HOUSE OF ASSEMBLY

Tuesday, November 26, 1968

The SPEAKER (Hon. T. C. Stott) took the Chair at 2 p.m. and read prayers.

QUESTIONS

HIGHWAYS DEPARTMENT

The Hon. D. A. DUNSTAN: For any work which is of a regular nature and which permits the free use of equipment and labour, the Highways Department should have a clear advantage over private contractors in that all equipment, trucks, and other motor vehicles transporting materials or persons, are purchased free of sales tax, and the Highways Department, as a large bulk purchaser of fuel and materials, can obtain this more cheaply. What is more, there should be advantages, given the free economies of scale in working. So long as the organization is efficient, the department should be able to do a job for the State more cheaply than can a private contractor, simply because of its cost structure. In view of the recent statements of the Minister of Roads and Transport, will the Premier investigate the Highways Department to ensure that, if there is any reason for the department's not showing the advantages in cost which should flow from the matters to which I have referred, steps will be taken to see that the Highways Department does show those advantages in cost to the State and continues to make the contribution in development to the State that it has made in the past?

The Hon. R. S. HALL: I am sure that, if the Highways Department can show lower cost operation than can private industry, the Government will take due note of that fact and will do what is right by the State's economic workings. The Leader was, I believe, immersed in this question recently when some allegations were made on one of our television stations, or at least when certain activities were publicized which were alleged to have taken place in the Highways Department. The Government has no intention to run down the Highways Department and members, I am sure, will understand that Executive Council has recently been engaged in appointing new officers to the department in the supervising, engineering and other expert fields. Further, I believe several vacancies exist in connection with the opening of the new additional accommodation at Walkerville, and this demonstrates the increase in staff requirements. The Minister has said that it is Government policy to do as much work as is desirable by private contract and, as there will be much additional work to be carried out in road construction programmes in the next few years, he is plainly stating the Government's intention to see that some of this work is undertaken by private contract. I think all honourable members realize that this gives the Government an automatic yardstick for seeing which is cheaper: there is no doubt about this. I do not think anyone can deny the need to have some competitive factors. If, after study, one method of construction proves to be cheaper, the Government will obviously take the necessary steps to save money for the Government and the public by instituting the most desirable and satisfactory method of road construction. Nothing about the Government's policy is unknown, as that policy has been stated many times. I reiterate that there is no intention to run down the Highways Department, to annihilate it, or to introduce any policy that will harm its present operation.

Mr. ALLEN: Yesterday's *Advertiser* contained an article relating to "private contractors for road construction". The Minister of Roads and Transport gave an assurance that there would be no wholesale retrenchment of Highways Department staff. District councils in my area are concerned that private contractors may compete with the councils for main road works in the area. The councils have borrowed large sums of money to purchase up-to-date plant and, with debit-order finance from the Highways Department, are able to pay for such plant through main road construction work. Councils usually do all the construction work, the final road sealing being carried out by the Highways Department. Work of this type helps to maintain employment for local men in the area in which they live. Will the Attorney-General see whether the Minister of Roads and Transport will consider these facts before letting to private contractors main road construction work in district council areas?

The Hon. ROBIN MILLHOUSE: I will discuss this matter with the Minister.

Mr. CORCORAN: The Premier has said that the Government does not intend to run down the activities of the Highways Department, and he has referred to the increase in office accommodation, etc., for staff at Walkerville. The Minister said there would be no wholesale retrenchment but that normal wastage would take care of the reduction of staff

contemplated by him. This would imply that there would be a reduction in the gangs working under the control and supervision of the department. I gained that impression from the Minister's statement, and I am sure that that is the impression gained by the public. In view of the Premier's statement, will he take steps to reverse this impression and to clarify the situation for me and for the people of the State?

The Hon. R. S. HALL: I referred to the department's activities in general. I believe there will be a further increase in the number of supervisory and engineering staff. As yet I am unable to say anything about the exact number of gangs, and I believe the Minister is unable to say what he finally intends to do, because he is still considering this matter. It was recently publicized that, because a gang was to be shifted, only half the gang wished to remain in the employ of the department. Perhaps an amalgamation of two gangs into one could mean the letting of a contract to private interests, but I do not know the Minister's intentions in that regard. Allegations have been made during the weekend, and I do not know whether the honourable member wants me to reply to them. He has asked a specific question concerning the strength of the department: perhaps I had better leave it at that, and say that I expect an increase in the number of supervisory and engineering staff but, in relation to the gangs employed, I am unable to say, as yet, whether they will be decreased. No doubt, this will depend on the Minister's investigation and the comparative prices to be worked out on this particular construction. I assure the honourable member that there will be no retrenchment of individuals within the department.

Mr. HUDSON: On November 14, I directed a question to the Attorney-General, representing the Minister of Roads and Transport, asking whether or not certain roadmaking equipment, such as bulldozers, was lying idle at Northfield while private equipment was being hired; whether or not a rock-crushing machine had been left idle for about nine months while a similar machine had been hired from Coates and Company; whether or not the firm of Brambles was carting bitumen for the department while the department's bitumen tankers were lying idle, and their drivers were partly employed, among other things, in weeding gardens at Northfield. I should have thought that an answer to that question would be available before now but, as a result of the publicity given to that question, I was provided with information from a number of sources to the effect that, first of all, the recording of Highways Department 101 time cards in the motor repair shop and transport section at the Northfield depot was, under departmental instructions, to be done in pencil and that alterations to these time cards had occurred. The overall consequence was that both the motor repair shop and the transport section had hours lost, the fact of departmental equipment being left idle would be concealed and, when the answer came from the department to my question, the department would have its records in a state to be able to say that the suggestions in the honourable member's question were not with any foundation.

Has the Attorney-General any explanation for me in relation to the question that I asked previously and is it, in fact, the case that alterations have taken place to time cards? Will the Attorney-General consult with the Minister of Roads and Transport to see whether an appropriate investigation is necessary into this whole matter?

The Hon. ROBIN MILLHOUSE: I have the information for the honourable member. I regret that I did not give him notice of my having it. I am still writing out the little chits to that effect, so he was misled by my omission and, therefore, gave us that long explanation. The answer to his original question is as follows:

Idle plant at Northfield depot: There is always a certain number of machines of varying types retained for emergencies, replacements and awaiting repairs.

Sellick Hill: The equipment being hired on these works is heavy bulldozers. The department has two such machines, these being engaged full time on the South-Eastern Freeway. In addition, certain drilling equipment, which the department does not possess, is being hired.

Rock-crushing machine: The department has two such units, one of which is undergoing extensive repairs and the other is being used concurrently with the hired machine.

Bitumen tankers: Haulage by private contractors is cheaper than by departmental vehicles, haulage being included in the schedule when tenders are called for annual supplies of bitumen. The department's bitumen tankers are idle during the winter months when bitumen sealing is not in progress in rural areas. During this period, it is not unusual for drivers to be allocated to other work which, at times, could be odd jobs around the depot.

Since the honourable member asked me that question, he has publicly criticized the Minister of Roads and Transport and the department itself, and he said yesterday, I believe at a

meeting (and this has been the subject of questions asked today by his Leader and by him), that there were dishonest practices in the department. The Minister has given me some notes in case this matter happened to be raised in the House today, and I think in answer to the question that I should give the House the information with which I have been supplied. It states:

Mr. Hugh Hudson, M.P., made the allegation on Channel 9 on November 25 (and the words are taken from a recording of the interview: "Labour normally associated with departmental equipment is also being left idle and the lost hours are being concealed by alterations to time cards". The interview arose from a public meeting which was held at the Northfield depot of the Highways and Local Government Department earlier in the day.

That is the one to which I referred and at which the Leader was also present and, I believe, spoke. The information continues:

The allegation is that the department is manipulating men's time sheets in order to charge excessive time to repairs of departmentally owned plant to make repair costs of privately owned contractors' plant appear in a more favourable light. This evidently originated over a minor happening at Northfield regarding the apportionment of men's time, which is explained in detail later. It was inferred that the department has been instructed by the Government to implement such action in order to justify its policy of engaging private enterprise for construction of roads at the expense of direct labour. Even if such action were suggested, no head of a department would be prepared to obey such an instruction. Apart from the moral aspects, all departments are subject to audit regulations and constant checking by Government auditors. Any malpractice of this nature would be revealed at an early date and the head of the department would be severely censured. Any such instruction is therefore emphatically refuted. There has been no such instruction or any suggestion made by the Minister.

It is not clear how a relatively small increase on labour costs for tractor repairs, which in effect may theoretically increase hourly operating costs of departmental units, can have any serious bearing if these are related to contractors' operating costs. Very few of the 2,000-odd departmental machines are in the repair shop at any one time. Many of them are in rural areas and seldom, if ever, are at Northfield. Dealing with charging up of time, in order to give the Senior Plant Engineer greater control of the cost of labour incurred at the Northfield workshops, separate accounts have been opened for the various shops, for example, motor, etc., to record the unproductive time of employees lost as a result of accidents or hours during which the men were not actually engaged on either productive or unproductive works. The purpose of the above procedure is to ensure that only the productive hours are shown against each particular machine and that any wages debited to the abovementioned unproductive accounts are separately recorded so that the Senior Plant Engineer is informed of the position and can decide on what remedial action is necessary.

During the first four months of this financial year, 772 hours were debited to those accounts which represents approximately one third of one per cent of the total hours of all the workshop employees. Recently the Senior Plant Engineer's attention was drawn to the number of hours debited to those unproductive shop orders and he immediately discussed the matter with the Accountant and the senior workshop personnel and directed that each individual debit be closely investigated. He instructed the Workshop Superintendent and the Assistant Workshop Superintendent that every endeavour must be made to ensure that the charges are correct and that if employees were given other work to perform pending the delivery of parts etc., their time was to be debited accordingly. This action had no bearing whatsoever on the recent announcement by the Minister that he was investigating methods by which construction of road works might be carried out by contract.

The Government's policy to carry out as much work as possible by contract is in keeping with its general policy. The Government's investigation into this matter is also influenced by the Auditor-General who on page 2 of his annual report for the financial year ended June 30, 1968, said—

and this report has been available to all members and has, no doubt, been closely studied by members of the Opposition—

> In some departments in recent years more work has been done by private contract than previously. I consider that, as works can often be carried out more economically by this means than by day labour and provided that there is adequate control, still more work should be done by contract.

Apparently, the Leader forgot about that in explaining his earlier question today. The statement continues:

Similar statements have been made by the Auditor-General in previous annual reports. The Government is quite prepared to ask the Auditor-General to investigate the allegations made on T.V. last night and in the press this morning, but the allegations are of a very general nature and it is the member's responsibility and duty to provide to the Auditor-General complete details of his allegations.

I therefore invite the honourable member to make available, either to me or to the Auditor-General, the details of the matters upon which he based his allegations yesterday.

Mr. VIRGO: In November 12, I asked the Premier a question about the Minister of Roads and Transport's announcement that he had instructed the Highways Department to investigate how it could increase the use of private contractors in road construction. Specifically

I asked the Premier whether the Minister believed that the use of private contractors would result in a cheaper price for jobs which would mean that the Highways Department would appear less efficient than would private enterprise, and whether this move by the Minister represented a change of policy by the Government in that it desired to look after the shareholders of private enterprise to the detriment of its own employees. From his reply, which was obviously off-beam in relation to my question, it appeared that the Premier did not hear clearly what I had asked, but he did conclude by saying that he would obtain a report. This happened a fortnight ago and as yet no report has been forthcoming. I suggest that, had it been provided in a reasonable time, probably much of the uncertainty and squeamishness of the Government could have been avoided and we would have had a better appreciation of what the Government is actually up to.

Mr. Lawn: The Premier does not speak to the Minister in the Upper House.

Mr. VIRGO: I do not know about that, but he did say he would obtain a report from the Minister in the Upper House. Therefore, can he now say when we can expect that report, so that this House and the public will know what is going on?

The Hon. R. S. HALL: It could be that the reply has been delayed while the Minister has tried to sort out the political implications in the question. However, I will endeavour to expedite a reply for the honourable member.

Mr. BROOMHILL: I have been informed that considerable delays are occurring at the Northfield motor repair shops in obtaining approval for estimates of repairs. In some cases the delays take eight weeks or more and, of course, during that time repair work cannot proceed. I am also informed that no parts for the repairs can be obtained until the approval is given (of course, this applies even in the case of minor repairs). Will the Attorney-General ask the Minister of Roads and Transport to investigate the procedures involved to ensure that repair work can proceed promptly without the inconveniences that occur as a result of administrative red tape?

The Hon. ROBIN MILLHOUSE: I will ask my colleague about the matter.

Mr. HUDSON: I ask leave to make a personal explanation.

Leave granted.

Mr. HUDSON: In the reply that was read by the Attorney-General to a question I asked this afternoon it was suggested that I had slurred the Public Service and that I should either prove correct my statements or retract them. The Attorney also said that the Minister of Roads and Transport emphatically refuted the statement I had made. In the course of the answer reference was made to an interview which I had on channel 9 and which was televised during the news session last evening. In the course of that interview I was asked would I say whether I believed that alterations to time cards (the H.D. 101 time cards) had been done deliberately. My answer to the question was that I could not say that, as I did not have sufficient information about the whys and wherefores of it all. It is simply not true that I made the allegation that alterations in time cards had occurred deliberately under the instructions of any officer at Walkerville, for example, or of the Minister. I did not make that allegation, and it is the Minister in his reply who has assumed that that particular allegation was made by me. My only comment on that is that if the cap fits wear it. Yesterday the Commissioner of Highways was reported as saying that if anyone had altered H.D. 101 time cards he would be instantly dismissed; today I am asked to give details of the information, which has been provided to me in confidence, to the Auditor-General.

Mr. Clark: So that someone can be dismissed.

Mr. HUDSON: I presume that, if my information mentioned the names of any individuals at the Northfield depot, following what the Commissioner said yesterday those individuals would be automatically dismissed. This information came from three different sources and, in each case, the person concerned referred specifically to the transport section and to the motor repair shop and said time cards did not accurately reflect the time spent on particular jobs because, under instruction, they were filled in in pencil and were subject to alterations, and alterations had taken place. It is likely that these time cards no longer adequately reflect the costs of undertaking work at the depot. In those circumstances, it is not possible, at least for certain types of work, to give any sort of accurate picture of what the departmental costs are as against private costs. I hope there will be a full investigation into this matter by the Auditor-General at this point of time.

However, I am certainly not prepared to give to anyone the names of any individuals who gave the information to me. In no circumstances will I do that until I have complete assurances that the people concerned will not be subjected to victimization in any way either at this time or at any future time. It seems that the matter is of sufficient seriousness and of sufficient importance, concerning this Government's policy, that the Auditor-General should be requested by the Government to investigate the whole costing operations that take place at the Northfield depot and in relation to work carried out by the Highways Department, and that this investigation—

The SPEAKER: Order! I think the honourable member is going a little beyond a personal explanation.

Mr. HUDSON: I am explaining why I am not prepared at this stage to provide any details concerning particular persons to the Minister or to the Auditor-General—

Mr. Lawn: They would probably get the sack.

The SPEAKER: Order!

Mr. HUDSON: —and I am pointing out that an investigation of the costing procedures of the Northfield depot can be taken out by the Auditor-General without my having to supply that information. I am putting to the Government that the matter is of such seriousness in relation to the Government's policy that the recording of time spent on particular jobs and the costing of work should be thoroughly investigated by the Auditor-General and reported on to this Parliament.

SECURITY SERVICES

Mr. JENNINGS: Recently a person established a security or night patrol service ostensibly to protect business premises from the activities of criminals during the hours after dark. Apparently he built up a large and lucrative business. However, it is almost incredible that the person concerned has a long criminal record, including many convictions for dishonesty. As his business was presumably not returning the quick riches he desired, he sold portion of his round to various people. A constituent of mine purchased a round in my district for $2,000, some of which he had to borrow. Although he regarded it as a legitimate business venture, he has now lost the $2,000 with, it seems, no chance of its return. I have discussed the matter with the Attorney-General, who I know is sympathetic but who is circumscribed by the law as it stands. Can he say whether he will amend the Bailiffs and Inquiry Agents Licensing Act to cover a situation of this type, for I am sure he and all other members of the House will be appalled that a man should be robbed of $2,000 without having legal redress and that a hardened criminal should be in the almost unbelievable position of establishing a business to protect business premises?

The Hon. ROBIN MILLHOUSE: I am most perturbed about this situation. As the honourable member said, he has discussed with me the circumstances of the particular case to which he has referred. The Leader of the Opposition has discussed with me another case concerning the same organization. In both cases I consider that action should be taken but, unfortunately, as the honourable member has said, at the moment it is not possible to take action, because, so far as I can discover, there has been no breach of any Statute. I am contemplating, as the honourable member has implied, recommending to the Government that the Bailiffs and Inquiry Agents Licensing Act should be amended so that persons who run these so-called security services will be subject to some supervision. Although I do not necessarily accept everything that the honourable member has said about the principal of this particular business, some aspects of his record give cause for alarm.

Incidentally, only over the last weekend I had an experience that slightly reinforces what I have said about the so-called security services, although it relates to one of the other organizations and has nothing to do with the particular one to which the honourable member has referred. Late on Saturday night (in fact, I think it was early on Sunday morning) I was at premises that are watched by one of these services. The way in which the service works is that a little card is shoved under each door to show that the man has been around to make certain that everything is secure. Otherwise, I think a clock is punched: that is done, I know, at the Attorney-General's office, but I was not at the Attorney-General's office on this occasion. However, I had left one of the doors on the latch so that I could get in and out. When I came back (as I say, it was about midnight, or 1 o'clock on Sunday morning) there was a little card under the door, but the door was not locked. Obviously, the chap had come along but had not tried the door. If he had tried it, he would have discovered the breach of security. He just shoved the card under the door. This does not show dishonesty: it

is just laxness. That is an example, from my own personal experience, of this form of so-called protection that is being given. As I say, it rather reinforces the view that I have taken on the matters that have been brought to my notice by the Leader of the Opposition and the member for Enfield. I am examining the matter with a view to making a recommendation to Cabinet.

GOOLWA BARRAGES

Mr. McANANEY: Has the Minister of Works a reply to my question about the broadcasting of information regarding the opening and closing of the Goolwa barrages, and also about the effect of the opening and closing of the barrages on fishermen in the area?

