HOUSE OF ASSEMBLY

Thursday, February 20, 1969

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

ELECTORAL DISTRICTS (REDIVISION) BILL

His Excellency the Governor, by message, intimated his assent to the Bill.

PETITION: ABORTION LEGISLATION

The Hon. G. G. PEARSON presented a petition signed by 14 persons respectfully praying that the House do not pass the Bill presently before it relating to abortion.

Received and read.

PETITION: TRANSPORTATION STUDY

Mr. LANGLEY presented a petition signed by 143 electors stating that the implementation of the rail rapid transit system proposals suggested in the Metropolitan Adelaide Transportation Study in the area of Goodwood and Forestville would lead unnecessarily to the acquisition and demolition of houses and business premises in that area, that nearby properties not acquired would depreciate sharply in value, and that areas at present of a pleasant character would be reduced to a slum level.

Received and read.

QUESTIONS

FREE BOOKS

Mr. LAWN: Has the Minister of Education a reply to my recent question about the supply of free school books?

The Hon. JOYCE STEELE: The means test for determining eligibility for the issue of free books and material is altered with each variation of the State's living wage. This year the figure has been increased for each dependant, consequent upon the 1968 basic wage variation.

ELECTORAL COMMISSION

The Hon. B. H. TEUSNER: Can the Attorney-General say whether the commission provided for in the Electoral Districts (Redivision) Act, 1968, has yet been appointed and, if it has, will he name the commissioners?

The Hon. ROBIN MILLHOUSE: As the honourable member would have heard—

Mr. Langley: Is this a Dorothy Dixer?

The Hon. ROBIN MILLHOUSE: No, it is not.

The SPEAKER: Order! Only one member at a time may ask a question.

The Hon. ROBIN MILLHOUSE: As the honourable member would have heard in the message received from His Excellency the Governor today, His Excellency assented to the Bill only this morning. As the honourable member knows, the appointment of the commission is, pursuant to section 4, I think, of the Act, in the hands of His Excellency in Executive Council, so obviously it would not have been possible to make the appointment yet. In fact, I will see His Honour the Chief Justice tomorrow afternoon to discuss with him the appointment of a judge who, pursuant to the Act, will be the Chairman of the commission. I do not know whether it will be possible for Executive Council to appoint the commission next Thursday, but obviously nothing could have been done up to this stage. I am pressing on with that part of the matter as quickly as I can. The other two members of the commission are named in the Act.

HEATHFIELD SCHOOL

Mr. EVANS: Has the Minister of Education a reply to my recent question about playing fields at the Heathfield High School?

The Hon. JOYCE STEELE: The project for the development of the remainder of the grounds at this school provides for the enlargement of the existing oval and the nearby oval into two ovals and a second hockey field. The Public Buildings Department is to undertake the formation of earthworks to enable the areas to be grassed and reticulated, and the grassing and reticulation is to be arranged by the school council on the normal subsidy basis. The Public Buildings Department has advised that a programme has been determined, with a contract to be let and for the earthworks to be undertaken in time for the areas to be grassed during the next spring.

DUCK SHOOTING

Mr. RODDA: It has been reported to me by people concerned with bird protection that at the opening of the duck-shooting season last Saturday some protected species were shot because they were mistaken for game birds. Apparently, the error occurred because the shoot started at 4 a.m., and perhaps at that time it was difficult to distinguish the protected birds. Crane and ibis can be detected easily in the morning light, but this does not apply to some of the protected

birds. In fairness to the shooters, I point out that they were sorry about the accident and have apologized. It was suggested to me that the opening of the shoot should be delayed until sufficient light was available to enable shooters to distinguish the different birds on the wing. Will the Minister of Lands comment on this suggestion?

The Hon. D. N. BROOKMAN: I know that the Fauna and Flora Advisory Committee has considered a proposal to alter the hour to 5 a.m. so that it would coincide with the commencement time in Victoria, but as I have not discussed this point with my colleague I do not know whether a decision has been made. However, the matter has been discussed and I am sure that a decision will be announced soon to apply to the next season.

BURRA COURTHOUSE

Mr. ALLEN: Has the Minister of Works a reply to my recent question about work required to improve the acoustics in the Burra courthouse?

The Hon. J. W. H. COUMBE: It will be necessary to undertake an architectural examination of the building to ascertain the extent of the work required to improve the acoustics. It is expected that a departmental architect will undertake this inspection towards the end of next week.

MORGAN-EUDUNDA RAIL SERVICE

Mr. FREEBAIRN: Last week a report of the Public Works Committee was tabled on its investigation into the Morgan-Eudunda railway line, and one recommendation of the committee was that special financial consideration be given to those people engaged in the firewood industry in the Mount Mary and Morgan area. Will the Attorney-General ascertain whether the Minister of Roads and Transport has considered making a special arrangement to enable the firewood cutters in the Morgan and Mount Mary area to continue to earn their livelihood?

The Hon. ROBIN MILLHOUSE: I shall be happy to do that.

QUORN PASSENGER SERVICE

Mr. VENNING: Towards the latter part of last year I received a letter from the Minister of Roads and Transport, concerning a deputation I had led to him from the Quorn-Orroroo-Peterborough area, stating that it was not expected that a bus service would be run under the Railways Department's auspices when the then existing rail services to the area were terminated. Now that the rail passenger services in question have been terminated, will the Attorney-General ask his colleague whether it is intended to provide a bus service to serve this area?

The Hon. ROBIN MILLHOUSE: Yes.

MOCULTA WATER SUPPLY

The Hon. B. H. TEUSNER: Has the Minister of Works a reply to my recent questions about a reticulated water supply for Moculta from the Swan Reach to Stockwell main?

The Hon. J. W. H. COUMBE: I am pleased to say that I have approved the expenditure to provide a water supply for the township of Moculta by extension from the Swan Reach to Stockwell trunk main. It is not intended to proceed at this stage with three additional extensions requested to serve neighbouring farm lands as the larger property owners along their route either object to the main or do not actually need a reticulated water supply. Where a supply is urgently required, it is considered that it could be provided by indirect service to avoid bringing other property owners into rating. Interviews with the land owners indicate that bore water adequate for stock purposes is generally available.

DAVENPORT RESERVE

Mr. RICHES: Has the Minister of Aboriginal Affairs a reply to my recent questions about wages and housing for Aborigines on the Davenport Reserve?

The Hon. ROBIN MILLHOUSE: Although I have a reply for the honourable member on the question of housing, I regret that I do not have one for him concerning wages. I share the concern of members of the Aboriginal council on the Davenport Reserve about housing and job opportunities in northern districts. However, it is difficult to create additional employment in those areas and there is a limited supply of money available for housing. Aborigines seeking work should register with the Port Augusta branch office of the Commonwealth Department of Labour and National Service which is ready, willing and anxious to help find employment for Aboriginal people. The department's District Welfare Officer maintains a close liaison with the departmental office with regard to employment opportunities. Plans are in hand for the construction of five houses at Port Augusta for Aboriginal families. It is likely that the final

cost of houses (including land) at Port Augusta will be between $11,000 and $12,000. Aboriginal people throughout the State are entitled to apply for tenancy of those houses. One is nearing completion; the second is well under way; materials for the third will be in Port Augusta next week; and the others will follow in due course. It is desirable that Aboriginal applicants for houses submit—(1) applications to the Housing Trust in the normal way for a trust home; and (2) in addition, an application to the District Welfare Officer, Port Augusta (Mr. J. D. Weightman) for allocation of a departmental home when available.

Apart from the five houses now being erected by this department in Port Augusta, the department has already erected seven houses which are allocated to Aboriginal families. Applications have been invited for the new houses being constructed, six applications have so far been received, and it is understood that others are pending. Rentals have not yet been determined for the new houses, and rents of all departmentally-owned Aboriginal houses are currently under review. I am awaiting advice from the Housing Trust in this connection. The economic rental which would normally be charged by the Housing Trust for houses of the type now being built for this department at Port Augusta is about $11.00 or $12.00 a week. However, a concessional rental may be determined depending on the ability of the Aboriginal family to pay. Aboriginal families seeking housing should contact the District Welfare Officer at Port Augusta as early as possible.

The Housing Trust allots houses to tenants after consideration of many factors, including ability to pay the prescribed rent and the domestic competence of families to look after a home satisfactorily. I have been unable to ascertain from the Housing Trust when the last trust home at Port Augusta was allocated to an Aboriginal family, but from information supplied by the District Welfare Officer at Port Augusta it is understood that the last house allocated to an Aboriginal resident of the Davenport Reserve was in February, 1964. Apart from this house there are six other houses at Port Augusta allocated by the Housing Trust to Aboriginal families who were previously not residing on the Davenport Reserve. One such house was allocated last year. The Superintendent, Davenport Reserve, reports that as far as he is aware some 17 applications for houses have been made to the Housing Trust in the last four years, by residents of Davenport Reserve. None of these 17 applications has been successful. One of the difficulties reported is that the Aboriginal applicants have not followed up their applications at quarterly intervals as the Housing Trust requires, and as a result many of the applications have lapsed.

May I say that I am glad the honourable member has raised this matter in the House. I hope to be able to go to Davenport before I leave for overseas (although that may not be possible) because, as I am concerned about the facts which he has outlined and which have been confirmed to an extent in the information I have been given, I want to make inquiries at first hand about them.

HORMONE SPRAY

Mr. WARDLE: Has the Minister of Lands, representing the Minister of Agriculture, a reply to my recent question about the damage that has been caused by hormone sprays which, apparently, have drifted onto nearby horticultural blocks?

The Hon. D. N. BROOKMAN: My colleague states:

In the opinion of Agriculture Department officers, the damage to glasshouse tomato crops at Murray Bridge was caused by the effects of hormone type weedicides that are used widely to control weeds of cereal crops. The precise source or sources of the weedicide responsible for the damage cannot be determined. It is understood that legal action is being taken by one grower with a view to obtaining damages for the loss suffered. I had previously taken up this problem with the Director of Agriculture, who is arranging for a meeting of representatives of primary producers, ground and aerial spray operators and Agriculture Department officers to discuss the legislative provisions which might be effective in protecting primary producers against the careless use of such chemicals.

MOTION FOR ADJOURNMENT: TRANSPORTATION STUDY

The SPEAKER: Today I received the following letter from the Leader of the Opposition:

At the meeting of the House this afternoon I propose to move:

> That the House at its rising do adjourn until 2 p.m. on Wednesday, February 26, 1969, for the purpose of debating a matter of urgency, namely, the statement by the Minister of Roads and Transport last night that expenditure on approved works under the Metropolitan Adelaide Transportation Study plan would begin immediately and that land acquisition would begin for that part of the Noarlunga Freeway through Marion which had been approved.

The Premier undertook to the House yesterday:

> Because of the public interest in this matter and because it is an aggregation of much forward planning that will significantly involve a large part of South Australia's population, the Government will initiate a debate on this issue early in the new session later this year. The matter will be put to this Parliament in a positive form by the Government so that a full debate by this House can be conducted by the elected representatives of the people of this State,

an undertaking which is contradicted by the Minister's public statement, since a full debate on the measure is impossible if the House is presented with a *fait accompli* on certain sections of the plan which it is proposed should be debated, including sections which have aroused the most bitter public criticism.

Does any honourable member support the proposed motion?

Several members having risen:

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

That the House at its rising do adjourn until 2 p.m. on Wednesday, February 26,

for the purpose of debating a matter of urgency, namely the statement by the Minister of Roads and Transport last night that expenditure on approved works under the Metropolitan Adelaide Transportation Study plan would begin immediately and that land acquisition would begin for that part of the Noarlunga Freeway through Marion which had been approved. There has been much public criticism and comment on the principle contained in the M.A.T.S. Report and, in addition to this, much criticism that the proposals in the plan were not achievable if in fact we were to look to the areas of the report that deal with the moneys available. There was pressure publicly for a full debate in this House on those things that the Government said it would go ahead with and, despite the fact that the Minister said these things should be dealt with administratively, the view was expressed in another place and by question here that this matter should be fully debated before the moneys were spent. To a certain extent those conditions were met yesterday when the Premier made the following undertaking at the end of his Ministerial statement (and I quoted this in my letter to you, Mr. Speaker; it was quite an unequivocal undertaking):

Because of the public interest in this matter and because it is an aggregation of much forward planning that will significantly involve a large part of South Australia's population, the Government will initiate a debate on this issue early in the new session later this year. The matter will be put to this Parliament in a positive form by the Government so that a full debate by this House can be conducted by the elected representatives of the people of this State.

Certainly the implication was that that debate could deal with the proposals that the Government had adopted and intended to proceed with. That was what one would expect, otherwise what would be the point of the debate? A similar statement to this was made in another place but last evening it was reported that the Minister of Roads and Transport said that expenditure on the approved works would begin immediately and would be spread over the next 20 years. He said that land acquisition would begin for that part of the Noarlunga Freeway through Marion which had been approved. How can that happen if the Premier's undertaking to this House is to be honoured? If we have already been presented with the fact that the Government has acquired land and proceeded with some of the works on an immediate expenditure basis (and that is what is being said publicly), then what is the use of a debate in this House?

The strange thing is that, according to the statement made in this House yesterday by the Premier, legislation relating to acquisition and compensation is to be reviewed by a special committee. There is every reason why that should be. We cannot begin to know whether any of these proposals are feasible until we know what is the cost, and we cannot effectively know what is the cost, despite the estimates given in the report, until we know the basis of acquisition, because the whole basis of cost will alter if in fact there is to be compensation for injuries inflicted on properties not acquired and, if there is not compensation for injuries inflicted on properties not acquired, there will be a great public outcry because people will have been harmed who will get no compensation from the community at all. We do not know what that position is but, despite the fact that an undertaking was given yesterday, we have had it stated that land acquisition will begin for the part of the Noarlunga Freeway through Marion which has been approved.

Secondly, we find that all proposals contained in the M.A.T.S. Report for revenue for roadworks have been deferred for further consideration. That was the statement yesterday. Regarding the railways, although some of these have been adopted, apparently there are no specific proposals in the report at all. All the report contains is an estimate of $79,000,000 (an under-estimate according to

many people who have examined it), and a projected $11,000,000 of revenue available over the 18-year period. Apart from that there are various vague suggestions of various means of raising the money for the gap in millions shown in the rail transit proposal, most of which suggestions are unconstitutional or would be unthinkable in a community such as this or would compound other things suggested in the report or in the Metropolitan Adelaide Development Plan itself. In consequence, we do not even know at this stage what the cost will be or how any money will be provided and, if that is the case, how can the Government proceed to undertake expenditure now on acquisitions or specifically on the works to be provided without knowing how it is to be done? This is a hopelessly unsatisfactory system and I can only say that the combination of the statement made to this House yesterday and the statement that the Minister is reported to have made apparently outside the House last evening only make the extraordinarily confused situation in relation to the M.A.T.S. Report much worse confounded. People are even more bemused as a result of these statements. This has got to be clarified by the Government immediately. We ask from the Government an undertaking that no moneys are to be expended on acquisitions or works in relation to this plan, other than purely planning works within the Highways Department itself, until there has been a debate in this House on the details of the plan to be proceeded with and on how the money is to be provided. If we can have that undertaking then the public will be more satisfied. At this stage we have a contradiction of the undertaking given to this House yesterday that we would get a full debate on the subject. We ask from the Premier an undertaking that moneys will not be spent as it was stated they would be spent by the Minister to the press last evening. We want an undertaking that the only moneys spent will be on planning works in the Highways Department and that no moneys will be spent on acquisitions for the planned Noarlunga Freeway or on other works at this stage under the M.A.T.S. proposals.

Mr. Corcoran: Except in special hardship cases.

The Hon. D. A. DUNSTAN: Except in specific hardship cases.

The Hon. Robin Millhouse: How would you determine those cases?

The Hon. D. A. DUNSTAN: If the Minister does not want to spend money in hardship cases he can get up and say so.

The Hon. Robin Millhouse: That is not the point at all.

The Hon. D. A. DUNSTAN: If that is not the point then all the Minister is trying to do is to play petty politics as is his usual form.

Members interjecting:

The SPEAKER: This is a very important debate with a great deal of public interest, and I do not think there should be so much conversation and interjection. The Leader has a perfect right to state his case, and the Government and the Attorney-General will be given an opportunity to reply. The Leader of the Opposition.

The Hon. D. A. DUNSTAN: Let me reiterate what I have said. We want an undertaking from the Government that the implications of the statement yesterday will be met and that work will not be undertaken that will involve the expenditure of public moneys on a system about which we know nothing. We do not know how the money is to be adequately provided. We want an undertaking that there will not be any major expenditures on this particular area, other than in hardship cases as mentioned or in cases of planning within the department, until we have had a full debate in this House or until the Government has come forward with the results of some of the studies which it has said it is establishing. That is because, unless that condition is met, administrative decisions will commit not only this Government but also future Governments to expenditure of revenues, yet the public will not know how the money will be raised. At present we have no specific proposals for paying for any section of this plan. The roads proposals have been deferred and there are no specific proposals in relation to the railways. We do not know whether the whole or any part of this plan is feasible and, until we have something much more specific before the House, together with revenue proposals so that we may know whether the work can be achieved, the public protests will be set at nought if the Government goes ahead in the meantime with sections of the plan and spends money on those works and on public acquisition in any form. If the Premier gives the undertaking that I have sought, I shall be pleased to withdraw the motion.

The Hon. D. A. Dunstan having resumed his seat:

The Hon. J. W. H. Coumbe: Go on.

The Hon. D. A. Dunstan: We've got plenty of support, but we want a reply. If you don't want to talk to the motion, it's obvious that you haven't any reply at all.

The SPEAKER: Order! The Minister of Works is out of order. The Leader has made his speech, and now he is out of order. I will not allow this conversation across the Chamber.

Mr. VIRGO (Edwardstown): Obviously what you said when you called the House to order a few minutes ago, Mr. Speaker, went unheeded by members opposite. You referred to this as being, I think, a very important matter and you said the Attorney-General would be given the opportunity, at the conclusion of the Leader's speech, to state his case. Apparently, however, he has not got the guts to stand on his feet and defend his case. The Leader of the Opposition, who ought to be Premier, according to the vote of the people of this State—

The SPEAKER: Order!

Mr. VIRGO: —has offered a challenge—

The SPEAKER: Order! I want to correct the member for Edwardstown. I did not mention the Attorney-General: I said that the Government would have an opportunity.

Mr. VIRGO: No, Mr. Speaker, you said the Attorney-General, but it does not matter: I do not want to quarrel with your correction of the statement. Members in the House will come to their own conclusion. I think the intention was the same, whichever way it was expressed. The Leader of the Opposition has sought from the Government an undertaking that it will honour the promise that the Premier gave in this House yesterday afternoon, but not one member of the Government will stand on his feet to honour that promise. The Minister of Works can laugh his head off if he likes.

The Hon. J. W. H. Coumbe: I'm laughing at you.

Mr. VIRGO: The Minister can do that if he wants to, but I suggest that he laugh at the people involved with this plan. They are the people with whom he ought to have his little joke. Apparently, the Premier is not prepared to substantiate the undertaking that he has given. He will not attack his colleague in another place and say that that Minister's statement, as published in the press, is not true. The alternative is that we have reached the stage on this matter, as we have on so many other issues, where the Premier's word, or that of any other Government member, is not worth a crumpet. I think a lot of skulduggery is going on about this plan.

The position of the Government is as clear and simple as it could be. The Premier gave an undertaking that the Government would initiate a debate on this matter in the House. His statement, at least by innuendo, was that this would be done before the scheme became operative. However, we have the ex-land agent, now Minister of Roads and Transport, saying, "We are going ahead with it, anyhow." I am rather concerned about many aspects of this vexed question and I have heard the Premier, the Minister of Roads and Transport and other people trying to defend the fact that six months ago, when the Government released this report, it was doing so to enable the people to air their views. What a lot of sham window-dressing that was!

I have in my district mainly two councils, and a small section of the district is covered by a third council. One of these council areas is shared with the Attorney-General, and last week I drew the attention of the House to the unanimous resolution of a council meeting expressing opposition to the Hills Freeway and the Foothills Expressway. I am sure that the Mitcham council will be highly delighted at their representations being heard by the Government. However, what has happened to the opinion of the Marion council, which carried a motion supporting the view that there should be a full-scale discussion in this House and in the Legislative Council before the M.A.T.S. plan was put into operation? Was the decision of that council not heard by the Government? Further, what has happened to the view of the West Torrens council, which expressed the same attitude? Every member of this Parliament knows the views of both councils, because they have written to members.

