaken by officers of the Engineering and Water Supply Department. It seems to me that, when a householder's water meter is read and an indication given of the consumption over the previous six months, the actual meter reading could be recorded on the slip of paper given to the householder so that he or she would have a permanent record in the same way as there is a permanent record to check on the consumption of electricity. This would be a considerable benefit to people who were conscious of the need to conserve water or wished to avoid using excess water. As I think the extra work involved would be small, will the Minister of Works consider introducing such a change in administration?

The Hon. J. W. H. COUMBE: I seem to recall that this matter was raised by another honourable member recently. However, I shall be happy to obtain a report on whether the honourable member's suggestion can be implemented.

#### HILLS FREEWAY

Mr. GILES: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to the question I recently asked about the closing of roads connected to the new freeway through the Adelaide Hills?

The Hon. ROBIN MILLHOUSE: The Carey Gully Road will have access to and from the freeway at Bridgewater. It is not

likely to be overloaded consequent upon the freeway being constructed, as the current traffic count on it is 218 vehicles a day. Possibly the freeway will engender subdivisional development in this locality, and traffic in the future may increase. However, the Carey Gully Road could accommodate a much greater number of vehicles than it accommodates at present. There is no reason to expect that traffic on this and similar roads in the vicinity will increase to any major extent for a considerable number of years. However, if there is justification ultimately for making special grants to councils, having due regard to other benefits received because of the freeway, any such claims will be considered.

#### FREE VOTE

Mr. LAWN: The Attorney-General said he had been instructed by the Cabinet to introduce a Bill to amend certain licensing laws and lower the drinking age to 18 years. This being a social question, we on this side are free to speak and to vote as we wish: we take no instructions. Do I understand from the Attorney-General that members of the Government Party are instructed on social questions, the Attorney-General having admitted that he has been instructed regarding this matter? Will all members of his Party be instructed to support the Bill?

The Hon. ROBIN MILLHOUSE: I know the honourable member is unaccustomed to the freedom which he has when social measures are before the House. I assure him that every member on this side is able to make up his or her own mind on all issues which come before us. I used the term "instructed by Cabinet" as quite a normal figure of speech in the circumstances. This was the instruction given me in Cabinet on Monday. In case the honourable member has any worries on my behalf, I may say that I personally favour this particular matter, which will be one of many included in the Licensing Act Amendment Bill.

Mr. LAWN: The Attorney-General said that all members of the Liberal Party, the Government Party, were free to vote as they wished on social questions.

Mr. Riches: He said they were free on all questions.

Mr. LAWN: Well, that is better, for my purposes. Will the Premier say whether that freedom also applies to the Speaker and, if it does, will he inform the Speaker accordingly,

because all the casting votes recorded by that honourable member in this House in the last 3½ months have favoured the Liberal Party?

The Hon. R. S. HALL: I am sure that the Speaker will vote on the merits of each case, as he has done.

Mr. RICHES: This afternoon a Minister of the Crown said that members opposite were completely free to vote on every matter that came before the House. Can the Premier say what steps the Government Whip takes to ascertain the views of individual members on matters on which a vote is to be taken, by what authority the Whip seeks pairs, and what authority the Whip would have for saying publicly that he would see that every member was always in his place in the House, not even absent in the billiard room?

The Hon. R. S. HALL: We have a happy arrangement in our Party whereby members are free to choose the way they wish to vote in this House on any matter. However, we do have, as a matter of loyalty to the Party, the arrangement that any member who decides to vote against the policy of the Government or in a way different from the view of the majority of our Party will tell the Leader of the Government and the Whip. In those circumstances, it is not at all difficult for the Whip to know how a member will vote.

#### ROAD TAX

Mr. ALLEN: In the *Advertiser* of Tuesday, October 8, appears an extract from the annual report of the Highways Commissioner (Mr. J. N. Yeates), dealing with the necessity to have better roads in the Far North of South Australia, and the article concludes as follows:

The department feels that road tax collections represent about 70 per cent of what should be received and that there is a high degree of evasion.

I have noticed a heavy volume of road transport vehicles travelling at weekends, at night and on public holidays through the town in which I live, although I do not know whether this is in any way connected with the "high degree of evasion". Will the Attorney-General ask the Minister of Roads and Transport to take effective steps to prevent any evasion of road tax?

The Hon. ROBIN MILLHOUSE: I will discuss the matter with the Minister of Roads and Transport.

#### FOOTBALL DESCRIPTION

Mr. RICHES: Has the Premier a reply to my recent question about banning the broadcast of the interstate football match from the Adelaide Oval last week?

The Hon. R. S. HALL: That report is not yet to hand.

#### GLENSIDE HOSPITAL

Mr. VIRGO: Has the Premier obtained from the Chief Secretary a reply to my question about facilities at the Glenside Hospital to treat alcoholism?

The Hon. R. S. HALL: As stated by the honourable member, Hillcrest and Enfield Hospitals cater for the needs of patients living north of the Torrens River who require care in a public psychiatric hospital, and Glenside caters for that population south of the Torrens River. When considering the management of alcoholic patients, it must be remembered that there are limitations, medically speaking, and more cannot be offered in the way of cure and relief than is practical and realistic. Dr. Salter, the Superintendent of Hillcrest Hospital, has shown a special interest in this area, and has built up a personal reputation and has projected an image of Hillcrest Hospital as being especially interested in this problem. At Glenside, the needs of adult psychiatric patients south of the Torrens are catered for, and this includes alcoholic patients. These patients are frequently admitted and are mainly treated in M ward for male patients, and in female K ward for the women patients. The orthodox medical treatments for alcoholism are provided: for example, vitamins, tranquillizers and sedatives. In addition, these patients are encouraged to attend special alcoholic group discussions. The hospital psychologist, Mr. Peter Swanbury, has shown a special interest in the treatment of alcoholism by deconditioning, and is attempting to confirm the efficacy of this treatment by statistical analysis and follow-up. This deconditioning therapy is not practised at Hillcrest.

#### WATER SOFTENERS

Mr. HURST: Has the Minister of Housing a reply to my recent question about rainwater tanks and water softeners installed by the Housing Trust?

