HOUSE OF ASSEMBLY

Tuesday, November 25, 1969.

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

MENTAL HEALTH ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

QUESTIONS

GOVERNMENT TENDER

The Hon. D. A. DUNSTAN: Earlier this year a tender was called for the supply of books to various secondary schools. This tender (No. 1292, due on June 30) was for the supply and delivery of multi-volume encyclopedia and dictionary sets and of library books to Education Department secondary schools, under the scheme for providing Commonwealth aid to secondary school libraries. The tenderers were requested to tender on the basis of price list less discounts. When tenders were accepted, it was announced that tenderers from other States had obtained the necessary contracts and that they had done this on the basis of delivery not to schools but to the Public Stores Department, which would then undertake to deliver to the schools. However, that was not the basis on which the original tender was called.

The South Australian tenderers then protested to the Premier, who told them that there was a considerable saving to the Government in accepting the tenders from other States; that against this there would be an extra distribution cost to the Government of about $3,000, which was much less than the saving to the Government in accepting the tenders from other States rather than the South Australian tenders; and that he was satisfied that this was a proper action by the Supply and Tender Board. I point out to the Premier that the basis of the South Australian tenders was for the supply to the Public Stores Department and that the tender could have been different had the tenderers been asked to tender on a different basis, because the question is not what would be the extra cost to the Government of distribution to the schools but what would be the extra cost to the tenderers. The South Australian tenderers may well have been able to make real savings had they been told that they were to tender on a basis different from the one on which they were invited to tender. I therefore ask the Premier whether he will further investigate this matter and see whether tenders could not be called again in this matter, so that when the tenders are accepted they are accepted on the basis invited and not on some basis other than that on which all tenderers have tendered or been invited to tender.

The Hon. R. S. HALL: Obviously, the people who came to see me have now gone to the Leader of the Opposition, following my reply to them. These books were not produced in South Australia, and it is a matter of retailing or wholesaling (whichever term is applicable) them to the department. As the books are imports into South Australia, it is not the South Australian manufacturing industry but the retailing or wholesaling industry that is concerned in the selection of this tender. I have called for a report following the visit to my office of the two gentlemen, whose representatives or who themselves must have seen the Leader, and I have exhaustively examined the situation. As I do not have the details in my bag, I will have a look at the matter and see what further information I can bring down for the Leader. However, it is evident from information supplied that the results could not have been greatly different had the tender been accepted on the original basis, because the price difference for the tender first considered was large in favour of the successful tenderer. Had the first tender been accepted, inevitably the same situation would have resulted. I think that the difference in supply technique, whereby the department sends out books to the schools, was a refinement in respect of the first offer that added to the savings of the department. I will bring down the information for the Leader, letting him know the basis of the selection which, I assure him, could have followed no course other than the one it followed.

EYRE PENINSULA BUSH FIRES.

Mr. EDWARDS: All members will have heard about the disastrous bush fires on the West Coast over the weekend. However, as the press has given conflicting reports about the seriousness of the fires, will the Premier obtain a report summarizing the damage done and showing whether or not the fires have been as disastrous as the newspapers have led us to believe?

The Hon. R. S. HALL: Yesterday I called for a preliminary report from the Police Department on the damage that occurred on Eyre Peninsula over the weekend. I have since called for further information which, if it becomes available today, I will give to the honourable member; if it is not available today, I will bring it down tomorrow. The Treasurer has already told me that he has inspected some of the area, I think on Sunday. I will get information as soon as possible about the exact extent of the damage.

Mr. EDWARDS: With reference to the report in the channel 2 news service last evening that the Treasurer has said that people who have suffered loss by fire damage may apply for relief under the Primary Producers Emergency Assistance Act, will the Treasurer say what action farmers should take to apply and what are the conditions of eligibility for this assistance?

The Hon. G. G. PEARSON: The report in the channel 2 news service that I had said that farmers who had suffered loss could apply to the Minister of Lands for assistance under the Primary Producers Emergency Assistance Act concerned me somewhat when I saw it, because I had told the reporters from channel 2 that, in the case of hardship, people could apply for assistance under the Act. When I saw the report I immediately telephoned the television station, requesting that the report be corrected if it were used again, and I was given an undertaking that that would be done. Now that the honourable member has asked the question, I will clarify the position. The Act, which was passed in, I think, 1967, sets out clearly the terms under which a person can apply, and I suggest that the honourable member peruse the Act to get the full details. The measure does not provide that a person suffering loss can be given relief for normal restoration of that loss. To provide that would be impossible and that is not the intention of the Act. The Act intends that a person who has suffered loss to the extent that he is suffering hardship and is unable to carry on his operations or has no alternative source of funds with which to carry on may apply to the Minister of Lands for assistance, and the Minister has power to grant assistance, either by loan or grant or partly in each form. Under the Act a person who considers that he is in a position of hardship has a problem about carrying on his occupation, and lacks an alternative source of funds may apply direct to the Minister of Lands.

Mr. EDWARDS: Has the Minister of Lands a reply to my question of November 20 about bush fires in the far west of Eyre Peninsula?

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

People travelling from Western Australia are stopped at the Agriculture Department checkpoint at Ceduna and, in addition to being warned of the serious fire hazard conditions, are handed pamphlets warning of the penalties of fines and/or imprisonment for breaches of the Bush Fires Act. Following a visit to the far West Coast areas last year by the Minister of Agriculture, roadside signs have been erected at points on the Eyre Highway at Coonalda and Yalata drawing attention to the high fire hazard position and warning of the penalties of fires and/or imprisonment for breaches of the Bush Fires Act. Motels, roadhouses and station properties have been given pamphlets referring to common provisions of the Act and rubber stamps with the words "High Fire Risk Area".

Publicity material has been issued to Amber Hotel of Eucla (50 miles over the Western Australian border), Nullarbor Station, Coonalda Station, Ivy Tanks Motel, Nundroo roadhouse, and the Yalata Mission. I am not clear from the honourable member's question as to what articles travellers would be searched for or what action he would suggest should be taken if articles such as matches, barbecues, etc., are discovered. It would seem to me unlikely that any thought of depriving travellers of articles of this nature would be practical or acceptable in legislation that would undoubtedly be necessary to confer authority for this to be done. Every effort will, however, continue to be made to publicize the extreme fire hazard situation that exists and to warn travellers of the consequences of irresponsible and careless acts. As the member has already been informed, the Minister of Agriculture, I am having discussions with the Stockowners' Association on this problem.

BREAD

Mr. CASEY: Over the weekend, Melbourne newspapers referred to a likely increase in the price of flour and said that it would inevitably mean an increase in the price of bread throughout Australia. As Australia has enormous quantities of surplus wheat and as I understand that bread still comes under price control in this State, will the Premier ensure that the price of bread does not increase in this State, even if it increases in the other States, for the situation we have today seems rather ludicrous?

The Hon. R. S. HALL: As I understand it, no representation has yet been made to the Prices Commissioner for an increase in the price of bread. However, the situation is not as simple as the honourable member would

have us believe, because the surplus of grain has meant a diminishing demand for offal (that is, bran and pollard) from the milling industry. As this has a direct reflection on the monetary yield available from the milling of wheat, it could eventually lead to pressure being applied for an increase in the price of flour. I think the honourable member will realize that the sale of offal from the mills is an important and integral part of the return from wheat. The slackening demand for offal could create pressure on the flour price. The effect of not increasing the price of bread may mean depreciating the price paid for grain. As the honourable member knows, the Australian home consumption price for grain is fixed and is tied to a particular index. I have forgotten the figure at present.

Mr. Casey: It is $1.71 for export wheat.

The Hon. R. S. HALL: Yes, and it is subject to variation according to variations in the cost of production, so the honourable member must realize that the matter goes back to the index and increases arising from increased cost of production, and, inevitably, wheat so milled and subject to this price consideration must yield accordingly. If pressure on offal is reducing the yield, one may expect an increase in the price of flour. As far as I know, no application for an increase is before the Prices Commissioner at present, but I will inquire further in case an application has now come in.

PREMIERS' MEETING

The Hon. B. H. TEUSNER: A report in this morning's press states that the Victorian Premier has said that next month South Australia will be the Mecca of all State Premiers, who will meet to consider further the financial plight of the States and a uniform approach to be made by the States to the Commonwealth Government on the matter. The press report also states that Victoria and Western Australia have issued writs out of the High Court to test the validity of the receipts tax. I understand that the High Court usually goes into recess in the middle of December for the Christmas period and does not sit again until well into the new year. Can the Premier say whether the two cases to which I have referred and in which South Australia has an interest are likely to be heard soon? Further, does South Australia intend to intervene in either or both of these cases, and can the Premier amplify the Victorian Premier's statement in this morning's press?

The Hon. R. S. HALL: At the recent meeting of Premiers, the venue of the next conference to consider the joint case that the States are putting to the Commonwealth Government was discussed, and I told the other Premiers that the South Australian Government would be pleased to have them here again to discuss these arrangements. However, I also said that, if the Premiers wanted to meet in the various capital cities in turn, I should be prepared to go to another capital, as we had already had a meeting here. It was thought that Hobart might be the venue. However, I understand that Adelaide, which has proved to be a convenient meeting place, is likely to be the host city for the next meeting. The South Australian Government will seek leave to intervene in the cases before the High Court, which I understand will be heard in the week beginning on December 8.

ADULT EDUCATION CENTRES

Mr. CLARK: As the Minister of Education and other members know, for many years I have been intensely interested in the work of adult education centres in South Australia, particularly those in my district, including the Gawler Adult Education Centre in the town in which I live. Recently we have heard of university fees and Institute of Technology fees being increased and I was sorry to hear that, as from next year, the fees at adult education centres would be increased by 33⅓ per cent. Members of the Council of Adult Education Centres have spoken to me and are most concerned over these increases. They pointed out to me that adult education centres largely are for people who perhaps are not in good financial circumstances and that often the fees they pay can be difficult for them to find. These people fear that this 33⅓ per cent will mean not a net increase in income but a decrease because many students will not continue their courses if they have to pay such an increase. Will the Minister explain the reason for these increases and say whether the proposed increases could be reviewed?

The Hon. JOYCE STEELE: People enrolled at adult education centres include people who do a variety of courses. Often retired people do craft work and other work of a similar occupational nature. The centres are increasingly becoming venues for younger people who want to follow a vocation and who go to the centres to study the subjects they need to do a course. However, I will bring down a report to the House (because I consider that it

would be of interest not only to the member for Gawler but also to other members) showing what lies behind the need to increase these fees as from the beginning of 1970.

LONG SERVICE LEAVE

Mr. VIRGO: I draw the Attorney-General's attention to an article in this morning's *Advertiser* in which Mr. Justice Chamberlain, in sentencing a man to six months' imprisonment, said he was concerned about the payment by the South Australian Railways of long service leave entitlement. His Honour said:

For the information of those concerned, I would like to say that I should not like to see the man punished twice for the same offence.

I was pleased to read this because it concerns a matter that has been raised more often than I care to remember. Unfortunately, many workers have been denied their rights because the Government has not paid them long service leave because they have been dismissed for a misdemeanour and they have thereby been subjected to two penalties for the same offence. If the Attorney-General has not seen this report, will he ask His Honour Mr. Justice Chamberlain for full details so that he may put the matter before Executive Council and later bring down a report to this House stating whether Executive Council has granted the long service leave payment to which this man was entitled by virtue of his service with the Railways Department?

The Hon. ROBIN MILLHOUSE: I much appreciate the honourable member's asking me this question, as I anticipated that a member might ask such a question. I cannot undertake to approach His Honor about the matter, because I do not think that would be proper. However, as the full facts are known to the Railways Commissioner, they will come before the Government. In respect of this matter, I have prepared some notes, as follows:

Hubert Langer, aged 43 years, has been employed at the Islington Workshops since October 7, 1953, and was graded as an undergear repairer on May 28, 1965. Langer pleaded guilty in the Supreme Court to two charges of larceny as a servant, involving nonferrous metals to the total value of $1,630.

The SPEAKER: Does the honourable member for Edwardstown desire that this be released in *Hansard*?

Mr. Virgo: It is in this morning's newspaper.

The Hon. ROBIN MILLHOUSE: My notes continue:

No doubt a recommendation for Langer's dismissal will be submitted by the head of the branch, and the Railways Commissioner has indicated that he intends to approve of such dismissal. Normally Langer would have been entitled to 144 days' long service leave. The Railways Commissioner has consistently adopted the stand that in the case of any employee found guilty of larceny as a servant, or who has been found intoxicated on duty, he is unable to recommend to the Government that payment be made for long service leave. However, the granting of long service leave or an *ex gratia* payment in lieu thereof is the prerogative of the Government.

I will ensure that the matters that have been raised by the honourable member are conveyed to Cabinet for its consideration.

COUNTRY BUS SERVICES

Mr. HUGHES: My attention has been drawn to the fact that the bus services which are operated by Murray Valley Coaches (South Australia) Proprietary Limited and which supersede the rail passenger services are not giving the public a satisfactory service. I have been told that to obtain a seat on a bus a person has to book three days ahead for a journey of only about 100 miles between Adelaide and Moonta. I have also been told that a young person who telephoned Murray Valley Coaches on a Wednesday morning late last month was told that no seats were available on the Friday evening bus. The young person then had to telephone her parents at Moonta, and they had to travel 66 miles to Snowtown by motor car to pick her up from the Port Pirie train. When the Transport Control Board visited Wallaroo to inquire into the matter of the bus service taking over from the Railways Department, the question was asked: "Would every passenger be found a seat on the bus?" Although the council and I were assured that no passengers would be left at the terminal, we now find that a person cannot book a seat on a Wednesday for the following Friday. Although this might happen only on isolated occasions, it does happen. Will the Attorney-General request the Minister of Roads and Transport to ask Murray Valley Coaches to ensure that, when its buses are booked out for this run (or for any other run), the company makes other arrangements to enable passengers to travel between Adelaide and their destination?

The Hon. ROBIN MILLHOUSE: Yes.

HYNAM COTTAGES

Mr. RODDA: My question concerns the wiring of railway cottages at Hynam, a small village near Naracoorte. I understand that extensions of the Electricity Trust supply are

being made in this area as the second phase in the Naracoorte series, and that most private houses are wired, but for some reason a delay has occurred in wiring these railway cottages. As I have secondhand information that a tender is likely to be called, will the Attorney-General ask the Minister of Roads and Transport what progress has been made with the tender, as, at present, the trust is connecting the supply to houses in the area? If these cottages are not wired fairly soon their occupants may have to wait some time before it is done.

The Hon. ROBIN MILLHOUSE: Most certainly.

BUSH FIRE WARNINGS

The Hon. C. D. HUTCHENS: The Minister of Lands will recall that last session I asked questions about areas covered by bush fire warnings issued by the Minister of Agriculture. This morning channel 10, when televising the report of the Minister's instructions, used as a background a map on which I assume were marked the districts to which the announcement referred. Will the Minister of Lands ask his colleague whether a copy of this map could be published in the press so that people could be informed? If this is possible, could each member be given a copy? Often members are asked questions by people who are becoming more fire-conscious than they have been in the past and who, appreciating the grave danger of such incidents, approach members for help in this matter.

The Hon. D. N. BROOKMAN: It seems a sound idea to republish occasionally details of the weather districts and, if any publicity on television can be given, so much the better. However, I will approach my colleague on this matter.

GOOLWA BARRAGES

Mr. McANANEY: Before the barrages were built fish came in from the sea and spawned in the lower parts of the Murray River and in the lakes, but since the barrages have been constructed this is not happening and the fish population has now practically disappeared. In other countries where there are weirs in the river, fish traps or by-passes have been built to enable the fish to swim up the river in order to breed. Will the Minister of Lands ask the Minister of Agriculture whether such by-passes could be built in the Goolwa barrages?

The Hon. D. N. BROOKMAN: I will refer this matter to my colleague for expert advice. However, it seems to me that there may be a difference in the situation, because before the barrages were built the lakes, being subject to tidal action, were saline at times. Now that the barrages have been built there is a completely different level of salinity, with fresh water on one side of the barrages and salt water on the other, and this situation may alter the whole biological set-up. If any good purpose is to be served by installing these ladders, I will raise the matter with the Minister of Agriculture.

BRIGHTON INFANTS SCHOOL

Mr. HUDSON: Last Tuesday I asked the Minister of Education a question concerning the fact that Brighton Infants School had been disestablished even though the Minister had promised to consider the matter and even though the number of enrolments at the school had declined only over the past year, whereas for several years prior to 1968, while the infants mistress was present at the school, enrolments were increasing. As I understand that the Minister has a reply to my question, will she now give it?

The Hon. JOYCE STEELE: I have had the enrolment figures of the Brighton Infants School rechecked, and they show that in 1960 there were over 300 children at the new infants school and that before that there had been between 300 and 400 on the roll. A sudden decrease occurred in 1961 when many children transferred to Seacliff school, and since then the enrolment has remained low. In 1968, there were 11 more than in 1961, but this was only a small increase. This year the enrolment is 157, and the expected figure for 1970 is 140. It is not the policy, and it is not economic, to keep an infants mistress at a school with such a small enrolment, as her services can be used more effectively at larger schools. Therefore, I must adhere to the decision that has already been made.

BURNING-OFF

Mr. VENNING: A few days ago I asked a question about burning-off along railway lines, particularly those in the northern part of the State, and received what seemed to be a fairly satisfactory reply. However, at the weekend I was told that, between now and the date of the opening of the standard gauge line, steam trains will operate from Port Pirie to Broken Hill. I understand that diesel trains are being converted to standard gauge but, in the meantime, steam trains will operate.

Will the Attorney-General ask the Minister of Roads and Transport to ensure that the Railways Department takes adequate precautions while steam trains are being used, because I understand that no firebreaks have been ploughed (this was done in the past when steam trains operated) and, consequently, no burning-off has been done?

The Hon. ROBIN MILLHOUSE: I am confident that the Railways Department will take whatever precautions are necessary, but I will ascertain what they are.

COMMONWEALTH SURVEY

Mr. McKEE: During the weekend several of my constituents called on me about the personal questions being asked by officers of the Commonwealth Bureau of Census and Statistics, which is conducting a survey in my district. One of my constituents received a letter which, informing him that the officers would be calling on him, states:

> An interviewer will call on you again soon to ask the usual questions relating to employment and unemployment, but in addition will be seeking statistical information on educational qualifications and personal income for the year ended June 30, 1969, for each member of your household aged 15 years of age and over. It will help considerably if the person interviewed is able to consult financial records when the interviewer calls. If preferred, arrangements can be made to interview each income-earner separately.

I understand that statistical officers will be calling on these people every three months for the next five years. However, I doubt whether such ethics will produce the desired result, and I believe that the methods used are hardly those that we would expect in a democracy. Having been requested to raise this matter in the House, I ask the Premier to consult with his Commonwealth colleague to see whether this unpopular type of survey should be carried out in South Australia.

The Hon. R. S. HALL: I understand from published reports that there has been some resistance to questions that have been asked during surveys conducted in connection with business concerns. I understand that the object of asking these questions really is to help the community in general; indeed, there would be no other object than to gather information—

Mr. Jennings: To keep a few blokes in a cosy job!

The Hon. R. S. HALL: I believe the honourable member has a rather cosy job himself.

Mr. Jennings: Yes, but I work pretty hard.

The Hon. R. S. HALL: Yes, it is evident! The details gathered through these surveys will no doubt help in gaining knowledge of a range of businesses. I think anyone who has studied industry, whether in relation to economics or to a training scheme, has to have as much detailed knowledge of a specific field of endeavour as is available. However, I understand the feelings of the honourable member's constituents when asked these types of question. I have always found statistics most difficult; it is a matter in which hardly anyone has his heart when answering the questions put. The individual who is approached in a group survey such as this often does not see the immediate worth of the detailed questions asked. I will find out what I can about the full ambit of these inquiries and see to what end they are directed. I will also try to find out whether there have been many protests similar to those outlined by the honourable member.

Mr. JENNINGS: I would not have asked this question had it not been for the peremptory way in which the Premier replied to the member for Port Pirie. I understand that the Premier undertook to take up with the Commonwealth Treasurer the matters complained about by the honourable member. I have had many complaints about similar matters recently and I will give only one example to explain my question. A constituent of mine received a questionnaire from the department regarding a service station with a cafeteria attached to it. He received this a couple of weeks before he was to be married and I think it was to be returned the day before he was to be married, so his mind was not on the matter very much. He showed me the questionnaire, which was so complicated that even with my great experience of filling in Government forms I could not advise him. I said, "Well, you have an accountant; what has he advised you?" He said that the accountant had told him not to bother about it because it was only from people who were trying to keep themselves in a job. I told him that the best thing he could do was to ring up and explain his position and request an extension of time. He requested an extension of a couple of weeks and was told he could get a couple of weeks, or a couple of months if necessary: it did not matter, and he got a couple of months. At the end of a couple of months he was still late in filling in the form, but nothing happened to him. He saw me; we went through the form and guessed a few things; he handed it in; and nothing has been heard about it since.

I think this is an example of what the honourable member for Port Pirie had in mind.

The SPEAKER: I think the honourable member had better ask his question.

Mr. JENNINGS: I am getting around to it.

The SPEAKER: It is taking you a long time to get around to it.

Mr. JENNINGS: I am getting around to it now. I think that this is an illustration of what the honourable member for Port Pirie said is happening: that these people are giving themselves a job. Will the Premier add what I have just told him to the question he will ask the Commonwealth Treasurer?

The Hon. R. S. HALL: I thank the honourable member for his comments on the question of the member for Port Pirie.

ROAD DEATHS

Mr. EVANS: Part of a report appearing in today's *News* states:

The New South Wales Government was taking action to get full details of the blood alcohol levels of all road accident victims, the New South Wales Transport Minister (Mr. Morris) said today . . . The Minister was commenting on a study of road accident deaths by doctors at St. Vincent's Hospital, Darlinghurst. This showed that 26 per cent of those who died in cars had been drinking, and 21 per cent of the dead pedestrians were drunk.

As I believe that the information referred to would be helpful to the authorities in this State, I ask the Attorney-General to find out from the Minister of Roads and Transport whether it is intended to take such action in this State so that we might ascertain the number of people injured or killed in accidents who were affected by alcohol.

The Hon. ROBIN MILLHOUSE: I will certainly discuss this matter with the Minister now that it has been raised in this place by the honourable member. I point out, however, that normally a post-mortem examination is conducted after death in circumstances which the honourable member has outlined, and one of the matters always examined is the alcohol level in the blood. The difficulty as I understand it is that samples taken from various parts of a body may give different readings. I understand that it is not possible to be satisfied that any one reading is accurate. However, I will discuss the matter with the Minister.