The Hon. J. W. H. COUMBE: As another question has been asked by the member for Semaphore (Mr. Hurst) on this matter, I will reply to both questions. The Australian Broadcasting Commission could not guarantee the issuing of a warning when the barrage waterways were open and, as the river levels shown in the daily press are compiled by the Bureau of Meteorology, it is not practicable to publish the information. To get to the vicinity of the Murray mouth there are only four practical routes. They are as follows: across Hindmarsh Island via the Goolwa ferry; by car to No. 19 beacon and thence by boat; by boat through the Goolwa lock; and by boat through the Tauwitchere lock or from the Coorong. Arrangements will be made to display suitable notices, to show whether the barrages are open, at the Goolwa and Tauwitchere locks; adjacent to or on the Goolwa ferry; and at the entrance to the road leading to No. 19 beacon. This should cover the position.

SALINITY

Mr. GILES: Has the Minister of Works a reply to my recent question about reducing salinity in the Murray River by allowing water to flow from the bottom of the locks instead of over the top of them?

The Hon. J. W. H. COUMBE: Although I gave the honourable member a rough outline of this position, I now have further information. Two factors are to be considered in the honourable member's question: the use of differential levels in drawing water from deep reservoirs is mainly made for the provision of water without an oxygen deficiency, and salinity is a secondary consideration. The problem of salt stratification in the Murray River is recognized. Some work has been done at the University of Adelaide in this area, and one of the matters under investigation is to find a means of moving water past lock structures while retaining the best quality water at the surface for ready availability. Simple bottom release is not a solution, as it would tend to create sufficient turbulence to give mixing. One of the phenomena which has to be recognized is that once stratification is disturbed and the water fully mixed there will not be a subsequent settling of saline solution with better waters again appearing at the surface. Included in present discussions with the university are proposals to continue studies on this matter in greater detail.

ALFORD SCHOOL

Mr. HUGHES: In explaining this question, I ask the House to be patient if I take longer than normal to explain it, because it concerns the health of certain children in my district. On September 28 last, the Secretary of the Local Board of Health, who is also the Clerk of the Bute District Council, informed the Education Department of the unsatisfactory state of the toilets at the Alford school. I understand that this information was passed on to the Public Buildings Department, with the result that on November 8 the clerk wrote to that department asking what progress had been made. An officer from the department called at the clerk's office on another matter and the clerk told him about the situation at Alford. On November 24, the following letter addressed to the Secretary of the Local Board of Health was received from the Secretary of the Public Buildings Department:

> I refer to your letter of September 28, 1967, to the Education Department and November 8, 1967, to the department. Repairs have been carried out on the toilets at Alford Primary School as detailed below:
>
> Tree roots in the E.W. drainage pipes necessitated renewal of 42ft. of 4in. E.W. pipe with rubber ring joints. Replace two rusted 4in. galvanized head vents and vent caps (one to the boys toilet and one to the girls toilet) and two 2in. A.S. vents. Refixing of two loose pedestal pans.

The SPEAKER: Order! Can the honourable member summarize the items without listing them?

Mr. HUGHES: Yes, Mr. Speaker, I have almost finished. The letter continues:

> In the not too distant future major repairs or complete replacement of both toilet blocks will be necessary. Because of the age of these toilet blocks, the high cost of major repairs is thought to be unwarranted, and consideration will be given to the provision of new toilets.

The District Inspector wrote to the Head Teacher on February 26 asking for two plans of the school showing a suggested site for the proposed toilet block, following a telephone call from Mr. Davis's office that it was intended to build a new toilet block at the school. The secretary of the school committee called a meeting of certain members of the committee. Present at the meeting were Mr. Langston (resident Public Buildings Department Inspector in the area), Mr. Gibson (Health Inspector, Bute council), Mr. Jury (the local plumber) and the Head Teacher of the school. Plans were immediately submitted, but the secretary has informed me that nothing further has been heard regarding this matter. Since June this year, the plumber has been called to the school on two occasions to clear the effluent from the drainage system, which indicates that the toilets are in a bad state of repair. The secretary has also informed me that it has been necessary for her to attend the school twice during the last couple of weeks—

The SPEAKER: Order! The honourable member must ask his question now.

Mr. HUGHES: Will the Minister of Works treat this matter as urgent and have an investigation carried out, with a view to having the new toilet block erected at the school?

The Hon. J. W. H. COUMBE: Yes.

CALTOWIE PRIMARY SCHOOL

Mr. VENNING: Has the Minister of Education an answer to my question of November 5 about paving work in the Caltowie Primary School grounds?

The Hon. JOYCE STEELE: I have been advised by the Public Buildings Department that public tenders close today for paving work in the grounds of the Caltowie Primary School. Every effort will be made to have the work completed during the Christmas vacation, subject to a suitable tender being received.

ROAD SAFETY

Mr. EVANS: Last Friday's *Advertiser* contained a report of recommendations made by the Australian Medical Association in regard to road safety. The report states:

> The Australian Medical Association has made 20 recommendations for road safety in Australia. The recommendations are listed in the association's policy on road safety, issued tonight. The association says "Australia's record in traffic accidents, injuries and deaths, is among the worst in the world. A lack of balance has developed between the greatly increased numbers of increased performance cars and construction of adequate roads."
>
> The major recommendation is for a Federal Government body with power to initiate scientific research into reasons for accidents and to find solutions. The association says there is already a national body, Australian Road Safety Council, but its charter is confined to publicity.

Rather than read all the report, I ask leave to have it incorporated in *Hansard* without my reading it.

The SPEAKER: I do not think the honourable member is in order in having an explanation of his question incorporated in such a way.

Mr. EVANS: Well, Sir, I will continue to read it.

The SPEAKER: I hope the honourable member will not continue to do that for too long.

Mr. EVANS: I will base the time I take on that taken in asking an earlier question, and then I should be within the time allowed. The report continues:

> The association hopes the members of the recommended body will represent skills and disciplines rather than a "multitude of organizations". The association says it considers alcohol a major cause of road accidents. But the consumption of alcohol is so widespread that it would be impracticable to insist on a penalty for driving after consuming a "small quantity". "Whenever a driver is suspected to be under the influence of alcohol, he should be subject to a scientific determination of blood alcohol level," the association says.

The SPEAKER: Order! The honourable member will have to summarize his question now.

Mr. EVANS: Will the Attorney-General ask the Minister of Roads and Transport to have his department consider the following recommendations:

> All States and territories should provide to the proposed body uniformly defined research information about accidents, vehicles and drivers.
>
> State Governments should be urged to establish a single controlling authority over road design, construction, traffic engineering and street lighting to allow a co-ordinated attack on the road accident problem.
>
> Governments should ensure all safety features in vehicle design are worthwhile.
>
> There should be compulsory vehicle inspection in all States.

If the department considers these recommendations, will the Minister provide a copy of its report to the House?

The Hon. ROBIN MILLHOUSE: I will discuss the matter with my colleague.

TOURIST FACILITIES

Mr. EDWARDS: As you know, Mr. Speaker, I travel throughout the countryside extensively, stopping at many hotels and roadhouses, some of which are clean but others of which are particularly revolting. In some cases, if another place was handy one would go to it rather than into some of the dirty ones, which are almost impossible to enter because of the offensive odour. As the holiday period is nearly here and as many people will travel about the countryside during the summer months, something should be done about this serious problem. I cannot understand why the health inspectors have not already looked into the matter. Will the Premier ask the Minister of Health to see whether something cannot be done about this matter before the peak summer period?

The Hon. R. S. HALL: The honourable member has raised a most important point. Facilities for tourists must be upgraded considerably in South Australia. As honourable members know, about $31,500,000 was spent in South Australia during the last financial year by tourists from other States and overseas. This is therefore a large industry in South Australia upon which hundreds of people depend for employment. As I believe the matter raised deserves investigation, I will refer it to the Minister of Health and the Minister of Tourism so that they can find out how serious is the position and, if necessary, perhaps they can negotiate with local boards of health on the matter.

MURRAY BRIDGE JUNCTION

Mr. WARDLE: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my recent question about the junction of Swanport Road, Standen Street and Adelaide Road at Murray Bridge?

The Hon. ROBIN MILLHOUSE: A departmental design has been prepared for the improvement of the Adelaide Road-Standen Street junction at Murray Bridge, incorporating a minor realignment, islands, and jiggle bars. It is expected that construction will be programmed for the financial year 1969-70.

SOLOMONTOWN OVER-PASS

Mr. McKEE: I am pleased to know that I have broken through at last: as the Attorney-General has told me that he now has a reply from the Minister of Roads and Transport to my question about the Port Pirie over-pass, will he give that reply?

The Hon. ROBIN MILLHOUSE: Yes. As I promised the honourable member last week, I specially expedited the reply. Tenders have been received for the construction of an over-pass at Solomontown. The contract is of interest to four parties, namely, the South Australian Railways, the Highways and Local Government Department, the Commonwealth Railways, and the Commonwealth Department of Shipping and Transport. It is not expected that agreement with respect to the letting of a contract will be reached between these four parties prior to the end of December. It is expected that the successful contractor would commence work within a few weeks of the awarding of the contract. In explanation of the delay in replying to the question, *Hansard* was received in Mr. Hill's office on November 13, 1968, and was forwarded to the Railways Commissioner for a report on that date. A report was received by Mr. Hill on November 21 and was processed in the earliest possible time. The honourable member will see that it has taken about a fortnight (not really very long) to get the reply.

MENINGIE DRAINAGE

Mr. NANKIVELL: Has the Premier received from the Minister of Health a reply to my question about sketch plans and estimates of cost for the effluent drainage scheme for Meningie?

The Hon. R. S. HALL: The preliminary sketch plans and cost estimates for the common effluent drainage scheme for Meningie township were prepared by the department and approved by a meeting of ratepayers of the district in February, 1968. The department agreed to prepare the detailed plans and specifications so that the council could call tenders for the work. More than half the field work involved is now completed. Although there is a backlag of work in the drawing office of the department at present, so far as Meningie is concerned it is expected that the final plans will be available by the end of March next year. When the contract is let, officers from the department will be available to supervise the installation. It would be possible for the local board to arrange to have the scheme planned privately, but it is not likely that this would achieve a significantly earlier result, and some work already done would probably be wasted.

PETERBOROUGH RAMPS

Mr. CASEY: My question refers to a reply to an earlier question about the absence of handrails on the newly-constructed ramps at

Peterborough railway station. The Minister's reply was that the Standards Association of Australia code prescribed that, where intended to be used by handicapped persons, the grade of ramps should not be steeper than one in 12. As the Minister knows, the grade of the new ramps at Peterborough is one in six, and I draw the Minister's attention to the following statement on page 4 of the Standards Association codes booklet:

Most people have at some time or another suffered an injury which has temporarily restricted their mobility or dexterity.

People suffering from such a disability are sometimes confronted with obstacles such as the ramps at Peterborough, with a grade of one in six. I also draw attention to the following statement in the last paragraph on page 5 of the booklet:

The time may come when those members of the community not physically handicapped may be grateful for the provision of these special features in public buildings, and it is worth remembering that buildings designed to these standards are safer for everyone.

Of course, that includes the very steep ramps at Peterborough. I shall also give the Minister a copy of a letter to the local press in my district, criticizing the grade of the ramps. Will the Attorney-General take the matter up with his colleague to find out whether the Government is interested in these elderly people who live in these towns and use the railways, and whether handrails can be provided on the ramps at Peterborough?

The Hon. ROBIN MILLHOUSE: The Government's interest in all people in this community is undoubted and I refute the inplication in the honourable member's question that there is any possible doubt about that. I will ask Mr. Hill to study carefully the material to which the honourable member has referred.

TOMATOES

Mr. BURDON: The matter of the condition of tomatoes received by greengrocers in Mount Gambier was raised with me recently and, in making inquiries into this matter, during the weekend I inspected some such tomatoes and found that about 8 lb. of very green tomatoes that would never ripen had been packed in the bottom of a case and covered by good tomatoes. I understand that in other States the name of the grower, or the grower's registered number, must be placed on the box so that, if there is any complaint, the identity of the offender can be established. In order to protect the interests of these greengrocers and also of those who purchase tomatoes in country areas, will the Minister of Lands ask the Minister of Agriculture to ensure that the practices to which I have referred and which I have been told have been quite common, particularly in times of shortage of tomatoes, are stopped, and that some method of identification of the supplier is established?

The Hon. D. N. BROOKMAN: Doubtless, practices of this nature have been going on since the beginning of time, but I will discuss the matter with the Minister of Agriculture to see whether some action should be taken.

RAILWAY SLEEPERS

Mr. RODDA: Has the Attorney-General received from the Minister of Roads and Transport a reply to the question I asked a couple of weeks ago about railway sleepers?

The Hon. ROBIN MILLHOUSE: Mr. Hill has told me that the proportional quotes for sleeper suppliers in the Naracoorte district have not been varied, except in a few cases of small operators. There has, however, been a general decrease in the total number of sleepers for which orders were placed, on account of variation in departmental requirements.

TATTOOING

Mr. LAWN: As my question may involve policy, I address it to the Premier. Some four years ago I was approached by an employer of labour regarding the tattooing of juveniles. That man employs a fairly large staff, comprising boys and girls, mainly boys under 21 years of age. He suggested that I raise in the House the matter of banning the tattooing of children. I do not recall whether I have raised it before, but last Friday's *News* contains a report that in England a private member of the Conservative Party in the House of Commons plans to introduce a Bill to ban the tattooing of children. The report also states that a similar law was proposed for New South Wales last month. The member of the House of Commons, apparently, has the backing of the British Medical Association dermatological group, and Dr. Patrick Hastings, a skin specialist who is a member of the group, said that he knew of a boy who had a daisy tattooed on one ear and a buttercup on the other and found these tattoos to be a great bar to employment. That reminds

me of the employer who contacted me a few years ago and said that tattooing was a bar to boys and girls obtaining employment. Can the Premier say whether the Government has considered this matter and, if it has not, will he refer it to Cabinet to decide whether an amendment should be introduced similar to the proposed legislation in England and in New South Wales?

The Hon. R. S. HALL: At the honourable member's request I will take this matter to Cabinet, have it considered, and give him a reply, but I am sure that we have not considered this matter before. This is another restriction that the honourable member is asking should be placed on the Statute Book. It may be that, after considering it further. I will agree with the suggestion, but I stress that I have not yet considered it. I think people regret in later years what they may have done in their youth, in a spirit of fun or adventure, by having certain items tattooed on their surfaces. I do not know whether my colleagues have any tattoo marks or whether this will influence their decision but, regardless of any such influence, I will obtain a reply for the honourable member.

TRANSPORT CHANGEOVER

Mr. RICHES: On November 14 I asked the Attorney-General to obtain from the Minister of Roads and Transport a report concerning the fact that since railway transport had ceased on Eyre Peninsula and in other places freight rates had increased by as much as 100 per cent in some cases, and I also asked him to obtain the reasons for the postponement of the proposed changeover from rail to road transport in other parts of the State. As I understand the Attorney-General has a reply from his colleague, will he give it to me?

The Hon. ROBIN MILLHOUSE: Where railway lines have previously been closed following investigations by the Transport Control Board and the Public Works Committee, the Transport Control Board has issued licences where road transport took the place of goods rail services and also traversed controlled routes. Such licences contained freight rates approved by the Prices Commissioner and the Transport Control Board. Although there is now no control over the cartage of goods for hire or reward, the freight rates fixed by Prices Branch orders are still valid, and any increase is subject to the approval of the Prices Commissioner. There have not been any complaints of excessive charges for cartage received by either the Prices Branch or Transport Control Board. Investigations by the Transport Control Board into the closing of railway lines and the substitution of road services in lieu of passenger rail services are proceeding according to plan, and the initial programme of rationalization announced by the Minister of Roads and Transport during May last should be completed prior to the close of the current financial year.

PORT ADELAIDE STATION

Mr. RYAN: Has the Attorney-General received from the Minister of Roads and Transport a reply to the question I asked last week about the state of disrepair of the Commercial Road railway station at Port Adelaide?

The Hon. ROBIN MILLHOUSE: Officers of the Traffic and Engineering Branches of the South Australian Railways have been engaged in devising a proposal for remodelling the Commercial Road station so as to permit redundant sections to be removed and the residue restored to reasonable condition. It is intended that remodelling of the station be put in hand at an early date.

SCHOOL SITES

Mrs. BYRNE: Has the Minister of Education a reply to the question I asked on November 19 about secondary school sites in the outer suburban sections of the District of Barossa and plans to erect schools on those sites?

The Hon. JOYCE STEELE: The secondary school sites held by the Education Department in that area are as follows: Tea Tree Gully High School, part block 14, part block A, section 51, hundred of Yatala, 20 acres 1 rood 19 perches; Ridgehaven Technical High School, part section 1565, hundred of Yatala, 25 acres 2 roods 0 perches; Yatala Vale Technical High School, part section 5466, hundred of Yatala, 30 acres; and Modbury Heights High School, part section 1586, hundred of Yatala, 20 acres. Of the four sites mentioned, the Education Department is at present investigating the possibility of establishing one only in the next few years, namely, the Ridgehaven Technical High School. It is realized, too, that the Modbury Heights High School site is affected by the proposed Modbury Freeway as indicated in the Metropolitan Adelaide Transportation Study Report.

WHITE ROCKS QUARRY

The Hon. D. A. DUNSTAN: Has the Attorney-General a reply from the Minister of Local Government to my recent question

about White Rocks Quarry Proprietary Limited?

The Hon. ROBIN MILLHOUSE: An application had not been received from White Rock Quarries Proprietary Limited as at November 12, 1968, and I have checked, and it has not yet been received, and the matter has been referred to the Crown Solicitor for action to be taken.

LAMEROO ROAD

Mr. NANKIVELL: I am not smiling in anticipation, but has the Attorney-General received from the Minister of Roads and Transport further information in reply to the question I asked recently about the Lameroo-Kulkami road?

The Hon. ROBIN MILLHOUSE: The replies I obtain for the honourable member (and for all honourable members) are, I hope always satisfactory. Whether this one will make the honourable member smile or not, I do not know. The Lameroo District Council area is almost devoid of the normally accepted materials for the construction of sealed pavement at reasonable costs. However, the district engineer is currently investigating the materials in place to determine the most practical and economical method of bringing these materials to a standard that can be sealed when finance becomes available.

GRAIN STORAGE

Mr. HUGHES: Last week the House passed the Bulk Handling of Grain Act Amendment Bill. Over the weekend I was contacted by telephone by one of my constituents who is a farmer. He told me he was pleased that the Bill had been passed, but he intimated that he had heard from two different farmers that they would have had no problem in getting all their grain into the silos, because they had over-estimated their acreage and their yields. Will the Minister of Lands, representing the Minister of Agriculture, say whether there is any penal clause in the Bill (whereby farmers who are apprehended for not complying with the Bill's provisions that allow them to deliver 75 per cent of their grain to the bulk handling silos) for action to be taken against this minority of farmers, or does the Bill simply place these people on their honour?