The Hon. R. S. HALL: I trust that the honourable member will allow me to reply for my colleague, who is not in the Chamber at the moment. The General Manager of the trust reports:

Depending upon the particular area and the quality of the local water supply, the Housing Trust provides to all its houses one of the following: (1) a rainwater tank; (2) a water softener; (3) a loop in the copper cold water service to facilitate the connection of a water softener; or (4) a combination of (1) and (2), or (1) and (3). During the past three years the number of rainwater tanks provided totals 1,990 to sale houses and 1,887 to rental houses. The majority of the houses have also been fitted with loops for water softeners. The number of water softeners provided during this period totals 130 to sale houses and 100 to rental houses. The number of houses provided with both rainwater tank and water softener is 10 sale and 10 rental. The trust has only recently begun providing both these items and then only in areas where the local water supply is particularly poor.

### SECURITY SERVICES

The Hon. D. A. DUNSTAN: In other States private security services are, in many cases, required to have licences for their operatives under legislation which here applies only to licensed bailiffs and inquiry agents. Numbers of companies in South Australia engage private security services, and the employees of these services have access to assets of considerable value. I am informed that the principal of an organization in South Australia that has advertised to give security services has a record of several gaol terms for larceny. In these circumstances, harm could be done not only to the people who could engage such a service but also to reputable security services already existing in this State. Will the Attorney-General investigate this matter and see whether some amendment to the Bailiffs and Inquiry Agents Licensing Act is appropriate?

The Hon. ROBIN MILLHOUSE: I greatly appreciate the Leader's bringing the matter to my attention. If he would let me have the name of the man to whom he referred in the question, I will have inquiries made about the specific case. Also, I will certainly consider the general proposition the Leader put.

### DISHONOURD CHEQUES

Mr. McANANEY: Other States, Queensland in particular, have amended legislation regarding dishonoured cheques, or rubber cheques as they are called, in an attempt to obviate the difficulties that business people and others have been having. Can the Attorney-General say whether he considers the South Australian law satisfactory? If he does not, will he consider having the South Australian legislation amended?

The Hon. ROBIN MILLHOUSE: I am considering certain aspects of our mercantile law and the reference of them to the Law Reform Committee, when it gets under way. The law regarding negotiable instruments, of which cheques are one class, is included.

### WINKIE SCHOOL

Mr. ARNOLD: The Winkie Primary School, in the Upper Murray, has been deemed by the Education Department to be a special school and the teaching staff has been in the proportion of about one teacher to 26 students, compared with one teacher to about 40 students in other schools. However, the present teaching staff is considerably below strength. I understand that, apart from being one teacher below strength, one teacher is absent because of sickness. The school committee is extremely concerned at the position, because the progress made at the school since it has been a special school has been outstanding. Will the Minister of Education consider bringing the number of teachers at the school to the level that was set when the school was re-classified?

The Hon. JOYCE STEELE: In the last few days I have received representations in writing about the staffing of this school, and the honourable member has also spoken to me on the matter. I understand that the progress made since the beginning of this year has been outstanding and that there has been an extremely pleasing development in the attitude of the children to schooling, many of the children coming from the Gerard Reserve, near Winkie. At present, at my request this matter is receiving urgent attention, and I hope to be able to reply to the honourable member next Tuesday.

### INTAKES AND STORAGEES

Mr. McANANEY: Will the Minister of Works ascertain the present storages in the reservoirs in the upper reaches of the Murray, and also say what are the prospects of more water coming down the river?

The Hon. J. W. H. COUMBE: I will certainly obtain the figures for the honourable member, as well as information about the prospects of more water coming down. I assume that the honourable member is concerned about whether this year will be one of restriction or regulation on the river, and I hope to have this information by next Tuesday.

## FRUIT FLY

Mr. RICHES: The township of Port Augusta was placed under quarantine a considerable time ago, consequent on an outbreak of fruit fly. However, the fruit fly has been eradicated for over 12 months and compensation paid to those whose fruit was taken. Will the Minister of Lands ask the Minister of Agriculture whether the lifting of the quarantine regulations as soon as possible will be considered, or how long it is intended to keep Port Augusta under quarantine?

The Hon. D. N. BROOKMAN: Yes, but I am sure the authorities would lift the restrictions as soon as they considered it safe to do so. I understand that the whole area will be further sprayed this month as an added protection against the outbreak of fruit fly.

## MOUNT BOLD ROAD

Mr. EVANS: Recently I was told, in reply to a question about the sealing of the Mount Bold Main Road No. 438, that this was not possible, the department not being in a financial position to seal it. Will the Attorney-General find out from the Minister of Roads and Transport the cost in the last 12 months of maintaining and grading this road, as necessitated by heavy traffic on the loose surface?

The Hon. ROBIN MILLHOUSE: I will do that.

## ABORIGINES

The Hon. R. R. LOVEDAY: This afternoon's *News* reports a statement by the Minister of Aboriginal Affairs on a matter which has been discussed in another place and which concerns the lifting of drinking restrictions in respect of Aborigines. The Minister is reported as saying that, "although things were getting better, there was no doubt that since the lifting of restrictions there had been a great deal of suffering". I am sure the Minister will recall that several times in this House those members who have Aboriginal people in their districts have, over the years, dealt to some extent with his question, pointing out that, before restrictions were lifted, shocking conditions existed from time to time when Europeans were responsible for selling liquor to Aborigines, and that it was consumed in considerable quantities. Much of it was adulterated with methylated spirits and sometimes even with boot polish. I have known it sold at Andamooka at \$10 a flagon, then consumed under bushes and gulped down because of these

restrictions. Before the restrictions were lifted I discussed this matter from time to time with officers of the Police Force, including inspectors in my district who had covered all the area in the far North-West, and they always expressed the opinion forcibly that the sooner the restrictions were lifted the better it would be for all concerned. They were men who knew the existing conditions. As I am sure the Minister would join me in putting this matter into the best and most accurate perspective, will he agree that he might have said, with perhaps more accuracy, that "there was no doubt that both before and since the lifting of restrictions there had been a great deal of suffering"?