THEBARTON PRIMARY SCHOOL

Mr. LAWN: As I am hoping next year to have the opportunity to move a vote of thanks to the Minister of Education on the opening of the new primary school at Thebarton, can the Minister give me any information about the progress and planning of the school, and say when the school may operate?

The Hon. JOYCE STEELE: I know of the great interest the honourable member has taken in the need for a new Thebarton Primary School building, and I was happy to be able to tell him in the House the other day that Executive Council had referred to the Public Works Committee the proposal to build a new school. Confirming that statement, I point out that, in fact, Executive Council last week referred to the Public Works Standing Committee a proposal for replacement buildings. The new buildings will contain 16 classrooms, an activity room, library and workroom, an art room, a headmaster's office, general office, staff room and facilities, stores, bookroom, sick-rooms, toilets, cloak and ablution facilities, shelter area, sports store, milk store and canteen shell. As the honourable member knows, the present school is located on a restricted site of about four acres which it shared with the Thebarton Girls Technical High School.

The accommodation consists of the original stone building which is unsuitable for classroom use, being adjacent to the intersection of Henley Beach and South Roads where the traffic noise is a constant interference; a second old brick building; the former infants school; six timber classrooms, and a woodwork centre. Of the solid buildings, the former infants school is the only one that provides accommodation of a satisfactory standard. The timber classrooms take up valuable playing space while the existing toilets and shelters are unsightly, in poor condition and costly to maintain. The proposed schoolbuildings for Thebarton Primary School are estimated to cost $330,000.

FISHING BERTH

Mr. RYAN: In today's *News* there is a report headed "Fishermen Hit at Rock Wall", which states:

Professional fishermen who operate near the eastern side of the new Jervois bridge, claimed that a rock protection wall built near their wharf had ruined their business. The wall, on the northern end of the bridge, extends to within about 10ft. of the 20 boats moored at the wharf, stopping them from getting in or out. The alternative is to move other boats, which in most cases are only used during the weekend. "We are ruined," professional fisherman Mr. Lee Salvemini, 45, said.

It is apparent that, the rocks having been placed near the fishermen's mooring berth on the eastern side of the Port River, it is

a matter of "first in worst berth", and "last in best berth", because those who reach the berth first cannot get out subsequently. Men for whom fishing is their livelihood are complaining that the amateur fishermen's boats are hemming theirs in, so that the professionals cannot get out to earn their livelihood. Will the Treasurer, representing the Minister of Marine, take up this matter with the department with a view to overcoming the difficulties that have arisen as a result of the wall that has been constructed close to the Jervois bridge?

The Hon. G. G. PEARSON: Although I have not seen the press report to which the honourable member has referred, I will certainly ask for a report on the matter from the Director of the Marine and Harbors Department, and see what should be done in order to improve the situation.

ANGLE PARK TECHNICAL SCHOOLS

Mr. JENNINGS: Has the Minister of Education a reply to the question I asked some time ago about the caretaker, called "cleaner", at the Angle Park Technical High Schools and also about the Government's policy regarding caretakers and cleaners of such schools?

The Hon. JOYCE STEELE: There is no change in the answer which I gave by letter to the honourable member's previous question regarding this matter. I can only repeat that the person concerned works 40 hours a week for the Education Department as a school caretaker and part of his duties is to clean about 10,000 sq. ft. of floor area. The remainder of his time is occupied in carrying out repairs of a minor nature and supervising the school buildings. The appropriate award rate is paid by the Education Department for these services and it is unable to increase the wages. The additional eight hours worked is a private arrangement with the school for which an additional payment of $10 is made.

TAPEROO PRIMARY SCHOOL

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

The Hon. JOYCE STEELE: While the replacement of the Taperoo Primary School is included in a list of projects on which investigation and design is to continue, the project has not yet reached the stage where it can be submitted to the Public Works Committee. I am not yet in a position to say when this will be.

CLARE WATER SUPPLY

Mr. ALLEN: Has the Minister of Lands, representing the Minister of Works, a reply to the question that I asked recently about water supply at Clare?

The Hon. D. N. BROOKMAN: Last year the Engineering and Water Supply Department received only one complaint regarding inadequate water supply at Clare, and this came from an elevated South Australian Housing Trust area. There are some small mains in the Clare distribution and, because of the undulating nature of the country, some low-pressure areas are likely to occur during periods of high demand. Arrangements have been made to install a pressure recording instrument in the area where trouble could be experienced, and subject to site examination Lee Street has been selected for this installation. Little growth has occurred in Clare over recent years, but it will be necessary to examine carefully any proposals involving significant increases in demand to ensure that supplies to elevated areas already served will not be jeopardized.

DRUGS

Mr. LANGLEY: In the temporary absence of the Premier has the Treasurer obtained from the Minister of Health a reply to my recent question about the marketing, in plastic containers labelled "Albert's Hippy Sippys" and resembling a hypodermic syringe, of sweets in small pellet form which can be purchased by children?

The Hon. G. G. Pearson, for the Hon. R. S. HALL: The Director-General of Public Health reports:

It appears that no more of these objects will be distributed in South Australia. I have not yet learned whether they contain any prohibited material which would enable us easily to remove existing retail stocks from the market, but at least one major retail store has already discontinued sale, and I expect others may do so too. I have confirmed that "Hippy Sippys" are on sale in Sydney.

BOLIVAR EFFLUENT

Mr. GILES: Has the Minister of Lands a reply to the question I asked last week about the experimental use of Bolivar effluent water in growing vegetables in the Munno Para council area?

The Hon. D. N. BROOKMAN: At present the Premier is co-ordinating information becoming available concerning the possible use of Bolivar effluent, and positive results are expected to be available in April or May of next year.

FREIGHT RATES

Mr. CASEY: Has the Minister of Lands, representing the Minister of Agriculture, a reply to my recent question about the problems that could arise as a result of the standardization of the line from Broken Hill to Port Pirie which will mean that wheat has to be transferred from trains on the narrow gauge lines from Peterborough to Quorn and from Gladstone to Wilmington?

The Hon. D. N. BROOKMAN: The South Australian Railways Department has agreed to transfer from narrow gauge to broad gauge at Gladstone and Peterborough wheat consigned from Wilmington and Quorn line stations to Port Pirie. Consequently, no additional cost will accrue to wheatgrowers in this State.

PENSIONERS' SPECTACLES

Mr. McKEE: Has the Premier obtained from the Minister of Health a reply to my recent question about spectacles for country pensioners?

The Hon. R. S. HALL: The Commonwealth Minister for Health states that a proposal to widen the pensioner medical service so that it would include the provision of a specialist domiciliary consultant service free to pensioners has been under consideration for some time. No definite plan has as yet been formulated and he is unable to say whether any such proposal will be adopted.

GLENSIDE ROAD

Mr. EVANS: I refer to the recent, and second, decision of the Minister of Roads and Transport to close Glenside Road, and I ask the Attorney-General to suggest to his colleague that the roads alongside Glenside Road be altered so that the road that east-bound traffic uses to get on to the freeway be narrowed to 16ft. (because only one vehicle can enter the freeway at a time, and the entrance road is at present 24ft. wide), and that the width of the centre median strip be decreased from 12ft. to 6ft., giving an overall gain of 14ft. and thereby allowing 38ft. for the approach road into Stirling, which at present is a single-lane carriageway. This method would allow egress traffic from Glenside Road to enter the Stirling approach, thus satisfying many irate people in the area. Will the Attorney-General also tell his colleague that a protest meeting is to be held at Stirling on December 12 so that he may be able to send some officers to the meeting? Will the Attorney-General also ask his colleague for a report on the possibility of keeping Glenside Road open, as we could have 38ft. of carriageway for two lanes of traffic?

The Hon. ROBIN MILLHOUSE: This is a technical matter that I should think required much expert knowledge to understand and solve the problems that have arisen at that spot. I cannot say whether the honourable member's suggestions have any faults in them and I shall be pleased to transmit the suggestions to the Minister and also tell him about the protest meeting so that he may arrange representation at the meeting if he considers this appropriate.

CIGARETTES

Mr. BROOMHILL: Has the Premier a reply to the question I asked last week about whether the Minister of Health would consider a report that the Victorian Government intended to require warning labels to be placed on cigarette packets and also consider my suggestion that the tar and nicotine content of cigarettes also should be shown on the labels?

The Hon. R. S. HALL: Legislation relating to warning labels on cigarette packets is being considered. It is essential that legislation be uniform throughout the States. A meeting of Health Ministers decided that the label should be "Warning, smoking is a health hazard". The suggestion that tar and nicotine content be also shown on cigarette packets is being investigated by the National Health and Medical Research Council.

CAMPBELLTOWN FESTIVAL

The Hon. D. A. DUNSTAN: The Campbelltown council has recently taken action regarding the use of public roads in its area by the Payneham Cycling Club. The Italian community in the eastern suburbs has for many years held an annual Italian festival, centred on the St. Francis of Assisi Church at Newton. Many thousands of Italians in the area support this festival. Originally a fireworks display was part of the festival, but this led to objection: there were one or two suggested unfortunate consequences and, when the date for letting off fireworks was changed in South Australia and the use of fireworks was restricted to another period of the year, the new date was inappropriate to the festival and the festival substituted what is the second most popular sport in Italy, namely, bicycle racing. This event has had extremely wide support. However, not as a result of any untoward incident but apparently because of some question about policing the affair, the Campbelltown council,

by some means that I have not been able to discover entirely, will put a ban on this cycling race. Further, the Police Force has told the festival organizers that no police assistance, other than one motor car patrol in the area to report any incidents, will be provided. The festival organizers would be only too pleased to do what is done in at least one other State: that is, to pay off-duty policemen to assist in the road race. The race lasts for a little more than an hour and is held in a restricted area of, I think, 3½ miles, which is traversed about seven times during the race. It seems to me this is a harmless and desirable festival that really does not inconvenience anyone. Will the Attorney-General take up with the Minister of Local Government and the Chief Secretary the matter of getting adequate consideration and support for the continuance of what has become a valued fixture to the Italian community?

The Hon. ROBIN MILLHOUSE: Although I am sure that the Government will be sympathetic in this matter, there may be some practical difficulties of which the Leader is not aware and which have not come out, but I will have the matter investigated.

YOUNGHUSBAND PENINSULA

Mr. NANKIVELL: The Minister of Lands will be aware that a large area of Younghusband Peninsula has now been declared a national park. Does that mean that people who wish to fish off the beach are no longer permitted to do so? If they are permitted to fish off the beach, how are they to get on to the beach when no access is provided and when signs are erected stating that the use of four-wheel drive vehicles is prohibited anywhere over the reserve, thereby preventing those people who have been in the habit of fishing in the Coorong from doing so legally? If it is the Minister's intention to allow people to continue to fish, could legitimate crossing points be provided so that people might continue to follow this form of relaxation or avocation?

The Hon. D. N. BROOKMAN: I will not give a firm undertaking now but I will consider this matter. However, the part of the peninsula that is a national park comes under the control of the National Park Commissioners and it is up to them to decide what should be done. Certainly, they have no objection to anyone trying his luck and casting off the beach but, from my own experience, one gets cold and there are not many fish, although some people may want to fish despite my warning. The major problem about vehicles on that peninsula is that there are large areas of sand and, in some places, restricted areas of scrub, and the uncontrolled use of vehicles on the peninsula would quickly ruin it. The occasional fisherman would not do any harm, but I must look at the matter closely regarding its future control. The whole peninsula has not long been under the present system of control and it is a little early for me to be able to give a firm undertaking as to what will be done other than to say that I will consider the matter closely.

PIGGERIES

Mr. McANANEY: Because grain is cheap, many more people are going into pig production or extending existing piggeries. As certain areas in the hills have been declared in an attempt to prevent pollution of our rivers and reservoirs, and as many country reservoirs are in areas where people desire to establish or extend piggeries, will the Minister of Lands obtain a report on the possible position in these catchment areas?

The Hon. D. N. BROOKMAN: Although I will obtain a full statement on the department's attitude towards piggeries, I know that, because of the possibility of pollution, the department has strongly discouraged their establishment in catchment areas that run into Government reservoirs.

LAND ACQUISITION

Mr. HUDSON: Has the Minister of Housing a reply to my recent question about the land acquired by the Housing Trust that was formerly railway land in the Seacombe Gardens, Dover Gardens and South Brighton area?

The Hon. G. G. PEARSON: The General Manager of the trust reports that discussions have been held with the South Australian Railways concerning the proposed purchase of about 139 house sites between Sturt and South Brighton. It has become necessary for the valuations of the various pieces of land to be brought up to date and this is now being done by the State Valuation Department. The necessary steps to complete the transaction will be taken as soon as the valuations are available; in the meantime, building layouts are being prepared. The soil conditions and the locality make the land suitable for masonry-veneer construction, and it is the trust's intention to provide such dwellings for sale and/or rental purposes.

BURRA RELICS

Mr. CORCORAN: Has the Premier a reply to my recent question about mine relics at Burra?

The Hon. R. S. HALL: I have a reply from the Chairman of Directors of Samin Limited in which he regrets, and apologizes for, the lateness of the reply which was caused by a delay in moving into their offices. The essence of the reply is as follows:

We are pleased to give an assurance that the historical relics at Burra will be respected wherever possible in the course of our mining operations.

MARTIN BEND

Mr. ARNOLD: This question is supplementary to the one I asked some time ago regarding the degradation of the trees at Martin Bend, Berri. I have received a letter from the Renmark Branch of the National Trust of South Australia, which states:

On behalf of the National Trust of South Australia, Renmark Branch, I am writing to you, seeking your assistance. Our problem is that the trees on Goat Island, which is a koala sanctuary and tourist attraction, are rapidly dying, due to the lack of fresh water and salinity. A part of what is known as "The Old River" has badly silted at the entrance, thereby not allowing a fresh flow of water right around the island. To rectify this is quite beyond the means of our branch, and we have approached the corporation of Renmark town, who informed us that they have not the necessary equipment to carry out this work.

We estimate that approximately 80 per cent of the very fine old gum trees have died, and as a temporary measure to save some of the remaining trees, our branch has obtained a windmill to pump fresh water from the river. It would be a calamity to allow the remaining trees to die, as they are many hundreds of years old, and are the last remaining stands of gums readily accessible near the town and a major tourist attraction, as many as 150 people having been counted in this area on a Sunday afternoon. If fresh water is restored around the island, our branch as a project is prepared to supply and replant young trees and tend same.

Will the Minister of Lands, when considering the problem of the trees at Martin Bend, also consider this matter, as the circumstances are similar?

The Hon. D. N. BROOKMAN: Yes.

SAFETY NETS

Mr. RYAN: Has the Attorney-General, representing the Minister of Labour and Industry, a reply to my recent question about the installation of industrial safety nets?

The Hon. ROBIN MILLHOUSE: The object of the Construction Safety Act is to ensure that suitable working conditions are provided on all buildings and construction work. Regulations under the Act specify in some detail the measures which the principal contractor must take to ensure safe working conditions are provided. Regulation 159 provides that "if any person is engaged on work to which the Act applies in such a position that scaffolding cannot be provided for his support, and it is practicable for him to be supplied with and use a suitable safety belt or it is practicable to supply a suitable safety net or other contrivance which will, so far as is practicable, enable such person to carry out the work without risk of injury, the principal contractor of such person shall supply such safety belt, safety net or other contrivance". It can be seen that the use of safety nets is contemplated by the regulation for a person working in such a position that a working platform or scaffolding cannot be provided for his support, if in such a situation it is practicable to supply a safety net.

The Act applies to Government departments as well as to private employers: there is no distinction in the Act or regulations between a private or public employer. No general instruction has been issued either to private employers or Government departments regarding the use of safety nets. Safety nets made from natural fibre rope or synthetic fibre rope are not suitable on most construction projects because of the damage they sustain from molten metal and sparks from welding operations. The Chief Inspector of Construction Safety has only approved of safety nets made from flexible steel wire rope, as that is resistant to burns. The safety net mentioned by the honourable member in asking his question which was offered by one supplier in an endeavour to capitalize on the Port Giles tragedy is made from nylon and is therefore not of an approved type.

ENGLISH EXAMINATION

The Hon. D. A. DUNSTAN: Has the Minister of Education a reply to my recent question about marking in the Leaving English examination?

The Hon. JOYCE STEELE: Because of the public interest in the question asked by the Leader, and to allay any doubts that may be in the minds of students and the public concerning the efficiency of the system of marking Public Examinations Board Leaving English

papers, I intend to give an extended reply. I have received a report from Professor J. R. Trevaskis (Chairman of the Public Examinations Board of South Australia) in which he states that the enclave system of marking Leaving English scripts introduced for the first time this year is not a radical departure from previous practice. It is rather a development, a refinement of existing examining techniques, to ensure that every candidate is placed in his correct rank order in the examination. This system means that examiners do their marking centrally at marking sessions held at specified times, rather than individually at home. It has been introduced because it is the most reliable and sophisticated examining technique yet devised for our purposes in the Leaving examination.

Although the marking of the English examination as a whole will be completed in about half the time of recent years, it should be remembered that twice as many examiners are being employed, so that examiner-hours are not, in fact, being reduced at all. The Public Examination Board's Chief Examiner in English and the Leaving Supervising Examiner are experienced in the conduct of examinations and their judgment is that sufficient time will be available to examiners for the accurate assessment of answers by the impression method and the enclave system. Professor Trevaskis states that there is no doubt whatever that impressionistic marking, which was introduced here for Leaving English some years ago, has advantages over analytic marking. Provided that certain procedures are followed, a quick reading and assessment of the whole piece of writing is more reliable, accurate, and, therefore, fairer to the candidate than the traditional detailed marking scheme, which we abandoned some years ago. The main difference this year is that markers will not be able to take scripts home.

Research workers in England, the United States of America and Australia have clearly demonstrated over the past 30 years or more the unreliability of traditional essay marking. However, it is only in recent years that serious and large-scale attempts have been made to improve examining techniques in this country. The present scheme for marking Leaving English scripts has been developed over several years in close consultation with the Research Officers of the Australian Council for Educational Research. Furthermore, it is in accordance with the principles suggested by Professor Vernon of the London Institute of Education, who is a recognized world authority on mental measurement and educational testing. He suggests (1) that marking should be carried out one question at a time; (2) that answers should be compared with a clear outline of desirable and undesirable features; (3) that marking should be essentially a rank ordering of scripts, not an attempt to assign an absolute mark; (4) that second and even third markers should mark independently; and (5) that differences should be noted and discussed with another examiner.

These are precisely the principles of examining being followed in this State. Indeed, further safeguards ensure as fair, as reliable, and as valid an assessment as it is humanly possible to make. Supervising examiners are always available for advice and consultation so that doubtful points can be resolved at once. This is not possible when marking examiners take scripts home. The supervisors are also constantly checking the accuracy and reliability of the markers. Finally, when all marking is done in one place, reference material is readily available if required. True, marking examiners are encouraged to read quickly, but no more quickly then they have been asked to do in previous years. Leaving answers average about 300 words. Most examiners can read at 350 words a minute, and some at up to twice that speed. Many answers are shorter than 300 words, and several scripts in each hundred questions would be blank. Not only would an examiner have adequate time to read these but most examiners could read them twice during a marking session, as well as make viable assessments. The board employs experienced and competent examiners, who are used to impressionistic marking and are, in the main, familiar with the enclave system of marking.

The system has been operating successfully in New South Wales for several years, and other States are interested in introducing it. The objections here seem to come from teachers who are used to detailed analytic marking and who do not know how extremely unreliable that method is. Admittedly, the proposed system is not perfect, but it is more reliable than previous systems. Candidates need have no fears that they will not be fairly assessed by examiners, whose sole concern for the whole marking period will be to see that candidates are correctly placed in their rank order: this is what the examination is designed to do.

KANYAKA RATES

Mr. CASEY: I have been told that the District Council of Kanyaka at Quorn has received advice from the Aboriginal Affairs Department that, because a dwelling on certain land owned by that department was not occupied for six weeks in the past 12 months, no rates are payable. As the house was vacant when the rates were declared, I believe that, under the Local Government Act, no rates apply to it. As the council is concerned about this matter and has asked me to ascertain from the Minister of Aboriginal Affairs whether this anomaly can be rectified, because other councils could be affected also, will he see what can be done?

The Hon. ROBIN MILLHOUSE: If the honourable member will give me the details I will obtain a report.

SOUTH-EASTERN WATER SUPPLIES

Mr. CORCORAN: Has the Minister of Lands a reply to my recent question about the Beachport and Robe water supplies?

The Hon. D. N. BROOKMAN: Regarding Beachport, the Mines Department has successfully drilled a deep bore down to the Knight Sands on the outskirts of Beachport. The bore has yielded an artesian flow rate of about 2,500 gallons an hour. Efforts have been made, and are continuing to be made, by the department to increase this flow rate. Regarding Robe, following the successful drilling of a bore at Robe, the scheme to serve this town has been re-examined and brought up to date. I am pleased to say that Cabinet approved on Monday an expenditure of $135,000 to provide a reticulated water supply scheme for the township.

FLUORIDATION

Mr. Broomhill, for the Hon. C. D. HUTCHENS (on notice):

1. What is the natural fluoride-calcium content of Adelaide's water supplies?
2. If tests have been made, at what points were they taken and by whom?

The Hon. D. N. BROOKMAN: The replies are as follows:

1. The natural fluoride and calcium contents of Adelaide's water supplies (five years average and range, 1964 to 1968), in parts a million, are as follows:

	Fluoride (F)			Calcium (Ca)		
	Avge.	Min.	Max.	Avge.	Min.	Max.
Happy Valley reservoir	0.31	0.19	0.42	23	16	34
Hope Valley reservoir	0.29	0.14	0.41	24	14	35
Myponga reservoir	0.24	0.11	0.41	27	18	40
Barossa reservoir	0.37	0.30	0.54	21	12	33
Mannum-Adelaide main	0.20	0.11	0.36	19	9	34

2. The tests are made by the departmental Water and Water Pollution Control Laboratory at Bolivar on samples taken from trunk mains from the reservoirs and from the Mannum-Adelaide main.

LOCAL GOVERNMENT ACT AMENDMENT BILL (WHYALLA)

Received from the Legislative Council and read a first time.

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

That this Bill be now read a second time.

The main purpose of this Bill is to establish the city of Whyalla as a municipality within the meaning of the Local Government Act. Honourable members will be aware that for about 25 years the city has been administered by the City of Whyalla Commission, a partly elective body, pursuant to the City of Whyalla Commission Act, 1944-1964. Section 32 of that Act provided that, at any time after July 1, 1945, a majority of ratepayers of the commission could petition either House praying that the commission be dissolved and a local governing body in accordance with the Local Government Act be established. Such a petition was presented to the House of Assembly and granted on September 4, 1968.