The Hon. D. N. BROOKMAN: I shall refer this question to the Minister of Agriculture, but I point out that the Bill that was passed enables South Australian Co-operative Bulk Handling Limited to establish a scheme for the rationalization of grain deliveries. In short, it hands over to the co-operative the power to control the deliveries and to refuse to accept grain from farmers. In other words, before this legislation was passed the company had no such option if a farmer wished to deliver grain and there was space in the silos, but now it will have the legal authority to enact a scheme, which I hope will prove equitable and effective. I do not know how the company will operate the scheme. I know some of the provisions the company proposes to apply when establishing some percentage of a farmer's estimated crop. This is bound to present difficulties, as even the most conscientious and honest estimate may not be accurate. Of course, there may be people who are inclined to exaggerate their estimates. The operation of this scheme will depend largely on the good sense of the farmers themselves, on the moderate and intelligent approach by the company and, to a degree, on public opinion within a neighbourhood. If the honourable member has a specific case that is worrying him, I suggest he either take it up with the bulk handling company or give it to me to pass on to the Minister of Agriculture. The case he has quoted is more of a hypothetical argument. In the circumstances, I think it would be better to let the company go ahead, and it may be very successful in handling the present difficult situation.

Mr. HUGHES: I understand that the Chairman of Directors and the General Manager of the co-operative appeared on a television programme last Sunday, and I have been told that a statement was made that farmers could deliver the remaining 25 per cent of their grain into temporary storage provided by the co-operative and that this would entitled them to receive the $1.10 first advance payment. This would entail farmers in the expense of buying bags. I have also been told by a farmer in my district that farmers wanting to store up to 25 per cent of their grain on their farms in bulk would like to know how long they would be expected to store it. It could be successfully stored for one or two months in compounds, but if it is to be stored for up to 12 months some other method of storing would be required. As the Minister of Agriculture frequently makes public statements concerning the building of additional silo storage, will the Minister of Lands ask him to discuss this matter with the General Manager of the co-operative in order that a joint public statement can be made informing

farmers of the approximate time it may be necessary for them to store grain on their properties so that they can make suitable arrangements to store the grain in good condition?

The Hon D. N. BROOKMAN: I will obtain a reply from the Minister of Agriculture who, I know, will give whatever information is available. The honourable member wants to know the approximate time, but that will depend largely on the shipping position and other factors.

EQUAL PAY

Mr. HURST: Has the Premier a reply to my question of November 14 about equal pay?

The Hon. R. S. HALL: The question presupposes that the South Australian Government will be involved in an application to the Commonwealth Conciliation and Arbitration Commission for an award for equal pay for females. It is understood that the application which the Commonwealth commission will hear will concern female bank officers and some female officers in the Commonwealth Public Service. As neither of these awards affects the Government, it will not be involved in the proceedings before the Commonwealth commission.

FISH MEAL

Mr. McANANEY: Has the Minister of Lands, representing the Minister of Agriculture, a reply to my question of November 7 regarding the production of fish meal?

The Hon. D. N. BROOKMAN: The Director of Fisheries and Fauna Conservation reports:

Australian demand for fish meal is expected to continue to expand, but it would seem that future requirements will be met largely from imports. Large quantities of fish taken regularly by various netting techniques, such as purse seining, are necessary to keep a plant in production. These fish are transported in mass to the plants in the holds of fishing vessels. Continuity of large supplies of suitable fish at a few cents a pound is a prerequisite for the economic operation of a fish meal plant. Although supplies of fish may occur in South Australian waters, the requisite type of boats and suitable gear at present are not available in this State. A fish meal plant is in the course of erection in Victoria near Lakes Entrance. The existence of a home market for fish meal seems assured, although an interesting recent development is that petroleum companies overseas have manufactured a suitable synthetic fish meal as a by-product of waste from crude oil distillation plants. From information available to me, I doubt whether there is a fisheries resource of sufficient magnitude in South Australia or suitable fishing boats of the right type available here to make a fish meal venture in this State an economic proposition at present.

ALDGATE SHED

Mr. EVANS: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to the question I recently asked about a shed in the Aldgate railway yard?

The Hon. ROBIN MILLHOUSE: Discussions have been recently conducted regarding the handling of bulk consignments of gypsum compound from Victoria to Aldgate. It is anticipated a quantity of 20,000 tons will be required to be handled in the coming 12 months. This gypsum compound, granulated in its natural form, contains the trace element sulphur. It is claimed to be of particular value for improvement of soils in the hills areas and would replace a deficiency which now exists. It has no objectionable odour, and owing to its natural granulated form is dust free. The investigations made indicate the most suitable locality for handling deliveries of this gypsum compound by rail transport and subsequent distribution to customers would be Aldgate. It is expected that the majority of deliveries will be in bulk truck load consignments, but in order to meet requirements of smaller orders, it is proposed to install a bagging plant in the station yard at Aldgate.

Departmental investigations indicate the most suitable location for this bagging plant is in the goods shed at Aldgate in an area which is at present being used by the Stirling Apex Club for the storage of scrap paper which is collected locally and which, when sufficient quantity accumulates, is forwarded to Cellulose Australia Limited. The Apex Club has been permitted to use this area since 1964 free of charge, as no other requirement has become manifest until now. Satisfactory arrangements can be made to provide other accommodation for use by the Apex Club.

LOCAL GOVERNMENT CIRCULAR

Mr. LAWN: Mr. Speaker, have you anything to report to the House on the question I asked last week about a letter being sent out by the Local Government Association Secretary?

The SPEAKER: The honourable member asked a question about a letter that most members had received from the Secretary of

the Local Government Association (Mr. Smith). At that time, in reply to the honourable member, I said I had not received a letter and I did not receive one until yesterday. Having written a rather long letter to the Secretary, I intend not to read all of it at this stage but merely to read the following paragraphs which, I think, adequately cover the matter raised:

I defend strenuously the right of your association, and indeed of any citizen, vigorously and properly to criticize members of Parliament, but in the circumstances outlined above, part of your proposed letter to ratepayers is not accurate. I refer particularly to the paragraph therein which reads:

> A copy of the form of this letter was sent to your member of Parliament before the amendment was made to the Stamp Duties Act. He was well aware of our views when this matter was before Parliament.

Your association appears to have been under a misapprehension as to the progress made by the House on this particular Bill, and, in the circumstances, I should like to be able to convey to the House an assurance from your association that the proposed letter to ratepayers, particularly the paragraph referred to above, will be amended to accord with the facts. Otherwise statements presently contained therein could be construed as a misrepresentation of the facts as they concern members of the House of Assembly.

GREENHILL ROAD

Mr. GILES: Some months ago I asked whether it would be possible to erect a safety fence on a dangerous part of Greenhill Road, and the reply given was that the situation would be investigated and the fence erected at some future time, as the project was listed among others to be carried out. Will the Attorney-General ascertain from the Minister of Roads and Transport whether we are now any closer to having this job completed and, if we are, when it will be completed?

The Hon. ROBIN MILLHOUSE: I will follow up the matter.

ROBERTSTOWN BUS SERVICE

Mr. FREEBAIRN: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to the question I asked some weeks ago about the Robertstown bus service?

The Hon. ROBIN MILLHOUSE: The successful applicant for the passenger road service between Adelaide and Robertstown is Premier Roadlines which is operated by Messrs. A. G. and C. Crawford, who submitted a time table for approval. As the time table is in statistical form, I ask leave to have it incorporated in *Hansard* without my reading it.

Leave granted.

TIME TABLE

Mondays and Saturdays—
Depart Eudunda 6.10 a.m. Arrive Adelaide 8.20 a.m.

Tuesdays and Fridays—
Depart Kapunda 6.40 a.m. Arrive Adelaide 8.20 a.m.

Mondays to Fridays—
Depart Robertstown 7.30 a.m. Arrive Adelaide 10.00 a.m.

Sundays and Public Holidays—
Depart Eudunda 3.30 p.m. Arrive Adelaide 5.35 p.m.

Mondays to Fridays—
Depart Adelaide 4.30 p.m. Arrive Robertstown 7.00 p.m.

Mondays to Thursdays—
Depart Adelaide 5.30 p.m. Arrive Kapunda 7.10 p.m.

Fridays only—
Depart Adelaide 5.30 p.m. Arrive Eudunda 7.40 p.m.

Saturdays—
Depart Adelaide 12.00 noon. Arrive Eudunda 2.10 p.m.

Sundays and Public Holidays—
Depart Adelaide 5.45 p.m. Arrive Eudunda 7.55 p.m.

The Hon. ROBIN MILLHOUSE: The proposed time table was discussed with the District Councils of Robertstown, Eudunda, Kapunda and Freeling when the Transport Control Board recently visited those centres. Some slight alterations were suggested and these have been referred to Mr. A. G. Crawford for further discussion with the councils prior to the commencement of the road service on December 16, 1968. In addition, Mr. E. Fuller, Chairman of the District Council of Kapunda, recently made a request for an additional alteration to the early morning service on week days so as to permit about 25 persons employed at the Weapons Research Establishment to co-ordinate at Willaston with the new bus service to Penfield, instead of travelling by cars as at present. As soon as a definite time table has been arranged and approved, details will be made available to local councils and to the honourable member.

PRINTING OFFICE LAND

Mr. BROOMHILL: I have noticed with some pleasure what the Government has done in an effort to prevent bush fires in the coming summer. However, when travelling along the Marion Road the other day, I was disturbed to see that the site of the new Government Printing Office at Netley is covered with a tinder dry 6ft. high growth. As I should think

that the Minister of Works would want to examine this situation to prevent any possibility of a fire, will he take it up with the department to see whether the site can be cleared?

The Hon. J. W. H. COUMBE: Rather than leave the clearing to the honourable member for the district, I will see that it is attended to.

MONARTO CROSSING

Mr. WARDLE: Between 9 a.m. and 10 a.m. today an accident occurred on the Princes Highway at the level crossing of the Monarto South to Sedan railway line. I understand that a motor vehicle ran into the side of a train. The seriousness of the accident was increased as a result of the intensely heavy railing immediately alongside the bitumen, because the train automatically rolled the car into the railing causing much extra damage to the car and, no doubt, to the occupants. Can the Attorney-General ascertain from the Minister of Roads and Transport why the Railways Department narrows the two-chain road so that the roadway between the fences is only a few feet wider than the bitumen? If this practice has to be followed, why must heavy railway iron be used for these railings instead of timber or light piping material?

The Hon. ROBIN MILLHOUSE: I will discuss the matter with Mr. Hill.

WHYALLA SCHOOL

The Hon. R. R. LOVEDAY: On August 14, I asked the Minister of Education whether any further information about the selection of a site for a third secondary school at Whyalla was available. She replied that the site for a secondary school could not be defined until plans for a new subdivision in the area were completed. I draw the Minister's attention to the increasing urgency in the selection of this site in view of the time necessary to build a new school of this size. Will she ascertain when the subdivision plans will be ready, and expedite the selection of the site?

The Hon. JOYCE STEELE: Although I thought I gave the honourable member a reply about this matter some weeks ago, I will certainly check on it and expedite a reply.

GUIDE POSTS

Mr. ARNOLD: Has the Attorney-General obtained from the Minister of Roads and Transport a reply to my question about guide posts?

The Hon. ROBIN MILLHOUSE: Sighter posts on main roads are normally erected at least 6ft. clear of the edge of the bitumen, and an 8ft. clearance is provided wherever a width of shoulder is sufficient. However, many roads in irrigation areas are of insufficient overall width for this dimension to be achieved, particularly where irrigation channels encroach on the road reserve.

RIDGEHAVEN SEWERAGE

Mrs. BYRNE: On September 24, in reply to my question of September 18 about a sewerage project for Ridgehaven, the Minister of Works stated:

> The sewer would have to be laid through an orchard. The owner is unwilling to provide an easement and, as no firm subdivision pattern can now be obtained, it would either require compulsory acquisition of the easement or deferring the completion of the sewers until the area is subdivided. As neither of these courses is desirable, an investigation was made to see if the area could be completed by any alternative means. It is now proposed that Leane Street, etc., will be sewered by laying a sewer through a reserve, adjacent to the creek and discharging into a sewer which will be laid in Sandland Avenue. This work can be done at no extra expense to the Government, as, although the route is slightly longer, the sewer will be shallower. The sewer in Sandland Avenue should be constructed by about October, 1969, and as soon as possible it will be extended to cover the areas referred to.

I point out that some of the persons affected by this decision have expressed concern about the length of the delay. Therefore, will the Minister investigate the matter to see whether the waiting period can be shortened?

The Hon. J. W. H. COUMBE: I will see whether I can achieve this result for the honourable member, perhaps by squeezing in this work ahead of some other proposals she has put forward.

BRANDING FLUID

Mr. EDWARDS: Has the Minister of Lands obtained from the Minister of Agriculture a reply to my recent question about branding fluid?

The Hon. D. N. BROOKMAN: The Chief Inspector of Stock of the Agriculture Department has furnished the following report on the subject:

> The only branding fluid permitted in South Australia in common with most other States is Si-ro-mark. This was developed by the Commonwealth Scientific and Industrial Research Organization. It is a patented formula and is manufactured by various companies under licence and sold under their various trade names. We have been in close contact for

many years with the officers concerned at the Wool Textile Laboratories, Belmont, Victoria, concerning alternative branding fluids and the weatherability and scourability of Si-ro-mark. They have been adamant that, to ensure complete scouring out of the branding fluid, we have to sacrifice the durability of the brand. We have also received complaints from one firm which sells wool tops that it has received adverse criticisms from its clients, because of brands remaining in the wool after scouring. Similar complaints from other States have been noted in the rural press. Samples of the branded wool complained of have been forwarded to the Wool Textile Laboratories which have reported that the brands were made with Si-ro-mark. They have suggested that the fault is due to too heavy application of the branding fluid. The position is therefore that, although we recognize that the brands wash out and do not remain legible, we are also receiving complaints from the purchasers of our wool that difficulties are being experienced in removing the brands. The wool industry would agree that the former is of lesser importance.

TEACHERS COLLEGE STUDENTS

Mr. CLARK: Can the Minister of Education say whether, in the event of the transfer to another State of parents of a teachers college student, a reciprocal arrangement exists between the South Australian Education Department and the Education Departments in other States that would make it possible for a South Australian student to transfer to a teachers college in one of the other States?

The Hon. JOYCE STEELE: I cannot answer the question on the spot so I will have to call for a report on this matter.

THEVENARD HOUSING

Mr. CASEY: Recently I received from a railway employee at Thevenard a letter stating that he had recently transferred to Thevenard from Peterborough, about 400 miles away, and was having extreme difficulty in acquiring a house. He was unable to take his family to Thevenard with him and for several months past he has been unable to visit his family at Peterborough, because the railways do not run on that route (and, therefore, he cannot use any free passes available) and the cost of making such a trip at his own expense is beyond his financial ability. Will the Attorney-General find out from the Minister of Roads and Transport, first, whether permanent housing can be obtained at Thevenard for railway enginemen and their families, as is usually done in other centres, and, secondly, whether these enginemen (who are members of the Australian Federated Union of Locomotive Enginemen), if they are unable to obtain permanent housing, are entitled to expenses in order to visit their families elsewhere? I should be pleased if the Minister would obtain that information post haste, and let me have a reply.

The Hon. ROBIN MILLHOUSE: I cannot give any undertaking about it being done post haste, but I will get a reply as soon as I can.

TENDERERS

Mr. VIRGO: One of my constituents recently submitted a tender in response to an invitation by the Public Buildings Department. After tenders had closed, he was summoned to an interview by an officer of the department, the purpose being, apparently, to find out whether the tenderer was capable of carrying out the contract. During the interview, the tenderer told the officer that previously he had contracted with the South Australian Government for similar types of work and that over the past few years he had contracted extensively with the Commonwealth Department of Works. He volunteered details of the last seven or eight jobs that he had done and gave the name of the supervisor who had inspected the jobs. He was rather concerned about some of the questions asked of him. For instance, he was asked where he got his raw material and whether it would be all right for the department to telephone a supplier to find out whether the man paid his accounts. He was also asked what plant he owned and whether it was freehold, and the straw that finally broke the camel's back was the officer's question about how much money the man had in the bank. Does the Minister of Works consider that the amount of money a person or firm has in the bank clearly establishes financial ability to carry out a contract, or does the Government consider that a certificate from a qualified public accountant would more adequately and accurately reveal the ability of a person or firm to carry out the contract?

The Hon. J. W. H. COUMBE: I have no personal knowledge of the particular case to which the honourable member has referred, but the honourable member will realize that often assurances have to be given about a firm's ability financially to carry out a contract, and this may have been so in this case. However, if the honourable member gives me particulars of the circumstances, I will get a full report and will also give him a general statement on the practice adopted.

TANUNDA YOUTH CLUB

The Hon. B. H. TEUSNER: I have been approached by the President and the Secretary of the Tanunda Youth Club Incorporated,

which has a membership of more than 100 boys and girls and which, for quite a few years past, has been meeting regularly two nights a week in what is known as the Tanunda show hall, which has been made available to the club for its activities by the District Council of Tanunda. However, there are certain drawbacks, and the club desires to build its own premises on a suitable block of land at Tanunda. Recently a new police station and courthouse was built in the main street of the town and I understand that the old premises and the land in McDonnell Street are no longer occupied by the department. I also understand that a vacant piece of land on the northern side of what was formerly the police residence in McDonnell Street would be an ideal site for the club's headquarters. Will the Minister of Works take this matter up with the Public Buildings Department to find out whether this piece of land can be made available to the club and, if it can, on what terms?

The Hon. J. W. H. COUMBE: Certainly.

WATER LICENCES

The Hon. D. A. DUNSTAN: A committee that investigated the granting of water licences on the Murray River found that, if the total foreseeable commitment was taken up, there would be on over-commitment of the supplies expected to be available in the river. This finding was contrary to advice to our Government and the previous Government that it was possible to divert water from the Murray River to a considerably greater extent than the then existing commitment. In consequence of the finding of the committee to which I have referred, the granting of further licences for water diversion was limited to cases in which an undertaking had been given that water diversion would be available and in which expenditure had been undertaken, and refusal of a licence, under which the person concerned had been assured he would get the water, would prejudice that person. This resulted in licences being granted for considerable plantings by large undertakings, but it disadvantaged many smaller planters who had been accustomed to increasing their plantings each year and then applying for a licence to cover the additional areas planted. Many of these smaller planters have now found that they are not able to expand their plantings to 30 acres, which area is fairly consistant with that of family holdings in irrigation areas. Will the Minister of Works consider allowing any family or single holder of an irrigation area licence to expand his plantings to a limit of at least 30 acres? If this were done, after taking into account the number of plantings in the area, it would not gravely affect the situation when we realize that considerable extra plantings have taken place on large holdings.