The Hon. ROBIN MILLHOUSE: Well, I suppose I might have said that, but what I had in the back of my mind was that the lifting of restrictions had engendered much controversy in the community, and I am sure the honourable member would acknowledge that. There were those in favour and those against it, and those who thought it was a mistake that the step should be taken when it was. I do not want to engage in that controversy, because the fact is that the step has been taken, rightly or wrongly, and we must accept the situation as we find it now and make the best of it. If Aboriginal people want to drink we must try to help them drink sensibly. That is all I had in mind. I think that this is a stale controversy now, because the step has been taken and I do not think we can go back. We have to do our best in the circumstances in which we find ourselves.

The Hon. R. R. Loveday: You will agree that there was suffering before.

The Hon. ROBIN MILLHOUSE: Of course, but from what I have been told as I have travelled through the State in the last six months the suffering in many places is greater now, because of alcohol, than it was before. I freely agree with the honourable member, however, that there was suffering before the lifting of restrictions and that there were good reasons (although I do not say they necessarily preponderated) why the step was taken.

## FRIENDLY SOCIETIES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

## BUILDING SOCIETIES ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

STAMP DUTIES ACT AMENDMENT  
BILL

The Hon. G. G. PEARSON (Treasurer) obtained leave and introduced a Bill for an Act to amend the Stamp Duties Act, 1923-1967. Read a first time.

The Hon. G. G. PEARSON: I move:

*That this Bill be now read a second time.*

I thank members for their courtesy in suspending Standing Orders to enable the second reading explanation to be given today. I have had copies of the explanation printed, and they will be distributed. It was considered that they would help members in studying this Bill and the subject with which it deals. I expect printed copies of the Bill to be available this afternoon, and when they arrive they will be distributed to members. The Bill gives effect to the proposal announced in the Budget speech relating to the imposition of a stamp duty on a wide range of receipts. The ability of the Government to finance the revenue proposals as contained in the Estimates, which have received the approval of this House, is dependent on the acceptance by Parliament of the several revenue measures therein announced. This is the measure that is expected to attract the greatest additional revenue in the bridging of the gap between essential expenditures and available revenues to bring to the State's finances the degree of stability this Government set out to achieve.

Apart from the fact that receipts for salaries and wages and for superannuation pensions and like payments are exempt from duty, the Bill follows very closely the Act that has been in force in Victoria since February this year. Principally and primarily, it imposes an obligation to issue a receipt and, where the receipt is chargeable with duty, to issue a duly stamped receipt on every person receiving any payment of money, no matter how small, except in certain specified cases or unless the person receiving the payment or the transaction under which the money is received is specifically exempted from duty. However, a private person who does not carry on a trade, business or profession is exempted from payment of duty in respect of any receipt for an amount not exceeding \$10. Such a private person needs to give a stamped receipt where the amount received exceeds \$10, and in such case duty at the rate of 1c for each \$10 or part thereof must be paid by impressed or adhesive stamp.

Where a person does carry on a trade, business or profession there is no exemption in respect of money not exceeding \$10, and

every such person and every corporation must pay duty on all amounts received (unless specifically exempted) at the rate of 1c for \$10, or part, of each amount received. However, such persons or corporations may elect to pay the duty on the basis of a periodical bulk return, in which case the duty is calculated at the rate of 1c for every \$10 of the total amount received for the period covered by the return and the duty so calculated is to be payable to the Commissioner of Stamps by cheque or cash at the time the return is lodged. Depending on the size and nature of the business, each person or firm electing to pay duty on the bulk return system will be required to complete returns at monthly, quarterly, half-yearly or yearly intervals as fixed by regulation or, in any particular case, by the Commissioner and to pay the duty at the rate of 1c for every \$10 (or part of \$10) of the total amount shown in the return. In this regard, every attempt will be made to suit the convenience of the taxpayers in fixing the various periods for making the returns and effecting payment, subject of course to adequate protection of the Crown revenues.

Certain relatively minor amendments have been made to the wording used in the Victorian Act. These changes have been made after discussions with officers responsible for the drafting and administration of the Victorian Act and are designed—

- (a) to express more clearly the intention of the Victorian Act so as to prevent certain avoidance of duty, which has been noted in that State;
- (b) to eliminate the possibility of double duty where more than one State is concerned; and
- (c) to vary somewhat the exemptions where the Victorian provisions are clearly not appropriate in our particular circumstances.

Some honourable members may recall that when the Premier of Victoria introduced similar legislation in the Victorian Parliament in 1967, he indicated that he was aware that if other States introduced similar schemes of receipt stamp duty there could be double payment of duty where a person carrying on business in a State might receive payment outside that State for goods supplied or services rendered in that State. To prevent any such person from deliberately arranging for such payments to be made in a State where no such duty is payable and thereby avoiding



duty, the Victorian Act provided that in certain circumstances such moneys are to be deemed to have been received in Victoria. Accordingly, in the absence of special provisions, when this Bill becomes law, it is possible that a receipt of money in South Australia, dutiable under this measure, may also be dutiable under the Victorian Act as being "deemed" to have been received in Victoria. To avoid this situation, provisions for the elimination of double duty have been agreed in principle with Victoria and are incorporated in this Bill. The Victorian authorities will take up with New South Wales, Tasmania and Western Australia the enactment of similar provisions, and Victoria will itself make the appropriate amendments as soon as practicable. The provisions are quite simple ones, and it may be that after a measure of experience in operation some rather more refined provisions may be desirable to do complete justice as between State Governments, particularly if subsequently there should be differing rates of duty as between States. For the present, the provisions will achieve the prime objective, which is to protect the taxpayer against double tax. In general terms these provisions are that, this being a receipts duty, the duty will be paid in the State where the money is actually received and in which the receipts are issued, rather than in the State where the goods or services were supplied, unless the State where the money was received is not a "proclaimed State".