To give effect to the petition the Government appointed a Committee of Inquiry consisting of the Director of Planning, the Surveyor-General, the Secretary for Local Government and the Chairman of the commission to determine the steps necessary to ensure a smooth transition to full local government. The report of the committee was recently laid on the table of this House and this Bill makes the appropriate legislative changes indicated by the committee as being necessary. In addition, following a

request from the Local Government Advisory Committee opportunity has been taken to empower councils generally to regulate the fencing or enclosure of swimming pools.

In detail, the Bill provides as follows: Clauses 1 and 2 are formal. Clause 3 inserts a new section 346a in the principal Act which empowers councils to order the fencing or enclosure of swimming pools. Clause 4 enacts a new Part XLVA which consists of 21 new sections, and for convenience these sections will be dealt with in order. New section 871ta sets out the definitions used in the Part of which the most significant is the definition of "the appointed day" July 4, 1970, being the day on which the local government year, as it were, commences. It is on this day in 1970 that council elections are held.

New section 871tb repeals, on the appointed day, the series of Acts relating to the City of Whyalla Commission. New section 871tc dissolves the commission and vests its property in the council, and also provides for the continuation of actions by and against the council. New section 871td is consequential on this section. New section 871te constitutes the municipality of the city of Whyalla and provides that the Local Government Act shall apply and have effect to and in relation to the municipality as if it were constituted by proclamation under that Act. New section 871u varies the application of the Local Government Act by recognizing that the first mayor and councillors of the new municipality shall be elected, since under the Local Government Act the first mayor and councillors are usually appointed. New subsection (2) empowers the commission to make the necessary arrangements for the election.

New section 871ua ensures that section 69 of the Local Government Act will not unduly restrict the choice of aspirants for mayoral office, by providing that service as a commissioner or chairman of the commission shall be deemed to be service as a councillor. Section 69 of the principal Act limits the class of persons who may serve as a mayor to persons who have served as a mayor, councillors or aldermen for a year. New section 871ub makes appropriate provision for the retirement of the mayor and for the retirement by rotation of councillors. New section 871uc enables the Secretary for Local Government to call for applications for appointment as a town clerk for the new municipality before the municipality is established, but leaves the appointment to be made by the municipality.

New section 871ud continues without interruption the employment of persons employed by the commission immediately before the appointed day and on that day they are deemed to be employed by the council. New section 871v continues in force the by-laws of the commission. New section 871va in effect continues the system of rating based on land values at present applicable to the area of the commission, and enables the commission to make certain transitional arrangements. New section 871vb continues in operation certain arrangements made by the commission regarding the repayment of moneys borrowed by the commission for the Whyalla Hospital. New section 871vc continues in operation arrangements made by the commission with the South Australian Housing Trust whereby certain works done by the trust are offset against future rate liabilities of the trust.

New sections 871w, 871wa, 871wb, 871x and 871xa together continue in existence the Whyalla abattoirs area with its attendant control of meat quality intended for consumption within the area. New section 871xb is intended to ensure that no unforeseen circumstances will arise which would affect the smooth transition to full local government status of the area. New section 871xc is intended to make it clear that the Local Government Act will fully and effectually apply to the new municipality. Clause 5 inserts a Twenty-fourth Schedule in the principal Act and this schedule sets out the area and the new wards of the municipality in the terms recommended by the report.

Mr. BROOMHILL secured the adjournment of the debate.

STATUTES AMENDMENT (PUBLIC SALARIES) BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. R. S. HALL (Premier) obtained leave and introduced a Bill for an Act to amend the Agent-General Act, 1901-1953, as amended; the Audit Act, 1921-1966, as amended; the Industrial Code, 1967-1969; the Licensing Act, 1967-1969; the Police Regulation Act, 1952-1966, as amended; the Public Service Act, 1967-1968; and the Public Service Arbitration Act, 1968; and for other purposes. Read a first time.

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

That this Bill be now read a second time.

Its purpose is to increase the salaries of certain public officials whose salaries are fixed by Statute. Since July, 1967, no general adjustment has been made in the salaries of public officials which are fixed by Statute except in the case of Supreme Court judges. Public servants, including permanent heads, under the Public Service Act received a living wage increase of $70 a year from October 28, 1968. This increase has not been extended to the salaries to which this Bill refers.

The Public Service Board has now reviewed the salaries of permanent heads and other senior administrative officers in the Public Service and has submitted a classification return in accordance with provisions of the Public Service Act, incorporating its recommendations and determinations. The increases, which vary from $3,430 a year to $780 a year, were assessed on the basis of salaries now applying at appropriate levels in the Commonwealth and Public Services in other States and I should mention that the salaries of permanent heads and senior officers of those Public Services have been increased since July, 1967. The board has also taken into account the increasing responsibilities being undertaken by senior officers.

Having regard to previously accepted relativities and to the general structure of Crown employment within the Public Service, it would seem reasonable to adjust the salaries of officials to which this Bill relates in accordance with the increases for officers under the Public Service Act. The only variations from that principle occur in the case of the two Commissioners of the Public Service Board, other than the Chairman, and in the case of the Agent-General. At present the salary of each of those Commissioners of the Public Service Board is fixed at $400 a year below the second level group of permanent heads of the Public Service. This Bill proposes to bring them to the same level as that group.

As for the case of the Agent-General, it is felt that, having regard to the present ratio of salary to representative allowances applying to Agents-General of other States, it would be fair and reasonable to apply the sterling equivalent of the increased emolument to the allowance component. The increases of salary proposed by the Bill are to date from December 1, 1969. The Bill is divided into eight Parts. Part I is formal. Part II amends the Agent-General Act. Part III amends the Audit Act. Part IV amends the Industrial Code. Part V amends the Licensing Act. Part VI amends the Police Regulation Act. Part VII amends the Public Service Act. Part VIII amends the Public Service Arbitration Act.

Clause 2 is formal. Clause 3 amends section 5 of the Agent-General Act by increasing the expense allowance of the Agent-General from £2,100 sterling a year to £3,240 sterling a year. Clause 4 is formal. Clause 5 (*a*) increases the salary of the Auditor-General from $13,000 to $16,500 a year. Clause 5 (*b*) authorizes the payment of any arrears of salary whenever accruing. Clause 6 is formal. Clauses 7 (*a*) and 7 (*b*) increase the annual salary of the President of the Industrial Court from $13,000 to $16,500 and the annual salary of the Deputy President from $11,400 to $14,000. Clause 7 (*c*) authorizes the payment of any arrears of salary whenever accruing.

Clause 8 is formal. Clause 9 (*a*) and (*b*) increases the annual salary of the Judge of the Licensing Court from $11,400 to $14,000. Clause 9 (*c*) authorizes the payment of any arrears of salary whenever accruing. Clause 10 is formal. Clause 11 (*a*) and (*b*) increases the annual salary of the Commissioner of Police from $12,200 to $15,200. Clause 11 (*c*) authorizes the payment of any arrears of salary whenever accruing. Clause 12 is formal. Clause 13 (*a*) and (*b*) increases the annual salary of the Chairman of the Public Service Board from $13,000 to $16,500 and the salary of each of the two other Commissioners from $11,000 to $14,000. Clause 13 (*c*) authorizes the payment of any arrears of salary whenever accruing. Clause 14 is formal. Clauses 15 (*a*) and 15 (*b*) increase the annual salary of the Public Service Arbitrator from $11,400 to $14,000. Clause 15 (*c*) authorizes the payment of any arrears of salary whenever accruing.

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

AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. G. G. PEARSON (Treasurer) obtained leave and introduced a Bill for an Act to amend the Aged Citizens Clubs (Subsidies) Act, 1963. Read a first time.

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

That this Bill be now read a second time.

The Aged Citizens Clubs (Subsidies) Act, 1963, authorizes the State to subsidize the provision of clubs which are provided by local authorities, or by bodies sponsored by local authorities, and which are to be used wholly by aged citizens. The maximum subsidy available under the State Act is $6,000. Under the authority of this Act some $130,000 has been approved for subsidy in respect of 32 clubs, 26 of which are located in city and metropolitan areas and six are situated in country towns.

Some submissions have been made that the maximum subsidy of $6,000 set by the State Act should be increased, and these requests have been considered by the Government. However, provision is made in recent Commonwealth legislation for the Commonwealth also to give financial help in the provision of senior citizens centres providing the services proposed are mainly for aged citizens. Our present legislation restricts subsidies to clubs which are provided wholly for the use of aged persons and, in order to qualify for Commonwealth assistance, it is necessary that we expand the purposes of subsidies to include also centres where welfare services may be provided, and that the services and recreation facilities be declared as available "mainly" rather than "wholly" for aged persons. In these circumstances the facilities would be available to other persons, such as invalid pensioners whose need is comparable with those currently eligible.

Under the Commonwealth's proposals, a three-way equal sharing of cost by Commonwealth, State and local authority is envisaged. Thus, without any increase in the maximum subsidy payable under the State Act it will be practicable for a local authority contributing $6,000 to carry out an $18,000 project rather than a $12,000 project as at present. This Bill makes only minor amendments to the State Act so that schemes may qualify for subsidy under both State and Commonwealth Acts. The purposes for which subsidies may be approved under the State Act are thus expanded by clauses 2 and 4 to cover centres as well as clubs, to provide welfare services in addition to facilities for mental and physical recreation, and finally to provide that a purpose may qualify for assistance if it is mainly for use by aged persons rather than wholly for such persons.

The provision of Commonwealth support for aged citizens clubs and centres is part of an overall programme contained in the States Grants (Home Care) Act, the States Grants (Paramedical Services) Act and the States Grants (Nursing Homes) Act of the Commonwealth, and, as the Chief Secretary and the Director-General of Medical Services will be responsible for co-ordinating all new and expanded services with those presently available, clauses 4 (*a*), 5 and 6 also amend the principal Act so as to place the responsibility of considering and approving applications for subsidy on the Minister instead of specifically on the Treasurer. Action will then be taken to declare by proclamation that the Chief Secretary is the Minister to whom the administration of the Act is committed. I think members will support this Bill, which makes a worthwhile improvement for elderly citizens.

Mr. HUDSON secured the adjournment of the debate.

LOTTERY AND GAMING ACT AMENDMENT BILL (COMMISSION)

The Hon. G. G. PEARSON (Treasurer) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act Amendment Act (No. 2), 1966. Read a first time.

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

That this Bill be now read a second time.

The Lottery and Gaming Act Amendment Act (No. 2), 1966, which provided mainly for the introduction of off-course totalizator betting, also provided for a standard deduction, both for on-course and for off-course betting, of 14 per cent of the moneys invested in the totalizator. As far as off-course betting is concerned, out of the deduction so made the first requirement is to pay the statutory stamp duty and the balance is applied in meeting the expenses of the Totalizator Agency Board in making payments for the administration of horse-racing and trotting and in making distributions to the clubs. The amount deducted in respect of on-course totalizator betting is applied first in making payment of the statutory stamp duty and the balance is retained by the club for its use and benefit. However, as the on-course commission was raised to 14 per cent from 12¾ per cent on the inauguration of off-course betting so as to facilitate the use by the board of totalizators conducted by the clubs, the Government included special provisions in the 1966 Act to deal with the extra 1¼ per cent being deducted from the total invested. Thus, for a period of three years after the commencement of off-course betting the clubs are permitted to retain the extra 1¼ per cent provided that they expend such part

thereof as the Treasurer approves on such improvements to totalizator installations, facilities and information services as are approved by the Treasurer.

The period during which the clubs may retain the extra 1¼ per cent commission expires on March 29, 1970, and, in the absence of amending legislation, the 1¼ per cent will then be payable to the Hospitals Fund to be used for the benefit of hospitals in this State. Submissions have been made by racing and trotting interests that the Government should legislate to continue this assistance and to permit the clubs to use the funds for general purposes rather than restrict their use specifically to totalizator improvements. Excluding this particular 1¼ per cent, the balance of 12¾ per cent is divided in South Australia as follows: for turnover less than $10,000, 1¼ per cent to 4¼ per cent to Government and 11½ per cent to 8½ per cent to clubs; for turnover in excess of $10,000, 5¼ per cent to Government and 7½ per cent to clubs.

It will be seen therefore that when this 1¼ per cent reverts to the Government its share of on-course turnover will be 2½ per cent to 5½ per cent for most country meetings where the turnover is normally less than $10,000 and 6½ per cent for city meetings. It is relevant to point out that the clubs in South Australia receive a higher share of the bookmakers' turnover tax than is received by the clubs in most other States. The turnover on totalizators in 1968-69 was some 12 per cent above 1965-66 turnover, that is, the year prior to T.A.B., and whether this increase was due to the existence of improved on-course facilities or whether it was due to increased familiarity with totalizator betting because of T.A.B., it is obviously in the interests of the Government and the club that this turnover should be maintained and, if possible, further increased.

The Government has therefore decided that rather than terminate the arrangement in accordance with the proposals originally agreed on it will phase out this additional assistance by allowing the clubs to retain a smaller percentage for a further period. At the same time, while the Government would hope that the commission to be retained will be used for totalizator improvements it will not make such application a condition of retention as was the case with the 1966 legislation. The Government realizes that in the case of smaller clubs it may be difficult to apply the smaller percentage of commission, which may be retained, to specific improvements unless the club is also able to apply substantial amounts of its own funds. The metropolitan clubs on the other hand will assuredly, and without compulsion, spend more on totalizator improvements than will be available through this extension.

The Bill now submitted provides that after the expiration of three years from the appointed day, that is, after March 28, 1970, and until March 28, 1972, after paying the statutory stamp duty out of the 14 per cent commission, the clubs must pay a further ½ per cent to the Hospitals Fund to be used for the provision, maintenance, development and improvement of public hospitals and retain the balance for their own use and benefit. They will thus retain an additional ¾ per cent for this period. After this period they will cease to be entitled to retain any part of the additional 1¼ per cent, the whole of which will then be paid to the Hospitals Fund as originally proposed. The Bill has been the subject of considerable discussion and negotiation with the racing interests, which have assured me that they have seen its provisions and desire it to proceed. I commend the Bill to the House.

Mr. HUDSON secured the adjournment of the debate.

HARBORS ACT AMENDMENT BILL

The Hon. G. G. PEARSON (Treasurer) obtained leave and introduced a Bill for an Act to amend the Harbors Act, 1936-1968. Read a first time.

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

That this Bill be now read a second time.

The purposes of this short Bill are to give effect to a scheme for the collection of a levy on grain shipped through the facilities that are in the course of erection at Port Giles, the purpose of the levy being to assist in meeting part of the cost of the facilities. In substance the Bill, which inserts a new section 132a in the principal Act, empowers the Minister to declare any facilities which (*a*) have been provided primarily for the shipping of grain, and (*b*) if used by the growers will result in a higher net return than would be the case if the facilities were not so used, to declare the facilities to be "declared port facilities" and to impose a levy of not more than 2½c for each bushel of grain in respect of which the facilities are used. The Bill empowers the Minister to enter into arrangements with the Australian Wheat Board and the Australian Barley Board for the payment of the levy on behalf of the owner who delivered the

grain and indemnifies the board against any claims arising out of the payment. This Bill is the result of negotiations and agreement between the farmers in the area adjacent to Port Giles who are concerned with the establishment of the new port, which agreement was confirmed at various times during the examination of proposals. This Bill gives authority for the collection of the levy which was agreed in evidence tendered to the Public Works Committee and to other inquiries in regard to the matter. I commend the Bill.

The Hon. C. D. HUTCHENS secured the adjournment of the debate.

BULK HANDLING OF GRAIN ACT AMENDMENT BILL (QUOTAS)

Second reading.

The Hon. D. N. BROOKMAN (Minister of Lands): I move:

That this Bill be now read a second time.

Members will not be unaware of what might be called a crisis in the wheat industry resulting from the large harvests of last season and certain marketing difficulties which have given rise to a large carry-over of grain in storage. To meet this situation representative wheatgrowing organizations proposed a scheme of restriction of wheat deliveries by allocation of quotas and this scheme was agreed to by the State and Commonwealth Governments. In essence the scheme involves a limitation of the amount of wheat that will be accepted by the board that will attract the first advance payment of $1.10 a bushel. Of the amount, this State is entitled to deliver 45,000,000 bushels.

This Bill is the first and most important of three measures designed to give legal effect to the scheme and in order that its implications may be fully understood the legislative framework of orderly wheat marketing should be outlined. The marketing authority for wheat produced in this country is the Australian Wheat Board which, as far as this State is concerned, relies on two interlocking Acts, the Wheat Industry Stabilization Act of the Commonwealth and an Act of the same name of this State. For constitutional reasons it is necessary to have both Commonwealth and State legislation in this field.

For all practical purposes the board is the only authority which can, under the law, engage in wheat marketing. It follows then that until 1968 it was obliged to accept all wheat delivered to it, since for practical purposes it was only by delivery to the board that the farmer could receive a financial return for his wheat. The Australian Wheat Board does not in this State physically handle the wheat delivered to it but operates through a licensed receiver, South Australian Co-operative Bulk Handling Limited, a grower-controlled co-operative. It is obvious that if the licensed receiver were compelled to receive all wheat offered for delivery the scheme of restricted deliveries proposed by the growers and accepted by the State and Commonwealth Governments just would not work and chaotic marketing conditions would ensue. When the life of the Australian Wheat Board was extended by the Commonwealth and State Wheat Industry Stabilization Acts in 1968 this situation was recognized and it was made clear that delivery of wheat was not effective unless and until it was accepted by the licensed receiver and specific recognition was given to State legislation to regulate or refuse such deliveries; the relevant sections being section 19 of the Commonwealth Act and section 12 of the State Act.

This short Bill then seeks to confer on South Australian Co-operative Bulk Handling Limited the absolute power to refuse to accept deliveries of wheat during the season which commenced on October 1, 1969, and during any other season which is a quota season, that is, a season in which it is necessary to restrict deliveries. This power will enable the company to ensure that the only wheat that comes into the system will be wheat delivered in accordance with the quota arrangements. I have no hesitation in asking this House to confer this power on the company which, as I have mentioned, is a grower-controlled organization and is fully seized of its most important duty in this matter and which realizes that a break down in the quota system would affect the economic survival of the wheatgrower.

It may be helpful here if I inform the House of the progress made in the allocation of wheat delivery quotas. Shortly after the scheme was formulated by the wheat industry representatives the Government appointed a committee comprised of eight persons nominated by the grains section of the United Farmers and Graziers, a representative of the Australian Wheat Board, a representative of South Australian Co-operative Bulk Handling Limited and a representative of the Agriculture Department and charged this committee with the task of allocating farmers' quotas from the amount available for allocation. In all, this committee has considered between 11,000 and

12,000 applications and will be in a position to send out its quota certificates by the middle of November.

When this Bill is passed farmers will be able to deliver wheat secure in the knowledge that the basic legal framework of the quota system has been established. In the immediate future I will place before the House two further measures intended to give effect to the scheme. These measures will be: (*a*) a Bill to amend the Wheat Industry Stabilization Act of this State which will show how wheat delivered under the scheme will be dealt with by the board and will also make provision for certain sales on the domestic market; and (*b*) a Bill which will set out in detail the factors which the committee took into account when it fixed the farmers' quotas and which will provide for a review committee to which appeals against allocations may be addressed.

Mr. CORCORAN secured the adjournment of the debate.

WHEAT INDUSTRY STABILIZATION ACT AMENDMENT BILL

Second reading.

The Hon. D. N. BROOKMAN (Minister of Lands): I move:

That this Bill be now read a second time.

It is the second of three measures which are designed to give effect to the system of wheat delivery quotas. It amends the principal Act which together with the Wheat Industry Stabilization Act of the Commonwealth provides for the exercise of the Australian Wheat Board's powers in this State. Clauses 1 and 2 are formal, and clause 3 inserts certain necessary definitions which are self-explanatory. Clause 4 amends section 14 of the principal Act to make it clear that the costs of the quota scheme can be absorbed by the board as part of the costs of marketing the wheat delivered under the scheme.

Clause 5 is the provision which sets out the method by which quota wheat will be included in the pool for the quota season. It also provides for the absorption of over-quota wheat in the pool for subsequent seasons. In summary, it provides that quota wheat will go straight into the pool for the season and over-quota wheat will be held outside the pool unless all or some portion of it is declared by the board to have been sold and paid for in full during the season in which case, to that extent, it will be part of the pool.

If next season is a quota season, and there is good reason to expect that it will be, the over-quota wheat from the previous season that was not sold and paid for in full during that previous season will go into the pool for the next season as if it had been delivered as quota wheat for the next season and the amount of quota wheat that can be delivered by the person who delivered the over-quota wheat in that next season will be reduced by the amount of that over-quota wheat. Clause 6 which inserts a new section 20a provides for the domestic sale of wheat by the board not intended for human consumption at a lower price than would otherwise obtain. Under the wheat stabilization scheme two prices obtain, an export price of about $1.41 a bushel and a domestic price of about $1.71 a bushel. This provision, which reflects a proposal from representatives of the wheat industry, will enable the board to sell on the domestic market wheat not for human consumption at a price below the normal domestic price but not below the export price.

In substance the provision operates in two ways: (*a*) it will enable the board to sell wheat not intended for human consumption at a price between the domestic price and the export price; and (*b*) it will empower the board to rebate the price (within the limits set out above) of wheat sold for human consumption in proportion to the amount of by-products produced from the processing of that wheat which are not used for human consumption.

Mr. CORCORAN secured the adjournment of the debate.

WHEAT DELIVERY QUOTAS BILL

Second reading.

The Hon. D. N. BROOKMAN (Minister of Lands): I move:

That this Bill be now read a second time.

It is the last of three measures necessary to give effect to the scheme of wheat delivery quotas intended to deal with the somewhat difficult circumstances in which the wheat industry finds itself. It may be helpful if the steps taken by the wheat industry to formulate the scheme are outlined.

On March 11, a conference of the Australian Wheatgrowers Federation in Perth recommended a quota delivery scheme and on April 1 the annual conference of the grain section of the United Farmers and Graziers of South Australia voted unanimously to support such

a recommendation. On April 10 the Honourable J. D. Anthony, M.P., in his capacity as Chairman of the Australian Agricultural Council, comprised of State Ministers of Agriculture, indicated that the State Governments would be prepared to introduce legislation to give effect to the Australian Wheatgrowers Federation scheme.