The Hon. J. W. H. COUMBE: The Leader is correct in saying that there has been considerable over-commitment in the past, and the problem now facing the divertees on the river and the Government is that of the small planter who has not been able to get an extension in his area for which he has been legally licensed. I hope to make an announcement within a week on this matter, but I assure the Leader and all members that the persons to whom he refers, that is, the small blocker or the battler, will be given preference. Sympathetic consideration will be given to the requirements of the small holder so that he can get a more economical living area. Also, the days of granting licences for large plantings are over for the time being. I am sure we would all agree that everyone is responsible for maintaining and protecting the whole of the river system.

SUPERPHOSPHATE

Mr. McANANEY: Has the Treasurer a reply to my recent question concerning superphosphate prices?

The Hon. G. G. PEARSON: The Prices Commissioner has reported that it was considered, after investigation, that the costs of production of superphosphate in South Australia for this season would not be less than the costs of production of Victorian manufacturers. Amongst other things, Victoria produces twice as much superphosphate in three plants as South Australia does in six plants, including regional plants at Wallaroo and Port Lincoln, which results in freight savings to farmers. In recent years, the South Australian industry has incurred substantial expenditure on plant extensions to cope with the expected increase in demand, which had strained its resources. However, as a result of the drought last year, profits fell heavily, and to maintain the industry in a healthy condition, a small price increase was considered necessary. The new prices are the same as Victoria's for bulk and in new cornsacks, but are 65c a ton less for sales in farmers' sacks. South Australian

prices are also below prices in Western Australia and New South Wales. Comparative prices are as follows:

	Bulk	Farmers own sacks	New cornsacks
	$	$	$
South Australia .	18.80	20.45	23.70
Victoria	18.80	21.10	23.70
Western Australia	19.00	21.10	24.40
New South Wales	19.55	—	24.35

MILLICENT RAILWAY YARD

Mr. CORCORAN: Has the Attorney-General received from the Minister of Roads and Transport a reply to my recent question about grading the Millicent railway yard?

The Hon. ROBIN MILLHOUSE: My colleague informs me that a personal inspection made by the Railways Commissioner of the Millicent railway yard indicates that while there is some degree of unevenness, the situation is little different from any other yard which must, of necessity, be located on a flat grade. However, it is intended to make provision for the grading of the yard to existing drain outlets on the departmental budget for 1969-70.

SITTINGS AND BUSINESS

Mr. BROOMHILL: As there has been much discussion among members in the corridors about the likely date that the House will rise before Christmas, and as some members are anxious to know in order to make their arrangements, can the Premier say whether the House will rise on December 12 or 19 and, if he is unable to do that, will he obtain that information?

The Hon. R. S. HALL: As usual, I shall be frank with the honourable member. The Government intends to conclude sittings before Christmas (not the session but the present sittings) on December 12. Honourable members can take that as a definite date, because we all wish to make forward bookings and other arrangements. I have been asked for an assurance that the House will not sit on Thursday evening, December 12, but I cannot say whether we will or will not then be discussing an urgent Bill that should be dealt with before Christmas. One or two Bills still to be introduced are urgent, and I should like members to co-operate by sitting late on Wednesday evening, December 11, if necessary. I should like to sit nearly all of Wednesday evening if that could be done, in order to deal with the business and meet members' convenience. The Government intended to resume sittings on January 28, but that resumption date will now be postponed for one week and the House will resume on Tuesday, February 4, 1969, because the Minister of Immigration and Tourism will attend a regional tourist conference in Thailand on January 28, and I believe that the original date should be postponed until February 4 to enable him to do so.

SUBDIVISIONS

Mr. VIRGO: Has the Attorney-General, representing the Minister of Roads and Transport, a reply to my question of November 14, regarding the handling of subdivisions by the Highways Department?

The Hon. ROBIN MILLHOUSE: The statement that applications for subdivisions must be submitted, in the first instance, to the Highways Department is incorrect. Under the Planning and Development Act it is mandatory that they be forwarded to the State Planning Office. Generally, M.A.T.S. has not altered the situation in regard to resubdivisions, except that a small number may be affected by the proposals. These could take a longer period than normal to process, but in any case six weeks is allowed for this under the regulations for land subdivision.

STUDENTS' PAY

Mr. HUDSON: I have been informed that the Public Service Board has reviewed the remuneration to be paid to university students employed in Government departments during the long vacation and has fixed a new scale that involves a reduction in the amounts that were paid last year. In one particular instance brought to my attention, an individual who was receiving $33.05 a week before tax last year will have his pay reduced to $31.15. This person was originally informed this year that his pay would be at an annual rate of $1,725, which gives a weekly rate of $33.17. This amount has now been reduced as I have said. Will the Premier investigate this matter to see whether or not the facts I have given are correct and, if they are correct, will the Government review this whole matter to see whether it is possible for students employed on a temporary basis during the summer months to be paid at the same rate this year as last year?

The Hon. R. S. HALL: I have no knowledge of this matter, but I will obtain a reply for the honourable member.

BOOK PURCHASES

Mr. BROOMHILL: In last night's *News* appears an article that refers to the Book Purchasers Protection Act, together with some

comments by the Attorney-General. A person rang me and pointed out that he had undertaken a contract for $400 worth of books from the company mentioned in the article but that he wished to cancel the contract. The person had paid a deposit of about $40. While it seems clear to me that he will be able to void the contract, will the Attorney-General say whether the person concerned has a legal claim to demand the refund of the $40 deposit?

The Hon. ROBIN MILLHOUSE: This is a matter for a private solicitor.

WALLAROO HOSPITAL

Mr. HUGHES: Has the Minister of Works further information concerning the air-conditioning of the Wallaroo Hospital?

The Hon. J. W. H. COUMBE: Tenders have closed and a technical appraisal is being undertaken prior to making a recommendation for the acceptance of a tender for air-conditioning at the Wallaroo Hospital. It has been necessary to seek clarification from the likely successful tenderer on several points relating to the technical acceptability of the tender. These matters should be resolved this week, after which the recommendation for acceptance of the tender will be made. The honourable member may rest assured that it is hoped to have this air-conditioning installed before the hot weather arrives.

LEGAL ASSISTANCE

Mr. RICHES (on notice):

1. How many applications were received for assistance under the Poor Persons Legal Assistance Act in the financial years ended June 30, 1967, and June 30, 1968, respectively?
2. How many cases were conducted free of charge?
3. How many applications for legal assistance were dealt with for a fee?
4. How is the amount of the fee to be paid by the applicant determined?
5. How many applications for this assistance were refused?

The Hon. ROBIN MILLHOUSE: The replies are as follows:

1. Year ended June 30, 1967, 2,285. Year ended June 30, 1968, 2,766.

2. and 3. Not available. It would be necessary to search each of more than 5,000 files to obtain this information.

4. By the committee administering the legal assistance scheme on the basis of court scales of fees prescribed and in certain matters in accordance with decisions of the council of the society as to standard charges in routine matters, and overall in accordance with the financial position of each applicant on merit.

5. Year ended June 30, 1967, 85. Year ended June 30, 1968, 182.

STANDING ORDERS COMMITTEE REPORTS

The SPEAKER laid on the table reports by the Standing Orders Committee on members' dress in the Chamber and on questions on notice.

Ordered that reports be printed.

LEAVE OF ABSENCE: HON. C. D. HUTCHENS

Mr. BROOMHILL moved:

That a further month's leave of absence be granted to the member for Hindmarsh (Hon. C. D. Hutchens) on account of ill health.

Motion carried.

POLICE PENSIONS ACT AMENDMENT BILL

The Hon. R. S. HALL (Premier) obtained leave and introduced a Bill for an Act to amend the Police Pensions Act, 1954-1967. Read a first time.

The Hon. R. S. HALL: I move:

That this Bill be now read a second time.

Under the Police Pensions Act, a member who is incapacitated from further service as a result of injury arising from the actual execution of his duty receives somewhat greater benefits than a member whose incapacity arises otherwise than from such an injury. Since these arrangements are rather less favourable than those contained in comparable legislation, the purpose of this Bill is to provide for the benefit at present appropriate to incapacity due to injury on duty to apply to all incapacity, other than incapacity caused by misconduct, however arising. Clause 1 of the Bill is quite formal. Clause 2 repeals section 21, which dealt with incapacity arising from an injury received in the actual execution of a member's duties, and enacts a provision similar in form to this provision but relating to all incapacity. Clause 3 repeals section 22, which dealt with incapacity arising otherwise than from an injury directly resulting from duty and which is no longer required, since this provision is now incorporated in new section 21. Clause 4 is consequential on the amendments made by clauses 2 and 3. Clause 5 guards against the possibility of a double payment in the case of

re-employment of pensioners. The explanation of this Bill has been in my bag for some weeks waiting for the Bill to be put on the Notice Paper. The Leader of the Opposition asked a question on this matter last week, and the Notice Paper is in such a condition that the Bill can now be introduced. I hope the Bill can be dealt with expeditiously so that those concerned with it shall not be precluded from its benefits.

Mr. BROOMHILL secured the adjournment of the debate.

TEXTILE PRODUCTS DESCRIPTION ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. J. W. H. COUMBE (Minister of Labour and Industry): I move:

That this Bill be now read a second time.

The Textile Products Description Act, 1953, was enacted following many conferences between representatives of the Commonwealth and State Governments. There are similar Acts in all other States and similar provisions in the Commonwealth Commerce (Imports) Regulations. Last year two amendments to the textile-labelling legislation throughout Australia which were proposed by the Australian Wool Board were submitted to, and endorsed by, the Australian Wool Industry Conference and were also considered by the Australian Agricultural Council (which comprises the Commonwealth and State Ministers of Primary Industry and Agriculture). This council supported the amendments, which were then considered at conferences of Ministers of Labour of all States (in each State the Ministers of Labour administer the textile-labelling legislation) and all these Ministers agreed to introduce legislation to give effect to the requested amendments.

The Textile Products Description Act defines "wool" as meaning the "natural fibre from the fleece of any variety of domestic sheep or lamb" and it provides that if any textile product contains 95 per cent or more by weight of wool, the label shall include the words "pure wool". The Australian Wool Board requested that if a textile product contains at least 80 per cent of sheep's wool and the remainder comprises (apart from the 5 per cent tolerance) specialty animal fibres, being alpaca, mohair, llama, vicuna, camel hair and cashmere, the Act should allow such products to be labelled as "pure wool" or to be labelled so as to show the actual fibre content of the product. The request was made so that the internationally recognized symbol "Woolmark" could be applied to such a combination of at least 80 per cent wool and animal fibres; the object being to increase the sale of wool on the international market. The use of the symbol "Woolmark" in these circumstances is already permitted in all countries of the western world, with the exception of Australia, New Zealand, South Africa, Belgium and Mexico. In September last, the Managing Director of the International Wool Secretariat advised that similar action to that now being taken in Australia is in train in New Zealand and Belgium and that Mexico has the matter in hand. The intention of South Africa is to follow the Australian legislation when it is amended.

In order that the Australian Wool Board may implement a new promotion scheme in 1969, the Ministers of Labour in all States have agreed to introduce the enabling legislation this year so that the amended legislation may be in operation by January 1, 1969. The second request initiated by the Australian Wool Board, and also agreed to by the Australian Agricultural Council and the Ministers of Labour, was to allow carpets and furnishing fabrics with a pile consisting of 95 per cent or more of wool, but a non-wool foundation or backing, to be described as "pure wool". It was possible to give effect to this request in respect of carpets (which usually have jute backings) by an amendment to the regulations under the Textile Products Description Act which was made on February 15, 1968, but amendments are necessary to the definition of "textile product" and to the regulation-making power in section 9 of the principal Act to enable regulations to be made allowing the composition of backings to be disregarded when considering the composition of certain articles thus giving effect to the request with respect to furnishing fabrics which have various types of backing.

There are two other matters dealt with in the Bill. The first is to permit the words "all wool" to be used as an alternative to the words "pure wool" in describing a textile product which contains 95 per cent or more by weight of wool or in blends of wool and specialty animal fibres which contain at least 80 per cent of wool. Some manufacturers prefer to use the alternative expression and as it has substantially the same meaning the Ministers in all States have agreed to introduce amending legislation accordingly. When the Act was passed in 1953 it applied to all carpets

because at that time carpets were either woven, knitted or felted. However, since then new methods of production, for example "tufting", have been introduced, so because of the method of manufacture some carpets are not now subject to the Act. This anomaly can be overcome by including carpets specifically in the definition of "textile product" and this has been done in the Bill. Clauses 1 and 2 of the Bill are formal. Clause 2 will permit the Act to be brought into operation on the same day as is the similar legislation in the other States of the Commonwealth.

Clause 3 introduces the new definition of "specialty animal fibre" and alters the definition of "textile product" in the manner which I have already mentioned. Clause 4 enables the alternative expression "all wool" to be used in describing articles which now have to be shown as "pure wool" and permits of textile products which are a mixture of not less than 80 per cent wool and specialty animal fibres to be described as "pure wool" or "all wool". Clause 5 alters the provision relating to the making of regulations to permit articles to be declared not to be a "textile product" for the purposes of the Act.

Mr. CASEY secured the adjournment of the debate.

CATTLE COMPENSATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

OATHS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

CROWN LANDS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 13. Page 2457.)

Mr. CORCORAN (Millicent): In view of the number of amendments to this Act over the past few years, I should have thought that possibly we had cleaned up everything that needed attention. Therefore, I was a little surprised when the Minister indicated that he intended introducing a further Bill to amend the Act. His second reading explanation made it apparent that, because of its policy, the present Government intended to take a major step towards removing from the Act something that had been a feature of it for many years. Although the Opposition does not intend to oppose the Bill as a whole, as it has desirable features that will improve the administration of the Act, we will move to delete the most important clauses of the Bill which relate to the abolition of the limitation regarding perpetual leases.

One could deal with the history of limitations, but I do not know whether that would serve much purpose. However, I think it is significant that originally fee simple was granted in relation to about 7,000,000 to 8,000,000 acres of land, so that even in those days it was considered necessary that some form of limitation should apply to perpetual leases. From 1836 to 1869 all land held in the State was sold; in 1869 the Strangways Act was put into effect and land was auctioned; and in 1888 the first lease under the Crown Lands Act was let. Various types of lease operated. Until 1898 there was a form of perpetual lease under which the rent was reassessed every 14 years, but that type of lease was not subject to land tax. Strange as it may seem, I think a few of those types of lease still exist, although most people are advised to convert them to the normal type of perpetual lease.

As I know of some of the difficulties that have arisen regarding this limitation, I do not intend to ignore them. Honourable members will know that, during my term as Minister, some difficulty arose about this feature of the Act, particularly following the quinquennial assessment of 1965 which, in fact, produced a most inequitable situation throughout the State in regard to limitations. We had a situation where, in the more highly productive parts of the State such as the lower South-East and the Mid North, the limitation barely allowed enough land to enable an individual to make a living. On the other hand, in areas around Kimba, before the amendment introduced in 1966, people could hold up to 24,000 acres under limitation and, after 1966, up to 36,000 acres. It was thought necessary at that stage to take further steps if the limitations were to remain effective.

After long consideration the Land Board decided (and I approved) that we should introduce an area limitation in addition to the unimproved land value limitation that already existed. Of course, this was designed to overcome some of the anomalies that would

obviously exist if only the unimproved limitation applied. At that time we even looked into the possibility of separating the State into regions in order to try to deal with some of the inequities that came about as a result of the land tax, but we found this was difficult to do, and it would not have been as practicable, we thought, as a standard limitation that would apply to hundreds listed in a schedule to the Act. I point out that it is possible by proclamation to remove from this schedule or add to it hundreds, if it is deemed necessary to do so. Honourable members will recall that at that time, we disregarded Goyder's line of rainfall in the Act and specified hundreds where the limitation would apply. At the time, it was explained that some difficulties could be expected with this new scheme but, because of the flexibility involved, we thought we would be able to overcome the difficulties fairly easily.

I still believe that the area provision regarding limitations would work efficiently; I believe the real problem is in connection with unimproved values. We know that another assessment will occur in 1970 and possibly a similar situation will arise as arose following the 1965 quinquennial assessment. I believe it is a relatively simple thing to amend the limitation as it exists in the Act. I say further that, if this creates the difficulties outlined by the Minister in his second reading explanation, again it is possible to vary these limitations in order to cope with any difficulties that may be presently apparent. Possibly the sole purpose of this limitation when it was introduced in 1898 (although it is difficult to follow the reasons given in the debates at that time) was to prevent undue aggregation of land in this State. That applies in spite of the fact that at that time about 8,000,000 acres of land was held in fee simple. Of course, as a result of the policy of anti-Labor Governments towards freeholding, we see the situation where that 8,000,000 acres has now extended to about 16,000,000 acres. However, there are still about 20,000,000 acres in the agricultural areas of the State (and I refer to those areas only) under perpetual lease.

I think the Minister argued the point in his second reading explanation that, as we have 16,000,000 acres of freehold land in the agricultural areas of the State, the limitation serves no further purpose, because it is possible for people in the present circumstances to aggregate unduly if they wish. That may be a valid argument concerning the 16,000,000 acres, but members on this side of the House believe that it is a sensible and reasonable provision to see that undue aggregation does not take place on the remaining 20,000,000 acres still held under perpetual lease. We believe that the Government should be able to control that area at least and prevent the undue aggregation that could occur in the future. It may also be argued that this sort of thing has not taken place even on the 16,000,000 acres now held under freehold. This may be so to a certain extent, although it would be difficult to find out areas held under freehold, as distinct from that under perpetual lease. We know that there is a maximum regarding perpetual lease holdings, but both perpetual lease and freehold land may be held at the same time. A person may hold the limit set for perpetual lease land and may still purchase freehold land.

Mr. Nankivell: It depends on which way you go.