In other words, the States operating this tax will take it on a knock for knock basis with the various other States, that is, those that are "proclaimed States". A State will become a "proclaimed State" if it is imposing a similar duty and has enacted similar reciprocal provisions. Thus, if a person resident and carrying on business in South Australia should arrange to receive payment in Canberra or in Queensland for goods or services supplied in South Australia, the money will nevertheless be deemed to have been received in South Australia and duty will be payable in this State. On the other hand, if the money were received in Victoria (which will be a "proclaimed State"), duty would normally accrue to Victoria in respect of the transaction. However, receipt duty will not be payable in the State where the money is received where that State is a "proclaimed State" and the moneys are received therein as part of a centralized system of accounting if the relevant goods were supplied or services were rendered in another State imposing its own receipts duty.

In this case, provision is made for the duty to be paid in the State where the goods were supplied or the services rendered, and for the amounts so received to be omitted from the return made in the State where the money was actually received.

As indicated by the Government during the Budget debate, the Bill is patterned on the Victorian legislation. There has been a number of submissions made that we should not adopt the procedures established by Victoria in relation to the responsibility of agents in the payment of duty but that we should place that responsibility upon the principal. These submissions have been given very careful consideration, and there are two substantial reasons why the Government has decided to retain this part of the Victorian provisions. The first is that under these arrangements the duty will be payable in the first instance by businessmen, such as solicitors, land agents, stock firms, accountants and the like, who ordinarily would be paying duty on the return system, rather than by the principals who in many cases will be private citizens not registered to pay on the return system. Experience in both Victoria and Western Australia suggests that there is considerably better protection of revenue by adoption of this method than if payment of the duty were left to private individuals to stamp receipts with an adhesive stamp and, in any case, the procedure is much easier and more simply accomplished. The second reason is that in legislation such as this there is very great merit, particularly from the view point of the business community, in achieving as complete a degree of uniformity as possible with the larger States. The Government understands that New South Wales will adopt similar provisions regarding the payment of duty by agents to those introduced by Victoria and to those contained in this Bill.

Under these provisions, duty is not payable when an agent receives money from his principal for payment to someone else, but it is payable by the agent where he receives money on behalf of his principal. When duty is so paid, no further duty is payable by other agents through whose hands the same money may pass, nor by the principal himself when it finally is passed on to him. There is nothing in the Bill to prevent the agent from recovering any duty so paid from the principal, or from deducting the duty from the moneys so received before payment to the principal, or from recovering the duty simply as an adjustment to his fee or commission as agent. The

manner of recovery is a matter for agreement between principal and agent. However, if the principal is registered to pay on the return system and has requested the agent not to pay the duty on his behalf, either on a particular amount received or on all amounts generally, then the agent is absolved from the obligation to include the relevant amounts in his return. This provision provides reasonable flexibility and enables both the agent and the principal to come to some working arrangement that suits the convenience of both parties.

Provision is made in the Bill to deal with certain problems which arise in dealing with marketing boards, equalization arrangements, stabilization funds, etc., associated with the marketing of primary products. The mechanics of these schemes usually involve the flow of money through several artificial steps, and sometimes back again. By a system of rebates and exemptions, multiplication of duty because of the several artificial steps is avoided, and duty is restricted to the basic transaction involved. Provision is similarly made to cancel out duty paid on deposits received in respect of contracts or tenders when these deposits are subsequently refunded. I have mentioned only the principal matters contained in the Bill. I turn now to the detail of the Bill itself. Clause 1 gives the short titles to the amending Bill and the principal Act as amended thereby, and clause 2 provides that the Act will come into operation on a day to be fixed by proclamation.

Clause 3 relates to section 5 of the principal Act, which provides for the charging of duties subject to the exemptions contained in the Second Schedule of the Act. Apart from the exemptions listed in the Second Schedule of the principal Act, it is desired to provide additional exemptions in the main body of the Act. Consequently, it is necessary to make these amendments to section 5 of the principal Act. Clause 4 inserts new sections 27c, 27d and 27e in the principal Act. These sections have been derived from the Victorian legislation and they give powers to the Commissioner to inspect documents and other records to counter possible evasion of duty, and to assess duty on impounded instruments. Appropriate provision is also made to protect the Commissioner against any legal action when he is acting *bona fide* in the exercise of his powers.

Clause 5 repeals sections 82. to 84c of the principal Act which are the existing provisions for receipt duty and inserts in their place under the heading "Receipts" new sections 82 to 84j. New section 82 (1) defines certain

terms which are essential in the interpretation of the Bill. The definitions of "employee" and "employer" should be read in conjunction with section 84e contained in this clause and with exemptions 15 and 22 contained in clause 6. "Receipt" is defined to mean any note, memorandum or writing acknowledging the receipt of any money or the settlement of a debt of any amount. The Bill provides that all "receipts" are chargeable with duty unless specifically exempted. "Wages" includes salary, commission, bonuses and allowances, and receipts of any one or all of them by an employee are exempted under section 22 contained in clause 6 of this Bill.

Subsection (2) of this section exempts from duty a mere exchange of money. It makes certain, however, that any commission earned in overseas exchange dealings or any discount earned on the sale of a bill of exchange or promissory note is chargeable with duty. Subsection (3) provides that a receipt that is chargeable with duty and issued by a person who has not elected to pay duty on a return basis, will be regarded as duly stamped if the duty is denoted on it by impressed or adhesive stamps. A receipt issued by a person who has elected to pay duty on a return basis will be regarded as duly stamped if he endorses it with "SD/" and the serial number allocated to him by the Commissioner. New section 82a deals with receipts to be made out in respect of money transfers within the banking system. For the purposes of this section, under the provisions of subsection (5) of this section the term "banker" is extended to include pastoral companies or any other person who holds money on deposit or on current account.

A number of persons customarily use the facilities provided by banks, pastoral companies, etc., to settle debts and other obligations by a simple transfer of funds from one account to another. This section, therefore, is designed to make the transfer of such amounts chargeable with duty as they would have been had they been paid in cash. Subsection (1) of this section deals with amounts deposited by a person to the credit of a bank account of another person; subsection (2) deals with the transfer of money from a person's bank account to the credit of his banker or to the credit of the bank account of another person held in the same bank or any other bank or from a person's bank account to the credit of a banker other than his own. In every case, where duty would have been payable if it had been an ordinary

cash transaction, the person or banker who receives the credit is liable to pay the duty either by issuing a duly stamped receipt for the amount credited or by including that amount in the appropriate return if he has elected to pay duty on the basis of a return. Subsection (3) prescribes a penalty, for non-compliance, of \$100 and double the amount of duty that would have been payable.