The Hon. D. A. Dunstan: All metropolitan councils supported that view in the resolution yesterday.

Mr. VIRGO: Yesterday afternoon the Metropolitan Regional Council of the Local Government Association adopted a resolution, as my esteemed Leader reminds me, as follows:

This meeting views with grave concern the statement by the Minister of Roads that the M.A.T.S. Report is not going to be brought before Parliament but is to be implemented by regulation, and we strongly support the stand by the Hon. Sir Arthur Rymill, M.L.C., to have this most important subject fully debated by the elected representative in Parliament.

Mr. Broomhill: That decision wouldn't have been made lightly, either.

Mr. VIRGO: It certainly would not have been. Without reflecting on the personnel of the organization, I doubt that our Party would have got more than a 10 per cent vote from it.

Mr. Casey: The Minister of Works isn't laughing now.

Mr. VIRGO: I am pleased about that, because I have never found any cause for laughing in this matter. As my esteemed Leader has reminded me, the organization to which I have referred comprised representatives of all councils in the metropolitan area: it is the metropolitan regional council. The second resolution passed at the meeting was to the effect that the Local Government Association should call a special meeting of metropolitan councils if the stand by Sir Arthur Rymill was not supported or if the association considered that such action was warranted in the light of circumstances that might arise. Surely the Government is being completely and utterly hypocritical in claiming that it has made the plan available to be considered by the public, because it has now wiped off members of the public as if they did not exist. One can only assume that the Government has used the six months to see how it can marshal itself to put the scheme into operation, and that the undertaking the Premier gave the House yesterday is worth about as much as undertakings given by him on Chowilla dam and electoral reform. The credibility of the Premier, of Cabinet, and of the whole Government is at stake, yet no Government member has the courage to stand up and defend himself.

Mr. Hurst: They have got no case.

Mr. VIRGO: Of course not. The Government's action in proceeding with the implementation of this scheme is an act that can only be described as making a mockery of this Parliament. No doubt the Premier will probably initiate a debate at some stage, but that will be like shutting the gate after the horse has bolted. We have already wasted six months during which time some constructive action should have been taken about this plan. Yet one of the most important aspects associated with a person whose property is involved (compensation for property acquired) has not been considered. I gave an instance only yesterday of the almost unbelievable rigmarole and red tape required by the Government before the processes of acquiring a property can be finalized.

Surely this matter requires urgent attention. If, as the Attorney said yesterday, this is an administrative action, why has he not done more administrative work on it? The case I cited yesterday is that of a man who has six months to live, but I do not think he will get his money before he dies. Yet the Attorney-General chews his pencil. I think that is all he cares about anyone, and is a bit like the Premier who suddenly finds it necessary to clear out of the House. Is he interested in what is being said? Is he interested in people, or is he going out to get instructions? Surely, it must be one thing or another. He has cleared out of this place: I do not know where he has gone but I hope that he has the guts to come back and answer this case.

Mr. McAnaney: Which case?

Mr. VIRGO: And I hope the member for Stirling has the courage to stand up, too.

Mr. McAnaney: I will wait until you put up a case.

Mr. VIRGO: I hope the honourable member will stand on his feet—

Mr. Hurst: Who takes notice of him, anyway?

Mr. VIRGO: I do not know who takes notice of anyone, but it is a poor show if Government members sit complacently and allow two conflicting statements to pass unnoticed and ignore the challenge the Leader has issued to the Premier to give an undertaking that the assurance he gave the House yesterday will be honoured.

The Hon. G. G. PEARSON (Treasurer): I do not intend to take over the function of the Premier in replying on all matters raised by the Leader in moving this motion, because the Premier is competent and willing to do that himself. The member for Edwardstown knows much better than to lay the charge that the Premier is not game to face the House on this or any other matter, because the honourable member is well aware that the Premier does not lack any of the qualities of fortitude or courage that are required of a Leader of a Government.

The Hon. D. N. Brookman: Hear! Hear!

The Hon. G. G. PEARSON: I address myself to the comments of Opposition members that demonstrate that the Opposition, whatever charges it may level at the Government concerning changing its mind or its course, has demonstrated clearly that its motive is one of political opportunism and nothing else. The Opposition's attitude has changed entirely, and the member for Edwardstown has changed his position on land acquisition. For the last six months the honourable member has been asking questions and requiring information—

Mr. Virgo: And not getting it.

The Hon. G. G. PEARSON: —about acquisition of properties from people who desire to sell, and he has complained that the process of acquisition has been unduly delayed. That was the substance of his question yesterday, and he has been demanding that the Government find the money to pay for properties that people want to sell. The whole pressure of his arguments and his questions has been in that direction, yet today the Leader said that no further land acquisition should take place.

The Hon. D. A. Dunstan: With some qualifications.

The Hon. G. G. PEARSON: That statement was made without qualifications.

The Hon. D. A. Dunstan: That is not correct.

The Hon. G. G. PEARSON: I stand to be corrected, but I understood that the request or demand of the Government was that it should now hold its programme of land acquisition until the road ahead could be seen more clearly in all respects. This is a direct negation of the Opposition's attitude, and particularly of the stand taken by the member for Edwardstown in the last six months. During that time planning and refinements of the project have been proceeding, and there is no reason why they should not proceed during the next interim period. During the last six months certain matters have been studied and, as it was announced yesterday, these have been excluded, for the time being, from a firm proposal. In speaking of acquisition, I refer to what the member for Edwardstown said about the lengthy process necessary, or apparently necessary, for the transfer of property.

Mr. Virgo: They are not necessary, but they are now being done.

The Hon. G. G. PEARSON: Quite, but does the honourable member expect that titles of land can be transferred without going through the proper process?

Mr. Virgo: I will tell you what Murray Hill would have done 10 years ago.

The Hon. G. G. PEARSON: The honourable member need not tell me that. He knows as well as I that titles have to be searched and the proper processes followed. I am not suggesting that perhaps they may not be streamlined somewhat (and I should hope that perhaps they could be), but the processes cannot be avoided, and the honourable member knows that also. It is not my function to take over the role of the Leader of the Government in answering some of these particular questions. I have merely addressed myself to one or two matters that were answerable by any member of the Government, and I intend to say no more at this stage.

The Hon. R. S. HALL (Premier): I am sorry that I was out of the House when the motion moved by the Leader of the Opposition collapsed.

Mr. Virgo: You ran out of the House to get your instructions.

The Hon. R. S. HALL: I had expected that there would be sincere and proper support for this matter, but it never eventuated. We have merely heard a tirade of abuse against all sorts of recommendations contained in the M.A.T.S. Report. We know why the Opposition is becoming so involved in this matter, but the political house of cards of members opposite is collapsing. Look at the issues involved in this State and see how the Opposition has been left behind in its reactionary Conservative attitude! What happened to the dynamo (the previous Premier) who was to be the reformer —the great one of change? What has happened to the man who adopts a reactionary attitude to almost every measure introduced by the Government? The Leader apparently does not want to have long-term planning carried out over the next six months. The Opposition believes it is quite wrong for the Government to proceed with some minor works in connection with this immense programme which is to take place over the next 20 or 30 years. It is apparently wrong to undertake some preparatory work before the debate takes place in the House. What did the Leader say when the Government took the step, in the face of much criticism from members opposite, to allow this matter to be considered by the people for six months?

Mr. Virgo: What have you done about it?

The SPEAKER: Order! The member for Edwardstown is out of order. He has already made one speech; he cannot make half a dozen speeches at a time.

The Hon. R. S. HALL: He cannot even make one speech, Mr. Speaker. When an urgency motion was debated in the House on September 4 last, the Leader made a long speech, in the course of which his reference to certain factors illustrated his attitude to the people and to democracy.

Mr. Virgo: Do you know what democracy means?

The SPEAKER: Order!

The Hon. R. S. HALL: The Leader said that the study was in progress at the time that his Government was in office and that the study continued pretty well throughout the whole period of office of the Labor Government. He went on to say that he could not read the report of the study because it was not printed and he did not have a copy. It is rather strange that he let the Highways Department go on for three years in this matter without direction.

Mr. Corcoran: Get away!

The Hon. R. S. HALL: Is this not the conclusion to draw? The Leader's Government spent $700,000 but never asked how it was being spent. That is the sort of management of the last Government.

Members interjecting:

The SPEAKER: Order!

The Hon. R. S. HALL: This Government is trying to correct such mismanagement of the State. The Leader, referring to how the plan should be treated, said:

The way in which that should take place is that the Government should decide whether or not this report is accepted in principle.

He continued:

We would never in any circumstances have released this report to the public before considering it and making a decision on it.

The great democrat!

Mr. Hudson: That is a complete misinterpretation of the Leader's remarks.

The Hon. R. S. HALL: It is not.

The Hon. D. A. Dunstan: It's a flat, bloody lie.

The Hon. R. S. HALL: Mr. Speaker, I am quoting the Leader's remarks.

The Hon. D. A. Dunstan: This man is getting up here and deliberately lying in this House.

The SPEAKER: Order! The Premier will take his seat. I cannot allow the debate to continue in this way. This is the Parliament.

The Hon. D. A. Dunstan: What is he trying to do? He is not talking about the motion but giving personal abuse and nothing else.

The SPEAKER: Order! If honourable members do not behave themselves and obey the Chair, I will adjourn the House. I ask honourable members to restrain themselves. This is a matter of public importance. The Leader has given his opinion and the member for Edwardstown has given his; the Government is now stating its opinion and is entitled to be heard.

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The Hon. R. S. HALL: Now, perhaps with less heat—

Mr. Virgo: Tell the truth just for a change.

The Hon. R. S. HALL: What did the Opposition say on September 4? Is this not important when considering its present elastic attitude? If the Leader accuses me of lying, I shall read more of his statement to get it in better context. He said the words; I did not. After an interjection from the Attorney-General, the Leader said—

Mr. Broomhill: What was the interjection?

The Hon. R. S. HALL: The interjection was, "That's a pretty hollow explanation." The Leader then said:

The Attorney is trying to avoid the fact that his utter administrative incompetence and that of every other member of Cabinet is harming the people of South Australia because of the Government's refusal to look at this report before publishing it. Now the Government is trying to foist the blame on to us. We would never in any circumstances have released this report to the public before considering it and making a decision on it.

Mr. Corcoran: What's wrong with that?

The Hon. R. S. HALL: Those are the Leader's own words.

Mr. Broomhill: Keep going.

The Hon. R. S. HALL: The only inference one can draw is the direct one, namely, that the Leader's Government would have decided on the plan and said, "That's it."

The Hon. D. A. Dunstan: That's not true.

Mr. Hudson: That's a lie.

The Hon. R. S. HALL: What did the member for Edwardstown say?

Mr. Virgo: Are you going to quote me out of context, too?

The Hon. R. S. HALL: The member, when moving a motion concerning this matter on October 9 last, said:

The very basis of my complaint is that people are being worried, because the plan has been introduced, whilst the Government has not said whether it will go ahead with it. This attitude taken by the Government was confirmed only about a quarter of an hour ago . . .

This was again implying that the Government was wrong in any announcement that it would go ahead with the plan.

Mr. Virgo: You have never announced your intentions.

The SPEAKER: Order!

The Hon. R. S. HALL: The member for Edwardstown continued:

It is not good enough that the public should be left under a cloud as they have been for the last two months, and will continue to be until at least February, 1969, according to the Premier's reply today.

Therefore, the member for Edwardstown did not like the report and did not want it to be considered by the public for six months.

Mr. Virgo: Has anyone ever disputed this?

The Hon. R. S. HALL: I am pleased that the member for Edwardstown will at least admit that.

Mr. Virgo: It took a lot to get you on to your feet.

The SPEAKER: Order!

The Hon. R. S. HALL: I congratulate the member on this.

Mr. Virgo: What about having the gumption to answer the Leader?

The SPEAKER: Order! If the member for Edwardstown does not refrain from interjecting I shall have to ask him to leave the Chamber.

The Hon. R. S. HALL: At page 1758 of *Hansard,* the member for Edwardstown said:

> If the report's recommendations are to be implemented, then the people ought to be told now and not to be kept waiting until next February.

The member's attitude is plain and he admits that that is what he said. The Government will still initiate a debate to have a conclusive vote in the House early in the next session.

Mr. Virgo: After you've implemented the scheme?

The Hon. R. S. HALL: The essential matter of the Address in Reply must be concluded before the debate can take place but, as early in the session as it can conveniently be fitted in with the financial measures necessary to keep the State going and the Address in Reply, a debate will be held on the whole M.A.T.S. question, before the Loan Estimates if possible. M.A.T.S. is a comprehensive service plan for roadways that are to be constructed in the metropolitan area over about 20 years.

Mr. Virgo: You won't be here to construct them!

The Hon. R. S. HALL: Some of them are a continuation of works already under construction. It is continuous planning as from now. It is not something which, in its entirety, suddenly appears on the scene, but it is taking planning from now and continuing the planning of the proper needs of motorists of South Australia, the metropolitan area, and of those who want to use public transport, so the two may be put together in a comprehensive transportation plan. The Opposition today has seized on the point that it believes that the value of the debate early next session will be negated if the Government continues with this plan in the meantime, but I point out to the Opposition that the plan is for a long-range activity. In the first six months, little work in connection with the whole plan will be accomplished. The Government recognized long before the Opposition brought this point up today the necessity to dovetail actions in a physical sense with a plan to have a debate early in the next session. It will be necessary for work, land purchase and acquisition to continue for the normal road programme for the metropolitan area.

Mr. Riches: That's not what the Minister said last night.

The Hon. R. S. HALL: The honourable member is rather impatient. I am building up to freeways at the moment, if he is interested in that subject. Many land purchases will be necessary for arterial roads, expressways, and the like. This is a normal development of transportation in Adelaide: it cannot be otherwise. There cannot be a vacuum in the Highways Department for six months, even on that kind of programme.

Mr. Hudson: There's a vacuum in the Minister's office all right.

The Hon. R. S. HALL: There was a vacuum in planning for three years but we will forget that for the moment. I think all members appreciate that it is necessary to continue with the normal arterial road construction in the metropolitan area. As I said earlier, land acquisition, if necessary, and work will proceed. Regarding the freeways planned in the M.A.T.S. Report, these, too, are a product of service planning, and they are a last resort for road planning as subsidiary roads are built on an earlier priority than freeways. I give an assurance (and this has been in the Government's mind, and it is not hard to give) that the Government will deal with property owners in relation to the planned freeway routes only on the basis of owner approach until the debate continues in this House. This means that those whose properties lie within the planning area and who want to sell for a particular reason will be able to sell their properties to the Highways Department.

Mr. Virgo: Yes, at a cut-throat price!

The Hon. R. S. HALL: The member for Edwardstown is not worth listening to.

Mr. Virgo: One man had $2,000 knocked off his price; that's all!

The Hon. R. S. HALL: It is a similar basis to that on which properties have been bought hitherto. The Government makes no apology for its past purchase of properties as it must purchase properties. If residents are inconvenienced and have to sell for a personal reason, that is inescapable. Even if the plan is subsequently changed, it would be wrong of the Government to deny purchase to people who are in this part of the plan before it is consolidated and fully accepted by Parliament. The issue is as follows: the Government has accepted the plan in principle, as the Leader recommended it should, and it will proceed with the roadworks subsidiary to freeways. It will not actively acquire land for freeway planning, but it will deal on an owner-approach basis and proceed with the planning of freeways. The initial planning must proceed, otherwise a break will occur in highway operations.

Although I cannot give an assurance that absolutely no expenditure will be incurred (because that would be an assurance which might in some very inconvenient way tie up some corner of the Highways Department's operations), basically no construction will proceed. I use the word "basically" advisedly: if a property comes up for sale it may not come up for sale again for 20 years; if there is an owner approach or hardship we will buy it; and if there is some construction which is of necessity a convenience to the Highways Department, I will not limit it by this stipulation. Basically, no construction of new freeways will proceed, nor will door-knock acquisition. In other words, only owner approach to the Government will result in acquisition. We will proceed with the normal programme leading up to the freeway system. I assure members there is no escape from that.

Mr. Virgo: What's your assurance worth?

The Hon. R. S. HALL: I am not concerned about how much the honourable member thinks it is worth. He can regard it as low as he likes.

Mr. Virgo: My opinion of it couldn't get any lower.

The Hon. R. S. HALL: The Leader has asked for an assurance and I think, on behalf of the Government, that I have been able to give him a fair one. The member for Edwardstown wants something additional: some halt or break in Highways Department thinking.

Mr. Virgo: I want the word of a man of honour.

The Hon. R. S. HALL: If the M.A.T.S. plan fails we do not stop highway or arterial road construction, and I know members do not want that. Let us again look at this plan in its proper perspective of building up over 20 years or more, depending on the rate of development of metropolitan Adelaide. The programme is based on what is going on today, and we must continue planning and building. I think I have made the position fairly clear. I hope that the debate will not proceed heatedly.

Mr. Clark: Why did you begin with a tirade of abuse?

The Hon. R. S. HALL: I did not begin that way; I do not accept that. The honourable member knows that what we say is recorded, and members should be willing to stand up for what they have to say. I am sure the member for Glenelg will take this completely out of context, but I say, in reply to the letter, that the Government's contention is quite clear and fair. We make no apology for having laid the proposal before the public for six months and for accepting in principle the significant parts of the plan. We make no apology for saying that we will put it to the test when the House resumes. In the meantime, I have given assurances in respect of freeway acquisition and building. I think what I have said would stand up in any group of critics, and I hope it will be plainly ascertained and plainly used by anyone who publicly debates this question.

The Hon. D. A. DUNSTAN (Leader of the Opposition): This debate was brought before the House this afternoon because an undertaking was given to this House that was plainly negatived by statements made last evening by a Minister of this Government. I have quoted the statements this Minister made, and they are not statements in accordance with the undertaking that has now been given. In order to get this situation clear it was necessary for us to move an urgency motion in the House this afternoon, point to the contradiction, and say to the Government, "Well, let us get this clear: if, in fact, you can give us an undertaking that all that is happening is holding work, that you are going to cope with hardship cases and that the other things that will happen will not be major undertakings of work in furtherance of a programme we have not had an opportunity to debate, if that is your attitude we will withdraw." That is all we want to know.

I referred to nothing of the history of this matter over a long period but pointed to the difficulties that would occur in the contradiction if it were persisted in, and that is something the people in the State have a right to know. In my speech I did not engage in abuse of the Government. Now we have the undertaking and, as it was the undertaking I asked for, I will accept it. In these circumstances, however, why was it necessary for me to be subjected in this House to deliberate quoting out of context and to the putting on what I said of a gloss completely contrary to the truth, as I will demonstrate in a moment? The Minister can shake his head if he likes, but I am sick of how the Premier seeks to defend himself by gutter abuse of his opponents. This afternoon the Premier said that the attitude which I had taken in this House and which I had stated to the people of the State was that if we had been in Government we would have accepted the plan and that for the public that would have been that. That is what he said here, but he knows it is a flat untruth: I did not say it.

The Hon. Robin Millhouse: He didn't say you did.

The Hon. D. A. DUNSTAN: Earlier in the speech from which the Premier has already quoted I pointed out that the proper process to be undertaken was the process provided by the Planning and Development Act. Apparently at that stage the Government had not even bothered to read the Act. The process provided by the Planning and Development Act was that the Government puts forward a proposition to the State Planning Authority, which must then decide whether it adopts the proposition in principle. Then the whole thing is published to the public. I went through the process as follows:

> In order for that process to be gone through, the plan has to be adopted by the State Planning Authority. It then must be published again to the public and objections invited from the public and councils, and then it has to go to the Minister to see whether he approves, after the report of the State Planning Authority on the objections that have been lodged.

That was the process I was advocating: that the thing be published to the public, that objections be received and that, before the Government considered proceeding with the plan, there would have to be a report from the State Planning Authority on every single objection.

Mr. Hudson: Objections not to the M.A.T.S. plan as such, but on what we decided to do about it.