Mr. CORCORAN: Yes. The bar is on getting perpetual lease land after the limit has been reached but, going the other way, a person may add freehold land to the full amount of perpetual lease land. We consider it desirable to maintain the control in the principal Act regarding the 20,000,000 acres of perpetual lease land. It has been said that the economics of this industry have changed, and I do not think anyone denies that. We know that the overhead costs in primary production have increased substantially and that many people who purchase expensive machinery to work a certain area would be better off if they had twice the area, because the machinery would be put to better use and the purchasers would be better able to pay for it. If there has been a change in the trend (and the Commonwealth Government often talks about that), we should adjust the limitation in accordance with that trend. This adjustment can be made relatively easily. Therefore, I do not consider that the argument that the limitations ought to be removed because of the trend is valid. The Minister, in his second reading explanation, said:

> In considering any application to transfer, I believe it would be appropriate to prevent subdivisions which would seek to create holdings which are uneconomically small or undue aggregation of land in an undeveloped state.

Although I think I know what the Minister means by his reference to undue aggregation of land in an undeveloped state, I should like him to confirm what I have in mind. I have always considered a Minister to be fortunate if he is administering an Act by which he is

protected, because in that case he is the custodian of an Act of Parliament and must comply with its provisions, despite any pressures brought to bear on him. However, the Minister of Lands is placing himself in an almost unbearable position because, although he will have advice from the Land Board, he must make the decision finally. Undue pressure to do the right thing will be placed upon him, and I think he would be well advised to retain the protection now in the Act and so avoid pressures that would be brought to bear upon him if the limitation were removed.

I am pleased about the extension of the policy on subdivision. However, if it is necessary to waive the limitation because the areas are too small or are uneconomic, areas considered to be reasonable subdivisions some years ago may not be reasonable areas now and, perhaps, in the interests of the individual, they should be larger. I do not know what the Land Board thinks about that, but the increasing of areas would be consistent with making the industry more economic. The purpose of control of subdivision is to make a lease stand on its own feet, and subdivisions should be correspondingly larger. The Minister has said that this is his policy and that he intends to act accordingly. However, I suggest that he is placing himself in a difficult position by taking the protection provision out of the Act. The following statement in the Minister's second reading explanation is interesting:

The original intention of limitation, to prevent undue aggregation of land, has been substantially attained.

I assume that the Minister means the intended effect of the limitation has resulted until now: I doubt that he would disagree to that interpretation of his statement. If I am correct in that assumption, I do not understand how circumstances have so changed in such a short time as to warrant complete abandonment of the limitation. The Minister has not advanced sufficiently sound reasons for our abandoning the limitation provision. If he were introducing a measure to extend the limitation by way of unimproved value or area, his statement would have some validity and, because of the economic trend, it would be necessary to have large holdings. However, to say that holdings have been retained substantially until now and then to do away with them in one fell swoop does not seem to be consistent. Our main opposition to the provision is that it removes forever the little control that the Government has had over the 20,000,000 acres held under perpetual lease. It would not be possible for any future Government to reimpose the limitation.

People have argued that, because of this limitation, freehold has a big advantage over perpetual lease. The Government's policy is to allow freeholding, and I shall be interested to know how many people have taken up the offer to freehold since they have found out the cost of doing it. People have found that they are not able to freehold as cheaply as they thought. I will find out from the Minister how many applications have been made and how many people have elected to pay out in fee simple for the area they held under perpetual lease. It is argued that freehold attracts fantastic prices and has the effect of increasing land tax and of preventing people with limited resources from competing against those with money. This could well be, and it gives those with freehold land an advantage over those with a perpetual lease, because there are more who can purchase freehold than there are who can enter into a perpetual lease, because of the limitations. A feature of the limitation is that it will have some control over the price of freehold land. If one could get a perpetual lease in which the security of tenure is equal to that of freehold and the limitation is extended, it would have the effect of keeping the price of freehold down, and that it must be available from time to time at a far more reasonable rate. Perhaps the member for Albert would say that the reverse is the case.

Mr. Nankivell: I can quote cases of $192 an acre for a perpetual lease.

Mr. CORCORAN: And alongside that, $192 an acre for freehold, also. If the limitation were removed and people could traffic in land there would be not 16,000,000 acres but 36,000,000 acres that could be aggregated. We believe that the limitation should remain and that the matter should be reconsidered before the step is taken to expand or remove it. I am still not certain that I know all the ramifications of its removal and, being cautious about this important step, I am not prepared to support its removal at this stage. The Labor Party has always opposed any further alienation of Crown lands. Whilst removing this limitation does not mean submitting it to alienation, it allows individuals to hold larger areas than they can hold at present. The Bill's provision for more secure tenure, particularly in outback areas, is acceptable. This problem confronted me whilst I was Minister of Lands, and I had continual representations

from the member for Whyalla, then the Minister of Education, as well as from the residents of Coober Pedy and Andamooka about it, and steps were being taken by the Labor Government to give effect to a similar amendment.

On a recent visit to Coober Pedy I was astounded to find a person constructing a motel at a cost of about $70,000 with an annual licence, although the security of tenure of an annual licence is one month. With the fairly rapid development in Coober Pedy and Andamooka, the forms of tenure by perpetual lease or fee simple should be provided to these people so that they can, first, borrow to make any improvements they wish to and, secondly, so that they can sell their asset in the certain knowledge that they own the land on which it has been established. I do not quarrel with the amendment to increase penalty rates of interest from 5 per cent to 10 per cent and with the other amendments, which are of a machinery nature and facilitate the administration of the Act. When amendments to any Act are considered the people responsible for administering it should also consider means by which it can be improved, and these amendments seems to be doing that. I support the Bill, except for the particular clauses dealing with limitations, which I will move to delete in Committee.

Mr. NANKIVELL (Albert): I was interested to hear the member for Millicent discussing the amendments, because I have studied the matters raised in the 1898 debate when the question of a perpetual lease in perpetuity was debated. In 1888 the 14-year perpetual lease had been established but had not proved satisfactory. The disparity in the rental fixed for these leases, which could be revalued over 14 years, compared with other forms of purchase arrangement, such as miscellaneous lease or contract of purchase, was such that it was considered that because of the recession these rents were unfair and should be revalued, and the Bill in 1898 originally set out to review rentals and to provide some redress. However, it was eventually amended to provide for a lease in perpetuity. After the Bill was passed in 1898 there then existed a perpetual lease in perpetuity, and a right of purchase agreement, together with a carryover of other forms of leases, because one was not obliged to take out a perpetual lease. One could obtain one in perpetuity, as opposed to a 14-year lease, by surrendering the existing lease or contract of purchase and having a new lease issued.

In the debate much was said about these leases and how the rental should be fixed, and it was considered a good idea to have a lease fixed in perpetuity, because ultimately the lessee would benefit. This proved to be the case, because whilst unimproved land values, land taxes, and the overall value of all land have risen, the leases granted in perpetuity around 1900 have not been, and cannot be, revalued. They are rentals fixed at peppercorn rentals by today's standards. As all honourable members know, much of the 20,000,000 acres of land referred to is leased from the Crown at rentals that are ridiculous by current standards. That they are ridiculous is borne out by the anomalies that arise when one sees the rentals placed on land that has been allocated more recently. Some of the original rentals were a farthing, or a penny or twopence an acre, and many of these still persist. The most recent rentals fixed are at about 60c an acre, and two properties could adjoin with rentals with this disparity. This great difference in rentals is something we must expect (and this Bill does not set out to change this facet). Consequently, although the Crown owns 20,000,000 acres of land, the rental it receives for the land in many cases hardly pays the cost of administration of the leases.

Some lessees have been sent a letter asking them to pay five years' rent or 10 years' rent in advance, otherwise it would be unprofitable for the Lands Department to collect it. When we have this situation, what is the value of a perpetual lease to the Crown? Is it only so we can control the subdivision or redistribution of land and the manner in which the industry can operate, or is it a means whereby the Crown can get some revenues for the capital it holds in land value? When perpetual lease land is sold today, as I indicated to the member for Millicent by way of interjection, it does not necessarily sell at a discount because it is perpetual lease land. Indeed, this land is selling at very high prices. I understand that land was sold recently near Bordertown (and there is a big area of leasehold land there) at over $100 an acre.

Some of it was freehold land and some of it was perpetual lease land, but as far as I can recall from the notice I read in the paper there was no distinction between the prices paid for the separate parcels of land, so it can be said that land is no more readily available to a person because it is perpetual lease land. In other words, it is not cheaper to the person who wishes to establish himself on the land. On the contrary, I think it is

becoming as costly as, if not more costly than, freehold land because, except in those cases where the rental is of no consequence, the Crown has a capital interest in the land for which it charges a rental and that value is there, notwithstanding the price paid for the land.

In other words, if a person pays $192 an acre for land, on top of that there is the Crown's interest in the land, which is the capitalization of the interest paid on the perpetual lease. One of the other things I am concerned about is a point that was raised by the member for Millicent, namely, the injustice that can take place with respect to the manner in which land is aggregated. If a person holds a perpetual lease, he can aggregate by taking up freehold, but if he holds land freehold he might still not be able to buy the farm next door which is on perpetual lease, if the total unimproved value of the land is above the statutory limit, notwithstanding his need for extra land. This is unjust discrimination.

Mr. Corcoran: You can get an extension of the limitation to cover that.

Mr. NANKIVELL: The adjustment of limits has been going on since 1900, when the limitation was first fixed at £5,000.

Mr. Corcoran: How many times has it been increased?

Mr. NANKIVELL: It was increased to £7,000 in 1929, to £12,000 in 1960, and to $36,000 in 1966. Of course, the limitation has had some effect on certain categories of people. I have referred to an area near Bordertown where there is a large area of leasehold land. The unimproved value of this land has been extremely high for as long as I have been the member for the district. I can remember one of the first people to approach me as a member was a person who approached me on this question. He wanted to increase the size of his holding. He had two sons and 1,000 acres of perpetual lease land but, under the capital restriction, he was prevented from taking up any more perpetual lease. At that time there were considerable areas of perpetual lease land available to be taken up, but who were the fortunate people with whom he was in competition? Who were the fortunate people who were able to take up this land? I point out that no restrictions were placed on the dentists, the lawyers and the engineers. They had a profession and a business but they were able to take up land (the full quota of land) but this man was precluded, and farming was his way of life.

The Hon. R. R. Loveday: They wanted to dodge taxation.

Mr. NANKIVELL: This man did not want to dodge taxation. But I agree with the member for Whyalla that most of this land was taken up simply for developmental purposes. It was and is still being financed by the Development Bank. I am not quibbling about that. My point is that farmers have been precluded by these limitations from expanding their farms to an economic size, whereas people whose livelihood is outside agriculture have been able to take advantage of this situation.

Mr. Casey: Won't they be able to take advantage of it under this proposal?

Mr. NANKIVELL: Yes, but the point is that they could also take advantage of it under freehold land, the same as this person I have mentioned could take advantage of it under freehold. There have been instances of the sale prices of land being arrived at on a freehold basis and the lessee was obliged to freehold the land so that it could be aggregated, but this is a rare occurrence. It is true, as the Minister has pointed out, that of the 16,000,000 acres that are unalienated from the Crown the rate of aggregation has not been high and there is no reason why the people cannot aggregate it. The disparity in prices between developed perpetual lease and freehold land is not such as to make any difference in this matter. In recent years farming land has been aggregated purely and simply by the acquisition of an intermediate farm by adjoining farmers. As I pointed out in connection with the wheat industry, the only increase in wheat farms in recent years has been to the extent of about 235 acres. Although the tendency has been to increase the size of properties, there has not been any wild rush to do so, because no real attraction exists. The economics of agriculture at this stage are not such as to entice people into the industry, except where it is possible to take up land and develop it as a means of capitalizing excess income earned elsewhere.

Not so long ago we were pleased to have people take up the land in question. Much land has been held under miscellaneous lease, the Crown having been pleased that people should take it up at nominal rentals and accept the responsibility of it. Some of this leasehold land that was taken up in my district is now being sold as undeveloped land at $20 an acre, a price that is being paid by people who, in many instances, are not farmers. However, such areas are limited. These prices immediately raise the assessed unimproved values and

increase the rental on new perpetual leases, at the same time restricting these people on new leasehold land from further adding to their properties. If the limitation provision is not left out, we will be placing the people concerned in an unfair position compared with that of older lessees, and we will be continually revising the legislation in order to keep just ahead of what we think may be a reasonable thing. We will always be extending the provision, because economies of scale are important, if one is to stay solvent in farming as a business.

I speak with some knowledge of the personal situation of many farmers today; superficially, their circumstances are good but, actually, they are the reverse. By these restrictions, we are trying to determine what is an area that will satisfactorily and adequately provide a living. When the legislation was first enacted and when South Australia's basic industry was a rural one, the situation was quite different from that of today. However, we are still perpetuating the thought that everyone has an entitlement to land and that land is common property. It will always be common property in the sense that compulsory acquisition and closer settlement provisions still exist. Probate also will prevent undue aggregation. Freehold land has other advantages, too, because its title enables people to borrow money. A person cannot obtain trustee investment to purchase perpetual lease.

Mr. Casey: Those responsible ought to change their policy.

Mr. NANKIVELL: That will not occur because there is no security for trustee lending in a lease. We are already coming into conflict with restrictive thinking in the past on land settlement, both in private and in State schemes. In my time in this Parliament I have had to represent two groups of soldier settlers whose properties were not large enough to provide them with a living, and the request was that certain people be moved out so that properties could be aggregated in order to enlarge holdings. This took place at Campbell Park and, again, in the hundred of Pendleton more recently.

It is therefore certain that we cannot predetermine what is a reasonable living area for people; indeed, the situation has changed so rapidly in the last two or three years that many people are not even conscious of what is happening: many are still living in a state of euphoria when, in fact, their economic position is deteriorating so rapidly that they could be on the brink of disaster. They are asking for price support schemes when they really need financial assistance to expand their production. Having personal knowledge of the situation, I say that it is wrong for us, in a country that depends largely on its primary exports (and will continue to do so in respect of its oversea earnings), to try to pre-determine the size of economically productive property. We can subsidize prices, as we have in the wheat and dairying industries, but we have to be careful where these trends lead, and we must regard agriculture as a business.

I think this amendment is the wise and proper course to take. By leaving in the restrictive provisions and continually changing them, we are only fooling ourselves. In any case, leases do contain special provisions. With miscellaneous leases, the lessee is obliged to carry out certain work if he wants a more permanent tenure. Similarly, perpetual leases require a certain amount of annual development, although this is not always policed. If these provisions are not complied with a lease may be required to be surrendered; and, if not, the lessee would certainly incur a penalty.

I believe there is about 1,000,000 acres of undeveloped land under perpetual lease; therefore, most land under perpetual lease is being developed under strict conditions set down in the lease. Some of this land, having been under lease for some time, is equal in value to freehold land. None of the land is as negotiable as freehold land, and I believe the restrictions we place on it are unnecessary in most cases. I qualify that in respect to one category only (and I have thought about this somewhat), and that is lands that are outside Goyder's line but now included under the terms of the Act, and the areas in Counties Buckingham and Chandos. As we have put no restrictions on these lands, anyone can take them up. However, the important thing is that land is properly developed to bring wealth and revenue to the State. As I do not believe the present restrictive provisions in the Act achieve anything, I will support the Government in what it proposes in the Bill.

Mr. BURDON (Mount Gambier): By removing the restrictions it sets out to remove in the Bill, I believe the Government is acting to the detriment of the State. The removal of these restrictions will react against country people in this way: with aggregation allowed, wealthy people will purchase properties and those who cannot afford them will go without, meaning that fewer people will live in the

country. The people who leave the country will naturally go to the city. This type of thing has happened in the United States of America and Canada where aggregation has taken place. Of course, if people leave the country for the city this will be another blow at decentralization, which is supported by my Party. The provisions in the Bill will accelerate the trend of people leaving the country for the city. Of course, I do not believe that one section of the community should be protected to the detriment of another section. In relation to the problem of perpetual leases and freehold land, I will quote from a paper, headed "Perpetual Leasehold or Freehold", presented about 12 months ago by A. R. Hutchinson, B.Sc., A.M.I.E. Aust., Honorary Research Director, Land Values Research Group. It states:

One of the most important factors to consider for the future development of Australian resources is the question of perpetual leasehold tenure compared with freehold for residential, commercial, industrial and rural lands. Although few appear to be aware of its full implications in making development uneconomic, the price of land is now reaching dangerous levels which have already been reflected in a falling off in home construction. This will, in turn, have repercussive effects on other sections of the community. It is therefore timely to consider the merits of changing from freehold to leasehold tenure. This was proposed by Mr. Justice Else-Mitchell last November in an address to the Australian Planning Institute, in which he suggested it be done gradually without compensation on the owner's death.

I will come to the matter of probate later. It is another contentious subject. The paper states:

There are two methods of tenure which are intended to be equivalent in all respects except the mode of payment. These are perpetual leasehold and freehold tenure respectively. The essential features of difference between them are: Freehold tenure: is obtainable by payment of a cash price equivalent to so many years purchase at the net rent remaining to the owner after payment of rates, land taxes and other outgoings. Perpetual leasehold tenure: is obtainable without any cash outlay at all but on payment of a land rent annually to the Government instead.

The security of exclusive possession and ownership of improvement given by these two tenures is identical in all respects but there are far-reaching advantages which perpetual leasehold offers over freehold. The freehold method is having an injurious effect in bidding up the price of land to an extent which tends to restrict the proportion of people able to undertake land purchase and effective use. It is confining it to a shrinking proportion of the population in the higher income brackets. This has already gone so far as to squeeze out of the home purchase market income groups which were able to undertake home purchase successfully in the early post-war years. What is not generally understood is that the cash outlay saved on the land under perpetual leasehold, as compared with freehold, is multiplied several times over under the current terms of home purchase, in the saving of interest on the lower mortgage which attends perpetual leasehold. It is true that the land rent payment over the full term would be approximately equivalent in total to the purchase price. But as the site can be got without cash outlay the full amount saved can be put immediately into the building and the site holder commences with a considerably lower mortgage on which interest is payable.

The interest payable on mortgages is usually the crippler. The paper continues:

This lower mortgage will benefit him in either of two ways: (1) with the same monthly payments as under freehold the home or other building will be paid off many years quicker under perpetual leasehold with a saving of so many years payments; or (2) with the same term of mortgage the monthly payments needed will be much less than with freehold. As financial institutions will only lend where the monthly payments needed are not more than 25 per cent of the income, this reduction in monthly payments automatically brings lower income groups into the home purchase field, whereas freehold would exclude them.