New section 83 deals with amounts of money received or credited outside South Australia for goods or services supplied in South Australia and which in certain cases are deemed to have been received in South Australia and therefore subject to duty. Amounts of money received or credited in South Australia are dutiable in any event under the provisions of this Act as a general rule, but for amounts received or credited outside South Australia to be dutiable in this State certain conditions must exist. The person who receives the money or the credit must be either a resident of South Australia or a person carrying on business in this State and the money or credit received must be related to a payment for goods supplied or services rendered in South Australia. In addition, in order to be dutiable the payment must ordinarily be received in a place other than a "proclaimed State". (A State or Territory of the Commonwealth will be proclaimed a "proclaimed State" if it has adopted similar legislation and has made reciprocal arrangements with South Australia.) However, if a payment for goods or services supplied in this State is received in a "proclaimed State" by a person who is operating a centralized accounting system, it would nevertheless be dutiable in this State and not in the State wherein the centralized system is operated.

These provisions are enacted primarily in order to reduce the avoidance of duty by firms which arrange payments for goods or services supplied in this State to be made in a place outside the State. Regarding cases where a centralized accounting system is operated, however, it is considered that cases would arise wherein, but for the existence of such a system, payments would have been received in the State in which the goods or the services were supplied. The Commissioner is therefore given the power to declare a person as one operating a centralized accounting system in a "proclaimed State" and that person then becomes liable to pay duty in South Australia in respect of receipts arising out of his business in this State. To avoid double duty, that person would be permitted to omit from his

total receipts in the "proclaimed State" that portion of his receipts in that State which is attributable to his South Australian business. A corresponding allowance would be made in South Australia under the provisions of section 84f (3) of this Act in cases where payments for goods or services supplied outside South Australia are made to a central office in South Australia.

New section 84 provides that a person will be guilty of an offence and liable to a penalty not exceeding \$100 if he gives an unstamped receipt which is not specifically exempted from duty or when that person is not paying duty on a return or bulk basis. A person who has elected to pay duty on the return or bulk basis may issue an unstamped receipt if it is endorsed with "SD/" and the serial number assigned to him by the Commissioner of Stamps. A person will be guilty of an offence if, when requested to do so, he refuses to issue or omits to give a receipt and a penalty is also provided for under-stamping a receipt or for dividing amounts received in order to avoid duty.

When a receipt is not requested, a duly stamped receipt will be deemed to have been given if a receipt is made out and duly stamped even if it is not delivered to any person. In that case it must be retained for a period of three years. If, however, the receipt is exempt from duty or the recipient of the money has elected to pay duty on the return or bulk basis, there is no need for the receipt to be made out. Subsection (8) deals with acknowledgements of payments contained in documents such as land transfers or mortgages which are stamped as transfers and mortgages but not stamped as receipts. Any duty paid on these documents will not satisfy the requirements of this Bill and a separate receipt with the requisite duty will be required for money paid in relation to those documents.

New section 84a limits to three years the time within which a complaint or an information may be laid for an offence under this Act. New section 84b specifically permits duty to be denoted on a receipt by adhesive stamps where it is not denoted by an impressed stamp. New section 84c deals with moneys received by an agent either from or on behalf of his principal and provides, in effect, that a transfer of money from one person to another through one or more agents will be subject to duty only once.

Subsection (1) provides that a receipt for money received by an agent from his principal for payment to another person who is not

also a principal of that agent will be exempt from duty. When the agent acts for both parties, say, a buyer and a seller, then that agent is liable to pay duty on the amount received from the buyer for transmission to the seller unless the seller himself has elected to pay duty on the return system and has indicated in writing to the agent that he will pay the duty himself. Subsection (2) provides that when duty on money received has been paid by an agent then subsequent receipts of the same money by other agents on behalf of that same principal or by the principal himself are exempt from duty.

Subsection (3) requires the duty on money received by an agent to be paid by the principal who is on the return system where he has advised the agent in writing that he will do so. Subsection (4) requires an agent who transfers any amount from money held by him on behalf of his principal to his own account to pay duty on the transferred amount. The effect of this subsection is that, apart from the duty (if any) payable on the gross amount received by an agent on behalf of his principal, duty will also be payable by the agent on his commission and other charges deducted from that gross amount, because that deduction will be treated as a separate dutiable payment by the principal to the agent.

New section 84d provides penalties for the late stamping of receipts and the late lodgement of returns. Where the delay in lodgement exceeds two months, the penalty may be as high as \$100 but the Commissioner is given the right to remit such a penalty to an amount not less than \$10 and to remit the whole or any part of any other penalty prescribed by the section. New section 84e provides that any person carrying on a trade, business or profession (unless he is doing so as an employee) or any body corporate or unincorporate, or any other persons or classes of person specially declared by the Minister may elect to pay duty on the basis of a return rather than by adhesive or impressed stamps on individual receipts. This section also allows a person who has elected to pay duty on a return basis to revoke such an election. Any receipts issued by a person who pays duty on a return basis shall not be required to be stamped with impressed or adhesive stamps.

New section 84f deals with the lodging of a return (referred to in the section as a statement in the prescribed form) and the payment of duty on the basis of such return. The return, showing the total amount of money

received or deemed to have been received within a prescribed period, must be lodged with the Commissioner at prescribed intervals, the duty must be calculated at the rate of 1c for every \$10 or part thereof on the total amount shown on the return and must be paid to the Commissioner at the time the return is lodged, and any receipt issued by a person who has elected to pay duty on a return system must be endorsed by him with "SD/" and the serial number assigned to him by the Commissioner.

New section 84g provides penalties for failing to comply with the provisions of new section 84f, for example, failing to include an amount received in the total shown on the return or failing to endorse any receipt that is chargeable with duty and issued by him with "SD/" and the serial number. In addition, this section provides heavier penalties for a person who is not on the return system and improperly endorses any receipts issued by him with "SD/" and a serial number or with any other similar endorsement.