The scheme for which the South Australian Government was asked to legislate provided: (*a*) for the payment of $1.10 for 357,000,000 bushels of Australia's wheat crop; and (*b*) this State's quota to be 45,000,000 bushels. For the purposes of the allocation of this State's quota the following proposals were put forward by the grain section of the United Farmers and Graziers Association: (1) that two committees be formed—an allocating committee and an appeal committee; (2) that the averaging period be five years concluding with the 1968-69 season; (3) that quotas be allocated to farms; and (4) that over-quota wheat be counted as quota wheat for the succeeding pool. This measure is, as I have mentioned, the last of three intended to give effect to the scheme.

Shortly after the proposals for quotas made by the wheat industry were accepted by the Commonwealth and State Governments, the Government appointed an interim committee composed of eight representatives of the wheatgrowers nominated by the grain section of the United Farmers and Graziers Association and three other persons, and charged the committee with the task of allocating wheat delivery quotas to growers in this State from this State's allocation of 45,000,000 bushels. This committee has substantially discharged its task and the practical effect of this Bill is (*a*) to set out the principles or guide lines on which the committee worked; and (*b*) to establish an appeal tribunal to enable persons to appeal against the allocation made by the committee.

Although in form this Bill purports to give directions relating to the fixing of quotas to the advisory committee formally established herein, these directions were in fact determined by the interim committee as a result of its experience in dealing with over 11,000 applications and, in that committee's view, cover in the best possible manner the numerous problems that arose in the allocation of wheat delivery quotas. The application of these principles has, in the interim committee's view, resulted in the fairest allocation that could be made in the circumstances.

To consider the Bill in some detail, clauses 1, 2 and 3 are quite formal. Clause 4 provides that this Act shall apply in any quota season and also that a quota season may be declared by proclamation. Clause 5 sets out the definitions necessary for the working of the Act. Clause 6 establishes a formal Wheat Delivery Quota Advisory Committee, and clause 7 sets out the composition of the statutory committee, which is exactly the same composition as that of the interim committee formed to get the scheme into operation.

Clause 8 provides for the removal from office of a member of the advisory committee, and clause 9 provides for the filling of casual vacancies in the office of a member. Clause 10 is a normal procedural provision, and clause 11 provides for the advisory committee to delegate its powers to not less than two of its members. Clause 12 provides for the election of a chairman of the advisory committee, and clause 13 is a usual provision covering vacancies in the office of any member. Clause 14 provides for the appointment of a secretary to the advisory committee. Clause 15 will enable the advisory committee to make use of persons employed in the Public Service.

Clause 16 sets out the general powers of the committee and, to assist in the better understanding of its implications, it may be desirable to sketch out the basis on which the interim committee worked. It divided the wheat delivery quota into two parts, namely, a basic quota and a special quota. The basic quota was derived by simple mathematics, by taking a prescribed percentage of the average annual deliveries of wheat from a property over the last five seasons. If the property had not been subject to any factors, beyond the control of the wheatgrower, which diminished the production of wheat, this basic quota would also be the final wheat delivery quota. However, as honourable members will be aware, many factors could have operated so as to diminish the amount of wheat produced during the five seasons, and it was some of these factors that the interim committee took into account in allocating a special quota to adjust the basic quota upwards so as to some extent reflect what the final wheat delivery quota would have been if those factors had not operated to reduce the production of wheat.

The first task of the interim committee was to decide on the amount to be set aside from the State quota of 45,000,000 bushels to be allocated either as special quotas or by the

review committee as a consequence of appeals against allocations by the allocating committee. Once this amount was determined, the prescribed percentage to apply to average annual deliveries could be determined, and this was finally fixed at 90 per cent. The task of determining the amount to be set aside was something of a "judgment of Solomon", since if it was too large all basic quotas would be diminished and, if it was too small, no meaningful adjustments of basic quotas could be made in even the most meritorious circumstances.

Clauses 17 and 18 confer certain additional powers on the advisory committee relating to the summoning of persons and entry upon land. Clause 19 sets out the particulars required to be set out in applications and also provides a penalty for a false or misleading application. Clause 20 provides for amendment of application, and clause 21 provides for the determination of a closing date for applications. Clause 22 provides that the wheat delivery quota will be the aggregate of the basic quota and the special quota, if any, allocated.

Clause 23 sets out the two methods of determining the basic quota. The first and most usual method is by taking 90 per cent of the average of the last five seasons' deliveries. However, the interim committee realized that, in certain circumstances, this would result in a negligible amount of wheat being fixed as the basic quota for certain properties. Accordingly, it provided an alternative method of determining the basic quotas for properties which fell into the three classes (A, B and C) described in subclause (3) of this clause. In this case, reference was made not to the average of deliveries over the last five seasons but to some extent to the area sown to wheat for harvesting during this season, and the formula set out in subclause (2) of this clause was applied in ascertaining the basic quota for those properties.

The reasons advanced by the interim committee for the adoption of this allocating formula were (*a*) it gave due recognition, in the case of B and C class properties, to properties that were being developed for wheat growing with its attendant capital outlay; and (*b*) in the case of class A properties it gave some recognition to the situation of a person who had brought land into wheat production for the first time in this season, and in the case of certain class A properties it gave some additional recognition to a person who was a traditional wheatgrower within the meaning of the definition in subclause (3) but who had just entered into production on the land comprised in certain class A properties. It might be noted that, in the case of basic quotas fixed by reference to this alternative formula, absolute limits of 4,000 bushels, 6,000 bushels and 7,500 bushels are fixed irrespective of the average sown for harvesting during this season.

Clause 24 sets out the matters to which the interim committee had regard in allocating special quotas, and of these the most significant was the total amount of wheat available for such allocation. As has been mentioned, this amount could not be increased without causing a reduction of the prescribed percentage and hence a reduction overall in the basic quotas. As a result, the amount of a special quota that could be allocated in any particular case was necessarily strictly limited. In summary, the committee had regard to the following: (*a*) losses caused by two or more adverse seasons; (*b*) losses caused by fire and other contingencies that could be insured against provided those contingencies were insured against; (*c*) deliveries of wheat, with the permission of the Wheat Board, to persons other than the board since these deliveries were not taken into account in the calculation of basic quotas; (*d*) interstate deliveries of wheat to an interstate licensed receiver, since these again would not be taken into account in fixing the basic quota; and (*e*) in appropriate circumstances, other matters not within the control of the farmer that diminished his production.

The interim committee did not have regard to the matters set out in subclause (2) of this clause, namely (*a*) losses caused by only one adverse season, since one adverse season in five is not abnormal in this State; (*b*) losses that could have been insured against and were not so insured, as there was, in the opinion of the interim committee, no reliable method of ascertaining the losses; and (*c*) losses caused by frost or diseases or pests, because in the opinion of the interim committee there was no reliable method of ascertaining the amount of these losses.

Clause 25 empowers the advisory committee to adjust wheat delivery quotas in cases of transfers of all or portion of properties. Clause 26 recognizes the interim committee under the name of the "former committee" and, at clauses 27, 28 and 29, actions taken before the commencement of this Act are given recognition under this Act as if they were acts of the advisory committee. Clause 30 continues in office the secretary of the interim committee as secretary of the advisory

committee. Clause 31 formally abolishes the interim committee. Clause 32 establishes the Wheat Delivery Quota Review Committee and is generally self-explanatory. Clauses 33, 34, 35 and 36 represent normal administrative arrangements for a committee of this type. Clause 37 provides for a secretary to the review committee.

Clause 38 provides for an appeal against any decision of the advisory committee which, under clause 29, includes any decision of the interim committee. This clause sets out the powers of the review committee in dealing with appeals. Clause 39 deals with frivolous appeals. Clause 40 sets out the procedure for instituting an appeal, and in this regard it might be noted that, although an appeal must be instituted within one month after the appellant received notice of the act or decision appealed against, in the case of acts or decisions of the interim committee, the time does not run until the commencement of this Act. Clauses 41 and 42 set out in some detail the procedure of the review committee.

Clause 43 is intended to ensure that payment as a member of the advisory committee or the review committee will not disqualify that member from holding any other office. Clause 44 is intended to cover the situation where a member of either of the committees has a financial interest in any matter before the committee. Clause 45 sets out the entitlement of the holder of a wheat delivery quota to deliver wheat as quota wheat up to the amount represented by the quota less any amount of over-quota regarded as being part of his deliveries of quota wheat for that season. Clause 46 ensures that effect will be given to any direction of South Australian Co-operative Bulk Handling Limited in relation to deliveries of wheat.

Clause 47 regulates the delivery of non-quota wheat. In the normal course of events, "non-quota" wheat is wheat produced from a property that does not have a wheat delivery quota and as such would, of course, not be received into the system. However, all wheat grown outside the borders of this State would, in the terms of this Act, be non-quota wheat and, in accordance with past practice, it is not unlikely that some wheat grown in the border areas in Victoria will be offered for delivery at storages in this State, that is, wheat that is quota wheat within the meaning of the relevant Victorian Act. This provision will render such deliveries lawful.

Clause 48 is a most important provision, as it sets out the arrangments by which over-quota wheat delivered in the first season will be dealt with. In substance this wheat will be regarded as quota wheat in the succeeding quota season. Thus, if a farmer delivers 2,000 bushels of over-quota wheat in the first quota season he will for the purposes of the next quota season be regarded as having already delivered 2,000 bushels of his quota and the amount that, in that season, he can deliver against his quota will be reduced by 2,000 bushels.

Since wheat quotas are attached to properties while the quota system is in operation it will be necessary for the purchaser of a wheat property in the period that the quota system is in operation to make careful inquiries to determine (*a*) the size of the wheat delivery quota that is likely to be allocated to the property; and (*b*) the amount of over-quota wheat that will in any quota season be regarded as having been delivered against the quota for that season because the amount that the new owner can actually deliver in that season against the quota will be reduced thereby.

Clause 49 deals with the case of farmers who in a season are unable to deliver their full quota. In this case their quota will be reduced and the amounts of wheat re-allocated. Unless the amounts of short-fall are re-allocated the $1.10 advance payments payable in respect of those amounts will be lost to wheatgrowers in this State. The question of the re-allocations of the amount represented by the short-falls in the next quota season to the farmers who suffered them is also adverted to in this clause at subclause (3).

It is clear that some recognition must be given to individual short-falls in one season in fixing individual quotas for the succeeding season but, until the total amount of the short-falls in the State are clear and the amount of the State quota for the next season is determined, it cannot be determined whether the actual amount of the short-falls can be added to the quotas or whether some proportion of the short-falls can be so added.

Clause 50 provides a substantial penalty for the holder of a quota in respect of a property who permits wheat not grown on that property to be delivered as part of a wheat delivery quota, and clause 51 makes it an offence for a person to deliver such wheat. Both these provisions are intended to prevent trafficking in quotas and, on the express recommendation

of the interim committee, by clause 52 both have been modified to permit a holder of a wheat quota in respect of more than one property to deliver wheat as produced from one property against the quota allocated in respect of another of those properties provided that such deliveries have been approved by the advisory committee.

Clause 53 provides for the production of a wheat quota when wheat is delivered, with the approval of the board, to a person other than a licensed receiver. Clause 54 will enable the advisory committee to ensure that all the wheat comprised in the State quota is distributed and further provides that any increased quotas resulting from such a distribution, if it is necessary, will not be taken into account in the fixing of next year's quotas.

Clause 55 relates to the rights of share-farmers and is expressed to be subject to any share-farming agreement between the owner and the share-farmer; that is, its application can be modified by agreement between the parties. Briefly, it gives the share-farmer the right to recover against the farmer the proceeds from the sale of wheat to which the share-farmer is, pursuant to the agreement, entitled. Since under the quota system quotas are attached to the properties, deliveries of quota wheat and over-quota wheat will necessarily have to be attributed to the holder of the quota who, as to the share-farmer's share of the wheat, must be regarded as holding the proceeds of the sale of that wheat on behalf of the share-farmer.

Clause 56 gives the board power to sue for and recover advance payments made in relation to quota wheat delivered as part of a quota that has been rendered void by the court. Clause 57 is an evidentiary provision. Clause 58 provides for offences against the Act to be disposed of summarily.

Clause 59 gives the usual measure of protection to persons acting in pursuance of the Act. Clause 60 provides for the costs and expenses of the administration and operation of the Act to be borne by South Australian Co-operative Bulk Handling Limited. The purpose of this provision is to enable those costs to be finally met by the board, which is itself by its enabling legislation authorized to pay them to a licensed receiver. Clause 61 provides for a general regulation-making power. Finally, since this measure primarily deals with the allocation of quotas for this season, it is likely that, should next season be a quota season, its provisions will require some modification in the light of the views of the industry on the fixing of quotas for that season.

Mr. CORCORAN secured the adjournment of the debate.

GIFT DUTY ACT AMENDMENT BILL

In Committee.

(Continued from November 20. Page 3192.)

Clause 2—"Interpretation."

Mr. HUDSON: New subsection (17a) may create a further loophole in that someone who wishes to avoid gift duty can pass property to another, creating a debt that is payable on demand, and then not make a demand for the repayment of that debt. As no liability of gift duty would be incurred under this new provision until the demand for payment was issued, conceivably a loophole would be created. During certain further discussions I have had on the matter, it has been pointed out to me that the extent of gift duty applies only in relation to the 5 per cent interest (it is only the 5 per cent interest that is the gift) and, for a person to adopt this procedure, he would have to be involved in making a substantial gift indeed because, if the 5 per cent interest amounted to less than $4,000, no gift duty would be payable. It was suggested that the reason for the original subsection (17) was related to the activities of companies rather than to those of persons and that there was not a serious worry about an individual's using subsection (17a) as a loophole to avoid the payment of gift duty. Although for that reason I do not intend to oppose the provision, I am not entirely satisfied by the explanation given me.

Clause passed.

Clause 3 passed.

Clause 4—"Remission of gift duty."

Mr. HUDSON: Section 11 of the Act provides, first, for the remission of gift duty where the amount of duty is under $5, and secondly, for a deduction from gift duty where part of the gift includes an interest in the matrimonial home. The Treasurer proposes by new subsection (3) to introduce an aggregation provision that aggregates all gifts made within a three-year period for the purpose of assessing any remission or deduction that should be obtained under section 11. I can see that section 11, as it stands, creates an opportunity for large-scale avoidance of duty. For example, an individual owning his own house worth $12,000 and wishing to dispossess himself of

substantial property could give a half interest of $6,000 to his spouse on one day and, under section 11(2), not pay duty. On the next day he could give the remaining half interest in the home and again not pay duty. The day after, he could buy back from his spouse for $12,000 and, as this would be a commercial transaction, no gift duty would be involved. Having bought the house back again, he could then start the process over again, and this procedure could be repeated any number of times, large sums indeed being passed from husband to wife by this method. The only payment involved would be the stamp duties and transfer costs. Of course, substantial sums of gift duty would be avoided, and ultimately succession duty would be avoided, too, if this procedure were adopted.

Although I see a loophole in the original provision of section 11 that must be closed, I am not convinced that new subsection (3) is the way to close it. I suspect that new subsection (3) may still have the effect of doing more than just eliminating this loophole. It seems that all that would be necessary to eliminate the loophole would be to provide that there was an aggregation of any interest in a matrimonial home, which was passed from one spouse to another, 18 months before a specific interest was passed or 18 months subsequent to its being passed. Therefore, in three years all interests in a matrimonial home passed from one spouse to another are aggregated. The amendment may also aggregate all gifts made within the three years with the interest in the matrimonial home. If that were done, a person not taking advantage of the loophole in section 11 (because he passes an interest in the matrimonial home only once) would no longer get the benefit of the section, because of the aggregation of all benefits. The Under Treasurer has suggested to me that new subsection (3) covers only the aggregation of the interests in the matrimonial home, but I am not convinced of that. I think that subsection (3) could be worded more directly.

The Hon. G. G. PEARSON (Treasurer): I see the honourable member's point, which he had discussed with me earlier, although we were not able to complete the discussion. I consider that the words "of this section" in the new subclause cover the situation to which he has referred. The section regarding the waiver of duty or liability refers specifically to the matrimonial home, and I think that limits the provision as the honourable member desires,

although I am not sure of that. I do not think there is any risk that this provision abrogates the right of duty-free disposition of $6,000 as interest in the matrimonial home. I consider that the wording governs the whole of new subsection (3). Although I understand that lawyers are uncertain on this matter, I suggest that we leave the provision as it stands and, if it is interpreted as the honourable member thinks it may be, we can amend it later. I think only a ruling on the matter would determine the issue, but I consider that the provision does what it is intended to do.

Mr. HUDSON: Section 11 (2) of the principal Act refers to an interest in a house which is the matrimonial home. Aggregating all gifts made 18 months before or subsequent to a particular gift may increase substantially the amount of duty, but the only way in which duty would increase because of the passing of an interest of between $4,000 and $6,000 in a matrimonial home would be if the gift were repeated many times. If the interest were passed only once, the deduction would still apply. So long as that is the position I accept the Treasurer's assurance. I must say that, when I discussed the matter with a person who ought to know the position, we had difficulty in arriving at that reasoning.

Clause passed.

Remaining clauses (5 to 17) and title passed.

Bill read a third time and passed.

EARLY CLOSING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 19. Page 3127.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): Although I support the Bill, I believe that it does not cope with the very difficult situation which we now face under the Early Closing Act and concerning which decisions are urgently necessary. The provisions of the Act have caused considerable worry since the mobility of population in South Australia has made Early Closing Act districts in many cases of little avail, since it is easy for people to drive just beyond the edge of an early closing district to some other place that is not subject to the Act's restrictions. Once this had occurred, and a considerable investment in the kind of hours of trading available in areas in which the Act was not applicable was undertaken, it was difficult to do anything to take away from people in the areas where these hours had been established the services that had been built up or to interfere with the investment that had occurred

simply because the rights to trading outside normal hours in early closing districts were there.

This situation is not improving but worsening, and real difficulties and anomalies will increase unless a stand is taken in this area; but precisely what can we do? I do not suggest that there is any easy solution to this problem. If we open up the Early Closing Act within that part of the effective metropolitan area to which it now applies, the result will be a significant increase in costs to the consumer, and there is no way out of that. In addition, traders and workmen alike do not want hours of that kind applicable within the metropolitan area to which the Act now applies. Beyond the areas where late shopping is now operating, particularly Friday night shopping, I do not believe that there is a demand for Friday night shopping in those areas to which the Act does not now apply. There is little demand for extra trading hours outside the areas where these are now in operation. Therefore, I believe that we should try to hold the position generally as it stands: that is, we should not interfere with existing vested interests but allow the situation to go no further; that we should provide that throughout the State there should normally be a five-and-half day week apart from those specially proclaimed shopping nights agreed on by traders in the area for special purposes; and that we should leave Friday night shopping where it stands in areas in which this is already the practice.

I believe that specific action should be taken immediately in relation to butchering and baking. We cannot take action in respect of baking under the Early Closing Act: action must be taken under the Bread Act. There should be five-day-a-week baking throughout the State, and we can take action against butchering under the Early Closing Act. I believe it is essential for the butchering trade and for its continuing health that we have five-and-a-half-day a week retail butchering throughout South Australia. The present situation that has grown out of the trade of the Lazy Lamb and companies that have followed suit has caused grave harm and considerable hardship to the retail butcher and has created a series of anomalies that we must cure. I think the only way to do this is to provide five-and-a-half-day-week butchering throughout South Australia.

Mr. Clark: For all in the butchering trade.

The Hon. D. A. DUNSTAN: Yes. It is acceptable to the master butchers and to the trade unionists in the trade alike very widely in South Australia. I know of no group of master butchers who, as a large body, do not support a move to five-and-a-half-day butchering throughout South Australia. In these circumstances, I believe that amendments will have to be moved to this legislation. I do not believe that it is sufficient at this stage simply to extend the classes of exempt goods and shops, although some exemptions must be made. The anomalies at present extant are obvious to everyone and, in many cases, honoured more in the breach than in the observance in some lines. In addition, real anomalies have been created in the class of trade which is available to the State but which is interfered with by the provisions of the Act. I instance the kind of craft shop to be found in the district of the member for Onkaparinga.

This trading ought to be available to week-end tourists. This is the major part of the trading hours available to them; it is a valuable adjunct to the tourist trade in the area and, as a valuable outlet to craftsmen jewellers, weavers and the like in South Australia, it is something that we should provide. I cannot imagine anyone who would object to the proposed amendment on that account. I believe that we now need to amend the Act to hold the general retail trade situation where it stands and that, in relation to butchering, we should provide five-and-a-half-day butchering throughout the State. If we do not do that, the anomalies will increase. If we do anything else, we will only create new anomalies. I believe that action is urgently necessary and I know that the Minister has been examining many proposals but, apparently, he has not come to any conclusions. The Opposition has come to the conclusion that this is the best that can be done in this difficult situation. It needs to be done now, and we should do it.

Mr. EVANS (Onkaparinga): I, too, support the Bill. The Leader of the Opposition has said there are many art and craft shops and art galleries in my area, and I do not consider that the definition of "goods" covers all of these at present. I do not consider that crafts such as hand-made jewellery, woven goods and hand-printed woven goods are covered either by the definition of exempted goods or by that of exempted shops, because the Bill defines them as art shops. I have

spoken to the Minister about this point and told him that I will move an amendment. I realize that it is difficult to define trade or goods without perhaps opening up the field to some extent. It is hard to define hand-made jewellery. We have defined hand-made pottery and I believe that that is just as hard to define when it comes to actually inspecting or supervising the sale of goods in a shop. I believe we could easily define hand-made jewellery and classify types such as copper, silver or gold. In Committee I will move an amendment with this aim. I believe the Leader of the Opposition contradicted himself when he said he believed that shop hours, where they are outside the provisions of the Early Closing Act, should remain the same but immediately said he believed that trading by butchers, when carried out in those areas, should be stopped.

Mr. Clark: He made that an exception.

Mr. EVANS: That is possibly true. I believe that it is wrong that a shop on one side of the road has to shut at six o'clock whereas a shop on the other side of the road can remain open until any hour because of a local option whereby people have voted on hours to be observed in that area. I do not believe that this is satisfactory, nor do I believe that there is a simple answer to it.

I do not necessarily believe in restricted hours: I believe in the freedom of the individual. However, I also realize that, if we do not have restricted hours, it becomes difficult for those employed in the bigger stores.

Mr. Virgo: Don't you think there should be polls of citizens?

Mr. EVANS: I believe that the smaller storekeeper is gradually being crushed by the bigger retailer, and this will continue regardless of what action we take in this Chamber. I know that the bigger retailer can buy at lower prices because he buys in bulk and the shorter the trading hours are the more beneficial it is to them. Therefore, the smaller storekeeper would benefit in the long run from extended trading hours.