The extent of these savings can be best seen with a practical example. For this we compare the position of a typical Canberra property under perpetual leasehold with that of the same-valued house under freehold in Melbourne. The full working is given in the appendix with several variations according to the extent of mortgage needed. The important points emerging are that for a house of similar value, over a 30-year term at 5½ per cent interest rate, the total payments in Canberra would be only $15,756 compared with $21,446 in Melbourne—that is, the freehold payments are $5,710 (that is, 36 per cent) greater than under leasehold. If the Canberra home purchaser had sufficient cash savings to cover the cost of the house itself without mortgage, his Melbourne counterpart under freehold would still have to have a mortgage of $3,260 on which he would pay $6,962 over a 30-year term. Against this the Canberra man would only be up for the land rent of $1,260 over that term.

A calculation based on a period of 30 years shows the difference in repayments. The paper continues:

In this case the total payments over the period under freehold are more than 450 per cent greater than leasehold. How menacing is the trend in land prices under freehold is shown by the Building Industry Committee for Long Term, Low Deposit, Housing Finance. In 1962 this committee issued a report showing that at 1946 the cost of land represented only 8 per cent of the cost of an average-priced house and land, but by 1961 land represented 25 per cent. If we repeat the calculation of the first example with all other

elements unaltered but with land price taken as only 8 per cent of the total (as at 1946), the differential in favour of Canberra would only have been $558, whereas under the 1962 proportion it had risen to $5,710. Thus the crippling effect of freehold has risen ten-fold over 15 years.

I do not think any honourable member disagrees that the price of freehold land has increased substantially in this period. The paper continues:

The same observations as for home purchase are just as valid for industrial, commercial or rural properties. Perpetual leasehold allows the whole capital available to be invested in improvements, with lower mortgage or less capital liability. The interest on the higher capital liability under freehold reduces the net profit obtainable from development of the resources. It can make development of those resources uneconomic under freehold where it would be economic under perpetual leasehold.

One of the problems of people on the land is increasing costs and, with some markets shrinking and over-production in other areas, the payment of interest on mortgages can retard development of the country. The report continues:

Freehold tenture works against the true interests of the community and the individuals forming it—for the common good requires that resources be developed. Anything which operates artificially to make the development of the potential of sites uneconomic works to minimize production and to reduce living standards. The worked examples show clearly that freehold does this and operates to curtail housing development by making it unnecessarily expensive. Examples worked for industrial, commercial and primary production would show similar results. The undoubted advances made in post-war years have been despite the burden of freehold. The economy must slow down as the price of land rises as it will unless checked by land value taxation, change to leasehold tenure or both in combination. To secure the benefits of the leasehold system within a reasonable period Mr. Justice Else-Mitchell suggested that freehold titles be converted automatically to leasehold on the death of the owner who would till then enjoy the unearned increment remaining after payment of rates and land taxes, but it would not then pass as a windfall to someone else. A time limit would also be set of the order of 50 years beyond which new titles and transfers would only be issued as leasehold. On conversion to perpetual leasehold the new title holder would have to buy the estate improvements but not the land itself. The beneficiaries from the estate would still receive the proceeds of sale of the improvements. They would not have to pay probate on the land since it would have no sale price under leasehold. The only thing they would lose would be the unearned increment which rightly belongs to the community. The Government would not lose revenue, either, as it would receive the land rent from the new leaseholder instead of a cash sum from probate on the land. This land rent would continue in perpetuity, with periodic re-appraisals, providing an ever-increasing fund for public revenue which would enable the Government to progressively reduce taxes. By this simple means the change-over to perpetual leasehold could be completed painlessly within half a century.

This paper was given in April, 1957. I have some reservations about whether the conservative nature of the people of this country would allow them to accept such a proposal. However, in the interests of the country and its economy and to help us in our thinking on the future of competitive world markets, it may be necessary to introduce such a scheme. In Ohio, United States of America, the Government has instituted a similar perpetual lease scheme and is purchasing properties wherever it can. That Government considers that, ultimately, it will be in the interests of the people of Ohio and of the United States generally, because it will allow more favourable competition. The removal of the crippling burden of the payment of interest on mortgages would reduce the present cost structure, but I am sure that, because of the conservative nature of people on the land, they will not favourably consider this suggestion. They continually complain about rising costs; they ask for subsidies on many products, even for the woolgrower, and it has been suggested that a subsidy may be paid to the wheatgrower.

What I have suggested should be considered, irrespective of whether we have leasehold or freehold tenure. I am sure that problems of people on the land, including cost of production, are reflected in the high cost of land and the high cost of interest payments on mortgages. I believe that everyone wants to succeed but, if the present system is continued, the general community will suffer. If the so-called landed gentry oppose change, then they must suffer the consequences. I know that many people on the land want to aggregate as much as they can. Some people will work hard all their lives in order to aggregate: they will live poor and die rich, but the person who follows them receives the benefits. I do not believe he should.

The scheme I have outlined would eliminate probate duties on land. Under the present system this Government, or some other Government, will eventually use this as a means of taxation. The Commonwealth Government is a great leveller under uniform taxation and, no doubt, it will suggest to a particular State that it should bring its level of taxation up to that of other States, or suffer the consequences.

I suggest that under the system of perpetual leases some problems could be overcome, and we should make some effort to overcome the conservative nature of many people now on the land, because, unless this can be done, these problems will increase as the price of land increases. At present, there is no indication that the price of land will be reduced.

If the Government removes the overall limitations on freehold land it will do a great disservice to this State, and Government members should think seriously about this amendment. Perhaps those who wish to do so could cross the floor and vote with the Opposition on this measure, although some of them do not realize that there are many things they cannot do, much as they wish to do them. This whole question should be considered seriously, because it concerns the future of this State and particularly of those people now on the land and those who want to go on the land. This measure, if passed, will be one more blow at country people, and may cause many of them to leave the country for the city, a situation that we are trying to avoid.

Mr. ARNOLD (Chaffey): I support the Bill, especially the provision to remove the limitation for the allotment and granting of Crown perpetual leases. Opposition members have expressed the fear that with the removal of this limitation there will be wholesale aggregation of Crown perpetual leases. However, there has been ample opportunity for this to have happened with the 16,000,000 acres of freehold existing in the State at present. Also, the high price of land today, whether freehold or perpetual leasehold, will prevent aggregation in that farmers now concentrate on acquiring sufficient land to give them an economical unit on which they can use the necessary machinery to operate efficiently. The situation has changed considerably in the last few years with the increased mechanization of farm machinery, and the decrease in the margin between the cost of production and the return to the farmer. Unless the farmer can run an economical unit, he will be one more person we shall find in the situation mentioned by the member for Albert. The financial situation of many farmers today may look sound on the outside, but it is far from sound on the inside.

The Hon. R. R. Loveday: Is that process of being less able to meet costs a continuous one?

Mr. ARNOLD: I think it applies generally to all primary production in this country today. When one is selling on the oversea market and is therefore controlled by oversea prices, whereas the cost structure continues to increase in this country, one must finish up with a finer margin. This applies more to farming country than to the country I am more concerned with—the fruitgrowing country. However, we have the same thing in fruitgrowing: costs are rising and quickly catching up with the return the fruitgrower gets for his product, so that his only chance of staying in business is to reduce his costs. This is what the farmer is told time and time again.

Mr. Casey: How can he do it?

Mr. ARNOLD: The only way is by having an economical unit and modern machinery. The member for Mount Gambier said that it was human nature for people to want to aggregate land or to keep on purchasing land. This may have been the case when the margins of return were far greater than they are today, but I believe that, once a farmer has an economical unit that will run efficiently as a business, if he is looking for further investment he will turn to other lines in which to invest, because the return on capital invested in land today is not one of the best. There are many other things a person can invest in and get a far greater return on capital. For this reason, I disagree with the member for Mount Gambier.

The Bill's other main provision is a more secure form of tenure for relatively isolated businesses in residential developments in outback areas. There has been no opposition to this. It is an excellent provision and one that will assist not only the people in the outback but the $70,000 motel being established at Coober Pedy. This enterprise was mentioned by the member for Millicent and it is an indication of public interest in going to such areas. For a person to establish a $70,000 motel on annually licensed land is not something that could be looked on as a sound business proposition. I wholeheartedly support the second major provision in the Bill.

Mr. CASEY secured the adjournment of the debate.

ACTS INTERPRETATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 13. Page 577.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): I oppose this Bill, the main purpose of which is to allow powers of delegation: where a Minister is empowered to do

something or where an officer of the Public Service is empowered to do it, the Minister may delegate his power, or the officer with the permission of the Minister may delegate his power, to some other officer in the Public Service. This Bill goes too far. If this is to be read into every Act of Parliament in South Australia, the intention of Parliament in passing much of our legislation will be set at nought. Let me give honourable members just one instance. Section 67 of the Police Offences Act provides:

> Notwithstanding any law or custom to the contrary, the Commissioner may issue general search warrants to such members of the police force as he thinks fit.

These are general search warrants. So that in itself was a departure from the general law, the general provisions of the common law being that one cannot get a general search warrant: one can get only a particular search warrant and, in order to get it, one has to go before a justice on oath. But we departed from the common law in providing that a general search warrant could be issued, and the safeguard (I did not think it was much of a safeguard at the time but I thought it was some safeguard, although I was not happy with this provision going as far as this) was that the general search warrant could be issued only by the Commissioner of Police. However, if this Bill is passed, the Minister could allow the Commissioner of Police to delegate his authority to give general search warrants to a sergeant or a constable—or, indeed, anyone in the force. I do not think that is at all satisfactory.

In numbers of Acts, including some passed during our time in office, the House specifically retained the authority to do certain things either to the Minister or to a director and, where it thought there were appropriate cases for delegation, wrote the provisions for delegation of authority into the Act. To clear up anomalies, as has been done in some other amendments introduced to other legislation at the same time as this general amendment was introduced, is, I think, reasonable enough where the House can be shown that there is a reasonable case, administratively, for delegation to take place; but to provide in the Acts Interpretation Act a general right of delegation for practically every purpose is going far wider than Parliament ever intended. I do not think we should write such a provision into the Acts Interpretation Act. In these circumstances, I oppose the Bill.

Mr. RODDA secured the adjournment of the debate.

MARINE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from September 4. Page 1082.)

Mr. RYAN (Port Adelaide): I support this Bill. Although it contains a few clauses with which I am not happy, the difficulties, as I see them, can probably be ironed out. Ever since I have been a member of this House I have advocated that the Government should amend laws as they became old, antiquated, outmoded and divorced from present-day requirements. This Act is a glaring example of that. This legislation was introduced originally into this House in 1936 and has been on the Statute Book for over 30 years. It has been slightly amended. When I say "slightly" I mean slightly in every sense of the word. The need for amendment has been ignored over the years, and the shipping industry and port requirements and facilities have grown tremendously to keep pace with modern requirements, but the Marine Act has been left in its original state and certainly does not satisfy present-day demands. On the other hand, the Commonwealth Government has amended its Act as and when necessary, but we find that the powers vested in the Commonwealth on identical matters have not been included in our State Marine Act.

Many times in our history, if we had had the Act amended, the disasters or catastrophes that have overtaken us need never have happened, because we would have seen that the Marine and Harbors Department had the necessary power to avoid these things. As the Act was not amended, the department had no power in that direction. These are far-reaching amendments, even for South Australia, because they provide that a tribunal shall be set up comprising the people actually involved and knowledgeable in the marine industry. This is very good, because the people nominated shall comprise five persons, three of whom shall be appointed by the Governor on the recommendation of the Minister, but they must all have a certain qualification, and that qualification can be earned only in the industry. The other two persons shall be nominated in accordance with the Act with the qualifications necessary, but nominated by the people who will actually be concerned with a determination or the review of a determination. This, of course, is something that my Party and I have always advocated—that, if a tribunal is to be set up in connection with a particular industry, those people most conversant with the industry should serve on it.

In this case, the three members appointed on the recommendation of the Minister to the Governor shall be two qualified mariners and one qualified marine engineer, one of whom shall be appointed chairman. For the benefit of the Minister, I point out a misprint in new section 26a (2) (*a*), where "Governor" is spelt incorrectly. A manning committee is something we have not had in the form in which it is included in this Bill. It is important and long overdue. I commend the department for this amendment. Previously, we have seen that people appointed to a tribunal are generally not conversant with the particular industry involved, and usually their recommendations are not suitable for the industry they are asked to judge. Although I am 100 per cent in agreement with certain portions of the Bill, I am concerned about the situation that could arise under new section 26b (1), under which provision the Director must give 14 days' notice to make or review a determination. The 14 days may not be of any great consequence in the case of a vessel which may have been bought or which, in any event, is to be used in South Australia on an intrastate basis, because alterations that may be required to the vessel can take place when such notice regarding a determination is being considered.

On the other hand, the request for a review could relate to a stoppage or strike. In the case of a seaman who considered that the qualification of a person engaged by the owner did not meet the minimum requirements established under a previous determination, members of the ship's complement might say they would not sail under the conditions previously laid down by the owners because they did not meet the minimum requirements, whether this related to manning or qualifications, and the men concerned would be justified in taking this stand. It has always been considered in this industry that the navigation section is responsible for the safety of the ship, its cargo and the personnel concerned, and I agree with that attitude. Indeed, had this legislation been in force earlier, several fatalities that I recall in recent years might well not have occurred. The legislation is being amended today in order to make it at least comparable with that of the Commonwealth, so that the State may possess similar rights to those of the Commonwealth.

In fact, criticism was recently made in a Commonwealth case of the South Australian Act, and it was said that the powers held by the South Australian people were not sufficient in the industry today. As a result of the many representations made over the years, the department has decided to bring its legislation up to date.

The Hon. J. W. H. Coumbe: It should have been done before.

Mr. RYAN: I agree. One of the Government's largest and most important departments has, over the years, been administered by people who have had no knowledge whatsoever of the industry or of the department they have had to administer. To one person, who has a glad-rag shop in Hindley Street, it was a part-time job. These three people used to meet for a couple of hours in an afternoon once a month to administer the department, and I know that from evidence given to the Public Works Committee, just as the Minister himself knows. It was because of my efforts and those of others that the department was ultimately brought under the jurisdiction of a General Manager, someone who must have some knowledge of the department, and the department was then made directly answerable to the Minister, whereas under the previous legislation the Minister had no power whatsoever. Indeed, if the Minister thought certain things should be done, with which the board did not agree, the project concerned could well finish up in the waste paper basket.

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

Mr. RYAN: As I was saying before the dinner adjournment, I believe new section 26b will act against the requirements of this legislation and of the industry in some respects but, in others, it will be a great advantage. The Minister will probably say that the provisions will not affect a new vessel which is to be used in intrastate shipping and which will require a determination. New section 26d, the side heading for which is "Determination by committee", simply sets out what the committee shall do in respect of a coast-trade ship or river ship where a determination has not been made. In other words, a vessel that comes into this category will then be covered by the previous provision to which I have referred when the Director, upon receipt of a request, shall refer it to the committee. Of course, as I have pointed out, the hold-up in respect of such a ship may not be of great consequence, because certain structural alterations may be necessary to meet local requirements.

Regarding the review of a determination, I believe we must understand that the provisions in this Bill can only be read in relation to

the Act. It will not be much good if, at some time after the Bill has been proclaimed, the department says that certain things were not intended. If it comes down to an interpretation of what the Bill means, the only interpretation that can then be made is of the Bill itself: any intention behind the Bill will not be considered. I consider that the provisions in the Bill do not relate only to manning but are wider than that. For the purpose of a determination or of a review of a determination, new section 26d (5) provides that the committee shall take into account the nature and condition of the ship and of its equipment and machinery, the conditions under which it has been or is to be navigated, and any other relevant matters. It does not relate purely to the mechanism of navigation but also covers any other relevant matters. As I pointed out, a delay can occur in that a person, other than the owner or agent, who has any say whatever in the navigation of a ship can request a review of a determination. If such a person believes that the safety of himself or the vessel is at stake and a hold-up occurs, 14 days notice must be given under the clause. No provision is made whereby the Director has power to call members of the committee together within that specified period. The 14 days' notice must be given in writing and the two representatives of the owner or the agent must have the right to be nominated to sit on the committee. I agree with the provision that the determination shall be binding. I doubt whether I have previously seen the likes of this tribunal, because all the persons involved are persons vitally concerned. If the owner or the agent does not care to take advantage of the opportunity of nominating two persons from his side to make up the five-member committee, it can make a determination or review a determination without these two additional persons. I agree to this provision, which allows the committee to function without being held up as a result of other aspects.

The present situation in this State in connection with the powers of the Minister on suspension or cancellation of a survey certificate is laughable. A suspension or cancellation can be ordered by the court or any other authority, but there is no legal authority to demand that that certificate shall be passed up for the purpose of endorsement. I have known of cases over the years where someone has had this certificate suspended and has gone to another State. He has produced the certificate without the endorsement that there had been a suspension, and a certificate has been issued there. If the Minister can show how these difficulties will be overcome, I shall be happy to support the Bill, because it is long overdue and it will bring South Australia into line with other States and the Commonwealth.

As the Minister well knows, in the case of the *Nelcebee,* the court was powerless to take any action. The *Nelcebee's* structure had been altered, regardless of the endorsement on the survey certificate. Under this Bill, any variation in the vessel's structure must first receive the Minister's approval, so that the variation can be endorsed on the certificate. If ever there was a case that indicated the need for this provision, it was the case of the *Nelcebee.* That catastrophe would never have happened if this legislation had been on the Statute Book. In the main, I support the Bill, which will be gladly accepted by people in the industry.

The Hon. J. W. H. COUMBE (Minister of Marine): I thank the honourable member for supporting the Bill and I agree with him that this measure is long overdue. I hope it will give effect to some long-needed improvements in this area. Honourable members may have noticed that earlier today I gave notice of my intention to introduce tomorrow a Bill to amend the Harbors Act, which Act is complementary to this legislation. In fact, clause 41 (I think that is the clause) of this Bill repeals a section of this Act with a view to inserting it in the Harbors Act, which is a more appropriate measure. The main purpose of this measure is to provide for navigation, berthing and safety of vessels. It also deals with the safety of persons and the safety of life at sea.

Regarding the points raised by the member for Port Adelaide (Mr. Ryan) about a vessel itself, honourable members may know that the Commonwealth Government and the Governments of the other States are at present moving away from the long-standing manning scale, which was a feature of the old Marine Act in this State. This is a carry-over of the practice in the United Kingdom for many years. A short time ago at a meeting of a sub-committee of the Australian Transport Advisory Council, attended by the Ports and Traffic Manager of the Department of Marine and Harbors, it was indicated that all ports wished to move from the fixed scale to a manning committee. Therefore, this Bill,

which embodies this new principle of a manning committee, shows that South Australia is probably one of the first States to implement this system.