New section 84h allows the Commissioner to come to some arrangements for calculating the duty payable on a return with a person who has elected to pay duty by return but who finds it difficult to calculate precisely the amount of his receipts for the purposes of the return. The section also allows the Commissioner to cancel any such arrangements. It is intended that this provision should only be invoked in extraordinary cases where the normal practices may be impracticable. New section 84i is designed to eliminate the otherwise multiple receipt duty which could result because of conditions imposed by primary industry marketing schemes and because of refunds of deposits received in respect of tenders or contracts.

Payments made for instance by the dairy industry to its Equalization Committee are, under subsection (1)(a) of this section, subject to a rebate of duty equal to 1c for every \$10 of the amounts paid, in order to off-set the duty otherwise paid or payable upon the proceeds of sales in the local market. At times the dairy industry sells some of its products to the Australian Dairy Produce Board on a temporary basis and at that time it pays receipt duty. When it buys back these products it is entitled to a rebate of duty under subsection (1)(b) of this section. It is worth noting that the amounts received under these arrangements by the Equalization Committee and the Australian Dairy Produce Board are exempt from duty under the provisions of exemption 23 contained in clause 6 of this Bill.

Furthermore, any receipt of Commonwealth subsidy by the Equalization Committee may also be exempt from duty under the provisions of exemption 18 contained in that clause.

Subsection (1) (c) allows a rebate of duty for the amount of any deposit refunded in respect of a tender or a contract and for which amount duty has been paid or is payable. The receipt of the refund itself is exempt from duty under the provisions of exemption 16 contained in clause 6 of this Bill. It is important to note that only persons or bodies who have elected to pay duty on a return system may be allowed the rebate of duty. Subsection (2) defines "prescribed marketing scheme" and provides that, apart from any marketing schemes constituted under a Commonwealth or State Act, the Minister of Agriculture may declare any other scheme for the marketing of primary products to be a prescribed marketing scheme for the purposes of the Bill.

New section 84j deals with transitional provisions. Subsection (1) provides for money received before the commencement of the Bill to remain dutiable at the rates existing before the Bill became law. Persons using the existing return or bulk system will be required to make a final return of moneys received between the period covered by their previous return or assessment and the commencement of this Bill or have the duty on such money assessed by the Commissioner at the existing rates. Subsection (3) relieves any person now using the return system of the necessity to make another election in order to continue the use of the return system after the commencement of the Bill. This subsection, however, also allows such a person to revoke his election to use the return system.

Clause 6 repeals the existing item in the Second Schedule relating to receipts and all the exemptions thereto and enacts a new item and exemptions in their place. The new rates provide for a duty of 1c to be paid for an amount not exceeding \$10, or in cases when the amount exceeds \$10 for a duty calculated at a rate of 1c for every \$10 or part thereof.

New exemption 1 exempts receipts issued only by Commonwealth and State Government departments and the South Australian Housing Trust. Those issued, therefore, by statutory authorities will be subject to duty unless they are specifically exempted from the payment of stamp duty under any other Act. For example, the Electricity Trust of South Australia will be liable for stamp duty and so will

the State Bank to the same extent as any other bank. The exemption of receipts given by the Housing Trust follows the Victorian precedent. New exemption 2 exempts receipts for any payment to a municipality which are issued for rates and for grants or loans made by the Government. However, it does not exempt receipts arising from the municipality's operations of a public utility (for example, an electricity undertaking) nor receipts issued for parking fees and fines and other licences, or for any trading functions.

New exemption 3 exempts receipts in respect of private short-term lending and borrowing, short-term inter-company lending, short-term money market transactions, overdraft with banks, and short-term deposits. It should be noted that this exemption refers to the principal amount only and not to interest in respect of the above transactions. Receipts for interest or dividends are dutiable, except in cases when they are given in respect of Commonwealth inscribed stock declared by the Commonwealth to be exempt from stamp duty. It should also be noted that receipts given for principal for fixed deposits or loans with a term exceeding 12 months are chargeable with duty.

New exemptions 4 and 5 exempt receipts given in respect of money deposited in or withdrawn from a bank by a depositor. This exemption is granted on the basis that in such transactions the funds remain the property of the depositor. New exemption 6 exempts receipts for money to be applied for a charitable purpose. New exemption 7 exempts receipts issued for settlements between banks in the ordinary course of banking business, including the transactions in a bank clearing house. This exemption is granted on the basis that these transactions are of the nature of continuing agency transactions. New exemption 8 exempts any receipt issued in relation to racing bets placed on racecourses or in betting shops, as it has always been recognized that to make these receipts dutiable is quite impracticable.

New exemption 9 exempts any receipts issued in relation to bets placed with totalizators operated by racing clubs or the Totalizator Agency Board. The effect of this and exemption 8 is that, not only are receipts of money by bookmakers, T.A.B. and totalizators exempt but that receipts of money by the public in the form of winnings are also exempt. New exemption 10 exempts receipts for the subscription for, or for any money received on redemption, purchase or sale of stock,

debentures and other securities of various Governments, local authorities, public statutory bodies, and the Savings Bank of South Australia. It should be noted that amounts received by way of brokerage in respect of the above transactions are chargeable with duty. New exemption 11 exempts receipts for money delivered by an approved carrier from or to any bank. New exemption 12 exempts receipts of money by a member of a friendly or benefit society for hospital or medical benefits but receipts given by such a society for subscriptions are not exempt. It should also be noted that a receipt of money by a doctor or hospital from such a society which has made the payment on behalf of a member is chargeable with duty.

New exemption 13 exempts receipts of money by a representative of another country where he received them in his capacity as such a representative. For instance, money received by such a person by way of dividends and interest from personal investments will be chargeable with duty. New exemption 14 exempts receipts for payments made under the Workmen's Compensation Act to a person directly entitled to compensation thereunder. A payment to a doctor or hospital is not such a payment of compensation and therefore is chargeable with duty. New exemption 15 exempts receipts made out in the course of the internal administration of a business for accounting or office purposes only. For instance, receipts issued for money advanced to or returned by an employee in respect of travelling expenses will be exempt.