In most cases the smaller trader employs only one assistant or perhaps members of his own family who are willing to work the extra hours to be independent, even if they do not receive a massive return for their effort. They believe that their compensation for this type of business lies in their independence; they do not want to rely on or be dominated by any other person; and they like to use their initiative to succeed in this world. I support the Bill in the main, but I do not agree that we should shut up those butchers' shops that are trading outside the provisions of the Early Closing Act where people have opted for these trading hours—

Mr. Virgo: That's not in the Bill.

Mr. EVANS: —which has been suggested by the Leader of the Opposition. I do not agree that we should set out to close shops that are trading outside normal trading hours until we can look at the whole Act and bring down legislation to cover the whole of the State on a uniform basis. At this point of time I agree that we should extend the class of goods that can be sold outside normal trading hours as exempt goods. I ask all members to think seriously about the galleries and craft shops that are to be found not only in the District of Onkaparinga but also in the Districts of Gumeracha and Angas, and possibly in other districts. I believe there are some in Victor Harbour, in the District of Stirling. If we give them the opportunity they will become places where tourists will be able to inspect and admire the articles and at the same time have an opportunity to purchase them. I make a strong plea to members to support an amendment to be moved to cover the hand-made crafts as well as the arts. I support the second reading.

Mr. VIRGO secured the adjournment of the debate.

SUPERANNUATION BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

Adjourned debate on second reading.

(Continued from November 19. Page 3127.)

Mr. HUDSON (Glenelg): I support the Bill, with one or two reservations. I complain most bitterly about the position in which the Minister has placed members of the Opposition as a result of the introduction and explanation of this Bill. We are presented with a Bill of 66 pages, 116 clauses, and a few schedules. The second reading explanation was so skimpy that in one or two respects it is almost criminal because one or two important changes have been made in the principal Act that are not even mentioned in the explanation. Consequently, virtually the whole of one day over the weekend had to spent by me finding out what other things had been altered or dropped from the Act which were not mentioned in the second reading explanation.

The explanation states that clause 27 sets out the right of an employee to contribute to the fund. Clause 27, however, alters the conditions under which an employee can be accepted into the fund and alters the provision with respect to the requirement of a medical certificate being necessary before the board can accept a prospective contributor.

The casual reader, unless he knows and checks with the principal Act, is not to know that no longer can a person under the age of 20 years who is not a married male contribute to the Superannuation Fund. This is surely a significant change, yet it is not mentioned. Surely it is a significant change that, whereas previously under the principal Act an employee who wished to become a contributor could not do so unless a medical practitioner approved by the board had certified that he was of sound health, there is now no mention of the requirement of the certification by a medical practitioner and the board has only to be satisfied as to the sound health of that employee. I believe that that specific change is sensible, but I am at a loss to understand why we are not told about it.

I do not agree, however, with the provision that no-one under the age of 20 years shall be entitled to become a contributor to the fund unless the applicant is a male and married. It seems to me that a State employee under the age of 20 years who wishes to join should have the right to do so: I would not compel him or require him to join until he was 20 years of age, but if he wants to take advantage of a lower rate of contribution, he should be able to do so. Ultimately, the rate of contribution considered over the whole working life of the employee has not altered because of his joining later. The person who joins at age 17 years is taking advantage of the offer to him to spread his contribution over a longer period, and he should have the right to do so. It should not be taken away by stealth and without the Minister's referring to the fact that it was to be removed. Why should the rights of employees that were introduced in 1965, whereby a new employee of the State service at age 45 years or more was given rights of a reduced contribution, be removed by the Bill without mention being made of the fact?

Mr. Broomhill: Nothing was mentioned in the second reading explanation?

Mr. HUDSON: Not at all: this may be accidental, or it may be legislation by stealth to see whether it could be slipped through without the goats on the Opposition side noticing it.

Mr. Broomhill: I hope the Government knows better than that.

The Hon. G. G. Pearson: Knowing the honourable member's penchant for doing his homework I should say there was no hope of doing that.

Mr. HUDSON: Perhaps not, but it has forced me to occupy the crease longer, and to complain about the excessive homework that I have been forced to do. The benefits introduced by section 75c of the 1965 amendment, which provided for a reduced rate of contribution for the first 14 units for new employees aged 45 years or above, are being removed by this amendment. No suggestion has been made why they have been removed and no argument presented about it. This is not good enough for this Parliament. It is not correct to present a Bill which is represented as a consolidation Bill but which eventually makes significant changes about which we are not informed. I take the strongest exception to that course. Although several other provisions have been altered, no information has been given about them. Some are minor, but others are possibly matters of substance.

The main change made by the Bill concerns the method of assessing entitlement and the dates at which contributions shall be paid. This change is designed to streamline the administration of the fund and I believe that, as such, it is desirable. However, I again object to the fact that one has to spend much time before one can finally conclude that no right that exists at present for an employee has been taken away by the change. The Treasurer may not be aware of it, but it is conceivable that an employee who joins the Public Service, or one who becomes entitled to an increase in the number of units for which he contributes as the result of a salary increase, may not be able to make contributions, initially towards the fund in the case of the new employee, or towards his increased units in the case of the other person, for a period that may be as long as 14 months, because of the change made by this Bill.

A person whose birthday occurs in the first six months of the year and whose entitlement day under the Bill is October 31, and who has either joined the service or receives a salary

increase on November 1, cannot commence his superannuation contributions, or increase them, until the first pay day in January, 14 months later. That employee does not get a reduction in his effective pension: he pays for the pension over a different period of time and he may end up by paying for it at a different rate. Under the present provisions a person who receives a salary increase on November 1, and whose birthday is in the first six months of the year, may start paying for his increased units a year earlier than under this Bill. At present, it could be a delay of one to two months. This situation could mean that the contributor has to pay contributions at a higher rate for a shorter time, and there may be taxation benefits for which he currently qualifies but which, as a consequence, he loses or which are postponed.

For example, if because of this streamlining procedure the increased contribution that he has to make is delayed, the taxation benefits that he gets through his superannuation payments being a tax deduction are also delayed. If he has to make his contributions over a shorter period at a higher rate and if the higher rate pushes him above the $1,200 limit allowed by the Taxation Commissioner, the benefit of that tax concession is postponed until he retires because under the income tax provisions, there is still a benefit accruing to someone who is above the $1,200 limit. Even in the State Public Service, there are people who are in this category, although not completely because of superannuation, and who cannot get any benefit as a result of this until they retire, when the Taxation Commissioner assesses for tax purposes some portion of the pension differently, because the person receiving it contributed for it with contributions over and above the $1,200 limit available. Such consequences can result from the Bill. Undoubtedly many questions will be asked by public servants when they get an increase in salary, particularly why they are not entitled to start contributing for extra units immediately, but have to wait this extra period. It was incumbent on the Treasurer to give a substantial explanation of the consequences of this streamlining procedure, but he did not do so.

We have been told that the streamlining procedure will reap a fairly substantial saving in the costs of administering the fund, and ultimately I believe that will be the case. Initially there will be so much changing around to bring all existing contributors on to the new basis that there will not be any significant saving. However, when there is a saving, it does not go to the contributors but to the Treasurer. No adjustment is proposed at any stage in the small contribution that each contributor now makes towards the administrative costs. I understand each contributor is required to pay 2c a fortnight towards these costs, this being a total of 52c a year. I think that is a relatively small proportion of the total cost of administering the fund, but nevertheless the Treasurer intends that any saving will go to him. We realize that he now appreciates that deficits can arise other than through mismanagement, that his Government either has a deficit or is facing one, that he has been budgeting for a deficit ever since he has been in office, and that he is short of money, but he should have said that this saving in the cost of the fund would be transferred to contributors.

The Hon. G. G. Pearson: The whole of the adminstration is borne by the taxpayer now.

Mr. HUDSON: That is not so.

The Hon. G. G. Pearson: What part isn't?

Mr. HUDSON: Each contributor pays 2c a fortnight towards the cost of administration.

The Hon. G. G. Pearson: Work out how much that is.

Mr. HUDSON: I do not know how many contributors there are, although I can find out by looking at the annual report of the fund. A payment of 52c a year by each contributor would add up to some thousands of dollars a year. The Treasurer may argue that this payment has remained unchanged for many years, except for a slight increase that occurred when the changeover was made to decimal currency, but he has not presented such an argument to us. I suppose he could justify the fact that savings made should be paid into the Treasury on that basis, but he has not done so.

The reasons for one or two changes in definitions are not spelt out in the second reading explanation. There is what could be an effective change in the definition of "employee", which states:

> "employee" means any person employed in a permanent capacity by the Government of South Australia . . . but does not include:
>
> (*e*) any person or any person of a class declared by proclamation not to be an employee for the purpose of this Act.

Clause 4 (7) provides.

> For the purposes of paragraph (*e*) of the definition of "employee" in subsection (1) of this section the Governor may by proclamation declare any person or any person of a class

of persons not to be an "employee" and the Governor may by proclamation amend or revoke any such declaration.

That definition is different from the original definition, which did not include the provision in paragraph (*e*). Why are certain persons or certain classes of person to be subject to the possibility of exclusion and to the possibility that such exclusion may be revoked later? All that the second reading explanation tells us is that clause 4 sets out the definitions used in the Act which generally follow the definitions of the repealed Act. A further change occurs in clause 6, which extends the meaning of "public authority", and which I believe extends the public authorities that can be brought into the fund. The old Act provides:

"public authority" or "authority" means a board or other body of persons appointed by the Governor, pursuant to an Act of the Parliament of the State.

The Bill provides:

"public authority" means any body whether incorporate or unincorporate constituted under any Act, in relation to which the Governor or a Minister of the Crown has the right to appoint any or all of its members.

I presume that change in definition would bring in the Natural Gas Pipelines Authority as a possible public authority, the employees of which could contribute towards the Superannuation Fund, and it would bring in many other authorities. It would bring in the Parole Board and many other authorities to which the Governor or the Minister may appoint some but not all members and the staff of which previously were excluded from participation in the fund. We should have been told that this possible extension in the ambit of the fund was contemplated.

An important change is made by clause 8, but again we do not know whether the Treasurer thought it was not sufficiently important to mention or whether he thought it was going to slip through. In clause 8 (1) (*f*) the fund is given authority to invest funds, with the Treasurer's approval, in the development of real property in the State and to deal with such real property, whether for development or otherwise. I do not know whether that allows speculation in real property but an argument that it does could be built up. However, the Treasurer's approval is necessary, and he will not allow that.

Mr. Casey: Could the board make a deal with the city council?

Mr. HUDSON: I think so. However, I think it is an important change that the fund, under this provision, can provide money for the construction of another State Government office block. The Government would have to pay interest for the use of this fund and there may be Loan Council difficulties, but an important power is given and Treasury funds may be assisted. I support the action to give the board this right, but we should have been told about it.

The Hon. G. G. Pearson: It wouldn't be a bad investment.

Mr. HUDSON: It would be a good investment, and other funds have this sort of power. My objection is not that the power is given but that we are not told about an important change and have to work it out for ourselves. Again, for the first time the board will be able to lend on mortgage up to 95 per cent of the value of property if the repayment of the moneys lent is insured by the board under the Housing Loans Insurance Act.

Mr. Broomhill: What was the limit before?

Mr. HUDSON: The limitation was 70 per cent of the value of the property. I can find no provision in the principal Act that there may be a mortgage under the Housing Loans Insurance Act, but that power may have been given by regulation. However, it is now being spelt out in the legislation. Clause 8 (5) provides:

In the exercise of the powers conferred on it by paragraph (*e*) of subsection (1) of this section the board shall not invest any portion of the fund in preference or ordinary stock or shares, debentures or debenture stock or bonds, on deposit or by way of note or in any unit trust scheme except under and in accordance with the rules prescribed by regulation under this Act for the purpose of regulating such investment.

I support this provision, which may spell out a procedure already being followed by the board. I will not deal with the many minor changes that are made in the provisions about the constitution of the board. I hope that clauses 29, 30, 31 and 32 will provide effectively the superannuation cover that is necessary for an employee because of the possibility of greatly increased delay occurring before he can contribute for increased entitlement or, if he is a new employee, before he can become a contributor. Obviously, he should be able to contribute from the time of commencing employment, and that seems to be provided for.

A further change of substance is made by clause 34, which sets at 10 the minimum number of units to be contributed for. So far as

I can find out from the jungle of the principal Act, the minimum contribution previously was eight units for a person who was appointed after the passing of the Superannuation Fund Act Amendment Act of 1948 as an officer under the Public Service Act, a teacher under the Education Act, or a salaried officer under the South Australian Railways Commissioner's Act. A male person employed under those Acts had to contribute for eight units. All other officers, including females, could contribute for four units. Now everyone must contribute for a minimum of 10 units.

Probably part of the reason for the earlier provision was that, under the Commonwealth pension means test, the permissible limit of earnings over a full pension was about $4 a week for a person of pensionable age, so many employees who contributed for more than four units were probably contributing for something that would reduce their entitlement to an age pension. If their incomes were over that limit, any further contributions they made for additional units would be of full benefit to the contributor; but between the minimum of four units and up to (depending whether the contributor was married) possibly 17 or more units, because of the older operation of the means test, the employee was simply contributing for extra units that could well result in his having a reduced entitlement to an age pension.

Mr. Casey: They did not get it at all in some cases.

Mr. HUDSON: Yes. So he was cutting his own throat. It was that which led to the minimum entitlement being left at four units for many employees for a long time—the persons who had to go at least to a minimum provision of eight units would ultimately get a pension in excess of the level where the Commonwealth age pension cuts out. Now that the Commonwealth pension arrangements have been altered and the means test has been relaxed, there is a case for increasing the minimum contribution to 10 units, as is done, apparently, for all employees whether male or female. I wish the Government's reasoning for change was before the House. I am a little concerned, although there is no change between the principal Act and the new Bill, with respect to the right of an employee to take up neglected units. Many employees, particularly those who are unmarried when they join the service or those who are married but on a low income, do not take up their superannuation entitlement or get out of it in some way, and they are credited with what are now called neglected units. Clause 37 (2) provides:

> The board may, in its absolute discretion and subject to such conditions as to it seems fit permit a contributor to contribute for a number of units equal to some or all of his neglected units.

I appreciate that such a provision is necessary, simply because without this discretion a situation may emerge where an employee who suddenly finds that he is not in good health and that his expected life term is reduced decides that he had better take up his neglected units. The board is entitled (because it has to protect these and other contributors to the fund) to say, "You cannot take up all of your neglected units until you have had a medical examination or until the board is satisfied that you are not now a completely unsound person." I hope that this is all that is involved in the board's exercising its discretion; I suspect that it is. If someone is in sound health and approaches the board to take up neglected units because he has married, has extra income, can afford extra units or can appreciate that he has certain responsibilities, the board normally allows the contributor to take up these neglected units.

I should like some explanation from the Treasurer on the board's normal administrative practice in this matter. There is a peculiar change relating to the reserve units of pension which, I am pleased to say, was mentioned in the second reading explanation. The previous provisions in the principal Act were that certain interest was allowed on reserve units of pension whenever they were assessed for the purpose of working out their equivalents to active units of pension. The return of this interest on the transfer of these units to active units has now been eliminated. I understand that the repayment of interest involved in these circumstances was only the difference between the interest earned at the prescribed rate on reserve units and the normal rate of accrual on active units kept within the fund, and the difference between these two is often so small as to be microscopic. Therefore, the change made by clause 48 is not a substantial change in policy. On that understanding, I am happy to support it.

Regarding clause 56, I may again be unnecessarily worried, but previously where service was given after the age of early retirement (that is, after someone had reached the age of 60 years, which he specified as the retirement age, and he kept on working and

then retired) there would be paid out of the fund to that contributor on his retirement, in addition to his pension, such amount as determined by the board, having regard to the length of the period during which his contributions had remained in the fund and to the length of the period during which payment of the proportion of pension relating to those contributions had been postponed. The amount to be paid out of the fund was to be paid on the advice of the Public Actuary; now, it is to be determined by the board. I presume that the board would proceed on the advice of the Public Actuary, and probably it is not necessary to spell it out in the Bill that this should be done only on his advice. That advice is not required now.

The Hon. G. G. Pearson: It wouldn't be hard to get.

Mr. HUDSON: No, unless we run into the position where we do not have a Public Actuary, and this position has been faced before. Then the question of what the board should do in these circumstances would arise.

The Hon. G. G. Pearson: Under the Bill it would be all right for the board to do this itself.

Mr. HUDSON: Previously, it was under the advice of an actuary, not necessarily the Public Actuary. Certain other changes have been made regarding the voluntary savings scheme. The right of a contributor to the scheme to purchase annuities either for himself or on the life of a member of his family has been removed. I understand that this right has not been exercised for some years because the rate of return implied in the annuities was usually too small. However, this was a right which contributors to the scheme had previously, but which they no longer have. Clause 110 provides the only penalty under the Act.

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

Mr. HUDSON: Before the adjournment I was dealing with clause 110, which in its new form does not specifically provide that an offence shall be dealt with summarily. The principal Act provides for this by section 80 (3), and it should be considered whether a specific provision in clause 110 should be introduced. Clause 115 is a new clause, and it is probably doubtful whether it is necessary. Certainly, the old Act was administered for many years without this kind of provision, but it is difficult to find a sound basis on which to object to it. The discretionary power given to the board enables it to give full effect to the objects of the Act. If the exercise of the discretionary power given to the board takes it beyond the provision of the Act, or even comes in conflict with its purpose, such an exercise would be invalid. Therefore, I do not find that this provision is objectionable.

Generally, I support the Bill, but with reservations regarding clause 27, which provides that no unmarried male under the age of 20 years and no female under the age of 20 years can become a contributor. I believe we should provide that a person under the age of 20 years, who will not be allowed by the Bill to be a contributor, has the right to apply to the board and, at the board's discretion, to be accepted. If this is not provided, we are taking away a right that previously existed under the Act, and it seems to me that that right should not be removed.

Also, I am not satisfied that the provisions, which were introduced in 1965 and which were designed to make it easier for those entering the service over the age of 45 years to contribute to superannuation, should be removed, as they have been by this Bill. An examination of the schedule reveals that a person joining the scheme later in life faces fairly sharply-rising contributions, and if on receiving an increase in salary he wishes to contribute for additional units he may find that he has to meet a payment beyond his financial resources. I understand there are many people in that category who are currently having the advantage of that scheme. The principal Act refers to an employee who has not previously made an election not to contribute to the fund first commencing to contribute after reaching the age of 45 years. That wording precludes anybody who has already made an election not to contribute to the fund and it effectively includes only those categories of employees who have their first election at the age of 45 about what they will do. There are people of that age entering the service perhaps because (and this is happening more frequently these days) they have been dismissed from private employment in middle age.

Some private firms, despite the service given them by employees, dismiss them when they are in middle age, and some of them find their way into the Public Service. They can transfer their superannuation entitlement, and the further we can carry the right to transfer superannuation the better, because this

increases the attractiveness of the Public Service and enables it to attract people more readily from other employment carrying superannuation rights, where in other circumstances the potential employee would have to give up those rights to become a member of the Public Service. But there are categories of people generally not very well paid who apply for clerical positions, who have no superannuation scheme, who first enter the Public Service at the age of 45 years and who, because of commitments and their general low salaries, are in a difficult position when it comes to obtaining superannuation benefits.

The Hon. G. G. Pearson: Normally, these people coming in at the age of 45 would have specialist qualifications.

Mr. HUDSON: That is an important point. To some extent that is true, but there are several areas where people with limited qualifications can enter the Public Service (or, indeed, a category of employment covered by this Act) at this age. After all, the provisions of this legislation cover an authority like the Housing Trust; they can now be applied to the pipelines authority or to any public authority, even where the Government does not have a majority representation on the board but appoints only, say, two out of the six members.

While it may be true that Public Service employees are not generally entering the service at the age of 45 or more unless they have specialist qualifications, it can still be true that employees from other areas can freely fit into this category. Also, we must recognize the situation that can exist in the teaching profession. Many teachers may come into the service at the age of 45 years, and increasingly this may be the case in future, particularly as middle-aged married women take up teaching for the first time, and particularly if the Education Department carries out an extensive programme of recruiting people overseas. There may be fully qualified teachers aged 45 years in England who are willing and want to come to South Australia and who, when given this kind of encouragement, find the decision easier to make.

Mr. Clark: What about married women who have a grown-up family and want to come back into the profession?

Mr. HUDSON: If they previously contributed to superannuation, they would be covered by other provisions. They would have had to be teachers who elected not to contribute, and I doubt whether one could easily find someone in that category whose position would fit into these provisions. In addition, it is an advantage to the Government regarding someone who has specialist qualifications if the Government can offer slightly more attractive superannuation benefits to get that person at an older age. I appreciate that eliminating the provisions previously contained in section 75 (*c*) will simplify the administration and computerization of the operations of the Superannuation Fund but, while that is a consideration, I do not think it is a consideration that should be allowed completely to offset a conclusion that it was for other reasons desirable to make some special provision for people in this category.

I apologize to members for taking more than the usual length of time to discuss this Bill, but the Government, in the way in which the Bill was presented, forced me to do much more work in sorting it out and comparing it with the principal Act that I might otherwise have done; and, having forced me to do this work, the Government is receiving the benefit of the harrowing and somewhat frustrating Sunday that I spent, when several times I could not find the relevant provision in the principal Act for half an hour or more and was forever fishing around to see what had happened. I hope the Government will fully consider what I have said about this Bill and will also consider restoring those benefits that have been removed by the Bill from the principal Act. I hope that when the scheme is introduced the Government will ensure that the Superannuation Board sends a circular to every contributor clearly pointing out the effect of the Bill in possibly producing considerable delay before a contributor commences contributing in the first instance or for an increase in the number of units. I hope it will be made clear that no contributor is losing as a consequence of this. Under the principal Act, for example, anyone who commenced contributions for extra units between four and five years before retirement could contribute for four years and would find that his contributions for the extra units cut out, say, six months before retirement. A contributor may find that now his contributions will cut out one month before retirement but that he will still contribute for only four years, or for only three years but at a higher rate, and that the effect in consequence is pretty much the same, whichever way it is done. I think the Government will need to ensure that contributors are fully aware of this fact, or we will get a

tremendous storm of protest occurring successively as each salary increase comes along, and the contributors to the scheme find that they are not allowed to increase their contributions, because of the arrangement in respect to entitlement, until some considerable time, in some cases, after the salary increase occurs. I support the second reading.

Mr. CORCORAN (Millicent): I do not think the member for Glenelg had any need to apologize for the length of time he spoke. On the contrary, I think he should be commended for making the points he has made on a most important issue. I do not intend to speak at length because, unlike the member for Glenelg, I did not spend last Sunday going through this Bill. For that reason, again I commend the member for Glenelg for taking the time and bother to analyse the Bill in the way he has done. Obviously he did not have time to do that during the normal working week, because, as he has pointed out, the Bill was introduced in this House last Wednesday, and it contains 116 clauses covering 66 pages. Although the Treasurer pointed out that this was a consolidating Bill, I think the member for Glenelg discovered in his research that it was a little more than that.