The Hon. D. A. DUNSTAN: Exactly: objections to any positive proposal put forward to amend the Metropolitan Adelaide Development Plan, so that full protection was given to the public. That is what we enacted in this House and that is what I advocated. Members opposite know that perfectly well, for I said it not only on that occasion but also on many other occasions in this House. On a previous occasion the Premier tried to misquote me and I corrected him, so he knew perfectly well that I had proposed that objections be taken from the public about any amendment to the Metropolitan Adelaide Development Plan involved in freeway proposals. Therefore what he said was a flat untruth.

The Hon. Robin Millhouse: That is not what the Premier said.

The Hon. D. A. DUNSTAN: Why does the Minister not read the speech?

Mr. Corcoran: You're being ridiculous and you know it.

The Hon. D. A. DUNSTAN: It is the habit of members opposite to take bits of speeches completely out of context knowing that what they are representing is untrue, and they then put a gloss of their own over this. Why was this done? There was no necessity for it to be done. All that we have asked for this afternoon is a plain simple undertaking, which we have now obtained and which needed to be obtained for the people of South Australia. If it did not need to be given, why was it given? There was a plain contradiction between what was said here yesterday and what the Minister of Roads and Transport said outside the House last night. There was no need for heat in this matter this afternoon. If members opposite, seeing what had occurred, had got up and said, "This is the situation, and this is what we intend," that would have been the end of the matter.

The Hon. Robin Millhouse: You should have told the member for Edwardstown that.

Mr. Virgo: If the undertaking had been given I wouldn't have spoken.

The Hon. D. A. DUNSTAN: The first heat engendered in this debate occurred when, after we asked if we were to get any reply to our request for an undertaking, members opposite sat pat and then proceeded to try to defend themselves by hurling abuse across the Chamber. I am glad that the contradiction has been cleared up. It is not the first contradiction in this area, but the more we can

get cleaned up the better. Anyway, we are a little bit clearer on where we are going on the subject, and I am glad of it.

Mr. Corcoran: It won't be the last contradiction.

The Hon. D. A. DUNSTAN: No. I hope the public will now have the protections we sought for it and that we will have an opportunity to debate further matters I raised this afternoon which, if the undertakings had not been given, would have caused great concern to the South Australian public. According to Standing Orders, I am required to withdraw my motion and, having got the undertaking I have got, I ask leave to do so.

Leave granted; motion withdrawn.

SOUTH AUSTRALIAN SUPERANNUATION FUND BOARD REPORT

The Hon. G. G. PEARSON (Treasurer): I have previously laid on the table the report of the South Australian Superannuation Fund Board for the year ended June 30, 1968, and the document that I now lay on the table corrects some of the figures printed in the original report. So that the corrections will be incorporated in the original report, I move:

That the Paper be printed.

Motion carried.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 19. Page 3718.)

Mr. CORCORAN (Millicent): I support this Bill, although in the Committee stage I will move an amendment to clause 26. I cannot understand why some provisions have been included in the Bill, because I understand that the Local Government Act Revision Committee, which has done much work and research on local government matters, will soon submit its reports and may make recommendations affecting the basic structure of local government in this State. It is difficult to reconcile that possibility with the provisions of clauses 3 and 4, which the Minister has said are novel and have been included at the request of some municipal and district councils considering amalgamation.

The clause provides for the election of a mayor of a district council and, although a mayor of a municipality and people accustomed to living in a municipality may think that they lose status by losing their mayor, I know that the chairmen of district councils in this State are respected and esteemed as highly as are mayors of any municipalities. Chairmen of district councils whom I have met have not impressed me any less than have mayors of municipalities. However, there may be interest in areas other than those where amalgamation is being considered in changing the title to mayor. In fact, I understand that some interest has been shown in this matter in my own town of Millicent. A district council serves Millicent, as the town is not yet big enough to be a municipality, and the council or the chairman possibly thinks that there can be a gain by having a mayor for the town. I do not know of any reason for refusing such a request if similar arrangements are made in cases where councils amalgamate because of falling rate revenues or for some other reason.

However, if, as a result of the report of the Local Government Act Revision Committee, a new Local Government Bill is introduced, we may be considering providing for shire presidents, as we may be altering the whole structure of local government in the State. Because of that, we may be incurring unnecessary expense by placating people affected by the loss of the status of a mayor consequent upon amalgamation. I am pleased that the Bill was amended in the other place to provide that a mayor, because he will be elected on a different basis, will have a casting vote, not a casting vote as well as a deliberative vote, as chairman of councils have.

Mr. Ferguson: What vote does the mayor of a corporation have now?

Mr. CORCORAN: He has a casting vote only, and there is no argument about that. I hope that the Minister will not be embarrassed by the requests made by councils for the proclamation of areas. We have considered deleting the provision for proclamation by the Governor and inserting provision for action to be taken by regulation. However, if the usual type of regulation was provided for and an election was due soon after such a regulation was submitted difficulties could arise. Perhaps we could provide that the change would not be effective until the regulation became operative (that is, 14 days after being laid on the table of Parliament) but this procedure would probably create difficulties for the Crown Law Department, which I understand is snowed under with work already.

The procedure of proclamation, although easier, places a burden on the Minister, and he may be hard pressed to refuse applications, because it will be competent for any council

in the State to apply. Although it has been argued that Parliament should not interfere with councils and that councils should be allowed to make their own laws, the Subordinate Legislation Committee was established by Sir Thomas Playford to examine council by-laws.

I am pleased about the provision in clause 8 for extending the franchise for council elections. I am also pleased with the inclusion of clause 11, which gives councils the power (with the approval of the Minister) to set up a special reserve fund in order to purchase land for recreation areas. Such land often becomes available at short notice, but the council sometimes does not have funds available to purchase it. In 1966, I think, $300,000 was set aside by the Government to subsidize local government to purchase public parks on a $1 for $1 subsidy basis, but little of this money was used, because councils did not have the finance to take advantage of this scheme. Towns like Millicent will soon find it necessary to purchase more land for parks, and I hope councils will take advantage of this opportunity to reserve funds for this purpose. Public parks are important to any town and steps should be taken to enable councils to purchase land for this purpose.

Concerning clause 26, I understand that much trouble has been caused in the past in council elections by absent landholders. Either the candidate, or others soliciting votes on his behalf, or people on his electoral committee, have gone to absent landholders suggesting that postal votes be obtained for them, and on certain issues these people have been affecting the results of the elections. Malpractices have occurred and much difficulty has been experienced in these matters in the past. A previous Minister told me that if he had applied the provisions of the Act he could have summoned many people in the course of many elections, but because of the difficulties he did not proceed. The qualifications required to witness a postal vote application and a postal vote should be clearly stated. In the original Bill not only was the candidate disqualified from witnessing a postal vote application, but persons who had canvassed or solicited votes in that election or had been a member of the election committee of the candidate were also disqualified. This is a desirable position and I intend to move a similar amendment in Committee.

The Nineteenth Schedule sets out the form for an application for a postal vote certificate and for a postal vote paper, but it does not detail those people who are prevented by the provisions of the Act from witnessing an application. Can we expect a candidate and people working for him to ascertain whether they are qualified witnesses? By witnessing an application for a postal vote they could destroy the value of that application, because they are not aware of the provisions of the Act. The postal vote certificate in the schedule seems confusing to me: the returning officer should merely sign his name showing that the person named in the certificate is entitled to vote. I hope the Attorney will make this clear. With those few remarks I support the Bill, but will speak on it in Committee.

Mr. ALLEN (Burra): In supporting the Bill I agree with most of what has been said by the Deputy Leader. The suggestion to retain the mayoralty in a district council originated from my area where the corporation and the district council have been discussing amalgamation for many years. After much discussion they reached the stage where only the matter of the mayoralty was holding up the amalgamation, and they then suggested to the Minister that the mayoralty could be retained. He promised to consider the matter and to introduce legislation covering this aspect, and no doubt that is why this provision has been included. However, since then another amalgamation has been considered in my area and I understand that there are others throughout the State. I cannot agree with the Deputy Leader when he said that some district councils may apply to have a mayor appointed. Where a town has had the position of mayor for many years it would be reluctant to change the situation, and where a district council has had a chairman I am sure it would be happy to continue in that way. I do not expect any difficulty in that regard. Postal voting is a matter that has needed tidying up for a considerable time, and I think the Bill clarifies this matter considerably.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Mayor of district council."

Mr. FERGUSON: I believe this clause has been inserted because of the circumstances just outlined by the member for Burra. Although when, say, a corporation and a district council amalgamate, residents may think that an area may be losing prestige if the mayor

does not figure in the amalgamation, I think that common sense should prevail and that there are much more important matters to be considered here.

Clause passed.

Clauses 5 to 13 passed.

Clause 14—"Development schemes."

The CHAIRMAN: I point out that in new section 382d (5) (*b*) I intend to insert after "scheme" the word "or".

Clause passed.

Clause 15 passed.

Clause 16—"Publication of notices before borrowing."

Mr. HURST: Can the Attorney-General explain whether provision is made to cover during the transition period borrowings started by councils under the existing Act?

The Hon. ROBIN MILLHOUSE (Attorney-General): As I understand the honourable member's question, it is that some councils may now be in the process of borrowing and he is afraid that this amendment will affect what they have already done. The general rule (and I should believe it applied here) is that anything that has been done pursuant to the law as it stands at the time it is done is valid and is not affected by an alteration to the law subsequently enacted. I am confident that that would apply here, although I have no specific instruction.

Clause passed.

Clauses 17 to 25 passed.

Clause 26—"Authorized witnesses."

Mr. CORCORAN: I move:

To insert the following new paragraph:

(*f*) by inserting after subsection (2) the following subsection:

(3) A person who has at any time during an election—

(*a*) canvassed or solicited votes for a candidate in that election;

(*b*) acted as agent for a candidate in that election;

(*c*) been a member of the election committee of a candidate in that election,

shall not act as an authorized witness at that election.

Penalty: Two hundred dollars.

I move the amendment because the Government has obviously seen fit to alter the Act, as it has now denied a candidate at a council election the right to witness an application for a postal vote or the postal vote itself. This has obviously been done because of the difficulties that have been encountered and, no doubt, the Local Government Act Revision Committee has looked into this matter. The Bill was introduced partly as a result of the committee's interim recommendations. I do not see why, if it is necessary to disqualify a candidate from witnessing a postal vote, his cronies should not also be disqualified. Voting in council elections is voluntary, and this permits all kinds of effort on the part of candidates and their supporters to gain an advantage, particularly absentee landlords. If the candidate is disqualified from witnessing an application for a postal vote so, too, should any person who has canvassed or solicited votes for him, as he has the same purpose in mind: the election of a certain candidate.

The Hon. ROBIN MILLHOUSE: At the moment I have some reservations about this because of the extreme difficulty of proving the capacity of the people who are to be barred from acting as witnesses. It may be possible to get someone to go along and say, "Yes, he asked me to vote." I am not sure of the precise meaning of paragraph (*b*) of the new subsection. I should think it would be difficult to prove that a person had been a member of a candidate's election committee. Will the mover explain to the Committee how these capacities could be proved?

Mr. CORCORAN: It would not be difficult to prove. After all, who will investigate any irregularities in a local government election? Surely the returning officer, who has local knowledge, will. It would not be difficult for him, knowing the area well, to know that certain people had been connected with a candidate as canvassers.

The Hon. Robin Millhouse: What would be the case?

Mr. CORCORAN: The application would be invalid because it had not been witnessed by an authorized witness. This would upset the election and, if it could be proved after the election, it could be declared null and void.

Mr. HURST: This Bill is intended to tighten up the looseness in council elections in which progress associations and committees support candidates. If a person associates himself as a canvasser and acts on a committee for a certain candidate he is just as much involved as is the candidate himself. I know of a justice of the peace who lost his commission because of canvassing. As the canvassing by those involved should be stopped, I hope members opposite will support the amendment.

Mr. WARDLE: I cannot see why we should prevent people who eagerly support a candidate from taking part to this extent.

Mr. Corcoran: Then why not let the candidate do it?

Mr. WARDLE: The candidate is directly involved, but I cannot see why people supporting him should not witness a vote. Allowing those who support him to do this can increase the enthusiasm for council elections. Although there is a good reason to restrict candidates from witnessing signatures, I cannot see why anyone connected with the campaign should be disqualified from doing this.

Mr. VIRGO: The Attorney-General said he was not unsympathetic towards the amendment but could not see how it could be implemented. He said there would be extreme difficulty in proving a case. However, it would be no harder to prove a case under this provision than it would be to prove cases under other provisions of this Act and under the State and Commonwealth Electoral Acts. If the Attorney-General has acted as scrutineer at a council election, he has seen that there is no difficulty involved in this respect.

The member for Murray, having been a local government officer, will verify what I am about to say. When an application form is submitted to the returning officer, nine times out of 10 he is the town clerk or the assistant town clerk. The usual references are made on the application and then, when the postal vote certificate comes in, the two are pinned together. When it comes to the scrutiny, a person is able to see straight away if there is a preponderance of forms witnessed by one person. In the numerous scrutinies I have taken part in, by reading the various witnesses' names, we have been able to forecast reliably, never being more than one or two votes out, the result of postal votes before they are opened. We know the names of those on our side who witness signatures on postal vote certificates and applications and we know the names of those on the other side who witness them. The returning officer, seeing that the one person had witnessed four applications, would become suspicious. It would then be up to him to act.

The Hon. Robin Millhouse: Why?

Mr. VIRGO: Because coincidence is stretched too far. We all know that canvassing goes on and that the absent vote of this kind is the curse of council elections. The returning officer would have the evidence before the postal votes were opened. If there was suspicion, the votes would not be opened. It would not be a matter of having a court case later.

The Hon. Robin Millhouse: Are you saying that, if the returning officer sees that 12 votes have been witnessed by the same person, he does not open the votes?

Mr. VIRGO: Yes, because his suspicions would have been aroused long before 7 p.m. on polling day. Applications close, I think, on the Thursday night before polling day and the returning officer would have 48 hours to identify the witness.

The Hon. Robin Millhouse: Do you say that, on that suspicion, he would say that the person must have canvassed or solicited, and that he would reject the votes?

Mr. VIRGO: No, I did not say that. I said that the returning officer, knowing 48 hours before the close of the poll that the votes were doubtful, would satisfy himself about the qualifications of the witness.

The Hon. Robin Millhouse: What happens if the returning officer makes his decision, the witness is prosecuted, and the prosecution fails?

Mr. VIRGO: That is an extremely hypothetical case and is in a different category, because the election could be declared to have failed if the result could have been affected by the rejected votes. I think postal voting will be strengthened by the amendment. If the Attorney-General has had anything to do with council elections, he must know that the practice of soliciting for postal votes is rife, and I think a procedure could be provided to prevent this undesirable practice.

The Hon. ROBIN MILLHOUSE: I see two defects in the amendment. First, the returning officer would be told to decide before the poll closed whether a person had been canvassing, soliciting, or acting as an agent or as a member of a committee, and so on. This must be done in a matter of hours or days, and it would be extremely difficult for the returning officer, with all his other duties, to get proof. In addition to requiring him to make a decision in that time, we would make it an offence for a person to act as an unauthorized witness in those categories, but it might be held, on prosecution, that there was no proof that the person had canvassed or solicited. Therefore, the prosecution would fail, although the votes had been rejected.

The other difficulty arises from the definition of "canvass" or "soliciting". If I apply for a postal vote and tell the qualified witness that I want to vote for "Geoff" and the witness then says, "He's an extremely good fellow and you can't vote for anyone better," is the witness canvassing by saying that?

Mr. Corcoran: No, because you would have made the approach.

The Hon. ROBIN MILLHOUSE: I do not think that that matters: the witness would have said something that influenced me and was meant to influence me. The witness would have expressed an opinion forcibly in favour of one candidate before I voted. Further, I may say to the witness, "I am not sure about for whom to vote. I do not know X or Y. What do you think?" The witness may say, "Y is a good fellow." Is that canvassing? If the witness expresses an opinion, it may well be held that he is soliciting votes.

Mr. CORCORAN: In these instances I do not think the person would be canvassing or soliciting. If there were several signatures of the same qualified witness, probably it would become apparent to the returning officer that this was ocurring, but if only one person approached the qualified witness who could be suspicious?

The Hon. Robin Millhouse: The returning officer must act on suspicion.

Mr. CORCORAN: It is not likely that 20 people would approach this qualified witness, but if they did how could he be accused of canvassing or soliciting? If the candidate is to be prevented from witnessing an application form, then those people directly connected with his campaign should not be allowed to witness applications for postal votes. This amendment tries to overcome the blatant malpractices that have ocurred.

Mr. McANANEY: Definite laws are needed, but in this case it would be difficult for the returning officer to decide whether a person had canvassed or solicited.

Mr. VIRGO: The Attorney said that the returning officer might make a wrong decison. People who assume the responsibility of the position of returning officer would not arrive lightly at a decision in this matter. In addition, if he were doubtful he could ask for a properly witnessed statement from a person that he was within the category of a qualified witness, and that would resolve the position. Secondly, the Attorney wanted to know how it could be decided that a person had canvassed or solicited votes. I cannot answer that question and neither can the Attorney-General. What is meant by canvassing or soliciting votes within 20ft. of a polling both? What is meant by the provision that a candidate shall not, after the hour of midnight preceding the election, canvass for votes? What is meant by the provision regarding buying drinks or food or providing a carriage, and so on? These things cannot be defined, and I think that principle applies to the present argument. It is a question of how the provision is applied. If we wish to make it look ridiculous, we can do so, but it is not meant that way and I do not think it will be used in that way. I believe that the amendment would provide a sound deterrent to existing practices. I am sure that, despite the fears previously expressed by the Attorney-General, the amendment is completely capable of proper implementation.

The Hon. ROBIN MILLHOUSE: I have grave doubts about the wisdom of this amendment but, in view of the arguments put forward by the mover and by the member for Edwardstown, who supported him, I am prepared, although with some reluctance, to accept it.

Amendment carried; clause as amended passed.

Clauses 27 to 30 passed.

Clause 31—"Repeal and re-enactment of Nineteenth Schedule to principal Act."

The CHAIRMAN: I point out that in Form No 2 of the Nineteenth Schedule the words "Signed by the abovenamed in his own handwriting in my presence" are in the wrong place; they should come immediately below the words "Signature of ratepayer, in his own handwriting". The words to be transferred are associated with the words "Signature of authorized witness", and I intend to alter the form accordingly.

Clause passed.

Title passed.

Bill read a third time and passed.

Later, the Legislative Council intimated that it had agreed to the House of Assembly's amendment.

MENTAL HEALTH ACT AMENDMENT BILL

In Committee.

(Continued from February 12. Page 3566.)

Clause 3—"Charges for treatment and services rendered at institutions."

The Hon. R. S. HALL (Premier): I move:

In new subsection (1) to strike out paragraph (*b*) and insert the following paragraph:

(*b*) providing for the payment by and recovery from—

(i) a person who has received or is receiving such treatment or service;

(ii) a person liable or responsible for the maintenance of a person referred to in subparagraph (i) of this paragraph; or

(iii) a person who is in possession or control of the property of the person referred to in subparagraph (i) of this paragraph (such payment and recovery being made out of such property);

of any amounts payable for such accommodation or maintenance provided or such treatment or service rendered at any institution or class of institution;

I intend shortly to read in detail a document outlining the Government's policy on charging mental patients. Part of the document relates to benevolent homes, and this applies to the system operating in mental institutions today whereby, under an arrangement with the Commonwealth Social Services Department, those patients who are in the section of a mental institution designated as a benevolent home have a payment made on their behalf direct from the Commonwealth department to the State department of $10.20 a week out of their pension of $16. In this instance it is possible for the State to declare further sections of mental institutions as benevolent homes and bring in a further group of patients who will soon be getting Commonwealth social service pensions, but in so doing the State tends to prejudice future approaches to the Commonwealth that can be made to get the Commonwealth to support mental illness through the insurable hospitalization and medical schemes. In other words, once we declare institutions benevolent homes and take that portion of the pension that is paid directly now, we may be tied to receiving a lower figure from the Commonwealth in support of mental illness.

Mr. Broomhill: Why do it, then?