New exemption 16 exempts receipts issued upon the refund of a deposit previously lodged in respect of a contract and upon the refund of any overpaid rates and taxes. Receipt, therefore, of an income tax refund cheque will be exempt from duty.

New exemption 17 exempts receipts for any payment under the Social Services Act, Repatriation Act, Tuberculosis Act or Commonwealth Employees' Compensation Act to a person directly entitled to a benefit thereunder but not to a doctor or hospital. New exemption 18 allows the Government to exempt by proclamation receipts for payments or a class of payment made under an Act such as bounties or subsidies and scholarships. New exemption 19 exempts receipts for payments made for superannuation, pensions or retiring allowances. New exemption 20 exempts receipts for payments made by any Government or a charitable institution for purposes of relief,

assistance or maintenance. New exemption 21 exempts receipts for an amount not exceeding \$10 issued by a person who is not a person to whom section 84e of the Act applies. In other words, the exemption will apply to receipts given by persons who are not carrying on a trade, business or profession, and those who are not given the option by the Treasurer to pay duty on a return basis.

New exemption 22 has the effect of exempting receipts for payments of wages, salaries, commissions, bonuses or allowances made by an employer to an employee, and receipts for reimbursement of expenses incurred by an employee. New exemption 23 exempts receipts for money paid to a marketing scheme constituted under a Commonwealth or State Act or to any other scheme for the marketing of primary products that has been approved by the Minister of Agriculture. New exemption 24 exempts receipts for money received by an agent on behalf of his principal who is not residing in and is not carrying on business in South Australia. As a result money received by an agent on behalf of interstate sellers of marketable securities or wool and livestock is exempt from duty. New exemption 25 refers to receipts arising from sales of marketable securities by sharebrokers on their own account, provided they were purchased by them within two days prior to their sale. New exemption 26 provides that an agent does not have to pay duty on an amount received on behalf of his principal if that amount would be exempt from duty in the hands of the principal. It should be noted, however, that any commission or other charges retained by the agent are chargeable with duty under the provisions of subsection 4 of new section 84c.

New exemption 27 exempts receipts for payments made by the State under the Commonwealth-State Housing Agreement to building societies and the State Bank of South Australia. Receipts, nevertheless, issued by these institutions relating to interest and repayment of loans are chargeable with duty, just as receipts of such payments to banks and other lenders are dutiable. New exemption 28 exempts payments to a company director by way of director's fees. It is considered that such fees are comparable to salary payments. This is not an easy Bill to understand and to assist members in their examination of the various clauses, I have made available to them a copy of this explanation.

Finally, since the Bill provides for the new duty to come into force as from a day to be fixed by proclamation, and since much planning and administrative work must be accomplished but cannot really be commenced until the Bill is approved by Parliament, I would ask honourable members to give the measure their earnest, but speedy, consideration, so that finance may be forthcoming from this source as soon as possible to assist in meeting the obligations which this House has sanctioned by its acceptance of the Estimates and the Appropriation Bill.

The Hon. D. A. DUNSTAN secured the adjournment of the debate.

### TRUSTEE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 8. Page 1702.)

Mr. HUDSON (Glenelg): I give qualified support to the Bill. This amendment follows an undertaking given by the Government Party at the last election and, because of this and also because of the result of the election, it is clear that the Government has no mandate in any sense of the term to introduce it. Therefore, I give little attention to the statement that the measure honours an election undertaking: the amendment must be considered only on its merits. The Government has made clear that it is following a policy of encouraging the development of building societies. The Loan Estimates provided for the amount of Commonwealth-State Housing Agreement money made available to the Housing Trust and the State Bank to be reduced by a total of \$1,800,000, yet for the amount of such agreement money made available to permanent building societies to be increased by \$300,000.

This measure provides for deposits held by building societies to be trustee investments under the Trustee Act and is designed to permit a further expansion of building societies into the housing loan field. If it does that, the proportion of house mortgage finance advanced by the State Bank and the Savings Bank through the Housing Trust will decrease, while the percentage financed through the co-operative building societies will correspondingly increase. Previously, I have expressed doubt as to the wisdom of this policy when the building industry is at such a low ebb and when the building societies probably do not have the necessary administrative organization to undertake a rapid expansion in mortgage loans.

It seems unwise to use Government policy to try to hold back the State and Savings Banks and to stimulate building societies. This may mean that the recovery of the building industry, as regards building houses and flats, will be delayed. I consider that the Government's policy in this respect has not been properly and fully considered. There would be less argument if the building industry was significantly expanding or was at a high level of activity: the problem of adjustment over a period between the role played by the State and Savings Banks on the one hand and that played by the building societies on the other would be less. Several investments set out in section 5 of the principal Act are classified as suitable for trust investments. The latest amendment, made in 1967, permitted deposits with short-term money market dealers to be deposits available for trustees under certain fairly rigid conditions, as follows:

(k1) With any person carrying on business in the State who is approved by the Reserve Bank of Australia as and declared by proclamation (which the Governor is hereby empowered to make) to be a dealer in the short term money market to whom loans may be made by trustees if the dealer either—

(i) surrenders to the trustee a safe custody receipt issued by the said Reserve Bank for Government securities and gives an irrevocable direction to the said bank to attorn to the trustee in respect of the securities specified in such safe custody receipt . . .

These, as well as other protections, are set out in that amendment. The Treasurer, in his second reading explanation, indicated that he intended to impose certain requirements on the buildings societies, when he said:

It will be noted that trustee status will be given only to such building societies as are declared by proclamation by the Governor, and in giving consideration to an application from a society to be so declared the Government will in the first instance have regard to the society's financial strength to ensure that deposits made will have the safety and security required of a trustee investment . . . In the second place, the Government will require societies to give reasonable undertakings regarding their lending procedures. In particular, the societies will be required to undertake that their lending on house mortgages will be subject to the similar restriction as that which would apply if they themselves were trustees; that is, that they may not lend more than an agreed proportion of the reasonable value of a property unless the repayment of the loan is insured with the Housing Loans Insurance Corporation . . . Finally, the approved societies will be required to seek the approval of the Treasurer to the rate of interest they propose to offer on deposits from time to time.