The whole purpose in dealing with the manning of ships is not only to set up an expert committee: I point out to the member for Port Adelaide that here we are setting only minimum requirements, dealing with the number of deck officers, engineroom officers, ratings, or crew who will be required to man a vessel before the vessel will be allowed to go to sea. I make clear to the House that, unless the minimum requirements are met, no vessel will be able to sail from a South Australian port. Of course, we are dealing here with only coastal vessels: interstate and oversea vessels come under the Commonwealth Navigation Act or the United Kingdom Mercantile Marine Act. This evening we are dealing only with intrastate vessels, and the department is concerned only with minimum requirements.

The member for Port Adelaide also asked what would happen in the event of a dispute. The department cannot be concerned with any move by a union or an owner to increase the number of officers or crew. There can be as many as is desired. We are specifying that there shall be a minimum number, below which no vessel will be permitted to go to sea. We sometimes find action being taken under the Navigation Act, when one crewman or officer is short and special permission is given to enable the vessel to sail. That will no longer apply, because the Commonwealth Government will move into this area, abandon the old scales and move to a manning committee that sets down a minimum number. What is approved above that is a matter for the owner, the agent, and the union.

Mr. Ryan: I spoke of being under, not over.

The Hon. J. W. H. COUMBE: There will be a minimum, below which the vessel will not be permitted to go to sea. As far as our coastal vessels are concerned, this committee will determine that minimum so that the vessel may be navigated and berthed safely, and so that safety can be provided for those who go to sea. Anything above minimum requirements can be fixed by arrangement. The member for Port Adelaide also raised the matter of 14 days' notice. This period was specially designed to protect the owner or agent and was included in the Bill accordingly so that no owner or agent could, at the whim of an officer, be put in a position of hardship, in that his vessel had to be in port on a certain day, or in cases where evidence had to be given. However, I refer the honourable member to new clause 26b (4), which provides that nomination shall be made not less than seven days before the day on which the sitting is to commence. If the honourable member so desires I shall be pleased to consider an amendment to this clause, and I have a suggested amendment that I think would be suitable. I thank the House for its support of this Bill.

Bill read a second time.

In Committee.

Clauses 1 to 8 passed.

Clause 9—"Enactment of Part IIIA, sections 26a, 26b and 26c of principal Act."

Mr. RYAN: The point I raised is slightly different from the explanation given by the Minister. If a seaman requested a review of the determination concerning the minimum qualifications and experience of someone, he would have to deliver in writing to the Director the request for a review of the determination, because subsection (4) states, " . . . where such a determination has previously been made under this section shall review the determination . . .", and the committee has power to vary it. In this case, if a member of the crew considers that the minimum qualifications and experience of somebody engaged by the employer does not measure up to the requirements of the Act, the department itself would not know this. The Commonwealth department may know this when a person signs his articles, if it is a ship coming under the Commonwealth legislation. It would rest with the employee to lodge a complaint with the Director; and, when the Director had received a reply, he would have to give 14 days' notice for a committee to be formed; so the committee could not be formed until 14 days' notice had been served. The owners would then have the right to appoint two persons other than the three nominated by the Government for the purpose of considering the case and making a review of the determination, if one was in existence. But who will be the people to suffer? The men concerned believe there has been an infringement of the Act.

Mr. Broomhill: They have acted in the public interest.

Mr. RYAN: Yes, and in most cases, because there is a section in the Act stating that if a complaint is frivolous it will not be proceeded with, the person concerned can be dealt with. When a complaint is not frivolous and there in a case to be answered by the committee,

if it meets and varies the determination (if there was one) or makes a determination, in the case of the ship under discussion, the employees will be the losers. The crew of the ship will be stood down waiting for the determination to be made. The owner suffers no financial loss but the person who relies on wages is stood down because of a dispute, and no provision is made to penalize the people concerned for a deliberate attempt to evade the provisions of the Act.

In the case of a new vessel, the same thing could arise. A new vessel comes along, a determination is made, and it is laid down that the people engaged shall have certain qualifications and experience. It may be after the determination is made that the crew say that the people engaged by the owners do not have the minimum qualifications or experience necessary and it is against the safety of the vessel to sail with those people. The Marine and Harbors Department does not know the personnel to be engaged. When a dispute occurs, 14 days elapses before the manning committee can be called together, so the person lodging the complaint will suffer. This should not happen. A section should be incorporated in the Act to the effect that, if the employers are attempting to infringe the provisions of the Act, they should pay the people who are stood down and suffer financial loss because of the action taken by the employers. I ask the Minister to consider the delay incurred. A delay of 14 days may not make much difference to the owner, but other people could suffer. I ask the Minister to consider these matters.

The Hon. J. W. H. COUMBE (Minister of Marine): I was interested in what the honourable member was postulating in this regard. This committee, of course, will not only make a determination of the minimum number of crew required in the various categories but also see that officers and men of a certain standard go on to a vessel. Depending on the size of a vessel, there will be a skipper or master, with first, second or third qualifications, mates, engineer officers and able-bodied seamen. As the honourable member well knows, these officers and men in most categories have to have a ticket, which they acquire by experience and in most cases by examination. The relevant classifications are set out in the principal Act and are qualified by the regulations under the Act. The committee is concerned about setting out the minimum number of crew on a vessel and their qualifications to enable the ship to be navigated and berthed safely, and these men are to be well versed in the safe use of machinery and equipment on the vessel.

The honourable member then asked whether a person without these qualifications would be able to go to sea. The committee will set down quite clearly what these minimum qualifications shall be, and anyone who puts a vessel to sea unlawfully will immediately be liable to prosecution and, in the case of a master, probable forfeiture of his ticket. I previously indicated that I am prepared to suggest an amendment which I think might overcome the difficulty raised by the honourable member concerning the 14 days' delay: retaining the "fourteen days", but adding "or at such time as may be agreed upon by the Director and the owner or the agent of the ship". I think that is self-explanatory. If the owner wants a determination made more quickly than 14 days, he can apply accordingly. It normally works the other way: the Director requires the committee to sit and to make a determination, and the 14 days is normally given to enable the owner to prepare his case arrangements. If the owner, on the other hand, wants less time the amendment I have suggested will meet this case.

Mr. RYAN: I appreciate the Minister's trying to overcome the difficulty I have raised, but the difficulty acts just in reverse. New section 26d (2) provides:

(2) The owner, the agent of the owner, or the master, of a coast-trade ship or river ship, or any other person who, in the opinion of the Director of Marine and Harbors, has a proper interest in the navigation of the ship, may, by instrument in writing, request that a determination made under this section in respect of the ship be reviewed, and the Director, if satisfied that the request is not frivolous or vexatious, shall refer it to the committee.

The Hon. J. W. H. Coumbe: That's like an appeal.

Mr. RYAN: True, but, as I pointed out, the determination could be made. If the owner were attempting to dodge around the minimum qualification, the complaint would not be forwarded by the owner but referred to the Director by "any other person" (to use the words in the Bill), who, in the opinion of the Director, had a proper interest in the navigation of a ship. Although I agree that the Minister has gone out of his way to overcome this problem, I am drawing attention to the fact that "any other person" would make the complaint, because the owner would not ask for a review if he were trying to dodge the minimum requirements in experience or qualifications.

It would be the owner who had engaged a particular person, but it would be the other person who would have the right to make the complaint. If the committee found that an attempt had been made to infringe the Act, the owner or his agent could be fined up to $200. In that case, the fact that the application for a review had been made by the other interested person would be upheld, but the other person would be the one to suffer the loss. In this connection, I am referring to anyone who is engaged in navigation. In fact, the provision could be so interpreted that it could be held that a cook was engaged in the navigation of a ship in so far as this relates to the amenities of the crew on a ship.

The Hon. J. W. H. Coumbe: I just wonder what the honourable member wishes to do about this provision.

Mr. RYAN: In this case, first the department sets down the minimum of the manning (in other words, the complement of the vessel concerned). The minimum qualifications and experience necessary for those people who use the equipment and machinery would then be set down. Under the Bill, the committee would lay down the qualifications and so on and the owner would take over and engage the crew. Only a minority of vessels would come under this provision these days.

The Hon. J. W. H. Coumbe: Ketches.

Mr. RYAN: Yes, and in the past the ketches have been the main offenders. In relation to those vessels, I should say that in most cases the qualifications and experience of the crew would be practically nil. I have seen men picked up off the wharves at Port Adelaide to serve on these vessels who have never seen a ketch before being signed on. If someone objects to the qualifications or experience of such people, if he is other than the owner or agent, and if he lodges a complaint which is not frivolous, that complaint is considered by the committee. If there were an attempt to dodge the provisions of the Bill, the agent or owner could be fined. If the application is upheld, what happens to the person who applied for the review? He is the one who suffers. Even if the Minister amends the provision along the lines he has suggested, a period of 14 days must elapse before the application can be heard. It is the other person about whom I am concerned. The period of 14 days will have to stand if the clause is not amended to cover any person who can lodge a request for a determination or review. We should consider the question of manning ketches now and try to overcome the difficulties, rather than review the matter later.

The Hon. J. W. H. COUMBE: The honourable member is exaggerating the circumstances, but the provision to which he has referred has been included to meet the case he mentioned. I move:

In new section 26b (1) after "ship," first occurring to insert "or at such time as may be agreed upon by the Director and the owner or the agent of the owner of the ship,".

This amendment will, I think, meet the honourable member's objections.

Mr. RYAN: Will the Minister consider including in his amendment not only what he suggested but also "or the master of a coast-trade ship or river ship or any other person who, in the opinion of the Director of Marine and Harbors, has a proper interest in the navigation of the ship"? This would cover all persons who would have the right to lodge a request for a determination or review. It would safeguard all persons concerned. The Minister has provided a safeguard in respect of some people, but other people have been left out. If my suggestion was adopted, any other person who has an interest would have the same right as has the owner or the agent. No-one wants to hold up vessels. At present the person who makes a complaint is penalized.

Mr. McANANEY: I am sympathetic to the member for Port Adelaide, but the measure is straightforward and I think the honourable member is confused about the functions of the manning committee. Clause 4 establishes that committee to determine the complement with which a ship shall be manned and the respective minimum qualifications and experience of that complement for the safe navigation of the ship. If a person without qualifications is employed as part of a ship's crew, the matter is one for the courts, not one for the manning committee. Although I may be treading on dangerous ground if I speak on navigation generally, this particular matter is so straightforward that I cannot understand the objection of the member for Port Adelaide.

Mr. RYAN: I suggest that the honourable member try to tread water for half an hour. The manning committee is set up to determine what shall and shall not be the position. Power to review a determination is given in case someone tries to dodge around what is laid down. The member for Stirling has no knowledge of the matter, because if safety is involved the ship will not go to sea. All tribunals have been critical of those who try to take a

ship to sea when safety is in question. I am concerned about a determination made by the committee after a review of an attempted infringement by the employer. If, in the opinion of the Director of the department, the case was not frivolous, the committee would review the determination.

Mr. McAnaney: You're talking about a breach of a determination.

Mr. RYAN: The committee would not know about such a breach unless a case was referred to it. If an unscrupulous employer—

Mr. McAnaney: There are unscrupulous employees, too.

Mr. RYAN: Yes, but they are not like the unscrupulous employers in the shipping industry. A request has to be made and the matter is referred to the committee. If it were proved that the owner or agent was attempting an infringement the employer could be dealt with.

Mr. McAnaney: Can the manning committee deal with it?

Mr. RYAN: The power is conferred under the Act. Persons should have the right to request a determination or a review and to have a case heard. At least those persons who may be penalized for asking for a review should be safeguarded.

The Hon. J. W. H. COUMBE: The Bill provides certain safeguards. The manning committee is to set up, specify, and determine certain minimum requirements as to the number and categories of the crew that mans a vessel, and the vessel shall not put to sea unless those requirements are met. Also, it specifies the experience and qualifications of the crew members of various categories. If the vessel sailed without meeting those requirements, either the owner, the agent, or the master would be prosecuted.

Amendment carried.

The Hon. J. W. H. COUMBE: I move:

In new section 26b (4) after "commence" to insert "or at such time as may be agreed upon by the Director and the owner or the agent of the owner of the ship."

This will solve the problem referred to by the member for Port Adelaide.

Amendment carried; clause as amended passed.

Remaining clauses (10 to 43), schedule and title passed.

Bill read a third time and passed.

POOR PERSONS LEGAL ASSISTANCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 14. Page 2505.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): I support the Bill.

Mr. RICHES (Stuart): I, too, support the Bill, although I should like to make one or two comments and seek an explanation, which the Attorney-General may be able to give me later. There are two Poor Persons Legal Assistance Acts, one dated 1925 and the other dated 1936. To the layman, it would appear that it might be a good thing if the Attorney-General referred to the Law Reform Committee or another appropriate committee the suggestion that these two Acts be incorporated in the one measure, so that they could be more easily understood; indeed, they bear the same title and cover some of the same ground. This Bill widens the scope of assistance that may be given: it lifts the value of a person's possessions and the sum of money he may have and still be able to get assistance from a meagre sum to a more reasonable one.

Mr. Virgo: It is still very meagre, though.

Mr. RICHES: Yes, although I support this provision. Clause 4 repeals sections 5, 7 and 8 of the principal Act, which relate to a Public Solicitor. Although the office of Public Solicitor has not been filled for many years, I understand this legislation gives the Government the power to appoint a Public Solicitor, and I think the Attorney-General should give us a little more justification than he has given for repealing these sections. I served my time as an apprentice printer under one who was a member of Parliament earlier and who, while he was a member, took his law degree, and he was always firmly of the opinion that the Public Solicitor rendered a real service to the people of the State. In fact, he believed that a good case could be made out for solicitors to be employed by the State to help in administering the law, just as policemen, clerks of court, magistrates and judges are employed by the State in order that the law may be administered satisfactorily.

Although I remember clearly the debates that took place when the 1936 Bill was introduced, I have never been convinced that that particular scheme would not work. I have heard members of the legal profession advocate the same set-up, but I know it has not been popular generally. I know that the legal profession frowns on any suggestion of a public solicitor or solicitors and has commended

to us the scheme that now operates. Although I do not decry that scheme, I do not believe it meets the need. I know of some people (and I understand there are many) who believe they are suffering injustice at law. They feel a sense of frustration, believing that justice is not available to them, simply because they do not have sufficient money to buy it. I have never been sure that justice is something that should be bought.

I have a case now of a constituent in my district who has paid considerable sums to solicitors to take up a case on his behalf. He has lost his house and all the property he has had, and he believes that an injustice has been done. So far solicitors have accepted the money he has had, so there must be some justice in his case for it to have been taken to the stage to which it has been taken, but he cannot have it taken any further unless he can find more money. For some time he has been trying to find the money necessary in order to right the wrong, as he sees it. I will probably introduce him to the Attorney-General next week (if time can be found) so that another examination can be made of his case. This is not the only case of its type: I know that people who feel that justice is not available to them and that the courts are not open to them, as they cannot afford the expense of a solicitor in the first place, come to other members. Although the Law Society has done good work as far as it has gone (and I know many solicitors have gone the second mile in their desire to help people who believe they are suffering an injustice), I am sure that this service has not met the full need of the people of the State.

Before I cast a vote on a Bill to take away from the Government the right to appoint a public solicitor, I take this opportunity to ask that this matter be considered, because I assure the Attorney-General that it is much in the minds of other members as well as in my mind. I believe the demand for the appointment of an ombudsman, where that demand exists (I do not think it is general), comes from the belief that wrong can be done because no legal assistance is available to the poor man in order that a wrong can be put right. When I say that no legal assistance is available, again I am referring to special cases.

A reply to a question this afternoon gave the number of applications that had been lodged and dealt with and the number of applications that had been refused by the Law Society. I believe that this reply reflects credit on the Law Society for the work it is doing. However, I know that there are numbers of people who have not applied for assistance from the Law Society, but who really wish to apply because they think that everything they have is in jeopardy. In some cases even a bicycle has been asked for as a fee. Therefore, I ask the Attorney-General to look closely at this legislation in the light of the way it works in the community. I ask him to ensure that it really meets the needs of the people of this State.

Mr. GILES (Gumeracha): I support the Bill. Nothing would upset the people of this State more than to think that people who could not afford legal representation could not be properly represented in a court of law. This Bill brings the legislation into line with present-day circumstances. The principal Act sets out who may apply to a judge for legal representation. Clause 4 of this Bill increases the maximum amount of money that a person may have if he is qualified to apply for legal assistance from $200 to $1,000, which is an appropriate amount. Another provision relates to the method whereby the court can order payment of witness fees and of the cost of obtaining evidence. The Bill does not affect any judges' powers that are already in existence. Many people cannot afford to pay for legal representation. Because we do not want to see injustices occur, this legislation is most desirable.

Mr. Corcoran: How does it fix injustices?

Mr. GILES: It enables a person charged with a serious offence to be properly represented, and I support it.

Mr. JENNINGS (Enfield): I can do little other than support the Bill, but I echo the expressions made to the House by the member for Stuart (Mr. Riches). For 15 years I have represented an area in which many people need legal assistance and are often unable to afford it. I readily concede that cases assigned to private solicitors by the Law Society are handled by them, but I know that a means test is applied. When the member for Stuart (Mr. Riches) said that in some cases the person concerned had to sell a bicycle or something of that kind before he could get this free legal service, the honourable member was not exaggerating too much, because this sort of thing has often happened. It is also probably true, although I do not know for sure, that the Law Society assigns cases brought to it to the most junior members of the profession.

The Hon. Robin Millhouse: Now, now.

Mr. JENNINGS: I concede that it probably depends on the type of case, but, although the person concerned knows that he is getting something that he would not get otherwise, he nevertheless feels that he is getting second-rate legal opinion or representation. I agree that the members of the profession who take up these cases suffer as a consequence of doing the work at a concession.

Mr. Riches: They should be paid by the State for their services.

Mr. JENNINGS: I shall come to that matter later. Surely the position of these lawyers is no different from that of so many honorary surgeons who attend the Royal Adelaide Hospital, the Adelaide Children's Hospital, and the Queen Elizabeth Hospital. I sincerely agree with the suggestion by the member for Stuart that we should have a Public Solicitor. Of course, there could not be only a Public Solicitor: there would have to be a Public Solicitor's Department, from which a person who was not financially able to engage a private lawyer could get proper legal advice.

The Hon. Robin Millhouse: In other words, there would be a means test.

Mr. JENNINGS: Yes, of course. There is certainly a means test now, and apparently the Minister acknowledges that. However, going to a Government department and seeing the Public Solicitor, or one of his officers, would be completely different from going cap in hand to the Law Society, undergoing a means test, and being assigned to some lawyer who, as far as I can understand, frequently regards such a case as a second-rate case.