The Hon. R. S. HALL: It is thought by responsible persons in charge of the mental institutions (including the Director) that it is better for the patient to receive his pension and pay instead of having it paid directly on his behalf without his handling it. This is a considered opinion, and that is the personal side of it. I draw the Committee's attention to the future negotiating side when all States would like to see the Commonwealth support mental illness insurance schemes to a greater degree than is available under the benevolent homes arrangement. In addition, the Government wishes to obtain some contribution from people who can well afford to pay. Mental illness is no respecter of a person's income. If a person is well off it is desirable that he make some contribution towards being wholly maintained in an institution or as a patient for several months.

Mr. Clark: What if he isn't well off?

The Hon. R. S. HALL: I will now refer to the means test. In the case of a person whose spouse is in receipt of an income greater than $50 a week, the minimum level would be raised in the case of each dependant in the family by $10 a week and also in respect of any other financial commitment that bears adversely on family circumstances. If the income of the family of the patient is below $50 week, no charge will be made. If the patient's family has two dependants there will be no charge if the income is below $70. In any case, the Government gives the assurance that the means test will be administered sympathetically and that it will take into account any fixed commitments that bear on family circumstances.

Mr. Clark: Just what is the family income—wife's and husband's incomes?

The Hon. R. S. HALL: If there were wife and husband and one were in an institution, if the income were above $50 a week a charge would be made. Finally, for an adult pensioner without dependants, the charge will be in accordance with income based on proportions equivalent to the charges made for an unmarried pensioner. In other words, there will be no discrimination between pensioner and private income for one person without dependants. In all cases the maximum charge will be $3.50 a day as laid down. Since this matter was raised in the House I have gone through it again and again to make sure there were no unfair comparisons between the pensioner aspect and the private income aspect. The Government particularly does not want to put the fear of charge into anyone in relation to mental illness, but it deserves some recompense from people who can afford to pay and who are being wholly maintained in institutions. There will always be certain patients who require sympathetic consideration. I give the assurance that the scheme will be administered in a spirit of fairness so that it will not be abused or cause worry to people. I also give an undertaking that the

charges will be along the lines I will set forth and that they have the full recognition of the department and of the Director of the department. The detail of charges is as follows:

1. No charge to be levied on any parents (applies to both children and adult patients), but an amount equivalent to child endowment will be collected.
2. No charge to be made to pensioners who have dependants. This includes the case of a wife in receipt of a pension who may be dependent in any way on her husband's pension.
3. A trustee of a patient to be responsible for meeting charges for that patient, subject to assessment of means referred to below.
4. A patient (or the spouse of a patient) to be responsible for meeting charges for the patient, subject to assessment of means referred to below.
5. Assessment of means—
   (*a*) A pensioner without dependants—charges equivalent to the amount which the Commonwealth pays directly to an institution under "benevolent home" provisions:
   (*b*) A patient (or the spouse of a patient) in receipt of income greater than $50 a week—charges to be made. The minimum income will be raised by $10 a week for each additional dependant in the family.
   (*c*) An adult patient without dependants —charge in accordance with income, the charges being based on proportions equivalent to those charges made to a pensioner without dependants.
6. In all cases, charges can be made only to that maximum level a day already referred to, that is, $3.50 a day.
7. Where any financial commitment bears adversely on family circumstances, that will be taken specially into account.

I have distributed in typescript the assurances I gave on behalf of the Government with regard to the policy the Hospitals Department would follow with charges for mental health patients in Government institutions. I think members opposite have had time to digest those matters. Therefore, I again ask members to support the amendment that I have moved. I give this explanation as a deliberate assurance of Government policy on the charges proposed. I give the Government's undertaking that the policy of charging will be as outlined in that statement.

Mr. FREEBAIRN: Can the Premier give some idea of the revenue to be derived in a full financial year from the proposed scale of charges?

The Hon. R. S. HALL: I would have to make a hazy guess because there will be a most liberal interpretation of the means test. Until all individual cases are examined it will be impossible to say how many will be affected. As I understand it, we can expect an income of roughly $150,000 to $200,000 a year. Of course, much of this will come from social service payments on behalf of people who may be long-term patients of an institution.

Mr. HUGHES: I thank the Premier for his report. Before I listened to him I was not happy with the amendment, and I do not say I will support it now. It is difficult to absorb the figures given by the Premier.

The Hon. R. S. Hall: I am happy to report progress if you wish to consider them.

Mr. HUGHES: I appreciate the offer, and perhaps that would be the wisest course at this juncture.

Progress reported; Committee to sit again.

Later:

Mr. HUGHES: I have examined the Premier's undertakings regarding the charges to be levied against patients in mental hospitals, and I must adopt the same attitude as I did last week. Last week the Premier could not say who would be responsible for payment of such accounts, but since then he has apparently considered the objections raised. The Government has apparently decided who will be responsible for such payments, I presume because of the objections raised by Opposition members last week and also because of the protest of the Australian Council of Salaried and Professional Officers.

Having examined the Premier's statement, I believe I was correct in saying that the Government would use mental patients to force the Commonwealth Government to contribute towards their welfare. The Premier said there would be a space of time between the regulations being introduced and certain mental homes being declared benevolent homes. Although he has said that sympathetic consideration would be given these people, this assurance might not be accepted by the Opposition or by people affected by this legislation. The Premier said that no charge would be levied against parents and that an amount equivalent to child endowment would be collected.

The Hon. R. S. HALL: If the child is in an institution the endowment for that child only would be taken on account of the child; no charge would be made.

Mr. HUGHES: For pensioners without dependants, the charge will be equivalent to the amount the Commonwealth would pay directly to an institution under provisions

relating to the benevolent homes. The Premier has said that it will be necessary for the Government to apply for certain institutions to be declared benevolent homes under this scheme.

The Hon. R. S. HALL: The Government does not intend to declare sections of mental institutions to be benevolent homes. It did this previously so that Commonwealth arrangements could be facilitated, but it has introduced this Bill so that the patients will pay directly and receive the same amount out of their pension as they receive directly. At present, those in benevolent homes do not see the $10: it is paid directly to the State Government on their behalf. If this Bill is passed we will take from the pensioner only what other pensioners already in benevolent homes pay.

Mr. HUGHES: A married couple may have worked and saved for many years, but the wife, after becoming ill, has to be admitted to a mental institution. Would savings of this couple have to be used? If a person were confined to a mental institution for a long time it would be costly.

The Hon. R. S. HALL: If the income from their capital was more than $50 a week, a charge would be made. It may not be the full charge, depending on circumstances. In considering the group of people to whom the honourable member has referred compared with pensioners, great difficulty was encountered. The combined income of pensioners is $32, and I believe we have been generous in allowing an income of $50 before a charge is made. However, no charge would be made to a pensioner patient if the other one of the couple relied on the patients' pension: one would receive two pensions. We could not consider not charging those with an income higher than $50, but any additional burden on a family such as hire-purchase will be considered.

Mr. HUGHES: Few married couples, if one has to go into a mental institution, would receive two pensions. If the wife has to enter a mental hospital and any portion of the pension she has normally been getting is being used in the maintenance of the husband (who is already receiving a pension), then that person will not have to pay. Is this correct?

The Hon. R. S. HALL: Yes, even if she is spending only 50c a week on food or in any way contributing to the upkeep of the home.

Mr. HUGHES: I am pleased that, if there are two pensioners, one of whom must enter a mental hospital, and if it can be proved that either has been contributing in any way towards the upkeep of the home, even as little as 50c a week, then no charge will be made for that person, and the person outside the hospital will be able to receive the two pensions.

The Hon. R. S. HALL: The converse to that statement is that, if both pensioners were in institutions and they were being maintained separately, then a charge would be made.

Mr. HUGHES: Has the Commonwealth Government undertaken that, once the pensioner has been confined to a mental institution, it will then pay the two pensions to the one person?

The Hon. R. S. HALL: Almost as soon as this charging operation commences, an additional significant group of patients in mental institutions will receive Commonwealth social service pensions. At present they are not being charged and they are not receiving pensions, but the Commonwealth Government is coming into this field step by step.

Mr. HUGHES: If a single person, a widow or widower had saved $10,000, would that person have to pay, because $10,000 would not return $50 a week in income? Would the $10,000 be used up?

The Hon. R. S. HALL: Of course, not all money is held in the form of income-bearing investments. The Commonwealth Government applies a means test in connection with Commonwealth pensions; the income is rated by striking a percentage of the capital. If a single person without dependants is a patient, he or she will pay on the same basis as would a pensioner. If that person's income is greater than $16 a week, he or she will pay on that same pensioner basis. If a married couple is involved, the minimum is $50 a week. It would take a great deal of capital to yield an income of $50 a week. If capital was not earning income, the State Government would apply the same provisions as does the Commonwealth Government when it applies the social services means test.

Mr. HUGHES: Would that mean, then, that in the case of a pensioner patient whose income was $16 a week, the rest of the money would have to be met from his savings?

The Hon. R. S. HALL: No. This refers to a weekly income, and not to capital. This person would not have an income of $16 a week.

Mr. HUGHES: If the charge is $24.50 a week and only $16 is being received, who will meet the difference?

The Hon. R. S. HALL: A single person without dependants would pay the same rate as would a pensioner without dependants. The figure starts at an income of $16 a week, of which $10.20 is required by the department. A person with, say, $12,000 capital invested might receive $16 a week and, if he were to enter a mental institution and had no dependants, the charge would be $10.20. If the person had more money, the charge would be graduated until it reached the maximum in the case of a wealthy person. The charge is never as great as the income.

Mr. LAWN: I understand that a pensioner will be charged the sum at present paid by the Commonwealth Government to benevolent homes. Can the Premier say what that charge is today? Secondly, the Premier said that after this legislation came into force he believed the Commonwealth Government would, in respect of patients in a mental institution, pay a sum similar to what is being paid to benevolent homes. Does the Premier believe that that would occur immediately this legislation came into effect? If he does not, can he say whether the Government will impose this charge before the Commonwealth Government makes this payment?

The Hon. R. S. HALL: First, the payment made by the Commonwealth Government direct to the Hospitals Department on behalf of people now in benevolent homes is $10.20 a week out of the $16 they receive. Although I do not know exactly what happens to the other $5.80 I suppose it is credited somehow to the patient's account. I think about 350 people are about to receive a pension for whom there is no social service payment at present. These people, who are in institutions, will receive a payment, I understand, as soon as this legislation is passed. As soon as they receive the payment we will charge them according to the means test, but we do not intend to charge them before they receive the payment. In any event, the document to which I have referred would still operate and would be as good a safeguard as any word that I gave here. I hope the Government has demonstrated its sincerity by providing the generous means test that has been outlined. Indeed, we wish to cause no hardship, although we desire to obtain some return in the instances referred to.

Mr. LAWN: I assume that if it takes the Commonwealth a month to make the payment to the people concerned there will be no charge during that month?

The Hon. R. S. HALL: That is correct.

Mrs. BYRNE: I do not support this clause. I think the Government should be ashamed of itself in imposing charges on mental patients. I think this is the worst thing the Government has done since it has been in office. In fact, I have met no-one who does not agree with what I am saying. Can the Premier say how the property would be defined? Does it refer to a house property, and is it intended that, when a person is in control of a property whose owner is in a mental institution, money will be taken out of the estate when the patient dies, as applies in the case of council rates?

The Hon. R. S. HALL: The honourable member should be careful before she criticizes the Government, because her own Government was deeply involved in these charges. In fact, I think that the arrangement with the Commonwealth Government whereby $10.20 was paid out of the weekly pension of $16 was instituted by, or at least continued under, her Government. This was an arrangement by which the Commonwealth Government paid part of the pension direct to the State Government (in this case, the honourable member's Government). I want to be fair to the honourable member, so I shall not be dogmatic.

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

Mr. LAWN: I refer to the first item of the charges, the explanation of which states that no charge will be levied on any parent but that an amount equivalent to child endowment will be collected. Will the Government take from parents child endowment in respect of children in these institutions?

The Hon. R. S. HALL: Yes, child endowment will be collected on behalf of a child in an institution, but only on behalf of that child.

Mr. LAWN: Before the dinner adjournment, the Premier explained that in the case of a pensioner's going into one of these homes the Commonwealth will pay $16 a week, $10.20 of which will be paid to the State Government, and a balance of $5.80 will be left for the patient. At least that leaves something from which clothing, sweets, and so on can be bought for these people. However, in the case of those covered by item No. 1

the whole of the child endowment is being taken by the State Government. Therefore, I gather that nothing is left that could be spent on the child.

The Hon. R. S. HALL: In these cases the child is wholly supported in the institution and the only fee the Government requires is the child endowment. Of course, families in these circumstances are also subject to the means test. Therefore, in these cases no hardship will fall on parents. The department will require child endowment as the only payment on behalf of the child. Earlier in the debate the member for Barossa (Mrs. Byrne) made a rather scathing attack on the Government for insisting on charges. However, she was a member of a Government that took money from the Commonwealth out of pensioners. Not only did her Government do that, but it charged wealthy people nothing. This Government intends to charge the wealthy people something for their upkeep. I believe that when one compares what this Government has done with what the previous Government did, the comparison is odious for the Labor Party.

Mr. McKee: Not only the wealthy will pay.

The Hon. R. S. HALL: Obviously the honourable member does not understand what I am telling him. However, I am prepared to answer genuine queries raised by members.

Mr. LAWN: The Premier has said that the State Government is wholly responsible for keeping these patients. There must have been a lot of alterations in administration over a short period, because I know patients used to have to be provided with clothing. I know there has been some alteration, but I should like to know whether the Government is wholly and solely responsible for the clothing of these patients. I know these institutions have canteens where patients purchase cool drinks. Will the Government supply these cool drinks free of charge? Although the Premier has said that the Government is wholly responsible, will he explain whether that is so or whether the patients or their parents will have to pay this?

The Hon. R. S. HALL: The Government intends to take out of the pension the same amount as the previous Government took, except that it will be taken from more patients, because more people will be receiving the pension. In regard to children, the Government will take the child endowment paid on behalf of patients. I am not able to say whether the Government is wholly responsible for providing for the child, including provision for clothing, nor am I able to say what is the relationship between the person responsible for that child and the Government regarding clothing and other incidentals. However, I remind the Committee that this charge is much lower than, I think, the charge of $6 a week at Minda Home. I am sure that that also is subject to a means test. I consider that the taking of child endowment is fair. The charges are administered sympathetically, on a means test, and pensioners are left with $5.80 a week of the $16.

Mr. Lawn: But nothing is left out of the child endowment.

The Hon. R. S. HALL: No, but, irrespective of the costs for the child, the Government gets not $10.20 a week but the child endowment, which is a much lesser amount in comparison with the pension payment, and the Government considers this charge to be reasonable compared with charges in other institutions.

Mrs. BYRNE: Before the adjournment, I asked the Premier to define "property." Will he now do that?

The Hon. R. S. HALL: I am sorry that the honourable member was not present when I previously explained this.

Mrs. Byrne: I have been here all the time.

The Hon. R. S. HALL: Then the honourable member has not understood my replies. I have told the Committee that a liberal means test will be applied regarding charges for patients in mental institutions and that, where a family is concerned, no charge will be made unless the minimum income is more than $50 a week. The property cannot relate to anything but income, because the whole means test is based on income. As I have already told the member for Wallaroo (Mr. Hughes), it will be a charge not on capital but on income.

Mr. LAWN: The Premier said that the previous Government was taking more than $10.20, more than provided for in the proposed amendment. However, whilst the two previous Governments as well as the present Government have been in office, no pension has been payable to these patients. How does the Premier reconcile his statement that the previous Government took more than $10.20 a week out of the pension when no pension was paid?

The Hon. R. S. HALL: In the cases to which I have referred the pension was paid; it is as simple as that. Patients in benevolent

homes (a term given to a section of the mental institutions) are paid a pension under a bulk payment arrangement with the Commonwealth department, which pays $10.20 a week for each patient in bulk to the department itself. This is a complex matter.

Mr. Lawn: I do not think you have the answer.

The Hon. R. S. HALL: The member for Adelaide said that no-one in a mental institution was previously paid a pension. Some of them were (only a minor proportion), but it was significant in financing. I do not remember whether it was 150 or 300, but it was something of that order, and they were in the benevolent homes section. The Government intends to widen this charge. As a further category receives a pension the Government desires them to receive their pension as any other citizen would, and it desires to charge them the same amount as those in the benevolent homes are charged but under a different arrangement. The department does not want to continue a bulk arrangement for a number of reasons; it wants to charge the same and give the patient the responsibility of meeting the charge. In addition, the Government intends to charge those people who can well afford to pay. I am sorry this is not an insurable health matter, but the Government will continue to make representations to have it made an insurable health matter. That is one of the reasons why we have spent a considerable amount of time in making the scheme as fair and practicable as we can devise it.

Mr. LAWN: Obviously, the Premier knows no more than I do just what a benevolent home is. I think I can clear up the misunderstanding on whether or not people in these homes are receiving pensions. In most cases, patients sent to Glenside are admitted to Cleland House, which is the admission centre, and while there the Commonwealth pays the full pension. The previous Government and the Government before that never charged such patients, and I doubt whether they are charged today. When those patients reach the stage where the doctor thinks they are about ready to be discharged they are sent to Paterson House, where the pensioner is still paid and where the patients are still not charged. Where does the Premier get his information that the previous Government charged more than $10.20 a week? No charge was made by the Walsh Government or the Dunstan Government for patients in Paterson House or in Cleland House, and the Commonwealth Government paid the full pension if the patient was inside. Even if the patient enters voluntarily, he cannot come out until the authorities let him out. There is no charge there by the Government, but there is no pension. The benevolent homes are places like Magill, where the full pension is paid and a charge is made. I challenge the Premier to instance where the previous Government charged the pensioner more than $10.20 a week from the pension payable to these patients.

The Hon. R. S. HALL: The honourable member is rather mixed up. I am the first to admit that I do not know every detail of this matter, which is most complex. I cannot tell him the organization of the mental institutions name by name or the category of patients, but I can assure him that I did not claim that the previous Government charged more than $10.20 a week from a pensioner patient. This arrangement with the Commonwealth has been operating for some time. As the bells rang, I said I would not be dogmatic. Since the dinner adjournment I have spoken to the Minister of Health, who told me he believed it was brought in by the Playford Government. I was on my feet trying to explain it and I said I would not be dogmatic; then I was cut off by the ringing of the bells. The Minister of Health believed this was introduced by the Playford Government. It was certainly continued by the Labor Government. I do not know the exact details, but I assure the honourable member on the best of authority, which is not political, that charges have been made by arrangement with the Commonwealth. Whether that is called a charge or whether it is payment by the Commonwealth I do not know, but it is directly related to the pension payment and it is $10.20 a week or $20.40 a fortnight. The number, which escapes me, was over 100; I do not know whether it was 140 or 300, but it was a significant number, and it is the basis for additional charges on additional people who will get the same amount of money from the Commonwealth. I did not claim that the previous Government charged more than $10.20 a week. There is no dispute about that, but I do dispute what the honourable member says, that no charges have been made or no arrangements with the Commonwealth have been made as part pension payment on behalf of pensioners, because that has happened with at least two previous Governments.

We have had an emotional argument put up by the member for Barossa on how shocking it is that any charge at all is being made. I

do not mind an informative discussion, but I resent the charge that we are the only ones involved, if it is put on that basis.

Mr. HUGHES: During the long debate I had with the Premier on this matter this afternoon he convinced me on one or two points but, because of the way he is shifting tonight, I am beginning to wonder. I am trying to be fair. If members opposite had some tenderness in their hearts for mental patients, some of them would be rising to their feet and defending their actions instead of trying to make stupid interjections. If honourable members opposite want to turn this into a heated debate, they have come to the right one for that. This afternoon when the Premier debated this matter with me, we tried to reach an amicable agreement whereby the Opposition could perhaps agree with certain ideas that he had, but tonight the Premier hurled a tirade of abuse at the member for Barossa merely because she was seeking information. She made a fair comment because she does not believe, as I do not believe, that people in mental hospitals should be forced to pay the hospital fees. Tonight the Premier has tried to lay the blame at someone else's feet by saying that the previous Government took money off the poor people but that it was not prepared to take it from the wealthy. He did not say that that practice began under the Playford regime, but eventually it was forced out of him by the member for Adelaide. The Premier did not say initially that the $10.20 a week was being paid by only a small minority of people confined to mental hospitals, and not generally as he would have the House believe.