Considering the magnitude of the Bill, it is surprising that the Treasurer's second reading explanation covered only two pages of *Hansard*. The member for Glenelg has told members that, apart from consolidations, the Bill contains many substantial alterations to the legislation. He rightly made the point that all members should consider the matter carefully. I think the Treasurer will agree with the honourable member that it is important for public servants to have a good superannuation scheme, because that is one of the attractions offered to people to join the service and serve the interests of the State.

Mr. Virgo: It is practically the only attraction.

Mr. CORCORAN: There are others, but it is an important attraction. As has often been stated, private enterprise tries to draw on the Public Service, because it knows public servants are well trained and experienced. One of the things that keeps people in the service is an attractive superannuation scheme, and that is the way it should be. Members should be grateful to the member for Glenelg for his research and for the things he has pointed out. For instance, the point he made about a person's having to be 20 years old before he can subscribe to the scheme is well worth considering. It was not even mentioned in the Treasurer's explanation, yet we have realized from the statement by the member for Glenelg that it is a serious matter. Even in the armed forces of this country, a person 17 years of age was eligible to contribute to the Defence Forces Retirement Benefits fund if he desired, and that was one of the worst superannuation funds I have ever known.

Mr. McKee: You had to survive to benefit, of course.

The Hon. Robin Millhouse: Its been put right now.

Mr. CORCORAN: It has been put right after an extremely long time and because of the agitation by Opposition members in the Commonwealth Parliament. The Attorney-General, who is sometimes known as the galloping major, would know that, even though he serves in the Citizen Military Forces. When I was serving in the armed forces, persons were eligible to elect to pay into that fund at the age of 17 years and, of course, a person could not enlist at an earlier age than that.

Obviously, the Opposition should be given more time to consider the matters that need to be put right in this Bill. The member for Glenelg is working on amendments, and there are difficulties about this. I think the Treasurer recognizes that, in fairness, we should be given more time to confer with the Parliamentary Draftsman, who was not available on Sunday: I do not suggest he should have been. I am not denying that he was working, because I understand that the draftsmen are overworked, and I ask the Attorney-General to note that. We need far more draftsmen of the same ability as those we have. I ask leave to continue my remarks.

Leave granted; debate adjourned.

ROAD TRAFFIC ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

That this Bill be now read a second time.

There can be no doubt that the Road Traffic Act necessarily assumes the greatest importance in our highly mechanized society, in which vehicular communication and transport have become a necessary part of economic existence and an indispensable adjunct to a way of life to which most have become accustomed.

The principal Act was enacted in its present form in 1961, and it is inevitable that such a comprehensive piece of legislation should from time to time require amendment as experience with its administration increases and as advances are made in traffic engineering. The science and the jurisprudence o ftraffic control are extremely dynamic in character, and this Bill reflects some of the changes being wrought by new approaches in this field. The present amendments are of a widely divergent character, and consequently I will not attempt to give a synopsis of the Bill but will turn immediately to discuss its provisions in detail.

Clauses 1 and 2 are formal, and clause 3 amends the definition section of the principal Act. The first amendment affects the definition of "dividing strip". The inclusion of "median strip" in the definition helps to clarify what is meant by a dividing strip. The term "median strip", rather than "dividing strip", is often used to describe the area between two carriageways and is used in the Local Government Act for the same purpose. An amendment to define "roundabout" is inserted in the principal Act. This is a precise definition of what constitutes a roundabout and is to be read in conjunction with section 72, contained in clause 17. The definition of "traffic control device" is expanded to include safety bars. Safety bars are being used more extensively to control traffic at intersections and also to give advance warning of median strips.

The definition of traffic control devices includes *inter alia* "safety islands" and "safety zones", but the definition does not at present comprehend a "safety bar". This is the correct traffic engineering term for the device that is often referred to as a "rumble strip" or "jiggle bar". No definition is contained in the principal Act of what is meant by "the standing" of a vehicle, although it is referred to in several of the sections dealing with parking. The Police Department has requested this definition to procure a more effective policing of the parking provisions of the Act.

Clause 4 amends section 11 of the principal Act, which deals with the constitution of the Road Traffic Board. The Act specifies that the Highways Department's representative on the board shall be a traffic engineer. The Commissioner of Highways considers that the present wording is too restrictive and limits the departmental engineers from whom he can nominate a representative to the board. Consequently, he has suggested the revised wording.

Clauses 5, 9, 20, 23, 25, 27, 30 and 33 permit the delegation of the powers of the board in certain areas. The delegation is permitted with respect to matters which may need immediate approval. The board normally meets fortnightly, and many of its functions entail day-to-day approvals. Examples of these are: (1) permits for over-dimensional and over-weight loads, of which approximately 200 are issued each week; (2) erection of certain regulatory signs, many as a matter of routine (such as "keep left" signs) and others in cases of urgency (such as "stop" signs) to replace traffic signals put out of operation due to accident or other causes; (3) painting of standard pavement markings and legends on roads; and (4) the authorization of monitors to display "stop" banners at school crossings. The monitors change from term to term, and it is necessary to approve replacement monitors immediately.

Many traffic matters arise from time to time where urgent action is required by the Police Department and highways authorities, and it would be unreasonable to withhold board approval until the next board meeting. The Crown Solicitor has pointed out the present wording of the Act does not permit the board to delegate its authority, and has suggested these amendments to regularize a practice that has been in operation since the inception of the board.

Clause 6 is to give power to the Commissioner of Highways to install traffic control devices, with the approval of the Road Traffic Board, on any roads under his control. The Commissioner deems this necessary to enable a more efficient administration of his department and to ensure efficient traffic engineering practice. Only local authorities at present have the powers to install traffic signals, median strips, and certain other kinds of traffic control devices, and it is necessary for the Commissioner of Highways to seek local authorities' concurrence for their installation on roads that are not the responsibility of councils. With the advent of freeways and expressways, which will be completely constructed and financed by the Highways Department, it will be necessary for the Commissioner of Highways to install these devices without the need to seek the co-operation of the councils.

Clause 7 amends section 22 of the principal Act, which deals with direction lines and barrier lines. The purpose of this amendment is to extend the powers of the Commissioner of Highways, or a council, to allow them to

install additional types of pavement markings along a road as well as at an intersection or junction for the purpose of guiding and regulating traffic. Examples of such markings are speed limit numerals on the carriageway, centre lines, lane lines, continuity lines, and warning messages such as symbolic cross-road markings. At present, these are limited to areas within an intersection or junction.

Clause 8 enacts new section 23a of the principal Act. The Act at present empowers the Commissioner or a council to erect certain enumerated kinds of traffic control devices. No power exists to cover any residual kinds of device not specifically mentioned. The amendment overcomes this difficulty and provides that any such devices already installed with the approval of the board shall be deemed to be lawfully installed.

Clause 10 amends section 49 of the principal Act, which establishes a number of speed limits. Difficulties have arisen in enforcing the speed limit of 15 m.p.h. on a section of road between "School" signs. Under the existing wording of the Act it is necessary to prove that a child on that section of road was actually proceeding to or from the school to which the signs refer. The child could be proceeding past the school to attend another school, in which case the speed limit of 15 m.p.h. could not be enforced. Motorists could not be expected to know to which school the child was proceeding, and the substitution of "a" for "the" would allow the police to enforce the 15 m.p.h. limit during the times children normally enter and leave schools, without the necessity to get a child's name as proof that he attended the school, as well as the motorist's name.

Clause 11 amends section 51 of the principal Act, which enacts a speed limit for motor cycles with pillion passengers. When the Road Traffic Act was amended in 1967 to permit motor cyclists carrying pillion passengers to travel at higher speeds, it was intended to allow them to travel at up to 45 m.p.h. inside a municipality, town, or township, if the roads were speed zoned as such, as well as travel at up to 45 m.p.h. outside these areas. Furthermore, it is possible for a road outside a municipality, town, or township to be a speed zone of below 45 m.p.h., in which case the motor cyclist must obey the lower limit. This amendment rectifies the present anomaly. Subsection (1a) is to make it clear that a motor cyclist carrying a pillion passenger must travel at a speed of less than 45 m.p.h. if he is confronted with a signed lower limit.

Clauses 12 and 13 amend sections 53 and 53a of the principal Act respectively. This additional section has been included at the request of the Police Department to make it clear the general speed limits specified in the Act for commercial motor vehicles and motor buses do not take precedence over lower speed limits prescribed at specific locations. Clause 14 amends section 66 of the principal Act. This section requires drivers who are about to enter a road from private land to give way to any vehicle or person on that road. The present definition of road refers to "any area commonly used by the public". Off-street car parks to shopping areas, hotels, etc., are commonly used by the public and, consequently, fall within the definition of "road". (For example, Arndale Shopping Centre, where buses run through the parking area to serve the shopping centre itself.)

The entrances to and from the shopping centre with the abutting road constitute a junction and normal right-of-way rules apply. It was never intended that a motorist on the main road should give way to a vehicle leaving one of these parking areas, and more often than not the main road traffic is not prepared to give this right of way. This amendment is intended to remove the anomaly in the interests of safety and clarity of the "give way" rule. The councils and Police Department have asked for this matter to be clarified. Clause 15 amends section 69 of the principal Act. Under the existing provisions of the Act, an offence of failing to give way to other vehicles when leaving the kerb is not committed until the driver actually commences to drive. Once he has commenced to drive he is no longer about to drive. It is, therefore, necessary to add the words "or driving" in order to enforce the provision of this section.

Clause 16 amends section 72 of the principal Act, which deals with giving right of way. A vehicle approaching an intersection and making a right turn is required to stand for traffic coming from the opposite direction. When a roundabout is installed in the intersection, the amendment in this clause and clause 17 will allow the motorist, irrespective of the direction from which he came, to proceed around the roundabout. The vehicle entering the roundabout will give way to him because he is on its right and within the carriageway of a roundabout.

Clause 17 enacts new section 72a of the principal Act. This new section clarifies the right of way at a roundabout. Vehicles approaching the roundabout must give way to vehicles within the carriageway of the roundabout. Generally speaking, this procedure is adopted by motorists at existing roundabout installations.

Clause 18 amends section 78a of the principal Act. This amendment clarifies the obligation for a motorist not only to comply with any sign or mark (arrows or legend) placed along a road but also to comply with any sign or mark installed at an intersection to control the movement or standing of a vehicle. This means that a motorist entering a lane to be used exclusively by turning traffic shall, on entering that lane make the turn and not proceed through the intersection. Nor shall he leave his vehicle standing in an area which is indicated as a no-standing area by signs or marks. At a few intersections in the State anomalies in the arrows placed at the intersections can induce motorists to enter the wrong lane for the movement he wishes to make. These are now in the course of being modified.

Clause 19 enacts new section 83a of the principal Act. During the past few years, it has become common practice for itinerant vendors of oranges, kangaroo skins, watches and other commodities to set up temporary stands or to park their vehicles on the side of the road to sell these goods to passing motorists. Often the locations they choose are adjacent to intersections or on exceptionally busy roads. (Examples are South Road near the Clarendon turn-off and at Noarlunga, where the Victor Harbour road bisects the Sellick Hill road). Many hazards are created by vehicles stopping suddenly and parking indiscriminately on road shoulders and carriageways. Often the attention of the motorist is distracted by the owners waving their arms and stepping out into the road to display signs of the goods on offer. Many of these stalls, which comprise orange boxes with the goods being displayed on the top, are situated on the road shoulder and have young children in attendance. The shoulder area is part of the travelled way and is provided as an escape area in an emergency and a parking area in the event of a breakdown. It is possible for the children themselves to be endangered by the motorist and also that the motorist may be endangered by taking evasive action to miss these stalls and children when the shoulder is being used. Pedestrians crossing the road from cars also constitute a danger. One fatality and several minor accidents have already occurred on the South Road because of the presence of the stalls.

Another dangerous practice is newsboys selling newspapers on carriageways or traffic islands at busy intersections. This practice is highly dangerous to the newsboys as well as to motorists taking evasive action to avoid them, and can also affect smooth traffic flow at intersections. A further dangerous practice is hitch-hiking while walking or standing on a carriageway. The hitch-hiker usually walks with his back to oncoming traffic although this is an offence under the present Act. This particular legislation is in force in Queensland, Victoria and Western Australia, and is under consideration in the other States. The proposed legislation is intended to stop persons standing on the carriageway for the purpose of selling goods or seeking a lift from a passing motorist, and to exercise control over itinerant traders operating on the carriageway or median strip. It is also intended to stop a motorist from inducing a person to sell him goods from the carriageway: for example, making a newsboy run out on to the carriageway to sell him a newspaper.

This legislation does not prevent the selling of goods from the road reserve outside the carriageway or the standing of a vehicle for the purpose of selling goods from a similar position. The control of itinerant traders on the road reserve outside the carriageway is the responsibility of local authorities. It also does not prevent newsboys from selling newspapers from the footpath. It is intended to exempt from the provisions of this section milk and bread vendors and greengrocers operating from vehicles.

Clause 21 amends section 127 of the principal Act. The Act at present defines a service brake as one that is applied by a foot pedal only. Some articulated vehicles are equipped with two independent braking systems, one of which is operated by a foot pedal acting on the wheels of the prime mover and the other by means of a hand lever operating on the wheels of the semi-trailer. The Police Department considers it dangerous for semi-trailers to be allowed to operate with a foot brake only on the prime mover. The provision of a braking arrangement on the wheels of the trailer unit will ensure increased safety by preventing jack-knifing.

Clause 22 enacts new section 137a of the principal Act. The sections of the Act referred to in this amendment relate to braking equipment, warning devices, mechanical signals, windscreen wipers and rear vision mirrors. With the many and varied types of powered implement and machine now available that come within the category of a motor vehicle, as defined in the Act, there is a need for the board to have power to grant exemptions, where justified, from the requirements of the above sections. For example, a power-driven lawn mower used for mowing lawns on a road reserve or a power-driven vibrating roller controlled by an operator on foot should not as a general rule be required to be equipped with two independent braking systems, a rear vision mirror and a warning device.

By clause 24 the draft regulations of the Australian Motor Vehicle Standards Committee now prescribe that the maximum width of a vehicle may measure up to 8ft. 2½in., This is equivalent to two and a half meters as fixed by the United Nations Convention on Road Traffic and which has been adopted as an international standard in many countries, particularly in relation to containers. With the large number of vehicles imported from overseas, the board is receiving increasing requests to issue over-width permits to enable local authorities, Government departments and private concerns to operate these vehicles without the restrictions normally associaed with special permits: that is to say, restricted travel in peak hour traffic and during the hours of darkness. At present mirrors may extend up to 6in. beyond a width of 8ft. This has been amended to allow the same latitude on the extended width by clearer description.

Clause 26 amends section 144 of the principal Act. Both the Police Department and the Road Charges Section of the Highways Department are having considerable difficulty in locating the driver of a vehicle when he has committed an overloading offence, particularly if he lives in another State. It is desirable that both the owner of the vehicle and the person in charge of the vehicle be fixed with responsibility for overloading offences so that the Act can be effectively policed and sanctions brought home to the person who is the author of the offence, if not the actual perpetrator. The Crown Solicitor is of the opinion that this is not possible at the moment in view of the manner in which the Act is expressed.

Clause 28 amends section 152 of the principal Act. This section makes it an offence to refuse to present a vehicle for weighing at the request of Police or Highways Department officers. The penalty of $100 is less than the penalty imposed by the courts for the overloading offence and consequently it pays the offender to refuse to be weighed in preference to being charged and penalized for overloading. Increasing the penalty will discourage this tendency of refusing to be weighed for gross overloadings. Clause 29 amends section 157 of the principal Act. This is in line with an amendment made in 1967 to section 111 relating to lamps on vehicles and brings the Act into conformity with the provisions of the National Road Traffic Code relating to lighting-up times. Clause 31 amends section 159 of the principal Act. Every vehicle carrying passengers for hire is required to be inspected and certified safe to carry passengers by the Police Department. The Railways Department, Municipal Tramways Trust and taxi-cabs licensed under the Metropolitan Taxi-Cab Act are at present exempt. The Education Department carries out stringent safety checks and maintenance inspections on all school buses in the Government Motor Garage. It has asked to be exempted from the need to have its buses inspected by the Police Department, as it now has become a formality only. An amendment is accordingly made.

Clause 32 amends section 160 of the principal Act. During the course of testing motor vehicles by police officers for suspected defects, instances have occurred where damage has resulted to a vehicle or certain components of the vehicles have failed, for example, burst hydraulic brake hoses, broken hand brake cables, etc. In one case the engine mountings were loose and when the brakes were applied the engine moved forward and damaged the radiator core. In order to absolve the testing officer or the Crown from liability for repairs in such circumstances, the amendment is made to the Act. Clause 34 amends section 162a of the principal Act. It is intended to introduce the design rules for seat belts and anchorages as regards all vehicles first manufactured and registered after January 1, 1970. The amendment also prevents a person from selling a seat belt or fitting which has been previously used in a vehicle. Car wreckers have been found to be stripping crashed cars and selling the seat belts at low prices to the unsuspecting public. When a belt has been subjected to strain imposed by the force of a crash, it loses its initial strength, and consequently is most unlikely to afford the protection to its user that he would require in the event of an emergency. In any event, such a belt would

not comply with the minimum specifications in relation to the braking strain of its components at present prescribed under the Act.

Clause 35 amends section 163 of the principal Act. The Act at present requires vehicles over 35cwt. and vehicles carrying passengers or goods for hire to have the name and address of the owner and the unladen weight of the vehicle painted on the side of the vehicle. In many cases, the information is painted on the chassis, fuel tank or places which become excessively dirty, thus making it difficult to read. The amendment provides that the name and address shall be painted on the door or a part near the door away from possible coverage by dirt. With the enforcement of the Road Maintenance (Contributions) Act, the sighting of vehicles on roads is one of the principal checks available that goods have been carried by a vehicle, and it is important that the name and address of the owner can be readily observed. This amendment would not affect taxis that are exempted under the Act and will affect only new vehicles first registered after July 1, 1970.

Clause 36 amends section 175 of the principal Act, which is an evidentiary provision. The new paragraph (ba) provides for an allegation that a road is a public road within the meaning of section 66 to be *prima facie* evidence. The amendment further deals with provisions relating to the testing of weighbridges. When the original legislation was introduced, the word "after" was inadvertently substituted for "of" in the paragraph dealing with these devices. The Weights and Measures Act requires the testing of weighing instruments at least once in every two years. The insertion of the words "before or" immediately prior to the word "after" will rectify the anomaly. Clause 37 inserts a provision in section 176 of the principal Act empowering the Governor to make regulations governing the design or construction of motor vehicles. With the introduction of design rules governing the general structural design of motor vehicle bodies, it is necessary to be able to make regulations prescribing matters that affect the structural part of motor vehicle bodies. The present powers under section 176 to make regulations apply mainly to equipment or fittings to vehicles, and items contained in the design rules, such as "forward field of vision" and "collapsible steering columns", are considered not to fit into the category of equipment or fitting but, rather, to be part of the "design of the body" of a vehicle.

Mr. McKEE secured the adjournment of the debate.

CORONERS ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT BILL

Received from the Legislative Council and read a first time.

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

That this Bill be now read a second time.

Its purpose is to improve the facilities available at the Adelaide Railway Station. It has become clear over the last few years that if the South Australian Railways is to compete effectively with other forms of passenger transport it must offer comparable amenities. Honourable members will be well aware that facilities for the supply and consumption of liquor exist at Adelaide Airport. The Railways Commissioner is at present empowered to sell liquor in the railway refreshment rooms to persons who are having meals in those rooms. The present Bill increases the range of liquors that may be sold by the Commissioner and enables him to sell by the glass to those who may come to the refreshment rooms without the intention of having a meal. The hours of sale are extended to 10 p.m. to bring the Act into line with normal licensing hours.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 amends the definition section of the principal Act. "Liquor" is defined as having the meaning assigned to it in the Licensing Act. A new subsection is inserted to provide that any amendments that might have been made to the principal Act by the Licensing Act are to be cancelled and the Act is to be construed on the assumption that no amendment was made by the Licensing Act. The schedule to the Licensing Act, 1967, provided that "so much of the South Australian Railways Commissioner's Act, 1936, as amends the Licensing Act, 1932" was to be repealed. It is not clear what was intended by this as, in fact, the South Australian Railways Commissioner's Act did not amend the Licensing Act at all. It is thought that a court would probably interpret that part of the schedule to the Licensing Act as being meaningless but, in order to be certain, the amendment is made.

Clauses 3, 4 and 5 make formal amendments to the principal Act, bringing certain references contained therein up to date. Clause 6 repeals and re-enacts section 105 of the principal Act. The section is re-enacted in a form that permits the Commissioner to sell all forms of liquor and omits the restriction that liquor may be sold only in the course of a meal. Clause 7 amends section 133 of the principal Act. The Commissioner is empowered to make by-laws, providing for certain of the provisions of the Licensing Act to apply *mutatis mutandis* to any refreshment rooms from which the Commissioner sells liquor.

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

LAND SETTLEMENT ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendment:

Page 2, line 19 (clause 3)—Leave out "shall" and insert "may".

The Hon. D. N. BROOKMAN (Minister of Lands): I move:

That the Legislative Council's amendment be agreed to.

New subsection (2a) of section 4 provides:

Notwithstanding anything in subsection (2) of this section if, in respect of any proposed appointment of a member or members who is or who are required pursuant to that subsection to be appointed from amongst the members of the Legislative Council, the Governor receives from the President of the Legislative Council a message to the effect that—

(*a*) the Leader of the Government in the Legislative Council has certified that no member of the Legislative Council belonging to the group led by that Leader is available for appointment as a member;

or

(*b*) the Leader of the Opposition in the Legislative Council has certified that no member of the Legislative Council belonging to the group led by that Leader is available for appointment as a member,

then the Governor shall so exercise his power of appointment that one of the members shall be a member of the Legislative Council and six of the members shall be members of the House of Assembly.

The amendment is to leave out "shall" and insert "may", which makes it permissive but not obligatory for the Governor to exercise his power of appointment. Having considered the matter closely, I do not think the amendment contains any point worth arguing about. Generally, the principle is that the Government shall have the effective say. I agree with that principle, and the amendment may improve the Bill.

Mr. BURDON: A certain situation occurred between 1965 and 1968, and we had to legislate to rectify it. There is no argument from this side about the amendment.

Amendment agreed to.

SUPREME COURT ACT AMENDMENT BILL (VALUATION)

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

Adjourned debate on second reading.