The Hon. Robin Millhouse: That's quite unfair.

Mr. JENNINGS: It may be, but people cannot help inferring that they are being regarded as second-class citizens. I consider that a Public Solicitor should be appointed and a Public Solicitor's Department established so that people in need or, as the title says, poor people—

The Hon. Robin Millhouse: Poor persons.

Mr. JENNINGS: Well, poor persons, although I think the Attorney-General is being unduly pedantic. Poor persons who need legal assistance should be able to have it with a little less embarrassment than they have it at present.

Mr. HURST (Semaphore): I, too, support the member for Stuart in his appeal to the Attorney-General to reconsider the question of the provision concerning a Public Solicitor. When the member for Enfield said that many of these cases were treated as second-class cases, the Attorney frowned. Last week a constituent of mine saw me in relation to a court order. This order was made unbeknown to my constituent, because his wife had collected the letters and had received the summons but had never given them to her husband, because she had deserted him. He referred this matter to the Law Society, which then referred him to a solicitor. I saw a handwritten letter from the solicitor informing him not to appear and that the matter would be settled, but eventually the debt, which initially was $4, increased to $24.

The Attorney would know what costs would be involved in applying to have that order set aside. This person, who was in fear, fitted into the category referred to by the member for Enfield, and he considered that justice had not been done to him. I asked him to appeal to the solicitor again to see whether the solicitor could do something about it, but he did not have the confidence of that solicitor. I believe there should be a Public Solicitor to deal with such cases, because I have had experience of several of these cases. People should be able to avail themselves of the services of a Public Solicitor. Although this debt was only $24, to this individual that was a greater hardship than $1,000 or $1,500 would be to some other persons. I appeal to the Attorney to seriously consider this aspect, because I think there is a need for a Public Solicitor, who could be usefully employed and do a service to the public by rebuilding confidence in people such as those mentioned by the member for Enfield and me.

Mr. HUGHES (Wallaroo): I support the Bill. I appreciate the assistance that has been given to people by the Law Society. When it has been necessary for me to refer people to that society, the assistance forthcoming has been commendable. This Bill is a step in the right direction. Under the parent Act it would appear that a person had to be in possession of goods to the value of less than $200 to qualify for assistance, whereas under this Bill the amount has been raised to $1,000, which is an improvement. However, there is still room for more improvement. I pay tribute to the Law Society for the way in which it has helped poor persons throughout the State. I trust there will be even further amendments to the Poor Persons Legal Assistance Act so that poor people can get the same rights as people who can afford to pay for legal assistance.

The Hon. ROBIN MILLHOUSE (Attorney-General): I thank those honourable members who have spoken in this debate. I particularly congratulate the Leader of the Opposition on his speech, which was equal to the best I have heard him make. In spite of the comments made by other members who have spoken, I gather that they all support the Bill, although the member for Stuart (Mr. Riches) and others are urging the Government to reinstate the office of Public Solicitor in South Australia because of the imperfections of the present schemes for assistance to poor persons. I can only take it that a number of members opposite who have spoken favour nationalizing or socializing the legal profession. Apparently the member for Edwardstown (Mr. Virgo) is strongly in favour of it. I do not know whether his Leader, too, favours it, but I gather that a number of members opposite must be in favour of it because this is what the office of Public Solicitor would lead to.

It was in the 1920's that the Gunn Labor Government piloted this Act through the House and initiated the office of Public Solicitor in South Australia. I think there was a Public Solicitor for some time, well before I was born. I think Charlie Sandery was the Public Solicitor for a while, and Edgar Stevens, too, perhaps. However, the office was discontinued after arrangements were made with the Law Society, I understand, for the present scheme. The 1936 Act, although it has a similar title, is different in its subject matter from the 1925 Act. The Act we are now dealing with merely provides that when people are up in the Criminal Court the judge may assign counsel to appear for them, as the Act stands at present, only before the empanelling of a jury.

Under my amendment, it will be possible for a judge to assign counsel to appear at any time. This has come as a recommendation, I think, from His Honour the Chief Justice because of a particular case in which he was concerned. So it is, to an extent, an extension of the present assistance available. But the 1936 Act gives power to remit fees in cases where persons have been assigned a solicitor to act under the Law Society's scheme. The 1936 Act is quite distinct in its subject matter from this present Act. The 1925 Act, with which we are dealing, does at present contain the provision for the Public Solicitor, and it is proposed to repeal that provision because, frankly, it did not work and it was anathema to the legal profession. The scheme, which works, in my view, pretty well (although no scheme will be perfect and nobody will ever be satisfied that he has everything to which he is entitled), was brought in to take the place of the office of Public Solicitor. There has not been a Public Solicitor in this State for, I think, almost 40 years, and I can see no reason why we should do other than repeal the provision for it. In some States there is an office of Public Solicitor or one with a similar title. New South Wales, I know, has one. However, I can tell the member for Enfield and other members who are interested that it is extremely expensive and it is an expense which must, in the nature of things, be borne by the Government, that is, by the whole community.

The Hon. R. R. Loveday: So what?

The Hon. ROBIN MILLHOUSE: "So what" says the member for Whyalla. I remember when he was a Minister he was always crying poverty. Where does he think the money is to come from to do this? He is following a lofty principle; he is forgetting about the practical side of things.

The Hon. R. R. Loveday: You don't worry about lofty principles, do you?

The Hon. ROBIN MILLHOUSE: I do.

The Hon. R. R. Loveday: Then why are you sneering at them?

The Hon. ROBIN MILLHOUSE: I was not, but the honourable member was sneering when I said it would cost a great deal of money and I asked him where the money would come from.

The Hon. R. R. Loveday: Why did you use the word "socializing" to damn the idea?

The Hon. ROBIN MILLHOUSE: Because that is what it would mean in the long run. I think the Leader knows this, and I think he would agree with me that if we were to go into the office of Public Solicitor again it would be the thin edge of the wedge to socialize the legal profession. That is the view of the legal profession itself.

Mr. Langley: Are you the spokesman for the profession?

The Hon. ROBIN MILLHOUSE: Yes, in this place I am.

The SPEAKER: Order! I do not think there is a clause to socialize the legal profession.

The Hon. ROBIN MILLHOUSE: There is a clause to take out the element of Socialism, and that is what we are talking about. Let me get back to the point I was making when

the member for Whyalla interjected: I said that if we were to have a Public Solicitor in South Australia it would be immensely expensive, and the money would have to come from the Government, that is, from the community, and we certainly do not have the money. I know that in New South Wales it is a great expense to support the office of Public Solicitor. Furthermore, even though it is a direct expense to the State, that officer and the department cannot handle all types of work; for example, the Public Solicitor in New South Wales will not touch matrimonial work at all. There is no assistance in New South Wales through the Public Solicitor for those who want assistance in matrimonial matters.

Mr. Broomhill: Have you been to New South Wales and spoken with that officer?

The Hon. ROBIN MILLHOUSE: No, but I have spoken to the Attorney-General of New South Wales and heard him discussing that point. This is a large part of the work done now by the profession under the Poor Persons Legal Assistance Scheme, but in New South Wales, with the Public Solicitor, one cannot obtain that assistance at all. That is a practical consideration which I ask members opposite to bear in mind, even if they now brush aside, in their role as an Opposition, the question of the expense which would be borne by the community if there were this office in South Australia. Apparently the Leader is now trying to protect his members from their own folly. What we have now in South Australia is a scheme which, although it is not perfect (I freely acknowledge that), is a good working scheme and which is the envy of many other places. We have a scheme whereby members of the profession (and all members of the profession, I think, with few exceptions) are prepared to take assignments from the Law Society and to act to the best of their ability, just as if they were acting for any other client, either for a reduced fee or for no fee at all. This is a pretty good service that we are getting from members of the legal profession in South Australia, and it is not right to say, as the member for Enfield said, that only the junior practitioners take these assignments. Any member of the profession will take an assignment, from the most senior member to the most junior, depending on the assistance required.

Mr. Jennings: Didn't I admit that?

The Hon. ROBIN MILLHOUSE: Yes, after I interjected. I thought I had better drive this home now because it is something said in this place too often by ill-informed persons, and it is not right. The Government supports the Law Society scheme by the payment of an amount to the society that is divided up in proportion to the work done by those practitioners who undertake it. It is not enough: it is not nearly as much as I would like to give, and I know it is not nearly as much as the Leader would have liked to give when he was Attorney-General and Premier. I know that for this year the dividend in criminal matters is 27½c in $1. That means that for every bill rendered in a criminal matter and for the fee fixed by the committee (unless by some fluke the client has any funds) the solicitor and counsel who have acted will get only 27½ per cent of the fee, because that is all we can afford to give to the society to pay. In other than criminal matters, the dividend is even less than that: it is 22½ per cent.

Therefore, a great volume of work is being done (as I told the member for Stuart this afternoon in reply to a question on notice) by the profession in South Australia for little reward indeed. Members opposite apparently are complaining about this and asking for more. If they can come up with some workable alternative to this system, I will be grateful to hear of it, and I know the profession will be grateful to hear of it, too. However, I give them the warning now that I will not accept the re-instatement of the Public Solicitor in this State, because I believe (in spite of the jeers I received from Opposition members when I said this earlier) that this would be the thin edge of the wedge to the socialization of the profession, and it would certainly be regarded as such by members of the profession. If honourable members have any other scheme or variation of the present arrangement that they can suggest, I shall be most grateful to hear them.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Repeal of sections 5, 7 and 8 of principal Act."

Mr. RICHES: I want to bring home to the Attorney-General the situation which I know has been causing concern amongst a big section of the community, in that the law courts are not available to many poor people in this State who believe that injustice is being done and who are suffering from a sense of frustration. I want to say this as strongly as I can, but without casting any reflection on the

Law Society. The community appreciates that under the present system many solicitors who are assigned to cases give their services freely. I acknowledge this, and I do not want to detract in any way from the services that these solicitors render. However, the situation in South Australia is not being met by the present system.

I have not intended directly to advocate the appointment of a public solicitor, but I do appeal to the Attorney-General to revise his thinking and to consult the law reform committee and the other experts available to him. They should consider the question of legal assistance for poor people not only from the viewpoint of the legal profession but also from the viewpoint of the people who are living under the law. I do not think I am competent to come up with an answer, as the Attorney-General challenged us to do. I got the feeling that the Attorney-General thinks everything is all right and that the present sysem is a good one. However, I point out that it is not meeting the needs of many people, and in some cases injustice is done. By paying solicitors (if need be) instead of asking them to give their services free of charge or at a minimum rate, can something be done to ensure that a person who has been wronged will have redress at law? I do not think this is too much to ask. I do not know how much attention has been given to this question. I understand that some people think the present system is all right, but my own belief is that a full investigation is necessary.

The Hon. D. A. DUNSTAN: I would not have spoken again on this Bill if it had not been for what the Attorney-General said in reply to members of the Opposition. I do not know why the Attorney-General should have set out to be provocative. In his reply he said that it was difficult to devise a scheme that would cope with some problems raised by the Opposition. With great respect I do not think that is so. I think it is possible for South Australia to arrive at a scheme similar to that in operation in England. I also consider that that scheme would cope with the difficulties to which members on this side have referred. England has a much wider scheme, whereby people can obtain assistance for the payment of 80 per cent of normal taxed costs. Certainly, this Act applies at present only to cases in criminal jurisdiction: the money provided for that work is only part of the assistance given. The major part of the assistance is given under the Law Society scheme, which has been referred to earlier. The two problems about that scheme really arise from the lack of money available for purely State jurisdiction, either criminal or civil.

This happens because most of the money goes to the criminal jurisdiction, and the amendment to this Act, instead of imposing a burden on the Law Society scheme, will take money out of court returns. In other words, it will take it out of General Revenue and it will be paid out from the Supreme Court. It is a means of giving some additional assistance directly from the revenue resources of this State regarding criminal trials. The second burden upon the scheme comes from a Commonwealth jurisdiction. The heaviest burden on the scheme is assistance in the matrimonial causes jurisdiction, and this burden ought not be on the Government of South Australia. We are operating a Commonwealth jurisdiction at our expense for the Commonwealth Government. Our judges sit in that jurisdiction and we, not the Commonwealth, pay them.

Mr. Riches: Will the new Commonwealth court assist that in any way?

The Hon. D. A. DUNSTAN: No, that court will not take over the matrimonial causes jurisdiction. This matter has been raised many times at meetings of the Standing Committee of Attorneys-General, but the Commonwealth Attorney has refused to discuss the Commonwealth's giving support to State legal aid schemes to cover costs of legal aid in matrimonial matters. Regardless of politics, every State Attorney was sore about this, and I have known of no more heated exchanges taking place at the meetings than those over this issue. The Commonwealth has put a considerable burden on the States by bringing in a form of matrimonial causes procedure that has doubled the cost of divorce in South Australia. The cost doubled immediately the new arrangement came in. The new procedure was much more complicated than the previous scheme had been.

South Australia has to bear the whole burden of this and of giving assistance to poor persons, under the Act. If those persons were covered by Commonwealth assistance, as they should be, the State would be left with providing assistance in the civil and criminal jurisdictions. In order to get more money for those areas, we should be operating a scheme similar to that operating in other States, whereby money

from solicitors' trust accounts is paid into the scheme. That would provide a considerable amount each year and would go a long way towards the operation of a scheme similar to the English scheme, which is what we need in South Australia.

The Hon. ROBIN MILLHOUSE: I agree with some of the things said by the Leader, but the fact is that we are not going to get assistance from the Commonwealth in the matrimonial causes jurisdiction. It is easier for the Leader to say that this is a solution than to put the solution into effect. I have not found the Commonwealth as unreasonable on this score at the two conferences that I have attended as the Leader would paint it. The Commonwealth is discussing with New South Wales and Queensland ways in which it can help in those States, where the need is greatest. The question of interest on trust accounts is an important matter and one on which I am engaged at present. Unfortunately, the Leader, as Attorney-General, carried the matter some distance but then came to a blank wall, because one of the matters on which he insisted was entirely unacceptable to the Law Society.

When I came into office I found that the negotiations between the society and the Government had come to a dead halt some months before, and I immediately revived them. This matter was discussed yesterday when I was at a council meeting of the Law Society, and I think it will not be long before a scheme on which both sides can agree will be formulated and we can put into effect a system whereby moneys will be available from interest on trust accounts to help administer the Poor Persons Legal Assistance Scheme, and in paying solicitors for the work they do on a far more generous scale than has been possible. I hope that neither the Leader nor members will think that we have been asleep on this matter, because I am confident that we shall succeed where the Leader and his Government failed.

Mr. VIRGO: The Attorney has made far too much of the fact that the State could not afford the great expense of supporting a public solicitor. How does the chap who is in difficulties and must obtain legal representation afford this expense?

The Hon. Robin Millhouse: He doesn't have to.

Mr. VIRGO: About 18 months ago a constituent of mine was charged in a court. The proceedings were adjourned, but he had to raise a considerable sum as bail. The case dragged on, but finally the police withdrew the charge, after this chap had been bled dry. Not that the solicitor overcharged him, but there is a limit to what a man can pay. With a charge of this nature, the Attorney-General would be the first to realize that a person's employment ceases, and there are not too many employers prepared to employ a man with that hanging over his head. This young man in his twenties, married, with a family and buying a house, is "flat broke," and the police have now laid another charge against him, of a lesser nature but still a Supreme Court charge. The solicitor has said that the case when it does come before the court will be discharged through lack of evidence but that it will cost between $3,000 and $6,000 to defend him. Where does the money come from? Who can afford it? Where does this man get the money from? According to this Bill, he has to have less than $1,000, including all his clothing.

The Hon. Robin Millhouse: Not under the other scheme.

Mr. VIRGO: Here is a man who is just about ready to jump off the Sydney Harbour bridge. I wish the Attorney-General would tell him what other scheme there is, because these are real things to people of this kind. After all, as the member for Stuart has already said, the State provides services in the pursuit of law and order—police investigations to see whether a person has done something wrong, free adjudication to determine whether an offence has been committed and free prosecution to try to get a person committed—but it will not provide, according to the Attorney-General, defence.

The Hon. Robin Millhouse: Oh!

Mr. VIRGO: I hope I have goaded the Attorney-General into telling me a little more, because he is making all sorts of remarks over there. For the sake of the person whose case I have referred to, I hope that the Attorney can tell me that what I have said is completely wrong and that tomorrow I shall be able to relieve this man of the tremendous load he has been carrying for 18 months. I do not think the Attorney-General can do that, but I hope he can. This Act is poorly entitled "Poor Persons Legal Assistance". I think there ought to be legal assistance to those who want it and who need it, because I am afraid the way the courts are set up today there are many people who cannot afford the justice they deserve. The

person who came to see me today was considering pleading guilty and getting out of it for about $1,100 instead of fighting the case and incurring a cost of anything from $3,000 to $6,000, although he assures me, as does his solicitor, that there is no case to answer. Unfortunately, in the present set-up people cannot afford the justice we boast about. I hope the Attorney-General can show me that this particular case, typical of many, can be rectified in a fit and proper manner.

The Hon. ROBIN MILLHOUSE: It is quite obvious that the views of the Leader and of some of his followers are poles apart on this. One wonders what is, in fact, the attitude of the Opposition to the legal profession and to legal assistance.

Mr. Riches: Can't we speak as individuals?

The Hon. ROBIN MILLHOUSE: The honourable member can try, I suppose.

Mr. Virgo: We cannot get a civil answer from the Attorney-General.

The Hon. ROBIN MILLHOUSE: On the specific matter to which the member for Edwardstown has referred, on what he told me I cannot venture an opinion, although I can say that the costs he mentioned seem to be out of all proportion. I cannot for the life of me understand how it could cost $3,000 to $6,000.

The Hon. D. A. DUNSTAN: It was estimated that the case would take a month, and senior counsel was briefed.

The Hon. ROBIN MILLHOUSE: I should have thought this was a proper case for assistance either through the Law Society's scheme or under this Act, and I cannot understand why it is not forthcoming, if the man has no assets. If the honourable member is not satisfied with the advice which apparently he has had from the Leader (because the Leader knows the facts, on what he has just said by way of interjection), and if he can get the assent of his constituent to disclose the details to me, I shall be happy to investigate the matter personally to see whether it is possible to get him assistance, if assistance has been denied so far. I cannot go any further than that. I cannot express any opinion on what he said in the House, but I am prepared to help in this way, if he can disclose to me the details.

Clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

STAMP DUTIES ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council with a suggested amendment.

ADJOURNMENT

At 9.27 p.m. the House adjourned until Wednesday, November 27, at 2 p.m.