It has also been insinuated that only Opposition members are opposing this measure, which is not correct either. An article in the *Advertiser* of February 14 headed "Protest over Mental Fees" states:

The Australian Council of Salaried and Professional Associations has protested against proposed charges for patients in Government mental institutions. The President of the S.A. division of A.C.S.P.A. (Mr. A. T. Martin) met the Premier (Mr. Hall) yesterday to file the protest on behalf of 14 affiliated associations representing about 30,000 "white collar" workers in S.A.

In spite of this, Government members would have the public believe that it is only the Opposition in this Chamber that is against this measure; it is trying to deceive members that the public is taking this measure lightly, which it is not. The article continues:

Charges up to $3.50 a day are proposed by the State Government. Mr. Martin said: "We take the strongest exception to any Government which seeks to impose the cost of maintaining mental patients and retarded children in Government institutions on the near relatives of these unfortunate people. In most cases the problems of these people last for the whole of their lives. While it is appreciated that the proposals are for Government institutions, it is felt that if this becomes operative it will set a precedent for others to make a similar charge. Another concern is what will happen to the various Government-assisted institutions which look after some of these people and in particular retarded children. Will the Government insist on these institutions making a charge or increasing their charges as a condition of continuing to receive assistance?"

I have read it all, because I do not want to be accused by Government members of selecting certain passages in order to bolster my argument. It is not only Opposition members who oppose this legislation but most of the people of South Australia. This afternoon I tried to reach an amicable arrangement with the Premier, but now he has falsely accused the previous Government of charging patients in public institutions. That was for only a small minority of people through an arrangement with the Commonwealth Government in what is known as benevolent homes. No charge was made for most people in mental institutions in this State. As this Government is using people who are mentally sick to try to get more money from the Commonwealth Government, I have decided that I will not accept any assurance from the Premier, particularly his assurance that the Government would give sympathetic consideration in the administration of the legislation if the Bill were passed. I cannot accept the assurances of the Premier, and I make it plain now that I have finished with this Bill.

Mr. Nankivell: Sit down!

Mr. HUGHES: You sit down and keep your trap shut.

The CHAIRMAN: Order!

Mr. HUGHES: The Government members are making their speeches as seat-warmers: I should like to hear from the member for Stirling round to the member for Onkaparinga, including the member for Victoria, and I challenge them to let the people of South Australia know their thoughts on this matter.

Mr. McKEE: In the case of a patient who dies in an institution and who leaves an estate, can the Premier say whether the appropriate sum is recoverable from the estate when it is sold?

The Hon. R. S. HALL: I said that the charges made were related to income, and it seems pretty obvious to me that if a person,

who, as a result of a means test, is not paying a charge, suddenly dies, a raid will not be made on that person's estate in order to collect a charge that may be considered retrospective; indeed, there could not be any retrospectivity if a charge was not fixed. The charge is fixed on the property of a person when he or she is alive. If the member for Port Pirie followed the debate, he would know that a single person without dependants would have to receive $16 a week before any charge was made, and that charge would obviously come from income.

Mr. McKee: Does it refer only to income?

The Hon. R. S. HALL: Yes, or to the property that supports the income. Property is used legally to constitute one's assets, and this is set out clearly in the document that has been distributed to members. Certainly, no charge is made on property if the person concerned was not charged as a result of the means test.

Mr. McKee: What happens in the case of such a person who dies, leaving a house property?

The Hon. R. S. HALL: No charge is made.

Mr. LAWN: I am asking the Premier to report progress on this measure. The Premier admits (and I agree) that this is a complex matter, and the Committee is entitled to have all the relevant information before a vote is taken. The Premier said that the previous Government (but under pressure he admitted, that it was the Playford Government) imposed the charge for the first time. In reply, I said that patients at Cleland House, Paterson House and at the reception centre at Enfield (I think it is the east and west wings) had never been charged. According to the Premier, the Chief Secretary said that the previous Government (or the Playford Government) imposed this charge when it was in power, and that the Commonwealth Government deducted $10.20 out of $16.

Mr. Jennings: That's not true?

Mr. LAWN: It could be, but not in the case of patients to whom we are referring. The Premier does not know what are the benevolent homes and neither does any other member. However, I suggest that they are places such as the Magill home. I know that during the term of the Playford Government when the pension was £3 a week, £1 was paid to the patient and £2 was deducted and paid to the Government. Today, the Premier's scheme is for $10.20 to be paid to the State Government and $5.80 to be paid to the patient. In both cases, about two-thirds is paid to the Government.

I am inclined to think that the benevolent homes for which the Commonwealth makes a deduction to the State are homes such as that at Magill where the aged are kept permanently because they are not able to look after themselves. I am not satisfied that we are only continuing something imposed by a previous Government and, even it that were the case, it does not justify this proposal. Nothing can justify imposing charges on a section of the community which can only be described as the most pitiful section and which represents those in our mental institutions who are placed there of their own accord or forcibly in the interests of the rest of the community. I demand that the information in question be given fully to the Committee. The Premier can easly move that progress be reported, obtain the information, and resume the debate on motion.

The Hon. R. S. HALL: On a previous day, progress was reported during the discussion on this Bill so that information could be brought down to honourable members. Much information has been given to members and, this afternoon, progress was reported for an hour or so in order that they could study the information. I believe the details given are sufficient for members to understand the charges mooted by the Government. Nothing the honourable member says alters the situation. Whether the charge be on 100 or 1,000 the same individual consideration occurs.

Let me deal with this matter shortly. The Government and I have looked at the means test and it is set out with only one aim which is to make it entirely fair and remove any hardship from its application. I believe that we have done this and that is the way the charge will be administered. Is it therefore the contention of, perhaps, the member for Adelaide that a long-term patient in a mental institution should receive the pension and that that should be paid for years and years to a relative? Is that what he wants?

Mr. LAWN: No, I never suggested that. It could not possibly be done and the Premier knows it. Mr. Chairman, I ask for a withdrawal of that remark. The Premier knows that the Public Trustee takes over the affairs of any patient of a mental institution. Any pension cheques would be payable to the Public Trustee. The Premier said that I am asking that these cheques should be paid to relatives of the patient, but I said no such thing.

The CHAIRMAN: Does the Premier wish to withdraw?

The Hon. R. S. HALL: No, I did not make a charge; I asked a question.

Mr. Lawn: Well, you left the inference.

The Hon. R. S. HALL: No, I asked a question. Does the honourable member believe that a wealthy person should be maintained for nothing in a mental institution and that that person's estate should eventually go to relatives? If he does, I do not think he is being fair to the rest of the community.

Mr. Clark: We believe that everyone should have free hospitalization.

The Hon. R. S. HALL: If the honourable member believes that, there is no reason why that principle should apply only in one case. The honourable member may put a claim for free hospitalization for the whole community if he wants to do that. Apart from the personal desirability or otherwise of that, the community is not geared for it. I cannot keep repeating that we have studied this summary of charges and that no-one need fear it. We have been as open as we can be and, having said that, I ask for a decision on the matter.

Mr. JENNINGS: The Premier has just said that no-one in the community need fear this proposal. It is rather astonishing that last Monday evening the Mental Health Association met, as the Premier knows, because the association had a deputation to him on Tuesday morning, introduced by Dr. Springett, the Liberal M.L.C., to complain about this matter. My information is that the Premier was extremely non-committal. We can appreciate that, because he is always non-committal, not only in meeting deputations but also in discussing matters here. The Mental Health Association members are mostly psychiatrists working at Glenside and the other mental institutions in South Australia. They are extremely concerned about the position (and they have the closest contact with the mentally ill) because of the deleterious effect on patients, already worrying about many things, of further worry. Irrespective of what the Premier has said, members should oppose this clause and vote out the third reading.

Mr. LAWN: I have asked the Premier for certain information that he cannot give now but could give within half an hour. However, he has refused my request to have progress reported and the debate resumed when he has the information. Therefore, I move:

That progress be reported and the Committee have leave to sit again.

The CHAIRMAN: The question before the Chair is "That the Premier's amendment be agreed to."

Mr. CORCORAN: On a point of order, Mr. Chairman: the member for Adelaide has moved "That progress be reported and the Committee have leave to sit again."

The CHAIRMAN: Has the honourable member moved that?

Mr. Lawn: Well, I spoke for a minute, surely.

The CHAIRMAN: I understood the member for Adelaide to be asking the Premier to report progress.

Mr. LAWN: No, I have moved "That progress be reported and the Committee have leave to sit again."

The CHAIRMAN: All right.

The Committee divided on Mr. Lawn's motion:

Ayes (19)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn (teller), Loveday, McKee, Riches, Ryan, and Virgo.

Noes (19)—Messrs. Allen, Arnold, Brookman, Coumbe, Edwards, Evans, Ferguson, Freebairn, Giles, Hall (teller), McAnaney, Millhouse, Nankivell, Pearson, and Rodda, Mrs. Steele, Messrs. Stott, Venning, and Wardle.

The CHAIRMAN: There are 19 Ayes and 19 Noes. There being an equality of votes, I give my vote in favour of the Noes. The question therefore passes in the negative.

Mr. Lawn's motion thus negatived.

Mrs. BYRNE: What is the position if a married woman is admitted to the Glenside hospital and the husband receives an income of $51 a week? What would she be charged?

The Hon. R. S. HALL: The minimum means test is $50, so if the husband receives $51 a week he would be liable for some payment on his wife's behalf, but the amount would depend on his entire financial circumstances, although the charge would be an amount less than the maximum. At this stage I cannot say what it would be.

Mr. Clark: Could you find out?

The Hon. R. S. HALL: I doubt whether there has been any finality in this matter. Again, I point out that it is impossible to provide a certain charge in respect of every circumstance, because circumstances vary so widely.

Mrs. BYRNE: Does the Premier consider to be wealthy a married man, whose wife unfortunately has been admitted to a mental institution and whose income is $51 a week?

The Hon. R. S. HALL: No, but, unless a charge is fixed and then administered sympathetically, people who should be charged the same as others may not be charged. There could be many considerations bearing adversely on a family's financial circumstances. It is much better to administer the charge sympathetically in the way outlined.

Mr. Casey: If a person's income is $51, would he be charged?

The Hon. R. S. HALL: He would be considered for a charge on such an income. A couple on $50 a week could be in extremely good circumstances, whereas another family on $50 could be in the most adverse circumstances. No charge will be made on a pensioner couple in the circumstances previously outlined.

Mr. HURST: Has the Premier considered how this provision may aggravate the case of a person who receives $51 a week and whose wife may be in a mental institution? There are cases of a husband or a wife being in an institution for five or six years. Such people are not bad enough to be committed to Glenside but are in these homes. Through economic circumstances, the provisions of the Bill could possibly result in petitions for divorce in such cases. Has the Premier considered this possibility?

The Hon. R. S. HALL: Every consideration possible was given to cases of hardship. Instructions were issued to those concerned with administration that no hardship was to be incurred. That policy will be adhered to.

Mr. McANANEY: The Opposition has not been able to bring forward many cases of possible hardship under these provisions. A person could have an income of $50 a week from investments of $15,000 or $16,000. He would not have to use his capital if the exemption were $60 a week. The provisions of the Bill will be administered leniently and concessions will be granted in cases of hardship. Only people with considerable means from various sources will have to pay. The charges have been carefully explained by the Premier and, although the member for Wallaroo (Mr. Hughes) accepted that these people will not suffer the hardship that he at first thought would be inflicted, he has become confused again and now says that he opposes the Bill. However, these charges are extremely reasonable and the means test is generous. The member for Port Pirie (Mr. McKee) suggested that we would make a claim upon a deceased person's estate.

Mr. Langley: He didn't.

Mr. McANANEY: Well, he asked a question and was told that no such claim would be made. It has also been proved that we will not make retrospective claims for payment of charges and that we will not make charges in respect of deceased patients. The matter will be one between the Government and the patient. The Opposition's argument that we are heartless is fallacious. The Government will not take a large portion of even a fairly large income; it will take a small portion off the top. I know of no means test that allows $10 of income for a dependant. This is a reasonable amount, as I believe a dependant can be maintained on $10 a week. I have had six dependants myself and I know that under normal circumstances a child can be maintained for $10 a week. My children finished up strong in body, healthy in mind, and well educated. A hospitalized person on a pension of $16 a week who is wholly maintained in hospital for a charge of $10.20 a week still has $5.80 left for the necessary amenities.

Mr. Broomhill: What plank of your policy speech covered this?

The CHAIRMAN: The member for West Torrens is out of order in discussing the policy speech.

Mr. McANANEY: I think I have made my point. The Opposition is making mountains out of molehills on this matter. The Bill is generous, well thought out, and makes great concessions to everyone who requires this attention. Only on rare occasions will claims be made and people have to pay, and they will be only the wealthy.

Mr. RICHES: I have not delayed the Committee at any stage on this measure, but I feel it would be wrong for me to give a silent vote, particularly because I feel strongly that with this measure the Government is adopting an attitude from which it cannot take any comfort, satisfaction or pride. I never thought I would live to see the day when a Government which in one week can give away $500,000 in taxation can also get down to the business of charging these unfortunate people for the services the State gives (meagre as they are) to people in their hour of difficulty.

It seems to be a commentary on society that on the one hand we can so easily attempt to justify charges of this nature, yet on the other hand we can give money away to curry favour with a section of the community. I will not be a party to that kind of deal. Whatever financial difficulties the previous Government faced (and we never heard the end of the financial situation from the member for Stirling) it did not at any stage make it harder on the section of the community least able to pay.

I remember at one stage the Government of that day saying it would rather go further into debt than increase charges. I understand there are some cases in which a Government must increase charges, but if anyone wants a record of increased fees that have been imposed and increased charges that have been made he need only look at the present Government's record. This particular charge is the most invidious one of them all. I was hoping that we, as a people, were getting to the stage where we would not have to levy charges on the sick. I was hoping that we were moving towards the conditions in other parts of the world and that the sick would be taken care of progressively without charges.

Mr. McAnaney: That is why you left us a $9,000,000 deficit!

Mr. Clark: That is a fictitious figure, and you know it.

The CHAIRMAN: Order! The member for Stuart.

Mr. RICHES: I am wondering what impelled the Government to introduce such a measure, and whether it really was because of the shortage of money, especially in view of the taxation to be collected under certain other measures. I thought when I heard the member for Stirling speak just now that he was trying to justify the need to obtain this money from the bottom of the barrel.

Mr. McAnaney: What do you mean by the "bottom of the barrel"?

Mr. RICHES: What other avenue of taxation is there? I thought the honourable member was trying to justify this legislation because he considered there was an anomaly in society whereby some people who could well afford to pay were not, in fact, being required to pay. Apparently I was wrong. If ever people need to be free of financial worry, it is the people with whom we are dealing in this Bill. I am sorry indeed that the Government has stooped to this situation and has considered it appropriate to demand these charges. What the Government will receive will be a small amount compared with the amount the Government is giving away under a measure dealt with earlier this week. I am at a loss to know why the Government has taken this action, which is certainly in contradiction of everything it said at election time and in its policy speech. I hope members will reject the Bill outright.

Mr. EVANS: It was said earlier that the Australian Council of Salaried and Professional Associations, which represented 14 organizations and had 30,000 members, passed a resolution condemning the Government for introducing this legislation. By interjection, I pointed out that I did not believe the whole 30,000 members of that council or all the representatives of the 14 organizations would have been contacted and asked to cast a vote for that resolution. The member for Stuart referred to the Government's action this week in introducing a Bill that meant a loss to the Treasury of $500,000. I think he was referring to the removal of the winning bets tax. I point out that from the same industry we are now raising an equivalent sum, and that was the reason we advocated in our policy speech the removal of this tax.

I do not agree with the member for Stuart that other countries in the world are intending to provide free services. I believe many countries are looking to Australia and realizing that it is better for people to make a contribution before they receive a service. I know this sort of scheme does not apply to mental services here, but I hope it will one day. As has been said, the Playford Government introduced a charge against a minority group of mental patients in this State. The Opposition did not remove that charge during its three years of Government when it had the opportunity to do so. I believe mental and physical illness should be judged similarly. If people can afford to pay they should pay. I believe people should pay for the services they receive, except in cases such as illness when they should pay what they can afford to pay. The departmental officers will administer these provisions fairly and squarely.

The member for Barossa referred to the case of a person earning $51 whose wife was admitted to a mental institution. Although she may have been earning $100 a week, the Government will work only on the basis of the husband's wage of $51 a week. If the wife was at home, the husband would have to support her. I support the Government's

action on these charges and the method of levying them. I sympathize with those who are mentally ill or physically ill, but if they can afford to pay they should pay.

Mr. LAWN: During the last 20 minutes or so I have been told that Magill home is a benevolent home. During the latter years of the Playford Government a building was established at Glenside hospital to which invalid pensioners (presumably mentally ill pensioners) were admitted, and this home is also regarded as a benevolent home. In respect of patients in both institutions the State Government receives $20.40 a fortnight, the patient receiving the difference between that and $32 a fortnight. The Bill does not concern these patients. The Government has introduced the measure because it believes that within 12 months the Commonwealth Government will pay a pension to these other patients at Glenside and, if Glenside hospital is declared to be a benevolent home, the State Government will get $20.40 a fortnight, and it will get nothing if the hospital is not so declared or if there is no charge on patients.

The State Government will charge patients in Cleland House and Paterson House $20.40 a fortnight, and people go to these institutions for short-terms. If this Bill is passed and declaration as benevolent homes is made, the State Government will receive $20.40 a fortnight from patients at Glenside, Cleland House and Paterson House. In respect of the other approximately 350 patients, if declaration as a State benevolent home is made, the Government will receive $20.40 fortnight for each person. As much as I was opposed to the Bill before, I am sure that my earlier opinion was right because I am most reliably informed that the Government knows that in 12 months' time the Commonwealth Government will be paying the $20.40 on behalf of patients in the benevolent homes and that the only reason the Bill is before the House is that the Government does not want to miss out on the $20.40 a fortnight. Cabinet Ministers know that what I have said is true.

Mr. HUGHES: The further the Committee goes into this matter the more involved it seems to become, because the Premier is unable to answer the queries made by the Committee. The Premier was out of the Chamber for about 20 minutes and honourable members thought he had gone to seek information for the Committee. It appears that that was not so and, as the Opposition is not satisfied with the way the Committee is being conducted, I move:

That progress be reported and the Committee have leave to sit again.

The Hon. G. G. PEARSON (Treasurer): The member for Wallaroo was right when he said that the Premier went out of the Chamber to seek certain information requested by the member for Adelaide, but the person the Premier wanted to see was not available. I understood from the Premier as he left the Chamber that the person was now available; therefore, he has gone to consult him on this matter. Does the member for Wallaroo persist in his motion that progress be reported? I suggest that he withdraw his motion because, in a short time, the Premier will return to the Chamber and give the Committee the information it seeks.

The CHAIRMAN: The Treasurer will link his remarks to the motion before the Chair?

The Hon. G. G. PEARSON: Yes. I was trying to explain to the member for Wallaroo the reason why the Premier had left the Chamber. Is the honourable member satisfied with that explanation? It is a factual explanation. The Premier is absent from the Chamber at this moment in the desire to help this debate and to provide information for members. I hope the honourable member is prepared at this stage not to press his motion.

The CHAIRMAN: Is the member for Wallaroo prepared to withdraw his motion?

Mr. HUGHES: No, Mr. Chairman. As the mover of the motion, I believe that I have the right of reply to the debate on it. I have already intimated that the Committee should not continue along these lines, for there is other business on the Notice Paper to be discussed. I persist with my motion.

The Committee divided on Mr. Hughes's motion:

Ayes (18)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan, Hughes (teller), Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, and Virgo.

Noes (19)—Messrs. Allen, Arnold, Brookman, Coumbe, Edwards, Evans, Ferguson, Freebairn, Giles, Hall (teller), McAnaney, Millhouse, Nankivell, Pearson, and Rodda, Mrs. Steele, Messrs. Stott, Venning, and Wardle.

Majority of 1 for the Noes.

Mr. Hughes's motion thus negatived.