(Continued from November 20. Page 3178.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): I support the Bill, although I have qualms about the result of its provisions. The proposal in this and consequential measures is to establish a Land and Valuation Court to decide all matters of land valuation, including all appeals on valuation matters and the fixing of the price of land in compensation cases. This jurisdiction of the Supreme Court will be exercised by a single judge. An extra judge will be appointed and he alone, not any of the others, will deal with matters that come before this court. This will make the whole of the procedures in relation to compensation matters inevitably expensive.

Procedures before the Supreme Court are usually more expensive than procedures before a local court. What is more, if the Supreme Court sits in Adelaide in connection with most matters of this kind, it will mean that litigants living in the country will have to come to Adelaide. Previously, when there have been questions of compensation or valuation at issue, sittings have been held in the appropriate local areas.

Mr. Corcoran: That happened in connection with drainage in the South-East.

The Hon. D. A. DUNSTAN: Yes. Consequential amendments are being made to provide for compensation decisions on that matter by this tribunal. The procedure will undoubtedly be more expensive in connection with local government rating appeals and compulsory acquisition appeals: there is no way of avoiding this. Even if the Land and Valuation Court goes on circuit to, say, Mount Gambier or Port Augusta, there will still be greater expense in compensation matters than there would be if they were dealt with by a

local court. I appreciate the Government's point that it is helpful to have consistency in these matters and that it is helpful to have a judge who is an expert in this field with a separate jurisdiction. We set up a specific jurisdiction in connection with the Licensing Court and separated it off.

There are advantages in having specialists in a particular sphere but, having said that, one must also realize that the procedure of this Land and Valuation Court will be part of the Supreme Court procedure. Consequently, there are several disabilities in the scheme as well as some advantages. Let us consider the question of local government rating appeals. Previously, these appeals went to a local court. Where is the advantage to a local ratepayer in an appeal going to the Supreme Court? I cannot see any advantage, and it is unlikely to be a cheaper procedure.

In connection with some matters to be dealt with by the Land and Valuation Court, I believe we are taking a sledge hammer to crack a nut, and I am worried about what the results will be. As it is, the pressures on Supreme Court accommodation and jurisdiction are fairly heavy. If all the appeals in the categories provided for are to go to the Land and Valuation Court, it is likely that there will be serious delays, particularly in connection with the very considerable acquisitions which, on present indications, are likely to be made under the Government's traffic proposals for the metropolitan area. In addition, under associated Bills, the Land and Valuation Court will be given entirely new principles of compensation to determine. This is in areas that are somewhat uncharted as yet. I cannot see how we are to avoid additional delays and expense because of this measure. Therefore, although I do not oppose it, I do not entirely welcome it, because it seems to me that the disadvantages are nearly as great as the advantages claimed for the scheme.

Mr. CORCORAN (Millicent): I support my Leader. During the weekend I received several calls from interested people. Some alarm has been expressed by councils, and people in my district concerned with the South-Eastern Drainage Act have asked me what this legislation means. My explanation was that the Bill would provide that no longer would they appeal first to the local court, but that the appeal against an assessment for betterment, for rating or for anything of that nature would be to this branch of the Supreme Court. I could not tell them whether there would be increased costs compared with the present system or whether this court would meet in the district, as is done by the present circuit court. I could not tell them much, because although the second reading explanation set out the procedure it did not indicate the affect the Bill would have on the present system.

People involved in these matters should have the opportunity to say whether they object to it. Perhaps the Attorney-General would say that the South-Eastern Drainage Board had been consulted and had agreed to the Bill, but the board is not on the receiving end of decisions: it makes them. I am interested to know the reaction of people who will be on the receiving end. Today, I sent copies of this Bill and of the South-Eastern Drainage Act Amendment Bill to people who had inquired about them. Perhaps the Attorney-General may say that these people would complain anyway, because it alters the system, and that it may lead to additional costs. However, I appeal to him to let people concerned in this matter, and particularly councils, have the chance to discuss this matter. I do not know whether members of another place contacted all people involved in this measure when it was being discussed there. These people should be able to consider the measure and decide whether it is leading to the centralization of the system compared with the present decentralized method.

Another point raised by a person who represents people affected by the South-Eastern Drainage Act Amendment Bill was that, whilst the judge and the people associated with him may be experts in this field, by virtue of the pressure and the variety of work they have they may not be as familiar with the problems of betterment facing them in the South-Eastern Division as, for instance, a magistrate who works in that area and has some local knowledge. I see that the Attorney-General shakes his head, but that point was made to me. I am not suggesting that the judge would not have a proper knowledge of these things, but they were raised as points of doubt. I hope the Attorney-General will not press this measure too far and will at least give us the opportunity to contact those people expressing interest in the measure to let them see what is involved in it before it passes through this House.

The Hon. ROBIN MILLHOUSE (Attorney-General): I appreciate the points made by the Leader and the Deputy Leader in supporting this Bill, even if only in a luke-warm fashion.

This legislation is based on the New South Wales legislation, which has been in successful operation for 40 years or more. Its whole purpose is to allow flexibility of procedure, a procedure that will be operated by a Supreme Court judge who will become (we shall naturally look for somebody with experience) an expert not only in straight-out compensation cases but also in other matters that follow in the complementary Bills.

I agree with the Leader that, because these matters will be tried in the Supreme Court, increased costs are probable. All I can say about this (and I am sure he will agree with me) is that most of the work that will come before this court would have had to come to the Supreme Court anyway, so this will not be a relevant consideration. As regards other matters, I hope that there will be flexibility in costs as well as in procedure. I cannot deny the force of what the Leader said; at this stage before the details are worked out I can give no undertaking about costs, but the prime object of the exercise is to obtain a uniform approach to all matters of valuation. I hope the price we pay for that will not be significantly high.

After considering the report of the committee that was set up, the Government considered it was justified in taking this step and using a model that was successful and well-tried, because we expect that the volume of compensation matters coming before the courts in this State will increase as the Metropolitan Adelaide Transportation Survey plan proposals are put into effect. That is the real reason for this. I hope there will be flexibility of procedure and of costs in appropriate cases where the amounts involved are not great. I am confident that the court will move about the State. It is essential that it should move about to view properties and areas being acquired for one purpose or another. I do not think the Deputy Leader need worry about this. Part of the whole idea is that the judge will be able to move about with his informal procedures and see for himself.

The Leader, and the Deputy Leader in particular, dealt with one particular aspect—the South-Eastern drainage scheme. We have had (and I do not think this is a reflection on any particular individual) in the last few years (and this goes back to before my time) extreme difficulty in finding experienced magistrates prepared to undertake this work and able to do it satisfactorily. The sad fact is that at present no magistrate resides in the South-East and, therefore, no magistrate is familiar as a resident with the problems there. A friend of mine who is a legal practitioner and who has had considerable experience in matters pertaining to the South-Eastern Drainage Board approached me to ask that this jurisdiction be conferred on the new court, because of the problems he had experienced when appearing in matters before a magistrate. I was able to tell him that this was part of our scheme.

Mr. Corcoran: Did he come from Naracoorte?

The Hon. ROBIN MILLHOUSE: No, he did not, actually. I think that the balance is very much in favour of the scheme we have set out. There are possible weaknesses and problems, and honourable members who have spoken have referred to them; but I will certainly be watching to make sure that these problems are solved. If it is necessary to bring the legislation back to Parliament I am sure that whoever is in office at the time when the problems require this will be prepared to do that.

Mr. Virgo: From the way you are speaking, you expect that it won't be your Government.

The Hon. ROBIN MILLHOUSE: I thought I was being extremely broadminded—

Mr. Virgo: And realistic!

The Hon. ROBIN MILLHOUSE: — in order to enlist the support of members on both sides, and that is why I put it in that way—I had no other reason. We have a scheme that we think is good; it is a new scheme that has to be tried; and we will be looking at it to see whether it is working. If it is not working, we will have to iron out the bugs. I ask the House to support the measure, and I think that under the conditions I have outlined we are all well justified in doing so.

Bill read a second time.

In Committee.

Clauses 1 to 3 passed.

Clause 4—"Judges of the Supreme Court."

The Hon. ROBIN MILLHOUSE (Attorney-General): I move:

To insert clause 4.

This is a formality. One of the things that the other place cannot do is initiate matters that concern money, and this clause is such a clause. Honourable members will have seen that it is in erased type. The clause is not at present formally in the Bill.

Clause inserted.

Clause 5 and title passed.

Bill read a third time and passed.

CROWN LANDS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3183.)

Mr. CORCORAN (Millicent): As the Bill is complementary to the Supreme Court Act Amendment Bill, which has just been passed, and as I have no objection to it, I support the second reading.

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

ENCROACHMENTS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3184.)

Mr. CORCORAN (Millicent): I support the Bill.

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

HIGHWAYS ACT AMENDMENT BILL (VALUATION)

Adjourned debate on second reading.

(Continued from November 20. Page 3184.)

Mr. CORCORAN (Millicent): I support the Bill.

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

LAND SETTLEMENT (DEVELOPMENT LEASES) ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3184.)

Mr. CORCORAN (Millicent): I support the Bill.

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

LAND TAX ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3184.)

Mr. CORCORAN (Millicent): I support the Bill.

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

LAW OF PROPERTY ACT AMENDMENT BILL (VALUATION)

Adjourned debate on second reading.

(Continued from November 20. Page 3185.)

Mr. CORCORAN (Millicent): I support the Bill.

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

LOCAL GOVERNMENT ACT AMENDMENT BILL (VALUATION)

Adjourned debate on second reading.

(Continued from November 20. Page 3186.)

Mr. CORCORAN (Millicent): If a council bases its assessments on land tax or Engineering and Water Supply Department valuations, the person objecting to his assessment has to appeal first to the Assessment Revision Committee. If the person is not satisfied with the decision, he can, under the system that has operated up to the present, appeal to a local court. I understand that people can appeal against an Engineering and Water Supply assessment, and that the avenue of appeal against any decision not favouring them would be to a local court. In the case of a council making its own assessment, I believe that it is possible for a ratepayer to appeal to the Assessment Revision Committee set up by the council and, if not satisfied with that decision, he can appeal to a local court. I should like the Attorney-General to say whether my assumptions on these matters are correct.

Mr. BROOMHILL (West Torrens): I consider that this legislation is not in the same category as other legislation that has been discussed, because considerable public expense will be incurred as a result of it. Much criticism has been levelled against the Government for its action in establishing this Land and Valuation Court. An article in last Friday's *News* states that the Local Government Association of South Australia considers that this legislation will cause hardship to ratepayers because of additional costs that are completely unnecessary at present. The article states:

> South Australian councils are backing criticism against legislation now before State Parliament for setting up a Land and Valuation Court. An attack by Sir Arthur Rymill, M.L.C., against the Bill now before Parliament was echoed at the latest metropolitan regional council meeting of the Local Government Association of South Australia. Secretary of the L.G.A. of South Australia, Mr. E. H. Smith, said provisions in the Crown Lands Act Amendment Bill establishing the court under jurisdiction of a "specialist" Supreme Court judge were greatly concerning councils. Present practice is for an appeal to be made direct to the local court of full jurisdiction nearest the municipal office in appeals against assessments by a council member regarding ratable property.

The article points out that, at present ratepayers can appeal to a local court against their water rates or council rates, whereas in future the appeal must go to the court set up by this

legislation. As a result, considerably increased costs will be incurred by a ratepayer who appeals. We should not be making it more difficult for people who consider that they are being wronged to appeal, and by making them pay additional costs: we should leave the situation as it is at present. I should be grateful if the Attorney-General could dismiss my fears.

Mr. Lawn: I don't think he can.

Mr. BROOMHILL: I am afraid that that could be the case but, if he could tell me what the costs to the ratepayer would be by following the pattern set out in this legislation, it would help me determine my attitude in Committee.

Mrs. BYRNE (Barossa): This Bill, which is complementary to the Supreme Court Act Amendment Bill, vests certain valuation jurisdictions existing under the Local Government Act in the Land and Valuation Court instead of a local court, as at present. There are amendments to the Act in respect of appeals against local government assessments. A person may apply to the council to have any street, road or land declared under section 303 of the principal Act and, if the council fails to comply with that request within a given period, a right of appeal lies to a local court. That will now be to the Land and Valuation Court. Section 309 of the principal Act deals with a plan of street and road alignments. A person aggrieved by the plan may lodge a caveat with the Surveyor-General under subsection (3). At present the appeal is made to a local court: in future, it will be to the Land and Valuation Court.

Then, section 382b deals with land held in trust by a council where the council is satisfied that because of changes in circumstances since the creation of the trust it is impracticable to give effect to the terms of the trust. Again, that section is amended. The amendment here vests the jurisdiction for making an inquiry for these purposes in the Land and Valuation Court. Also, a council has power to take temporary possession of lands for the purpose of its works and undertakings. Under section 419 the occupier of such land may apply for compensation. If a dispute arises about compensation, he or she can appeal to a local court. Again, that is to be changed to the Land and Valuation Court, constituted under the Supreme Court.

We all realize that in recent years (I refer now particularly to rate assessments) some councils have been faced with many appeals. This new procedure will impose hardship on ratepayers if, after appealing to the Assessment Revision Committee, they then have to appeal to the Land and Valuation Court instead of a local court as at present. I am sure that these amendments will create hardship and deter many ratepayers who at present feel aggrieved. That should not be so, because in all council areas it is important for the general community that the ratepayers be satisfied. If these sections are amended in this way so that the ratepayers have to appeal finally to the Land and Valuation Court, it will involve them in additional expense and will not be in the best interests of the community.

Mr. VIRGO (Edwardstown): I join with other Opposition members in opposing this Bill. Like them, I am concerned about the effect it will have on the ordinary members of our society. In Committee it may be worthwhile seeking information from the Attorney-General about the various facets of this Bill. One clause refers specifically to an appeal arising from a decision of the Assessment Revision Committee. As the Deputy Leader pointed out, some councils adopt the Engineering and Water Supply Department assessment and some the Land Tax Department assessment. There is no right of appeal against these assessments. There are many councils which do not do this but which set up their own valuation and sometimes engage the services of a person who claims to be a valuer. I think all members have from time to time had referred to them matters wherein an assessment has taken place amid all sorts of allegation about the lack of qualifications of the assessor. I remember a few years ago in my own area that it was strongly claimed that the person who assessed the district had the qualifications of a rat catcher. Well, he caught a few rats.

When a council adopts its own assessment and not a Government assessment, there is a large area open, first, to the Assessment Revision Committee and, secondly, to appeals from that committee. Recently, according to a report in the paper, a local council sat for two days to hear appeals against an assessment. The provision requiring all appeals from the Assessment Revision Committee to be directed to the Land and Valuation Court is rather frightening, because, as the Leader said in an earlier debate, the cost involved in this procedure will be far greater than the present cost. It is perhaps a coincidence that only this afternoon I

received a letter from a constituent who is concerned about the valuation placed on his property. Without presupposing what will happen, it is reasonable to assume that the discontent of these people will finally lead them to court.

This has been brought about not by any act on their part but, in fact, by something that perhaps the Premier and even the Attorney-General are rubbing their hands about: the announcement of the Myer Emporium concerning Edwardstown. As a result of this, I am informed by my constituent that it will be necessary to close certain roads (looking at the plan, I think this is quite obvious), and as a result there will be adjustments of property valuations. This involves ordinary working people whom the Attorney-General obviously will force to accept either what is handed out to them or the astronomical financial burden involved in this Land and Valuation Court. I do not think either alternative is satisfactory. The Attorney-General knows that on numerous occasions I have complained in this House and elsewhere that Government valuations leave much to be desired, particularly the land valuations that have been referred to me relating to the Metropolitan Adelaide Transportation Study plan.

I believe many of these valuations were far below value. The people concerned have a choice: they can accept what the Government offers (or, in this case, what the local council offers), or they can embark on this rather dubious venture involving the Land and Valuation Court. I like the idea of a specialist court, for I believe it is a good thing. However, I do not like the idea of the cost that will be associated with this court which, as we are informed (and the Attorney-General has not denied this), will equal the cost of a Supreme Court hearing.

The Hon. Robin Millhouse: It is equivalent.

Mr. VIRGO: Well, fairly close to it, anyway. I am concerned that the net result of this Bill will inevitably be that people will have to accept whatever is handed down or, alternatively, embark on proceedings that are beyond their financial resources. I hope that, when he replies to the debate, the Attorney-General will say what will be the cost so that, when we reach the Committee stage, perhaps we can pursue these points further.

Mr. McKEE (Port Pirie): I do not entirely agree with the provision that takes appeals away from a local court. It would appear that this provision is designed to discourage people from making appeals. If the appeals are not heard in a local court jurisdiction, obviously they will have to be held in the metropolitan area, and this will make it financially impossible for many country people to institute appeals, for it will cost them more than they can afford to come to the metropolitan area to conduct appeals. As a country member, I am concerned about this. Undoubtedly, from time to time many of my constituents will be affected, so I should like clarified where the courts will be held and what the cost of hearings will be. I do not think that appeals should cost anything and, as they are conducted at present, I do not think there is any cost. If the Bill is passed, I believe it will make the cost of appeals prohibitive.

Mr. BURDON (Mount Gambier): I understand the Bill is based largely on the practice operating in New South Wales; I believe the Minister of Local Government has referred to this. At present, anyone appealing against an assessment may approach a local court. Under the Bill, a Supreme Court judge or a judge of equivalent status will proceed to a district. I expect that in country areas, where many appeals are made, the councils will be rather busy. While they are attending to matters in the country they cannot be attending to business in the city.

This system will add to the cost of administration. To take these matters from a local court and constitute a court as proposed will be expensive to those people who consider that they have a right of appeal against assessments. Some councils engage private consultants to make assessments, and I ask the Attorney-General whether, in the event of an appeal against an assessment made in a country area by a private consultant, the judge will go to the country to hear the appeal. Further, how many additional judges will be required to administer the system? Not only will the State's administration costs be increased but the legal fees of appellants will also be increased. The Attorney-General cannot convince me that the new system will be cheaper or better. In fact, I doubt that he himself is convinced of that. In those circumstances, the best thing to do in the interests of the State is to withdraw the Bill.

Mr. LAWN (Adelaide): I oppose the Bill. It was initiated in the Legislative Council, which the Party opposite tells the people is a House of Review.

Mr. Hudson: Now it's a House of initiation.

Mr. LAWN: Yes. This is not the only Bill initiated in the other place this session, and there have been many such Bills in past years. Therefore, this House has become the House of Review. At the outset, I tell the Attorney-General, a member of the legal profession, that this Bill was strongly opposed in the Legislative Council by the Hon. Sir Arthur Rymill. My colleagues in the Legislative Council have told me that.

The Hon. Robin Millhouse: If you look at *Hansard,* you will see that that is not correct.

Mr. LAWN: The Attorney-General is probably thinking of another member of the Legislative Council who in by-gone years did what the Hon. Sir Arthur Rymill has done on this occasion: he always spoke one way and voted the opposite way. When he spoke to his constituents, he had with him copies of *Hansard,* showing his speeches and the division lists. He showed his speech to the constituents who supported the way he had spoken and he showed the division list to those who supported the way he had voted.

Mr. Clark: Was he a member for long?

Mr. LAWN: I do not know.

Mr. Hudson: He would have to make sure his speech was not on the same page as the division list.

Mr. LAWN: If it was, he would cut the page. The Hon. Sir Arthur Rymill has done a similar thing on this Bill. During the debate he strongly opposed the measure. I do not know why, but he is a legal man, and I am always suspicious of legal men. On November 21 an article in the *News* reported that the Hon. Sir Arthur Rymill had attacked the Bill. (I said he strongly opposed it.) According to that article, the Local Government Association, at a meeting following Sir Arthur's attack, supported his views. The article states:

> The association's legislative standing committee supports the establishment of a Land and Valuation Court. But it considers that in the initial stages it is undesirable to repeal any of the existing provisions of the Local Government Act which permit appeals to a local court or the reference of any matter to a magistrate.
>
> The committee also feels that appeals to the proposed court should be permitted at the option of the ratepayer or person making the reference. This should continue until the Land and Valuation Court is shown to be a satisfactory tribunal regarding:
>
> Trivial appeals and small sums of money involved.
>
> An appeal's expense.
>
> Complexity of court rules, which could make conduct of an appeal difficult for both the court and ratepayer without legal representation.
>
> Expense to the State and the practicability of sending a Supreme Court judge and officials into remote areas, possibly to hear an appeal involving $20 which may be settled when the court arrives.

Mr. Broomhill: No wonder the Local Government Association complained.

Mr. LAWN: Exactly. As the member for West Torrens (Mr. Broomhill) said earlier, the Attorney-General must satisfy the House that this Bill will not inflict heavy legal costs on ratepayers. The Attorney-General could not possibly satisfy me in that regard, because I have some idea of the charges that legal men make for their services. If a person appeals against a council assessment involving, say, $20, what will that appeal cost under the set-up provided in this Bill?

Mr. Casey: And what will it cost the State?

Mr. LAWN: One of the latter paragraphs in the article in the *News* refers to the expense to the State of sending the court into the country. This Bill will increase the expense to both the ratepayers and the State Government. This raises a question in connection with another Bill on the Notice Paper. I take it that in these cases the Crown or the councils will charge the ratepayer costs for appealing and that the ratepayer can claim costs if he wins the appeal. I hope the Attorney-General will satisfy me on this point, because the other Bill I have referred to provides that the Crown can claim costs, but the appellant cannot claim costs against the Crown. I notice that the Attorney-General is shaking his head.

The Hon. Robin Millhouse: I am trying to identify the Bill.

Mr. LAWN: It is the Motor Vehicles Act Amendment Bill.

The Hon. Robin Millhouse: That is rather different.

Mr. LAWN: I am concerned about the increased costs that this Bill will inflict on the State and the ratepayer. The Attorney-General will not be able to satisfy me—

The Hon. Robin Millhouse: You haven't given me a chance yet.

Mr. LAWN: The Attorney-General had the chance in his second reading explanation, but he avoided this point. The Attorney-General may try to justify it, but I do not think he can satisfy me.

The Hon. Robin Millhouse: Don't make up your mind before you have heard me.

Mr. LAWN: I am only prejudging the Attorney-General on the point that legal expenses will not be cheap under this scheme. I do not think the Attorney-General has let his profession down. All legislation that he introduces is suspect in my mind in that it will be good business for the legal profession. The Attorney-General, being a good trade unionists, may believe that he is doing the right thing by his colleagues, the members of the legal profession, by giving them as much work as possible with a good remuneration.

Mr. Broomhill: He may be back in the profession soon.

Mr. LAWN: He may be: following the next State election perhaps he will be looking for business himself.