No-one could cavil at the conditions the Treasurer has said he intends to impose before a proclamation is made enabling the deposits with building societies to be trustee investments. However, I believe we should set out in the Bill the conditions to which the Treasurer has referred in his second reading explanation. This was done in the 1967 amendment, which brought the deposits with short-term money market dealers into the field of trustee investments, and there is no reason why it should not be done in this case. The Treasurer has made it clear that he will do it anyway, but the Bill should specifically provide for these matters. Before a proclamation is issued, the Government should be satisfied that certain conditions are fulfilled, and, if they are, the proclamation can then be issued. Including these provisions in the Bill will give the Treasurer the necessary legislative authority to call the tune in respect of any building society that is not prepared to agree with the Treasurer in these matters. It is particularly important in relation to the position of the Savings Bank in the community.

Under section 5 of the Trustee Act deposits with that bank are authorized trustee investments and, undoubtedly, if deposits with building societies become authorized trustee investments there will be some switching of deposits from the Savings Bank to the building societies. In these circumstances it behoves us to consider carefully the position of the Savings Bank as a result of such switching. I am led to believe that the proportion of Savings Bank deposits held by large depositors (amongst whom are many trustee investors) is significant. The Savings Bank is concerned at the possibility of having to cope with a significant switch of deposits from the bank to building societies. At present, this is a matter of some concern, because we know that the Savings Bank has recently increased the rate of its approvals for mortgage loans but, according to the Treasurer's reply, the current rate of approval for mortgage lending by the bank is not appropriate to its current level of deposits and the bank hopes to sustain this rate of lending in the expectation that its deposits will increase substantially early next year as a result of the present bounteous rural season.

Now, this expectation may not be fulfilled, particularly if this amending Bill comes into force before the end of this year. I consider that this is a matter of sufficient importance not to take a chance on. In Committee I

will move an amendment that this legislation shall come into operation on a day not earlier than March 1, 1969, to be fixed by proclamation. This amendment would mean that the legislation could not be brought into operation until it was clear that the deposits of the Savings Bank had shown the expected substantial increase.

The Treasurer is no doubt aware that the building societies would not be adversely affected by this delay. He has provided them with an increase in their Commonwealth-State Housing Agreement money for this financial year and, no doubt, they are busy coping with the extra business involved in making those funds available. I do not think there is any danger from the point of view of the building societies in delaying the introduction of this legislation, but there is from the Savings Bank's point of view. As I indicated last week, so far as I can judge the Savings Bank had for a few months been operating at a reduced rate of lending, and it was only in the last week or so, in response to a question I asked on this matter, that the Treasurer announced that the rate of approval of new loans by the Savings Bank had been restored to its old level, on the expectation of an increase in deposits.

If this Bill is brought into operation prior to that increase in deposits in the Savings Bank, the switching of deposits from the Savings Bank to the building societies may well offset the expected increase in deposits or offset it sufficiently to reduce the Savings Bank's current rate of lending. I feel sure that no member wants to see the Savings Bank compelled, as a result of amending legislation to the Trustee Act passed by this House, to cut its rate of approvals of new loans. It is for this reason that the Opposition will move this amendment.

The other amendment contained in the Bill tidies up section 5 of the Trustee Act with respect to any doubts that may exist as to the revocation of any particular proclamation. Section 5 gives a number of places where a proclamation can be currently issued by the Governor, but it is not made clear that that proclamation may be revoked. The amendments in the Bill make this clear by providing that any proclamation is a proclamation for the time being in force and, therefore, is clearly subject to revocation. I think this is important, and I think it is important that, in relation to a proclamation issued with respect to deposits of a permanent building society, the same provision



should apply, so that it is clear that the Treasurer has power to revoke the proclamation, if necessary. The revocation of such a proclamation will enable the Treasurer to sanction effectively any requirements he may place on co-operative building societies. I think it is most important that the Treasurer should be able to enforce his requirements. There will be further matters to raise of a more substantial nature in Committee.

Mr. McANANEY (Stirling): I, too, support the second reading and commend the Treasurer for introducing this legislation and for the thorough fashion in which he has tidied up the loopholes that will make this a safe type of investment. I am sure that in every way the legislation will be a good measure for the State. Although the member for Glenelg is worried that co-operative building societies will not have the trained staff to handle this legislation, I point out that last year the funds used by the building societies increased by about \$5,000,000, and this is an Australia-wide trend. Their operations have increased rapidly and they are finding the staff.

The member for Glenelg also said that the activities of the Housing Trust would drop as a result of the Government's actions, but I am sure that this will not happen any more than it has happened over the past three years. We cannot have it both ways: if we reduce the activities of the trust to any great degree, its trained personnel will be available. I am not saying that will happen, but I am saying that if there is a curtailment of the trust's activities, skilled labour will be available. One of the points the member for Glenelg made was that the Savings Bank was relying on increased deposits from farmers as the result of a good season in order to maintain its current lending programme, but I am sure

that the honourable member does not know the state of the primary producers' financial resources if he thinks they will have any surplus to put into the Savings Bank. Most of them have borrowed heavily over the last year and have made substantial losses.

Mr. Nankivell: They'll be lucky to pay off their overdrafts.

Mr. McANANEY: If their overdrafts are paid off, they will definitely put any surplus into savings accounts and possibly into building societies. Wherever the surplus goes, it will not restrict the number of houses that will be built. If the Savings Bank does not have the money to put into building societies, the building societies will not be able to build the same number of houses. When money goes into building societies it attracts more funds. Last year \$2,000,000 was invested in building societies, and as the societies grow they attract additional funds from the various sources, including farmers.

In New South Wales, building societies have extended their activities and have played a greater part each year in respect of the additional number of houses being built. Although New South Wales is experiencing a building boom at the moment, one of its major building societies is advertising the fact that it has money to lend. It is not necessarily the attitude of the Savings Bank or of the State Bank that leads to a boom in the housing industry: increased activity in this field depends largely on other factors such as the attraction of migrants to the State, and I have statistics to prove this. I ask leave to continue my remarks.

Leave granted; debate adjourned.

#### ADJOURNMENT

At 4.57 p.m. the House adjourned until Tuesday, October 15, at 2 p.m.