The Hon. R. S. HALL: The debate seems to have become complicated, but I believe this need not be. I have further information. There are about 170 patients in the mental institutions at Hillcrest and Glenside on whose behalf the Commonwealth Government makes the bulk payment of their pension to the department. This practice, introduced about 18 months ago with the agreement of the then Premier (the present Leader of the Opposition), has been of immense benefit to the patients. Not only has this meant $10.20 a week to the Government: it has also meant that patients have received the difference between this sum and their pension. The difference now means that they receive $5.80 a week that they did not receive before. This system is beneficial all round. Another 600 beds in mental institutions can be made available for patients charged under this type of system.

There are two means by which they can be charged. First, the system instituted previously can be extended and these wards can be included as additional benevolent wards; or secondly, charges can be made on the patients. If a patient is a pensioner without dependants he may be charged $10.20 a week, or a bulk deal can be done with the Commonwealth Government and the home can be declared a benevolent home. The Government has this choice and has decided not to choose benevolent homes but to choose the direct charge. There is no difference to the patient except that he is charged and pays $10.20 a week. Under the other system, the book work is done for him.

We are informed that it is better for the patient if he pays himself. These expert medical officers are concerned with the health of the patients. The financial result to the patient would be better and there would be a long-term prospect of Commonwealth Government assistance of more than $10.20 a week, which is the arrangement under the benevolent homes provision. The result of not passing this Bill will be that the Government will have no alternative but to declare more benevolent homes and continue the arrangements made by a previous Government.

Mr. LAWN: If it were not for the actions of the Labor Government, the State Government would be receiving nothing in respect of the pensioners in the invalid section at Glenside or the patients at Hillcrest, and the patients would not be receiving anything. By this declaration, the State Government receives $20.40 a fortnight. The Premier has obtained information similar to that which I obtained, because the source was the same, but my information was much more comprehensive than that given by the Premier. He did not mention the taking of all child endowment for the past 18 months and that the people in the eastern and western wings at Enfield reception centre, as well as those at Paterson House and Cleland House at Glenside would be receiving the full pension.

Further, he did not say that a pensioner without dependants would be charged the equivalent of the amount that the Commonwealth pays directly to an institution under the benevolent homes, namely, $20.40 a fortnight. At present, patients at Enfield, Cleland House and Paterson House pay nothing to the State Government but they receive $32 a fortnight. However, this Bill provides that patients receiving treatment for mental disability and getting $32 a fortnight will have to pay the State Government $20.40 a fortnight. However, the Premier has assured the member for Wallaroo (Mr. Hughes) that no-one receiving less than $50 a week will have to pay anything even if the patient has capital of $12,000. The pensioner receiving a full pension in the places I have mentioned will pay an equivalent charge. The Government is imposing a charge but it will not declare these places to be benevolent homes in order to get the money.

Mr. Virgo: The public has been lied to over the years.

Mr. LAWN: In fairness, I do not think the Premier knows what the Bill means, because he has been out of the Chamber obtaining information. The patients receiving full pensions and paying nothing today will pay only the same as other patients are paying in benevolent homes, that is, $20.40 a fortnight. There is no need to declare these places benevolent homes if a charge is imposed but, if the Government does not impose a charge, all it has to do is to declare these places to be benevolent homes. That information was given me this evening. The Government simply has to declare these places to be benevolent homes, and in 12 months' time it will receive $20.40 a fortnight for each patient.

Mr. Corcoran: The medical experts say it is better that the patient pay!

Mr. LAWN: Do they! I have the highest regard for the profession in its contact with these patients. Although I am not qualified as a medical practitioner, I know some of these people and they do not know what they are

talking about. It is ridiculous to say that it is better for patients to be charged. Why put all their affairs in the hands of the Public Trustee if they are capable of paying their expenses and receiving their cheques from the Commonwealth Government? As the member for Wallaroo has said, an entirely different change has come over the Committee since this afternoon. No doubt, the Premier is out of the Chamber trying to obtain information. I appreciate the source of my information, which is not confidential, and all Committee members know the name of the person of whom I speak.

The Premier said that the only reason the Government wanted to introduce these charges was that in 12 month's time the Commonwealth Government will pay these people pensions. The Premier would have us believe that we must impose this charge to obtain $20.40 a fortnight for each patient. According to him, the Leader of the Opposition 18 months ago obtained from the Commonwealth Government $20.40 a fortnight in respect of patients at two institutions. Did the Government have to impose a charge on those patients in order to obtain the $20.40? No! All the Government did was to declare the relevant sections of the institutions benevolent homes. The same authority advising the Premier has advised me that that was all the Government had to do in this case. The Government is deliberately misleading us. When the measure was being considered a couple of weeks ago, the Government wanted to rush it through in one day. The Premier having just returned to the Chamber with a book in his hand, I should like to know whether he has any further information. We are sincerely debating this Bill and have given more information in an hour or so than the Premier has given in a fortnight, but the Leader of the Government is sitting down with his feet on the bench.

The CHAIRMAN: Order!

Mr. LAWN: What do you mean? There are many interjections. Are you calling those members to order, or are you calling me to order?

The CHAIRMAN: The interjections are out of order.

Mr. LAWN: The Premier has no answer to our accusations. Indeed, we have obtained the relevant information and related it to the Committee, but the Premier just puts up his feet and ignores us.

Mr. HUGHES: I deplore the Premier's attitude. We have been seeking this evening information that is vital to the people of South Australia. This is one of the most contentious Bills introduced this session, but because the Premier has not been prepared to do his homework we are apparently to be treated with contempt. It seemed earlier from the Premier's replies to my questions that we would reach an amicable agreement in the matter but since the dinner adjournment we have found that the Premier in not telling the Committtee the truth in respect of this measure, and this has been demonstrated on several occasions during the last couple of hours.

The Premier has said that this was not his Bill, but he was the one to introduce it in this Chamber. As he is responsible to this Committee for the Bill, he should be able to give replies to questions asked by members on this side. If he cannot give these replies, he should move that progress be reported and obtain the information required. We are willing to stay here for some time so that the Premier can call his officers together and work out a scale of charges that are acceptable. However, as I have said, the Premier has been exposed by the member for Adelaide and by me. Therefore, I move:

That progress be reported and the Committee have leave to sit again.

The Committee divided on Mr. Hughes's motion:

Ayes (19)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan, Hudson, Hughes (teller), Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, and Virgo.

Noes (19)—Messrs. Allen, Arnold, Brookman, Coumbe, Edwards, Evans, Ferguson, Freebairn, Giles, Hall (teller), McAnaney, Millhouse, Nankivell, Pearson, and Rodda, Mrs. Steele, Messrs. Stott, Venning, and Wardle.

The CHAIRMAN: There are 19 Ayes and 19 Noes. There being an equality of votes, I therefore give my vote in favour of the Noes.

Mr. Hughes's motion thus negatived.

Mr. HUGHES: Injustice will be done to people if the Premier persists with this measure. I ask the Premier what a person, with an income of $51 a week, living under normal circumstances, owning his own house and having no hire-purchase or other debts to pay

except the normal water and council rates, will have to pay for the maintenance of his wife in a mental institution.

The Hon. R. S. HALL: I have answered a similar question previously, but apparently not to the satisfaction of the honourable member. I point out that this will be something less than the maximum scale of charges. It is the initial entry into the charging system. I have already said that every case will be examined individually to see how heavily the charge will bear. The honourable member may rest assured that someone in the situation he has outlined will not pay the full charge. It goes without saying that $20 a week will not be loaded on a $51 a week income; something less than that will be charged.

Mr. Hudson: About what?

The Hon. R. S. HALL: I cannot say exactly, but one would expect it to be less than half, as a starting point, although it depends on the individual assessment at the time. I have answered every question that has been raised tonight, and I am not worried about the personal matters the member for Wallaroo has injected into the debate. If he is using the debate as a vehicle to attack the Government or me it does not further his own case or the case of anyone else.

Mr. HUGHES: I think the Premier has confirmed what I said earlier: he is not able to give replies to the questions that have been asked.

The CHAIRMAN: The honourable member must speak to the amendment.

Mr. HUGHES: Yes, Mr. Chairman. Up to now the Premier has been evading the questions because he knows his answers would not be satisfactory to the Committee. I am not concerned about personalities, nor am I attacking the Premier personally: I am attacking him as the Leader of the State and as the person who introduced the Bill. He should know the scale of charges that will be levied and the repercussions that will be brought about. What has transpired definitely confirms what I said earlier, namely, that the Premier had not done his homework. He knew of the queries raised during the second reading debate and he knew that members would be seeking the information to which we are now referring, yet with all his going out of the Chamber for 20 minutes he comes back and bases his argument only on pensioners. Well, there are other people in mental institutions who are not pensioners but for whose welfare we are just as concerned.

Mrs. Byrne: And they are not wealthy.

Mr. HUGHES: That is correct. The member for Stirling challenged members of the Opposition to show where an injustice had been done to any mental patients, but how can we definitely say that an injustice is about to be done unless we know the full facts?

Mr. McAnaney: The document has been read out to you twice.

Mr. HUGHES: What has been read out today has been proved beyond doubt to be false. The Premier has been proved false twice this evening. The injustice that has taken place is made even worse when the Premier comes into the Chamber and is not equipped to reply to questions asked about a Bill that he has introduced. I deplore the Premier's attitude and arrogant manner.

Amendment carried.

The Committee divided on the clause as amended:

Ayes (19)—Messrs. Allen, Arnold, Brookman, Coumbe, Edwards, Evans, Ferguson, Freebairn, Giles, Hall (teller), McAnaney, Millhouse, Nankivell, Pearson, and Rodda, Mrs. Steele, Messrs. Stott, Venning, and Wardle.

Noes (19)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan (teller), Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, and Virgo.

The CHAIRMAN: There are 19 Ayes and 19 Noes. There being an equality of votes, I record my vote in favour of the Ayes. The question therefore passes in the affirmative.

Clause as amended thus passed.

Title passed.

The Hon. R. S. HALL (Premier) moved:

That this Bill be now read a third time.

The Hon. D. A. DUNSTAN (Leader of the Opposition): I do not believe the Bill should pass this House and I do not believe that we should be imposing charges on mental hospital patients. I do not think that the business of imposing charges on mental hospital patients in this way will get money out of the Commonwealth Government or induce that Government to undertake the obligations that it should have undertaken long ago in respect to mental hospital patients. It is clear that it should have done more before and that it should be doing it now, but I do not consider that this is the way to induce it to do so. It will have the effect of creating hardship on many mental cases. The Government's excuses about how charges will

be imposed does not overcome the real position that mental illness is a long-standing business. Rarely do people who have to seek the assistance of mental health services in South Australia, either in hospital or as day patients, have their conditions resolved in the short term. For instance, any analysis is likely to take about two years, and often takes longer.

Because it is a long business, great strain often arises from any kind of financial commitment, and to add to the financial commitments of people in circumstances where a family without dependants earns about $50 a week will not assist the recovery of a patient. In fact, it will inhibit the patient from seeking the assistance he or she ought to get. This is the basis on which the Mental Health Association has approached the Government and the Opposition. The association has also made a protest publicly. It has pointed out many times during Mental Health Week in South Australia that we should encourage people to seek the assistance of mental health services, and if they are faced with difficulties with their own commitments they are not likely to seek assistance. It will not get to a matter of assessment: many patients will not go. Those who do go will be faced with the business of assessment, and the imposition of a charge will not assist speedy recovery.

I consider that this whole Bill is wrong and that South Australia should not be indulging in this kind of legislation. I regret that the Government has not had second thoughts and listened to the people associated with mental health services in South Australia who have made their protests felt by some members. I wish they had made their protests more effectively felt by Government members. The Government can proceed with this measure only by ignoring the constant advice of the majority of psychiatrists involved in mental health services in South Australia. In those circumstances, I consider it extraordinary that the Government should be proceeding in this way. I hope that, even at this late stage, some Government member will heed the pleas of those associated with the Mental Health Association and those involved in mental health services in South Australia and vote against the third reading.

The Hon. R. S. HALL (Premier): I do not want to add very much, but in the face of the arguments put by the Leader of the Opposition I repeat that the Government will not be involved in charges that will cause hardship. I know that some members will not accept the Government's assurance on that, but it is freely given. The basis of the charge has been given as well as it can be given, short of its practical application, and I am sure that the itemized list that I have given would set almost everyone's mind at rest regarding treatment in a mental institution. We have been criticized in general on this point; yet, as I have said, the Leader of the Opposition was involved (and I think very creditably) in a scheme of arrangement with the Commonwealth Government for a payment direct from the Commonwealth department to the Hospitals Department on this point.

The Hon. D. A. Dunstan: We got money for the pensioners on this point, as well.

The Hon. R. S. HALL: Yes. I said it was very creditable, and I am not criticizing the Leader for that. Therefore, the Opposition cannot claim that it has had nothing to do with this sort of thing.

The Hon. D. A. Dunstan: It is not the same sort of thing.

The Hon. R. S. HALL: It knows full well that the attention the Government has given to the list of charges it has produced represents a most considerate attitude toward the charges that must be made. If the charges are not made the Government will have to go in further for the benevolent homes situation, which will mean that only the pensioners will pay but that those who can afford to pay will not pay. That is not a situation the Government wants, nor does it want to maintain a situation which has this invidious comparison. I believe we must be fair to all, and that is why the Bill has been introduced. It was introduced on advice, and on medical advice, in regard to the charges that are to be levied on pensioner patients. On this basis there is no need for me to revise the questions I have answered fully for several hours. The Opposition knows that it has received much information on the Bill which, I believe, deserves the support of the House in the full knowledge that the Government has given the best of assurances that it will create no hardship or invidious comparisons.

The House divided on the third reading:

Ayes (19)—Messrs. Allen, Arnold, Brookman, Coumbe, Edwards, Evans, Ferguson, Freebairn, Giles, Hall (teller), McAnaney, Millhouse, Nankivell, Pearson, and Rodda, Mrs. Steele, Messrs. Teusner, Venning, and Wardle.

Noes (19)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran, Dunstan (teller), Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, and Virgo.

The SPEAKER: There are 19 Ayes and 19 Noes. There being an equality of votes, I give my casting vote for the Ayes. The question therefore passes in the affirmative.

Third reading thus carried.

Bill passed.

Later, the Legislative Council intimated that it had agreed to the House of Assembly's amendment.

LOTTERY AND GAMING ACT AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

LOTTERY AND GAMING ACT AMENDMENT BILL (No. 3)

Returned from the Legislative Council without amendment.

ELECTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from February 13. Page 3611.)

Mr. RYAN (Port Adelaide): The Bill has been on the file for some time and most of the points to which members object have been dealt with. I want to bring a couple of matters to the Attorney-General's notice. First, I cannot understand why the Attorney wishes to provide that a candidate at an election cannot witness an application for a postal vote. Under Commonwealth legislation a candidate can witness applications for postal votes for both Senate and House of Representatives elections. As a result of my long experience, I believe it is ridiculous that a candidate should not have this right. There are a number of reasons for applying for a postal vote, two of the main reasons being that a person is old and infirm or that he is sick. In many cases the returning officer does not reside in the district or town for which he is the officer, and in most cases the person applying for a postal vote has no idea where the returning officer for the district lives. State elections are vastly different from Commonwealth elections in this respect, for electoral officers for Commonwealth districts are within the boundary of the districts.

However, in practically all cases returning officers at State elections are public servants who work in some Government department, and their address is not known to the average voter. In all cases the sitting members of districts, and in most cases candidates for a district, know where the returning officer can be found. Candidates for a State election must, first, apply to the returning officer for a nomination form and, secondly, lodge a deposit with the returning officer for the district. Therefore, they know where the returning officer is to be found, whereas the ordinary voter does not know. The ordinary voter could ask other people who also would not know. The person who can supply this information is the candidate. Under this provision, the candidate can obtain from the officer a postal vote form but he cannot witness the signature of a person wishing to vote.

In the case of pensioners or aged or infirm people, a candidate can take the form to them and assist them to fill it out, but he then has to find some other person to witness their signature. I cannot see any great reason why a candidate should not witness an application for a postal vote. No influence would be involved. Some influence may be (although I hope it is not) involved in filling in a ballot-paper, but a person wishing to vote by this method must first obtain a ballot-paper from the returning officer. If a person does not know where to locate the returning officer, how will he get the ballot-paper anyway?

Mr. Hurst: In Commonwealth elections, the candidate can fill in the form and witness it.

Mr. RYAN: Yes, but when it comes to State elections the candidate cannot do what candidates at Commonwealth elections can do.

Mr. Hurst: It is misleading.

Mr. RYAN: Yes, and confusing. In the interests of uniformity, this should be straightened out. Once again I find that the Attorney-General is not even interested in his own Bill. I do not object to a Minister's leaving the Chamber while he has a Bill before it, but if his services are required outside (and I know they often are) why does he not adjourn the Bill until such time as he is available? The worst offender is the Attorney-General. When he has a Bill before the House, he is absent. I have no objection to his leaving but he should have the debate adjourned until he is available. I am glad that he has now returned. The Attorney has attended many conferences of Attorneys-General at which uniformity has been a major issue, yet in this Bill he takes away uniformity as between Commonwealth and State elections.

Another anomaly is the provision requiring a witness to an application for a postal vote to state his or her occupation. The first part of the form of application for a postal vote requires the surname, Christian name, place of living, and occupation that appears on the roll. The witness declares that the particulars on the form are true and correct, but fewer than 20 per cent of the occupations shown on the roll are the occupations of the persons at the time they apply for votes. For instance, my occupation appears on the House of Assembly roll as agent, because that was my occupation when I enrolled many years ago and I have not had occasion to change it. Further, although I have always thought that a person's occupation is the main source of his income, the Attorney-General's occupation is shown on the House of Assembly roll as solicitor, although I have been told that since he has been Attorney-General he has not practised as a solicitor. I would say that his occupation now was legislator. The Premier's occupation, as shown on the House of Assembly roll, is farmer, and some of his legislation is that of a farmer: he has adopted a farmer's outlook. Would anyone say that the Premier's occupation is farmer? I can go further.

The Hon. Robin Millhouse: No, you need not. Your example was a good one.

Mr. RYAN: The Attorney-General has agreed that his occupation is solicitor and that the Premier's occupation is farmer. The Chief Secretary's case is the joke of the year, because he has not an occupation! His occupation is "Nil". If the Chief Secretary was applying for a postal vote, in accordance with the requirements of this Bill, he would have to put his occupation, as shown on the roll, on the application form: he would have to write "Nil". Would that be a true statement? Further, the witness is required to sign that the statement is true to the best of his knowledge. This is ridiculous.

The occupation of the witness is also required, but how can that be checked? The only way that the Electoral Department could check would be by referring to the roll and, if an occupation different from that shown on the roll had been given, the application would not be correctly witnessed. A greater anomaly is that an 18-year old, or a presumed 18-year old, can witness an application for a postal vote, whereas such a person is not enrolled and, therefore, the Electoral Department would have no means of checking. The application form for a postal vote should be confined to the minimum requirements. In future most of the information will be fed through a computer, which ought not to be overloaded with unnecessary particulars. I suggest that we delete the first requirement on the application, because the information is not correctly filled in, anyway.

Many aged and infirm pensioners come to me and, when I look at their occupations as shown on the roll, I see that they are shown as breadcarters, boilermakers, and so on. That is the occupation that must be shown on the application, yet the applicant is no longer carrying out that occupation. Therefore, a witness makes a false declaration that the particulars are true and correct. I, and many other members, have had complaints on this matter. The District of Port Adelaide comprises three subdivisions, and a polling place in the Ferryden Park subdivision is on Torrens Road, Croydon Park, on the boundary of that subdivision. On the other side of Torrens Road people are in the Woodville subdivision. The people on the opposite side of the road walk across to the polling both on polling day and ask the presiding officer for an absent vote. He asks them whether they will be in their subdivision, as required by the present regulations, during the hours of polling. They reply "Yes; I live across the road. As soon as I have voted I shall go back home." The presiding officer then says, "I am sorry; you cannot vote here. You have to go to your proper polling booth." That may be one and a half miles away, so they have to go one and a half miles to vote because the presiding officer will not accept a declaration of their place of residence.

There is an even worse case than that. I know this because it has concerned some relatives of mine and concerns my colleague the member for West Torrens. People in West Beach are in the District of West Torrens, but they are in the subdivision of Plympton. If they do not have their own transport, they have to catch a bus from West Beach into Adelaide and then from Adelaide to Plympton. There they record their vote and then have to catch a bus from Plympton back to Adelaide and from Adelaide to West Beach. They have a polling booth within 200 yards of their places of residence, yet if they go to the Henley South polling booth, the presiding officer there asks, "Will you be within your subdivision during the hours of polling?" They reply, "Yes; we are going back home as soon as we have voted." The presiding officer refuses to accept their vote. An

amendment is urgently needed here, whether in respect of an ordinary or an absent vote. It could be done by regulation. A person should have the right to vote anywhere in his district on the day when polling takes place. To force a person who could vote by crossing the road to go one and a half miles to another polling booth merely because it is within the boundary of his subdivision is absolutely wrong; yet it happens in practically all districts. The matter can easily be adjusted. I appeal to the Attorney-General seriously to consider it.

Prior to the last State election I raised this matter with the Returning Officer for the State and, although he told me he did not have the power to interpret the Act or the regulations as he would like to, he said he would advise the presiding officers that where a person wanted to vote in the circumstances I have outlined (by walking across the road and voting) they were to accept such a vote; but many complaints were made afterwards that the presiding officers had stuck strictly to the requirements of the regulations and that if people stayed within the boundary of their subdivision he would not give them an absent vote.

The member for Eyre (Mr. Edwards) made a good suggestion about the how-to-vote cards: I go along with him there. I bring these things to the notice of the Attorney-General. I know he will argue "uniformity" but, if he relies on uniformity, why does he provide that a candidate cannot be a witness at a State election whereas he can at a Commonwealth election? A further point concerns the hours of polling, which are still from 8 a.m. to 8 p.m. We all appreciate the reason for that: it was necessary 40 or 50 years ago but it is not necessary today. During the term of the previous Government I made representations to the then Premier that, when he attended Premiers' conferences, he should raise this matter with the Commonwealth and State leaders and discuss with them whether it was necessary to preserve 8 p.m. as the closing time on polling day. Of course, at one time it was necessary because a man left a pub at 6 o'clock and voted on the way home. Another argument used was that people going to a picture theatre at night would vote on their way there. Now, however, we have television instead of the pictures.

Mr. Venning: What about the man in the country?

Mr. RYAN: The man in the country in those days had to stay on his farm all day long; he could not leave it; it was impossible for him to get to a polling booth even by 8 p.m. Country people have more time on their hands these days than people in industry. The average person in a big industry starts work at 7.30 a.m. each day and may finish at 11.30 or 12 noon on Saturday. Nowadays, few farmers are tied down to their farms, and it would be no hardship for them to cast their vote before 6 p.m. Where years ago the farmer had to walk to the polling booth, now he rides in a big limousine. Will the Premier take up this matter with the other States and consider 6 p.m. as the closing time for a polling booth? If we allowed polling until 10 p.m. there would always be some voter who would come along at 9.55 p.m. to vote. When we had 9 p.m. shopping, there was always someone who got to a shop at 8.55 p.m. The voter these days can get to a booth before 6 p.m. Those who operate a polling booth know that today voting until 8 p.m. is not necessary. The Labor Premier took up the matter a couple of years ago. It should be done uniformly. I am prepared to let the Bill go into Committee.

Mrs. BYRNE (Barossa): I, too, have examined this Bill; I support it in principle. With some amendments I agree, with others I do not. As I desire to speak on those with which I do not agree, I ask leave to continue my remarks.

Leave granted; debate adjourned.

Later:

Mrs. BYRNE: I agree to the clause providing that postal votes should be in the ballot box by 8 p.m. on the day of the poll. We all know of the irregularities occurring under the present system whereby a postal vote may be received up to seven days after the close of the poll and included in the count if the returning officer is satisfied that it was posted before the close of the poll. This, of course, was brought home to us all in the Millicent poll last year, and I have no doubt that there have been similar instances in many other elections over the years. It takes an election such as the one that took place in Millicent to highlight such a situation. Obviously, the Act needs tightening up in this respect, and I consider that the new provision will be fair to all candidates.

I draw the Attorney-General's attention to the fact that there are some people in the community who in the past have not been able to vote at all. I refer to people who are admitted to hospitals at which, on the day before an election, there are no polling booths. On the day of the last State election I was telephoned by a person who was a patient in

Memorial Hospital. There was no polling booth at the hospital. The patient had not received treatment, being in the hospital only for observation. He spoke on behalf of himself and two others who also wished to vote. They could have left the hospital premises and gone to the nearest polling booth, but no transport was available and the hospital authorities said that if they left the hospital they would do so at their own risk. Therefore, they were unable to vote. I believe extra staff could be employed at the electoral headquarters in Adelaide on the day of the poll and that, on request, members of that staff could be sent to hospitals so that people of the type to whom I have referred could record absent or postal votes on the spot.

Of course, in the metropolitan area a patient admitted to hospital on a Thursday can send in a postal vote application form immediately and have the form returned in time to have it collected by a relative and posted before 8 p.m. on the day of the election. I realize it would be harder to have people visit hospitals to collect votes in country areas. However, district returning officers could be permitted to delegate power to their staff who, for this purpose, could call at hospitals, on request, on the day of election. I do not know if it is really necessary that there should be a request. These people could visit the hospital and anyone wishing to vote could do so. I do not believe that anyone who wishes to vote should be denied that opportunity.

The Bill provides that a person over 18 years of age may witness an application form for a postal vote or a postal vote itself. I approve of this provision. I had an experience during the last State election where a young man witnessed a postal vote, which contained a ballot-paper in my favour. To my dismay I realized afterwards that the witness was only 20 years of age. I do not know whether the vote was recorded in the count but, if it was, it should not have been. However, there was nothing really improper about that vote. The district returning officer should vote in the same way as any other person. He should not be restricted to having a casting vote in the event of two candidates polling an equal number of votes, because this places on him too much responsibility, especially as his vote may decide which Party will govern the State for the next three years. In the event of an equality of votes, the sitting candidate should be declared elected. In the unlikely circumstances of there being an equality of votes when there is no sitting member offering for election, a new election should be held. I am sure that the returning officers do not want the responsibility of making decisions in these circumstances. I also consider that there is no good reason for the appointment of a local court judge, special magistrate, or legal practitioner of seven years' standing as an electoral referee.

Mr. McKee: He may be all right if he's a good Liberal.

Mrs. BYRNE: Whatever his politics, he should not be appointed. The Returning Officer for the State, a responsible officer discharging important duties, should be the electoral referee. I have no strong feelings about providing for a member of Parliament to be enrolled for his district, except that a member of Parliament should not be in a position different from that of any other person. Although I do not suppose the member for Eyre (Mr. Edwards) and I would agree very often, I agree with his statement about the unnecessary work, time and expense involved in handing out how-to-vote cards on polling days. He has suggested that the practice should be eliminated and that suitable cards should be displayed behind glass or clear plastic in a prominent place in a polling booth. Mr. Speaker, I draw your attention to the state of the House.

A quorum having been formed,

Mrs. BYRNE: The member for Eyre did not elaborate, but I assumed he meant that the cards should be displayed in the booths where people voted. I see nothing wrong with having how-to-vote cards displayed in booths so that people can see them or having the name of the political Party shown next to the candidate's name on the ballot-paper. This suggestion is fair to all concerned, and I cannot see any advantage to be gained by any political Party from continuing with the present system. I think it is time the two major political Parties got together and adopted the idea suggested by the member for Eyre. All candidates could have representatives outside the polling booths, perhaps sitting at tables, where they could give information to prospective voters on request but not hand out how-to-vote cards.

The Hon. Robin Millhouse: How would you stop people giving out how-to-vote cards?

Mrs. BYRNE: By not providing them. Electors often object to the tactics of canvassers outside the polling booths. Another aspect of the electoral system that should be altered is the method of voting to provide for voting by means of a cross, or "first past the post", instead of the present system, as this is

a change the general public wants. No doubt all members of Parliament receive complaints from time to time from electors regarding the present system, especially from people from overseas, and we all know that our elderly citizens find the present system hard to follow. Not only elderly people and new arrivals to the country, but also some natural-born Australians, find this system difficult. This is borne out particularly by the results of Senate elections at which there are sometimes as many as 20 candidates. We all know how some electors can be confused in these circumstances, and this is particularly evident by the number of informal votes recorded at certain elections. It has been suggested that the Liberal Party favours the present system because it believes that most of the informal votes come from Labor supporters, but that is not the case, as has been proved by an analysis of voting trends, especially in respect of Senate elections. I support the second reading.

Mr. LANGLEY (Unley): I do not fully support the Bill, and I reserve my final decision for the Committee stage. However, the Government has no doubt discovered as a result of the Millicent poll last year that something must be done with the present Act, and this Bill contains some good points as well as some that are not so good. Generally, the measure is a step in the right direction. The Act contains many anomalies, and many of the Bill's provisions will benefit South Australians in the future. However, I refer here to the clause dispensing with the services of the State Returning Officer in his role as a referee. I am sure that everyone recognizes that this officer has at all times remained loyal and fair in carrying out his duties, and I think it is a slur on him that his duties should now be modified as they are by the Bill. Indeed, I cannot understand why such an amendment should be made to the Act. I should feel sorry for any person who, holding the position of State Returning Officer, found that his job had been downgraded in such a way.

On the other hand, I am pleased to see that the Government has seen fit once again to recognize the part played in society by 18-year-olds. It seems that 18-year-olds are given opportunities only when it is to the Government's advantage, and I think it is about time that they were treated as adults. The provision giving 18-year-olds an opportunity to witness postal votes, etc., is a step in the right direction.

I firmly believe that candidates at elections should be able to witness applications for postal votes. People seeking advice on voting matters normally contact their State member of Parliament. This does not apply with respect to Commonwealth members, because they are away from their districts most of the time. As people so often ask candidates at elections to witness these applications, I think provision should be made for candidates to be able to do so. Mr. Speaker, I draw your attention to the state of the House.

A quorum having been formed,

Mr. LANGLEY: I am most disappointed that the Government has not seen fit to provide in this Bill for a "first past the post" system of voting. People supporting both Parties clamour for this system. It used to be the system in this country, and I am not sure it was not the Labor Party that changed it. However, I believe that most people would prefer to see that system reintroduced. Although I have reservations on certain parts of the Bill, I support the second reading.

The Hon. ROBIN MILLHOUSE (Attorney-General): The Government does not intend to put the Bill through Parliament this session, but I thank members who have spoken during the second reading debate and assure them that I shall study assiduously what has been said and all the suggestions put forward. I hope that next session it will be possible to revive the Bill and to proceed from the point at which we leave off this evening. Although I am rather disappointed we have not been able to get the Bill through both Houses, I take comfort from the undoubted fact that there will not be a general election between now and the next session of Parliament, so at any rate the machinery alterations we propose would not have come into effect. Again, I thank members who have spoken, especially those who have been kind enough to pay the passing compliment to me.

Bill read a second time.

The Hon. D. A. DUNSTAN moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to the system of voting, election writs and postal voting.

Motion carried.

The Hon. D. A. DUNSTAN moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider amendments relating to deposits by candidates for election.

Motion carried.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

LICENSING ACT AMENDMENT BILL (No. 4)

Adjourned debate on second reading.

(Continued from December 5. Page 3070.)

Mr. CORCORAN (Millicent): As this is a Committee Bill, I do not intend to speak at length on the second reading. It is interesting that, after a short time of operation of the 1967 Act, many amendments are proposed, probably because of representations that have been made by interested persons about what they consider an unfair feature or anomaly. This procedure is perfectly in order. Generally speaking, the new legislation, introduced by the then Attorney-General (Hon. D. A. Dunstan) in 1967, has generally improved drinking conditions in the State, making the State a more pleasant place in which to live.

I am pleased that an alteration is being made regarding national parks. We had difficulty about this matter originally because of fears by some people that the provisions would lead to drinking and undue laxity in national parks. It was considered that these provisions should be made by proclamation, and assurances had to be given that this would not be done loosely. I favour streamlining the procedure by allowing the Minister of Lands to make the necessary decision, as provided in the Bill. I have complete faith in the present Minister even though some members showed they did not have complete faith in me when I was Minister of Lands by not allowing me to make the decision. They wanted this decision made by proclamation. As the Attorney-General knows, there is not much difference, but decision by the Minister is a more simple procedure. As there are several new features in the Bill, and as some amendments have been foreshadowed, I am sure there will be much discussion on it in Committee. I support the second reading.

The Hon. B. H. TEUSNER (Angas): As honourable members know, the Licensing Act, 1967, introduced many new features to the licensing legislation of this State. I said then that we would no doubt go through a period of trial and error and that in due course it would be necessary to introduce amending legislation to deal with the anomalies that would arise in the next few years. The Bill deals with several anomalies that need to be rectified and with other matters, to some of which I do not agree. As mentioned by the member for Millicent, it is a Committee Bill and the various clauses will have to receive due consideration in Committee.

Clause 6 amends section 18 of the principal Act. That section created two special licences, namely, the Barossa Valley Vintage Festival Association Incorporated and the Süd Australischer Allgemeiner Deutscher Verein Incorporated, but it is now proposed to create another special licence, namely, a licence to be granted once in every calendar year to the Wine and Brandy Producers Association of South Australia Incorporated authorizing it to sell and supply liquor to the public at the annual Royal Show. I think there is some merit in the Leader's suggestion that it would be appropriate that such a licence, if granted, specify that the wines to be disposed of at the show by the association should be South Australian, or at least Australian, wines. As the clause stands, the association could, if the licence were granted, market French or other wines from overseas and Australian wine. The association is South Australian in character, and I think it would be appropriate if such a licence were limited to the vending, disposing or selling of South Australian or Australian wines.

I take exception to clause 9, which deals with storekeepers' Australian wine licences. Under the 1967 Act, this licence could be converted into a retail storekeeper's licence provided that action to convert it was taken within two years of the commencement of the Act in September, 1967. It seems from the 1967 legislation that the court must within two years grant such a retail storekeeper's licence if it is to become effective. The proposed amendments in clause 9 introducing new subsections (4) and (6) to section 22 of the principal Act represent almost a complete reversal of the recommendations contained in the report of the Royal Commissioner (Mr. Sangster, Q.C.), who fully investigated the licensing position prior to the introduction of the 1967 legislation. Referring to holders of storekeepers' Australian wine licences, the Royal Commissioner at page 13 of the report said:

> In some cases these would undoubtedly qualify for a full retail licence; in other cases, their position may be doubtful or even clearly call for a limitation by undertaking or condition restricting them to their present Australian wine trade.

Parliament, in 1967, closely followed this recommendation, and section 22 (1) of the 1967 Act provides for retail storekeepers' licences. It is extremely important to note the proviso to that subsection, namely:

Provided further that the court may grant, renew or remove a retail storekeeper's licence subject to such conditions as the court on the application of a person applying for such licence or of its own motion thinks fit.

Section 22 (2) holds up applications for a retail storekeeper's licence for two years, expressly providing, however, that during that period the holder of a storekeeper's Australian wine licence should be permitted to apply. This priority can be construed only as a clear indication that Parliament accepted the Commissioner's recommendation that the holders of storekeepers' Australian wine licences should be permitted to apply forthwith for the new retail licence and have it granted either with or without the conditions set out in subsection (1).

It must have been obvious at that time (and no doubt it still is obvious) that the holders of these licences were earning the whole or a substantial part of their livelihood from the sale of liquor, and it would be unfair if this livelihood were taken away by new entrants into the liquor trade after the expiration of two years from the commencement of the Licensing Act in September, 1967. As an added safeguard, in section 61 (1) of the principal Act Parliament repeated the power of the court to grant any licence "with or without conditions upon any ground or for any reason whatsoever which, entirely in the exercise of its discretion, it deems sufficient".

Bearing in mind what I have said and, in particular, the unrestricted power of the court to impose conditions when granting a retail storekeeper's licence to the holder of a storekeeper's Australian wine licence, the proposed amendment in new subsection (4) now renders the court completely powerless. Notwithstanding the recommendations of the Royal Commissioner, after his diligent inquiry, and the present doubly repeated authority of the court to impose conditions, new subsection (4) states that a storekeeper's Australian wine licence applicant may be granted only the same trading rights as he now enjoys. The plausible reference is to the assurance in this new subsection that he shall not be granted any trading rights inferior to those now enjoyed. It is important to note that all that he now has is the right to sell Australian wine in single bottles. How he can be granted rights inferior to that is difficult to understand.

Mr. Corcoran: He could be permitted to sell only half-bottles.

The Hon. B. H. TEUSNER: A ludicrous example would be a limitation to sell only Australian wine or South Australian grown in a particular area. Obviously, if that were so there would be no livelihood. Moreover, if this provision is passed it will permanently restrict the present applicant to selling only Australian wine and will eventually cause him completely to lose his livelihood.

Clause 16 appears to allow all licensees to apply for variation of the conditions of the licence. However, the wording of the proposed amendment in new subsection (4) inserted by clause 9 is absolutely mandatory and allows no future removal whatever of the conditions imposed. In other words, the priority that was obviously intended in section 22 (2) of the 1967 legislation is cunningly removed by new subsection (4), and the holder of a storekeeper's Australian wine licence is permanently pinned, so that after two years from the passing of the 1967 legislation (that is, in less than eight months from now) the field will be open to applicants for the full retail storekeeper's licence.

The holder of such a licence will obviously attract away customers of Australian wine sellers by having a greater range of liquor to sell, thereby eventually putting out of business the small licensee. If, however, he continues to trade, with the assistance of other commodities, the very thing that the Royal Commissioner recommended (namely, the removal of anomalous licences) will still exist. There will still be a full retail storekeeper's licence and what is, in reality, a continuation of the old storekeeper's Australian wine licence. That is what new subsection (4) in fact says, and it is contrary not only to the Commissioner's report but also to section 22, the thinking behind both being that the sale of all types of liquor should be available to a retail liquor storekeeper except where his premises or type of trade require some limitation.

The inclusion of new subsection (6) in section 22, as provided for in clause 9, when analysed, is difficult to understand. The opening words, "Subject to this Act", mean that all the requirements of section 41 (that is, the lodging of expensive plans, advertising, and inviting objections) are preserved, together with proof of all the requirements under section 47 and all grounds of objection available under section 48. In other words, all this subclause states is that, if the holder of a storekeeper's Australian wine licence is successful in obtaining a retail storekeeper's licence, he will get a licence to carry on the same trading rights as he already has. In this connection one can

refer to new subsection (4). When this new subsection is read by the average person, it plausibly suggests that the holder of a storekeeper's Australian wine licence is being deliberately protected, that his trading rights are being preserved, and that he is absolutely assured of nothing "inferior" being granted to him. New subsection (6) then proceeds to assure that the holder of a storekeeper's Australian wine licence has only to apply to the court and he will have his licence granted.

The effect of the four small words at the beginning of new subsection (6), "Subject to this Act", could easily pass unnoticed unless emphatic warnings were given about it. In order to defeat the proposed manifest injustice and to re-establish the recommendations of the Royal Commission, the new subsections (4) and (6), I suggest, should be rejected. In any event, I believe that new subsection (6) should be amended so as to read along the following lines:

Notwithstanding anything else in this Act contained but subject only to sections 22 (1) and 61 (1) of this Act a retail storekeeper's licence shall, upon application being duly made by the holder of a storekeeper's Australian wine licence, be granted to that person.

As I said at the outset, I strongly object to the provisions of clause 9 and I trust that in Committee we will reject it. I refer finally to clause 11. I express to the Attorney-General my appreciation of his and the Government's action in introducing this clause to amend section 29, which deals with five-gallon licences. Representations were made to me last year by the Wine and Brandy Producers Co-operative Association of South Australia, which suggested an amendment to this section. I took up the matter with the Attorney-General and, following a conference with the secretary of the association, the Government introduced this clause to meet the association's requirements. As I have already said, it is principally a Committee Bill. I do not want to discuss it further now, but I again voice my strong objection to clause 9, which I hope will be defeated in Committee. I support the Bill.

The Hon. ROBIN MILLHOUSE (Attorney-General): What I said about the Electoral Act Amendment Bill goes really for this Bill as well: the Government does not propose to proceed with it during the present session, but I hope it will be at a stage at which it can be revived during the next session. I should like to thank those who have spoken in the second reading debate, especially the member for Angas (Hon. B. H. Teusner) who has just spoken and who, of course, will not be able to take part in the debate in Committee. I assure him and other honourable members who have spoken that I will study the points they have made. It is obvious now that a number of the 40-odd amendments in the Bill are controversial. I am sorry we have not been able to make more progress with this Bill. If we had not all spoken at such length on other matters, we would have got further with it. The matters dealt with in this Bill—unlike those in the Electoral Act Amendment Bill which, as I have said, do not matter because there will not be an election yet—will have an immediate beneficial effect when they come into operation; but that will now be delayed for some months. However, that is the way the cookie crumbles. I again assure honourable members that I shall look carefully at what has been said here, at all the amendments placed on the file and at the many representations I have received.

Bill read a second time.

Mr. RODDA moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause relating to the licensing of clubs.

Motion carried.

Mr. CASEY moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider amendments relating to the grant of a special licence to the Natural Gas Pipelines Authority of South Australia.

Motion carried.

The Hon. D. A. DUNSTAN moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to applications to transfer licences.

Motion carried.

The Hon. D. A. DUNSTAN moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider new clauses relating to the minimum age of barmen and barmaids.

Motion carried.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

FISHERIES ACT REGULATION

Mr. CORCORAN (Millicent): I move:

That the regulation under the Fisheries Act, 1917-1967, in respect of abalone permit fees, made on January 23, 1969, and laid on the table of this House on February 4, 1969, be disallowed.

My Party has considered this regulation, and I make clear that Opposition members know the difficulties of the fishing industry, because members of this Party were members of a Select Committee that inquired into that industry and, therefore, have an intimate knowledge of the problems. However, we do not see the justification for placing upon those engaged in abalone fishing the burden of a permit fee of $200. In the past permits have been issued free of charge, yet only 64 permits are current in this State. The Director of Fisheries and Fauna Conservation has said that it is necessary to charge this fee in order to accrue funds for research into this section of the industry. I suppose that, over the years, there has been much agitation by those engaged in the fishing industry generally for research of all types to be carried out.

However, a fee of $200 a year for each of 64 permits would return only $12,800 a year, which is not the sort of money that would be required to carry out the research needed. I realize that, apart from the fact that money is required for research, the immediate need in this area possibly is to restrict the taking of abalone, and I consider that the fee of $200 has been imposed to restrict the number of people engaged in the industry. A regulation now in force allows the director some latitude about the granting of permits, and I do not consider that he has used his powers as widely or as forcibly as he should have done. People in the industry have complained to me that some persons engaged full-time in other work have been granted licences, whereas others who have claimed to be engaged full-time in the abalone fishing industry have not been able to get them.

Mr. Hudson: Do you think the $200 fee is the result of the Premier's investigation last year?

Mr. CORCORAN: I do not think he investigated abalone: he was more interested in crayfish at that time. Mr. Olsen has said that abalone divers can well afford the proposed fee of $200 (as he said, a day's catch), that some divers have, at odd times, obtained as much as $800 in one day, and that others grossed about $8,000 to $10,000 in the last year. On the other hand, people in the industry say that not one diver in this State has made anywhere near this amount in a day. The $800 represents 2,000 lb. meatweight or 6,000 lb. meat and shell weight which one diver would have to pull on his own at a price of 40c a lb., but the present price is 30c a lb., and that would make this kind of money physically impossible. They do not believe that there is any justification for this amount to be charged for a licence. However, if this were the case and it was justified because they made this sort of money, I wonder what would happen to a crayfishing licence, which costs $5 at present.

The Government has indicated that it is anxious to carry out research, so perhaps we can expect that some move will be made to increase the cost of a crayfishing licence. I suggest that this will not happen, because there are many more people engaged in that industry than are engaged in the abalone industry. The department has every reason to be concerned about the state of this industry at present and about the protection of its future, and it may have to restrict the effort and the number of people engaged in the industry. However, the Opposition believes that existing regulations give the Director sufficient power to do that without placing this unjust burden on people in the abalone industry. We consider that these people have been singled out because of the small number involved; they believe they are too small a force to be able to register a sufficient protest and, for that reason, the Opposition believes we can register their protest. We believe that the reasons given for this impost are not sufficient to justify it. Therefore, the Opposition considers that the regulation should be disallowed.

Mr. CASEY (Frome): I endorse everything that has been said by the Deputy Leader. When I read of the $200 licence fee to be imposed on abalone fishermen, I was horrified to think that this industry, which is a profitable one (no-one is denying that), should have this fee thrust upon it. If the industry were not profitable no-one would fish for abalone, but it is not as profitable as we have been led to believe. If it was as profitable as that, why have fewer permits been issued today than were issued 12 months ago? Last year 110 licences were issued to abalone fishermen in this State. At present there are 64 licences, and I think this shows that the profitability of abalone fishing is not what was suggested. I believe that this section of the fishing industry has been singled out most unjustly. I recently took the opportunity to visit the South-East and went out on a cray boat. I desired to obtain first-hand information on how the fishermen operated and what type of catch they obtained, and so forth. I was surprised at the catches they were obtaining in certain

South-Eastern ports. However, every section of the fishing industry is in a rather precarious position at present, mainly because we have not kept a strong rein on the industry in this State, at the same time recognizing the fact that many more people are fishing in South Australian waters today than there were previously.

I think the Minister of Agriculture and not the Director of the department should have made the statement concerning this matter because, after all, the Minister is the one in charge of the department. It was the Minister's duty to release the information rather than pass the buck to his Director, and this is a mistake that should never have been made. It is not fair that one small section of the fishing industry has received the imposition of a large licence fee of $200. I think there are other ways and means of dealing with the situation. More research must be carried out into the fishing industry, and it is gratifying to know that the whiting industry is being investigated on a large scale at present. The Treasurer, who comes from that part of the State where possibly the sweetest fish in the world (whiting) is caught and who was himself once Minister of Agriculture, is no doubt interested in this industry. We will not get such a tremendous sum out of one small section of the industry that we shall be able to carry out research into the industry as a whole. This fee has not been well thought out at all, and I think that the hasty decision that was made should be revoked. I support the motion.

The Hon. D. N. BROOKMAN (Minister of Lands): I hope that the House will not support the motion but that it will agree to the present regulation to raise the fee to $200. The abalone industry is a young one that has grown very quickly. It is only three or four years since abalone was simply something to talk about in South Australia. In September, 1967, there were 20 licences for fishing abalone; six months later the number had grown to about 110, and about 150 people were actually diving for abalone.

Mr. Ferguson: Something like a gold rush.

The Hon. D. N. BROOKMAN: Yes. This industry was being mined. Abalone is a shell fish that lives on rocks in coastal waters. It can be fished by using small boats of 12ft. or 14ft. in certain circumstances. At present 14ft. boats go out as far as the Pearson Islands. Victorian divers, having left Victorian waters that had become less profitable because of pressure there, were moving into South Australia. The authorities, when they stepped in, were inspired partly by the report of the Select Committee on Fishing that had been appointed by this House and partly by the then Minister of Agriculture (Mr. Bywaters), who has been described by the Director as the architect of the scheme from which this fee originally came. At the last conference of Ministers, held in Canberra in September, 1968, the Hon. C. R. Story, the present Minister of Agriculture, fully supported Mr. Bywaters's scheme for raising finance from within this industry for research studies on fisheries, particularly in South Australia, where hitherto only a limited amount of State fisheries research had been carried out. I will read the most relevant of the proposals approved at the meeting in September, 1967, of Commonwealth and State Ministers:

States other than Western Australia and Tasmania implement an appropriate scheme to collect funds from the industry to be used for research, education, extension and development.

The fee in South Australia is the same as that in Victoria, and it represents a very small proportion of the total value of the industry. The fund that is to be raised from these fees is to be subsidized 100 per cent by the Commonwealth Government. If any industry needs research urgently it is this one, because of its rapid growth—and possible rapid extinction! If we do not go in for research we will have an example of major folly. There are only 64 licences at present; previously, there were more. The Director of Fisheries and Fauna Conservation has deliberately set out to limit the number of licences. He is trying to hold them to a comparatively low figure. He reports:

The $200 fee for an abalone permit is the same as in Victoria and when it is realized that the present 64 divers holding permits have been given an exclusive right to take public property for a fee of only $4.00 per annum—their fishing licence—they are not paying any more than any commercial fishermen without exclusive rights. During the past year abalone divers have taken over 1,000,000 lb. weight of abalone valued in excess of $450,000. For this exclusive right they have paid the niggardly sum of $220 (110 permits at no charge but each permit holder is required to have a fishing licence, the fee for which was then $2 a person a year). For the current year (December 1, 1968, to November 30, 1969) 64 divers have each paid $4 totalling $256. If the $200 abalone permit fee is to remain it represents an amount of 64 x $200 accruing to fisheries research funds of the department to be used in investigations on abalone (provided, of course, proposals for fisheries research funds are finally approved by the Government). This fee or levy represents only 3 per cent of the

value of the industry if the figure of the yield is taken at $450,000. However, it is known that the weight of abalone taken is above 1,000,000 lb., and if the value of this export is rated at $1 a lb., then the amount of the fee to be paid by the present 64 divers represents but 1.28 per cent of the total value. This percentage figure will be lower if more divers are given permits. A small royalty for an exclusive right!

That is the view of the Director, an outstanding fisheries expert who was appointed by the previous Government and whose appointment was approved by the Opposition at the time. Mr. Olsen has been known to me for many years and I was as pleased as was the then Minister of Agriculture when I heard he was to be appointed our Director. He has shown remarkable energy in dealing with the problems of the fishing industry. The men holding these 64 licences will not be forced out of the industry. They know that, if they give up these licences and exclusive rights, other people will come in and take their places, and those people will not argue about a $200 fee.

One further point I want to urge is that the Parliament has a system of testing subordinate legislation through its Subordinate Legislation Committee. That committee hears evidence and there is a well-tried procedure under Standing Orders whereby all these regulations are scrutinized for the advice and assistance of members. The committee has not yet considered this regulation. It has many sitting days of Parliament in which it could consider this regulation, which could be disallowed if, after hearing evidence on it, the committee decided against it and the House accepted that recommendation. How much better it is to accept the system whereby a committee investigation is held and the House then takes into account evidence given and the advice the committee gives before it makes up its mind.

I think that we are on very weak ground and are being extremely impetuous if at this stage, before the committee has examined this question, we disallow this regulation. I point out that, for the present licence holders, the fee will not be effective before November, 1969. What folly it would be if we acted without a committee investigation and, at this stage of the session, after one short debate and without any evidence being invited from outside, simply agreed to disallow the regulation.

Mr. Corcoran: We could have more than a short debate.

The Hon. D. N. BROOKMAN: I do not argue about the length of the debate. The point is that, after one debate and without inviting evidence from anywhere, we would make up our minds to turn down the matter after having received the advice of the Director, in whom we all have confidence. If we are to reject the possibility of a research programme, which is so badly needed in this new yet possibly short-lived industry, and if we cannot with Victoria join in this Commonwealth agreement, it will be a great mistake; it will be tremendous folly. We would be deserving of our fate if the industry failed. I hope the House will not accept the motion.

Mr. HUDSON (Glenelg): As a member of the Select Committee that looked into these matters connected with fishing, I say that the proposals in this regulation are a complete reversal of the traditions that have applied in the fishing industry. In no case has it been suggested that a fee be charged at such a level that all the necessary money for the State's contribution to that research programme would be found from that source. We know, of course, that the only investigation so far carried out into abalone fishing was carried out in 1967 by the Premier when he went diving for abalone—or so we were led to believe by the photograph on the front page of the *Advertiser*! If this is the result of his investigations into the matter, I hope he makes no investigations into crayfishing because, if the argument that has been advanced this evening in the submission by the Director of Fisheries which I have seen and which has gone to the Subordinate Legislation Committee is accepted, the same point applies in respect of crayfishing. The gross returns from crayfishing are not significantly different from those from abalone fishing, and the need for research is just as great.

Is the Minister prepared to tell the House that the only way in which the State is prepared to subsidize research into abalone fishing is through the collection of a fee from those involved in the industry? Is that the only way in which research will be financed, and is that the kind of precedent to be set for research to be carried out into crayfishing, whiting fishing, prawn fishing or any other type of fishing? Is this the approach of the Government? If it is (and this regulation certainly sets a dangerous precedent) I believe this regulation should be disallowed. It discriminates entirely against the abalone industry,

the only basis for the discrimination being that it is a young industry about which we do not know enough.

The Government has apparently said, "In no circumstances are we prepared to put any general revenue funds into research in order to attract Commonwealth Government subsidy." Is the Minister trying to tell us that the Commonwealth subsidy is not available unless the State collects money for fees collected from the abalone divers? Can the Minister answer that question? I suggest it is not the position (and the Minister knows it full well) that the Commonwealth subsidy for research into abalone will be attracted just as well if the State provides the necessary contribution out of State revenue, and that should be the initial procedure. I do not want a situation where this sort of fee becomes the general fee applied throughout the fishing industry.

The same argument that a cray fisherman could afford $200 could be used, but it could not be used in relation to whiting fishing because the gross returns to the whiting fishermen are so much smaller. If the equipment for the abalone divers is not adequate, it should be subject to survey regulations. The Select Committee recommended that the boats and equipment of professional fishermen should be subject to survey, and that recommendation should be implemented. Further, if the Government wants to restrict the amount of effort in any part of the fishing industry to conserve stock or because it is worried about the possibility of running down supplies of stock to a dangerous extent, this should not be done by the imposition of a fee. This can be controlled effectively only by limiting the number of the people in the industry and their effort. In the crayfishing industry effort is limited by means of boat limitation and a pot limit, and this is the appropriate way. The same general procedure should apply to abalone fishing.

We know full well that there is insufficient inspection in relation to abalone fishing at present and I suspect that some funds will go not to research but to the payment of inspectors. Be that as it may, this regulation establishes a precedent that would not be tolerated in relation to any other facet of fishermen's operations, whether cray fishermen or any other professional fishermen, and would not be contemplated by the Government. I think that this regulation is directed at the abalone fishermen because they are a special class of person considered to be without rights equivalent to those of other sections of the community or of the fishing industry, and that the Government thinks it is all right to have a go at these people. I have heard them described as beach drifters, or words to that effect. The findings of the Select Committee in relation to the fishing industry and the committee's recommendations on licence fees make clear that this regulation is completely out of line with the general practice in the State and should not be allowed.

Mr. CORCORAN (Millicent): We on this side recognize the need for research in the industry, as we have often said. Secondly, we recognize the competence of the Director of Fisheries and Fauna Conservation and have no complaint about him. Thirdly, we have moved for the disallowance of this regulation because, as the member for Glenelg has said, it creates a dangerous precedent so far as the other sections of the industry are concerned. If this is the basis on which permit fees are to be arrived at in future in other sections of the industry, we are in for trouble. Money is needed for research, but this is not the way to get it. It is not fair to get it from one small section of the industry.

If we are to raise this sort of money, surely some system of levy could be worked out on the basis of total catch for the year. I am sure that the money would be forthcoming if such a scheme were submitted to the industry. What the Minister has said about the product being mined is not gross exaggeration, but the imposition of a permit fee of $200 is not the answer. I do not think that the Minister has given sufficiently sound reasons for this imposition. If this regulation is allowed it will create a dangerous precedent and will rightly cause alarm in the industry.

The House divided on the motion:

Ayes (19)—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Casey, Clark, Corcoran (teller), Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Riches, Ryan, and Virgo.

Noes (19)—Messrs. Allen, Arnold, Brookman (teller), Coumbe, Edwards, Evans, Ferguson, Freebairn, Giles, Hall, McAnaney, Millhouse, Nankivell, Pearson, and Rodda, Mrs. Steele, Messrs. Teusner, Venning, and Wardle.

The SPEAKER: There are 19 Ayes and 19 Noes. There being an equality of votes I give my casting vote in favour of the Noes, and the motion thus passes in the negative.

Motion thus negatived.

INDUSTRIAL CODE AMENDMENT BILL (No. 2)

Returned from the Legislative Council without amendment.

WHYALLA HOSPITAL (VESTING) BILL

Returned from the Legislative Council without amendment.

PROROGATION

The Hon. R. S. HALL (Premier): I move:

That the House at its rising adjourn until Tuesday, March 18, at 2 p.m.

I know that one has to be careful, in making certain remarks, that one does not take too much for granted on behalf of members opposite; yet, this being the last night of the session, I wish to thank all members for the expeditious way in which they have considered legislation in these few short weeks at the finish of the session. Much legislation has been considered in this short period, and I thank everyone concerned for dealing with the matters so expeditiously. I believe it has been a productive session, and the 112 Bills on our files indicate how many matters have been considered in the House. Certain measures have been confirmed and further consideration will be left until the next session, their second reading having been passed. Much work remains to be done in respect of these measures when the next session commences.

I thank you, Mr. Speaker, for the way in which you have conducted the affairs of the House. We all thank the Clerks, who have looked after us and guided us in procedural matters, and others who have put so much personal effort into their work. We particularly thank *Hansard* for the difficult task the staff has performed in reporting our debates, and we thank the catering staff for looking after us and ensuring that we have the stamina to continue with the debates in the House. We also thank the messengers who untiringly look after our needs, and attend to our various papers, etc. The service performed by them is indispensable. We leave this session in the knowledge that it will not be long before we enter another, in the knowledge that we have all put a great deal into this session and in the knowledge that in various ways we have all gained experience in the work that backs up our Parliamentary representation between sessions. I wish all members a happy break and I hope they will enjoy it as well as further their representative work on behalf of their districts.

The Hon. D. A. DUNSTAN (Leader of the Opposition): In rising to second the motion on behalf of the Opposition, I wish to thank all persons connected with the business of the House for the way in which that business has been conducted. I particularly thank the staff of the House: the Clerks, the messengers, the *Hansard* staff, the catering staff and the staff of the Joint House Committee for the way they have looked after us. It would be quite impossible for Parliament to proceed if they did not exceed the strict line of duty in what they do for us. I thank, too, the Parliamentary Draftsmen for the assistance they have given us. I think I have covered everyone who needs to be thanked and I, like the Premier, hope we shall be back in this House after the break to get on with the job of further legislation. On behalf of this side of the House, I can assure him and members opposite that the next session will be not less lively than this one.

The SPEAKER: I, too, should like to say a word of appreciation. I think everyone will agree that it has been a very strenuous and trying session at times, but it has been punctuated by some very vigorous debates, some of which have been very good indeed. In the exchange of views and in the keen debating some members stood out clearly. Since the new members entered Parliament, I have been able to see a distinct improvement in the quality of their debating. The member for Stuart (Mr. Riches) and I can be called the fathers of the House, and we will agree that the new members will learn by experience. I appreciate the co-operation of all members: the job of Speaker has been very difficult at times. I appreciate the co-operation of both sides of the House in making this Parliament work. I am very grateful indeed, particularly to the two Whips. This is the twelfth Parliament of which I have been a member.

Mr. Ryan: Too long.

The SPEAKER: Perhaps it is, and I believe it has been too long for the honourable member, too. The two Whips have done an outstanding job and, of the Whips in the 12 Parliaments of which I have been a member, I can honestly say that these Whips are the best I have worked with. If this Parliament, after the Electoral Commission has met, can bring about electoral justice for South Australia it will be a very worthwhile achievement. I pay a tribute to the Clerks, who have done a magnificent job. They are always willing to co-operate; their task is not very easy at times.

To the messengers, who are always willing to co-operate and who are most obliging, I express my appreciation. We are very fortunate in having the messengers that we have. To the *Hansard* staff, to the typists upstairs, to my private secretary (who has done a magnificent job—how she gets through the work I do not know) and to the Parliamentary Draftsmen I express my appreciation. The Parliamentary Draftsmen have been most co-operative. At times they have got a bit edgy, but we all do late in the evening and particularly towards the end of a session.

I hope that during the recess members will have an enjoyable time. Members will now be able to enter into an enjoyable time with their colleagues from Western Australia, who I hope will enjoy themselves while they are in South Australia. I know that all members will co-operate to make their stay enjoyable, and that they will emulate what the Western Australian Parliamentarians did for us when we visited that State.

Motion carried.

At 11.52 p.m. the House adjourned until Tuesday, March 18, at 2 p.m.

Honourable members rose in their places and sang the first verse of the National Anthem.