Mr. McAnaney: We are looking at it for the good of everyone.

Mr. LAWN: If the honourable member is correct, I ask the Attorney-General to ensure that this Bill will decrease costs for all concerned, including the State and the ratepayer.

The Hon. ROBIN MILLHOUSE (Attorney-General): I appreciate the views expressed by Opposition members, particularly regarding costs. This point was raised in the debate on another Bill by the Leader and Deputy Leader, and I think they had this aspect of the scheme in mind.

Mr. Corcoran: This is in every case.

The Hon. ROBIN MILLHOUSE: Yes, but particularly in this case. I cannot say precisely what the costs will be.

Mr. Lawn: I thought so.

The Hon. ROBIN MILLHOUSE: The scale of costs will be fixed by rules of court, but they cannot be made until there is an Act of Parliament under which they can be made. The aim of this measure is to have a flexible procedure, and I hope that this situation will be reflected in the costs.

Mr. Broomhill: Do you think it will double the present costs?

The Hon. ROBIN MILLHOUSE: I do not. Members have referred to the Assessment Revision Committee, which is the first body to hear appeals against council assessments.

Mr. Clark: They don't always satisfy the appellant.

The Hon. ROBIN MILLHOUSE: No, but that procedure will not be altered. Therefore, so far, there is no change at all. Members opposite have expressed fears that it is from there on that costs may rise. I hope they will accept (I say it in all sincerity) that it is the Government's aim that costs should not rise and that the present scheme shall be a benefit to all who seek the services of the tribunal.

I hope and believe that members accept the value of having one authority to deal with all these matters. Implicit in their support of the scheme so far is that they accept (and it is common ground) that this is an advantage. What happens in New South Wales and what is confidently expected to happen here is that the judge, who is the authority, will work informally. After all, we cannot have anyone of lower standing than a Supreme Court judge, because many of the matters to be considered will involve hundreds of thousands of dollars. So, in order to achieve uniformity, we need somebody who is capable in this jurisdiction and who has the required experience and ability to deal with claims of any size, from the highest to the lowest. As happens in New South Wales, I expect that the judge will go to the council areas in which appeals are to be heard and deal with them informally, probably using (as I understand happens in New South Wales) the council chambers in which to sit and hear both sides, the appellant ratepayer and the council.

This will not of itself increase costs: indeed, we hope it will be an advantage to the ratepayers that the judge will go around to the various areas, just as a local court does, except that he will be a Supreme Court judge. If we choose the right man, this will happen. Mr. Justice Else Mitchell is certainly the right man in New South Wales, and that is how he works. There will be less formality and greater expedition through the judge going to the council centre and hearing appeals in this way rather than ratepayers going to a local court.

Mr. Casey: Even if there is a local court in the district, will he still use the council chambers?

The Hon. ROBIN MILLHOUSE: That is up to him. It happens in New South Wales, and we expect it to happen here. Certainly we intend that it should happen. There will not be even the formality associated with a local court hearing. That is our aim and that is why we have brought this legislation

before the House. I think I have said that members agree that uniformity and the uniform approach will be an advantage to everybody and particularly to the ratepayers who may appeal. We believe we can have that advantage and the advantage of flexible procedure as well as sittings in areas in which the appeals will be and should be heard —the local area where the land is situated— so that it can be viewed, if necessary. Therefore, I do not think the worries expressed by the Opposition are based on anything of which we need take note.

Mr. Clark: But you're not sure?

The Hon. ROBIN MILLHOUSE: I cannot say I am 100 per cent sure, because the scale of fees is not yet fixed and, in the very nature of things, cannot be fixed until this legislation is passed. I repeat the assurance which I gave in the debate on the principal Bill, that we shall be watching this closely. The judge who is appointed will be told that this is what we expect and, if it does not work out in this way, it will be necessary to change procedures.

Mr. Jennings: How many lawyers will accept fixed fees?

The SPEAKER: Order! The honourable Attorney-General.

The Hon. ROBIN MILLHOUSE: Concerning members of the legal profession who appear for themselves or by counsel the matters at stake are exactly the same whether one goes before a local court magistrate or before the judge of the Land and Valuation Court. It is the same appeal involving the same material, except that one will be appearing before a man who has greater experience because he is specializing in this field whereas a local court magistrate is not. There is no intrinsic reason why there should be any difference in the fees charged in such a matter as this by members of the legal profession. It depends on whom one hires, of course, but that is the same consideration, whether it is before a local court magistrate or a judge. I think these fears are groundless. If the member for Adelaide looks at the debates that occurred in another place, he will find that all members of that place were satisfied with the explanation given by the Minister and also with the explanations given outside the Chamber. I hope I have satisfied members opposite, although in view of the things said by the member for Adelaide it may be hard to satisfy him. I ask the House to support the second reading and when we get into Committee I will report progress. If there are any other points on which members wish to be satisfied, we shall have a little time to consider the matter tomorrow. I am confident that the fears expressed are groundless.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

PASTORAL ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3186.)

Mr. CORCORAN (Millicent): I support the Bill.

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

PLANNING AND DEVELOPMENT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3186.)

Mr. CORCORAN (Millicent): I support the Bill.

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

RENMARK IRRIGATION TRUST ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3187.)

Mr. CORCORAN (Millicent): I support the Bill.

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

SEWERAGE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3187.)

Mr. CORCORAN (Millicent): I support the Bill.

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

SOUTH-EASTERN DRAINAGE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3188.)

Mr. CORCORAN (Millicent): I would appreciate the Attorney-General's not taking this Bill through all stages this evening, because I should like persons who have made representations on the matter to have the opportunity of examining the measure and making any comment they desire. I think I can forecast what the comment will be but, if the Bill passes the second reading, I ask the Attorney not to complete the Committee stage this evening.

The Hon. ROBIN MILLHOUSE (Attorney-General): I am pleased to do that, and I hope that the honourable member speaks to the persons concerned by telephone so that the Bill will not be delayed.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

WATER CONSERVATION ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3188.)

Mr. CORCORAN (Millicent): I support the Bill.

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

WATERWORKS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3189.)

Mr. CORCORAN (Millicent): I support the Bill.

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

SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 20. Page 3183.)

Mr. CORCORAN (Millicent): Because I am in a most obliging mood this evening, I support the Bill and commend the Treasurer for introducing it. As the member for Glenelg has said, this legislation will widen the field in which the Savings Bank can participate. It is absolutely desirable that the facility of being able to extend personal loans to its depositors, or to people suitable or authorized as depositors, should be available to the Savings Bank, so that it will be able to compete more adequately with its competitors. The bank has played an important part in the development of this State, and I hope that the Bill will pass this House and another place, and that its provisions will operate soon.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Trustees may grant personal loans."

Mr. HUDSON: I hope that, if the experience of the bank in granting personal loans warrants an increase, the increase will be considered, and that legislation will be introduced enabling parents and friends organizations at Government schools to form themselves into a co-operative, so that they will have an identity and be able to borrow for large-scale projects at schools. I presume that a co-operative society would come within the category to which the Savings Bank would be able to lend money, but, at this stage, the limit of $1,500 would effectively prevent the bank from lending money to such bodies. Will the Savings Bank make loans available on demand at an interest rate that is not a flat rate? This arises because a loan may be granted on a short term up to the limit of any amount of money deposited with the bank by the borrower. If a person or society has a firm deposit in a savings bank, a loan by the bank against that firm deposit should not be at a flat rate of interest. Are any other types of loan planned by the Savings Bank to be at a rate other than a flat rate of interest?

Even personal loans currently made available by the Commonwealth Bank or a private bank are normally at a flat rate of interest of 6 per cent or even 7 per cent. If these loans are for a short term, the effective rate of interest, even for a personal loan through a bank, is anything up to 14 per cent. True, these loans where there is provision for regular repayments involve more administration than the normal overdraft but I do not believe that the extent of administration involved in any of these personal loans for the kind of person likely to qualify for a personal loan from an organization like the Savings Bank of South Australia would warrant an interest rate that might be as high, as an effective rate of interest, as 14 per cent. I hope the Savings Bank in making any personal loan will not charge a flat rate of interest higher than 5 per cent.

The Hon. G. G. PEARSON (Treasurer): The Savings Bank of South Australia is somewhat proscribed in the customers it can entertain. Section 46 of the Savings Bank of South Australia Act, to which this clause refers, provides:

> No incorporated or unincorporated company, or other body engaged in or formed or to be formed for the purpose of trading, or of acquiring pecuniary profit or other gain, shall deposit money in the bank.

So the bank may not accept accounts from partnerships, private companies or (as section 46 expresses it) an incorporated or unincorporated company, or a body formed for certain purposes. That means that a co-operative, in the ordinary sense of that word, which is a trading body and formed to establish and develop pecuniary interests is therefore excluded

by section 46 from being a customer of the bank. If it is so precluded, under new section 31a it could not be entertained for accommodation. I know that the honourable member desires to establish some new ground in this matter, but this is an entirely new question that will have to be researched and discussed with the bank regarding its own policy. I cannot take the matter any further at this stage. This is a matter on which the honourable member might do some further research and on which I am prepared to do some further research. I do not think the matter can be considered now, however worthy the objective may be. Referring to the limitation of $1,500, the honourable member will see that new section 31a (3) provides:

The amount of any loan granted under this section shall not exceed—
(*a*) one thousand five hundred dollars or such other sum as may be fixed by rules made under Part IV of this Act;

The purpose of the latter words is to allow some flexibility regarding the limitation. It is envisaged, as I think the honourable member implies, that probably in the light of experience the bank will desire to extend its limit above the $1,500, at least in some cases, and rules may therefore be made which would be subject to scrutiny by this Parliament in the normal way but which would, without amending the Act in respect of the $1,500 limitation, enable the bank to make such rules as Parliament would approve in order to extend this sum. I admit that the limit was something of an intelligent guess regarding what the trustees might require. However, the matter has been considered and no objection has been raised to me by the bank, I think mainly because of the proviso that it may be varied by a variation of the rules. I suggest that we leave it there for the time being and see how it works.

Mr. HUDSON: If it were a co-operative formed by a parents and friends organization at a school and established as a legal entity to carry out certain social purposes that involved no-one in gaining a profit of any description or in getting any sort of pecuniary gain, I wonder whether it would be the kind of society that would be prohibited by the Act from being a customer of the bank. Although I am quite satisfied that this clause should stay as it is, I should be pleased if the Treasurer would take up with the bank the position in which it would be placed should such a scheme as this arise, whereby the co-operative was a customer of the bank and able to borrow from it. I wonder whether the Treasurer would be so kind as to take up this whole matter with the Savings Bank to see what would be its views on this type of arrangement and to see what possible amendments might be needed to the Act in order to institute such an arrangement.

The Hon. G. G. PEARSON: Although I have already said that I have no objection to taking up with the bank the matter concerning the bank's end of the deal, I think the desirability of this process should be discussed also with the Minister of Education. The honourable member clearly desires that school committees and parents and friends associations be permitted to establish as co-operatives so that, having become legal entities, they may then approach the Treasurer or someone for a guarantee against the loan they might negotiate with the Savings Bank. I think this matter needs to be discussed with the bank and with the department. I am prepared to do that, but without commitment.

Mr. McANANEY: As it would be difficult to form a co-operative in the case of a welfare club, I believe that better results would be achieved by incorporating such clubs.

Mr. HUDSON: One may well achieve better results by incorporation rather than by establishing a co-operative. However, even that would require consideration of the legal position of the Savings Bank with respect to its own Act regarding whether that Act, as it stands, could handle accounts of such incorporated bodies and whether it would be able to lend to such bodies. I agree that many matters such as that would have to be considered before any scheme such as the one I am suggesting could be instituted. However, I am glad the member for Stirling has made this suggestion, because once we see the merits of a scheme such as this it is just a case of working out how to bring it about. I also raised the question of the maximum flat rate of interest likely to be charged by the Savings Bank on any of these personal loans instituted by the Bill, that I hope will be lower than the flat rate of interest currently charged on personal loans by other banks.

The Hon. G. G. PEARSON: That matter has not been expressed in the Bill, and I do not think it is desirable to express it: I believe that the trustees of the bank should determine the bank's policy. Undoubtedly they will determine the rate of interest, and they can be relied on to exercise their powers in the public interest and in a competitive atmosphere because, after all, this sort of business is competitive. From discussion with the bank,

I believe its purpose is not to make substantial profits as a result of this amendment but to provide a service to its customers. It was suggested to me that we should not express any maximum rate of interest in the Bill but should leave it to the good sense of the trustees to administer it in the public interest. I am prepared to leave it there. I cannot give the honourable member any guarantee about what the maximum rate would be. I simply rely on the good judgment of the trustees to ensure that it is reasonable.

Clause passed.

Title passed.

Bill read a third time and passed.

WORKMEN'S COMPENSATION ACT AMENDMENT BILL (COURTS)

Adjourned debate on second reading.

(Continued from November 18. Page 3071.)

The Hon. D. A. DUNSTAN (Leader of the Opposition): I support the second reading. The Bill provides that Workmen's Compensation Act cases will now be dealt with by the judges of a local court as defined in the new provisions covering local and district courts. This seems to run entirely counter to what has been done in respect of the Land and Valuation Court. The workmen's compensation jurisdiction is highly specialized. The legislation is complicated, the principles to be applied are the subject of voluminous cases, and technical matters must be dealt with, particularly in questions of compensation for neurosis, back injury cases, and the influence of an injury received at work on a heart complaint.

These matters become extremely technical and it is necessary for a judge to have experience to be able to consider medical evidence in which these matters are gone over time and time again. This is extremely time-wasting in a local court. Consequently, for some time the trade union movement has been asking that all workmen's compensation cases be dealt with by one magistrate, and there is no reason why that magistrate should be in a local court. He could be in the Industrial Commission, although that commission may sit in some place other than Adelaide. Indeed, I have attended sittings of the Industrial Commission elsewhere than in Adelaide. So, in appropriate cases it would be possible for the commission to sit in, say, the South-East. What is more, the workmen's compensation jurisdiction has a very much greater affinity with the work of the Industrial Commission than it has with the remainder of the jurisdiction of local courts.

All the arguments applying to the provision of one jurisdiction for the Land and Valuation Court apply to this matter. The Attorney-General's own arguments can be used to considerable effect to justify the trade union movement's proposal, and there would not be any of the disabilities relating to costs that Opposition members have condemned in connection with the Land and Valuation Court. Therefore, we support the second reading of this Bill but foreshadow amendments to provide that this jurisdiction shall be dealt with by one magistrate who, because he will be under the Industrial Commission, will be useful to the commission in other ways. I support the second reading.

Mr. VIRGO (Edwardstown): I am surprised and disappointed that Government members are not showing some tangible concern for injured workers. This Bill affects the well-being of such workers, yet not one Government member is prepared to get off his seat.

Mr. McAnaney: I will be speaking in a minute.

Mr. VIRGO: I had expected that the normal rule (that Government speakers and Opposition speakers should alternate) would apply. The Leader has stated a forcible and plausible case, but not one Government member is prepared to follow him. I am not including the Minister in these remarks; I do not want him to close the debate at this stage. I wonder how many Government members are aware, let alone concerned, that in 1968-69 there were 14 fatal accidents involving workers.

Mr. Rodda: There was—

The SPEAKER: Order! The member for Victoria is completely out of order in interjecting from the front bench.

Mr. VIRGO: Yes, Mr. Speaker, and he is obviously not concerned about the death of 14 workers.

The Hon. Robin Millhouse: Fair go!

Mr. VIRGO: In 1968-69 there were 54,500 workmen's compensation claims. I assume that the comments the Minister made when introducing another Workmen's Compensation Bill apply to both Bills; he said that he had consulted certain bodies interested in workmen's compensation. I appreciate that it was not the Minister representing the Minister of Works who had the discussion, but I presume that he has been told that when the trade union movement was consulted it expressed strongly

the view that a judge or magistrate (or whoever the person may be who would deal with workmen's compensation), should deal with it consistently, and should not have to deal with other matters. As the Leader has said, I believe that the Government has already laid a pattern, and for it to pursue the terms of this Bill would be the height of inconsistency.

In Committee the Leader will move an amendment in line with the opinion that he and I have expressed that these matters should be dealt with by a specialist judge or magistrate associated with the Industrial Commission, who would be fully acquainted with the pros and cons of industrial problems, who would have a thorough knowledge of industrial conditions, and who would be able to inspect various industrial establishments so that he had a better appreciation of and would be more capable of properly assessing the need, the damages, and other factors associated with this legislation. To me this Act is the most important Act dealing with the welfare of the working people of this State, and I am sure that the House will extend later its ambit of coverage. We should not keep our minds in the restricted channel that some of us have it in now by thinking that this Bill affects only a handful of the people who earn less than $110 a week: the day is rapidly approaching when that situation will be gone.

The Hon. Robin Millhouse: Tomorrow, perhaps?

Mr. VIRGO: I hope that the Attorney-General is correct, and also that there will be other improvements to the Bill. I was not impressed when the Attorney-General said that the main reason for the change was to be found in the progressively larger sums involved in workmen's compensation. A far greater point of importance is associated with it: first, I quarrel with him about the term "larger sums". The sums are smaller in proportion than when they were first provided and, therefore, this is not the reason. I suspect that the Attorney-General has another reason, and I hope that he will, if not on the second reading then in Committee, enlighten members, and that he will see the wisdom of the Opposition's case, which is completely consistent with the case that the Attorney-General spoke of this evening about establishing a specialist Land Valuation Court. We should also have a specialist Industrial Commission. I support the second reading, so that in Committee the necessary amendments may be moved to make this Bill a practical proposition.

Mr. McANANEY (Stirling): I support the Bill, which incorporates a suggested scheme of compensation for people injured while travelling to and from work.

Mr. Virgo: Who put that in?

Mr. McANANEY: I am saying that I asked questions in the House either early this year or late last year about people injured on the way to or from work being covered by a compensation scheme similar to that in operation in the schools. If that was not possible, surely such coverage could be given under workmen's compensation. That proves that we on this side do take an interest in the welfare of working people. When I raised that matter, it showed that I took an interest in it. I am glad the Government has now incorporated that idea in this Bill, which I hope will have a speedy passage.

Mr. HURST (Semaphore): I support the second reading of the Bill because we on this side realize that the Workmen's Compensation Act is out of date and needs amending. As private members' time is limited in this Chamber, this is the only way in which we can submit amendments to this Act that will make its provisions more just, in view of present-day conditions. I am surprised at some of the appeal provisions. We appreciate that, if ever there was a case for magistrates specializing in one field, it is in the field of workmen's compensation because, in addition to case law, it is essential that the magistrate concerned be conversant with industry and its practices.

From time to time I have heard members opposite oppose provisions dealing with suggested amounts of compensation, but I do not believe we can assess accurately in terms of money the injuries that accidents cause human beings. The policy of members on this side is to eliminate accidents. I know that many companies are interested in this. They are not concerned about the money they have to pay as compensation: their policy is to promote safety, and they adopt safety measures to eliminate accidents. They believe that is the best way to approach the problem, and it is fairer for the workers.

The Leader referred to the appeals court. It is apparent that the Government considers that land and houses are more important in our society than seeing that the human beings get justice. The Leader pointed out the inconsistency of the Government in this approach.

The member for Stirling (Mr. McAnaney) referred to apprentices being covered. Anyone who knows anything about the Act will appreciate that the honourable member just has not been acquainted with the situation, because it was the Labor Government that was responsible during its term of office for providing coverage for all workmen travelling to and from work.

Mr. Burdon: And the Liberals strongly opposed it.

Mr. HURST: Yes; on one occasion when they were previously in Government they brought in a provision relating to apprentices attending trade school in certain circumstances. It has been an acknowledged principle for some years that the right and proper coverage for apprentices is under the Workmen's Compensation Act. In South Australia, where we are not as up to date as those in other States, many apprentices are compelled by their contract of employment to attend trade school in the employer's time when, in fact, they are performing their duties, and this would be within the scope of their work and initial contract. I am confident that the Attorney-General will be sufficiently broadminded to acknowledge the logic that we shall be advancing in Committee in the form of amendments to certain clauses. I support the second reading.

Mr. BROOMHILL (West Torrens): I, too, support the second reading. I agree with the member for Edwardstown (Mr. Virgo) who said that it seemed that Government members were not particularly interested in this issue. I noticed when he said this that there were some shouts from members on the other side who were trying to indicate that they were interested in this matter, but nevertheless they remained silent, without discussing the reason for the Bill. Indeed, they were unable to do so, and the member for Stirling, who spoke briefly, did not seem to direct his remarks to the Bill. He is the only Government member who has tried to support the Attorney-General on this issue, and I can understand Government members' discomfort. The Attorney-General said:

> The reason for the change is to be found in the progressively larger amounts involved in workmen's compensation matters which accordingly, it is felt, should now become the responsibility of a judge.

The remainder of his explanation was devoted simply to pointing out minor alterations that are necessary as a result of the change in definitions, etc. Even the Attorney-General was unable to give any real reason why the Government has made this change; it is no use his shaking his head, because his explanation hardly covers a column in *Hansard*. Is he denying that what I am saying is true? Anyone who reads the explanation can see that the Attorney-General has no real reason for making this change except perhaps that he knows full well the attitude of members on this side who have for many years advocated the Industrial Commission as the appropriate tribunal to hearing workmen's compensation cases.

The Attorney-General may consider that he can destroy our argument by taking the step that he has taken. I assure the Attorney-General that this is not so, and that we will continue to feel most strongly about having the Industrial Commission look after industrial accident cases. The reason we feel this way was clearly put by the Leader of the Opposition, who pointed out that workmen's compensation cases were particularly involved. He referred to the difficulties that confront any court hearing cases involving back injuries or heart attacks suffered on a job for, in such cases, dispute arises whether the work contributed to the ailment and, if it did, to what extent. When these cases are heard by various tribunals throughout the State, considerable differences occur in the decisions made and, in many cases, justice is not done.

As a result, we believe that the Industrial Commission, which is made up of experts who are thoroughly conversant with industries and with all types of problems that confront workers on the job, should be given the opportunity to hear all these cases. If this happened there would be more consistency in the decisions, and this would be in the best interests of the people who are unfortunately injured at work. In addition, we would find that people who were injured and lost time at work (and this can mean great financial loss if the injury is serious) would also have their costs considerably reduced by having their cases heard at the Industrial Commission. As the Industrial Commission would be able to establish precedents and list matters for a much earlier hearing than would be the case under the system proposed, decisions would be made sooner.

There is a need for a change in the present system but not along the lines suggested by the Attorney-General. I am surprised that he continues to shake his head at everything said by Opposition members on this matter, because he is well aware of the need for protection for injured workers. In this connection I refer to the following article that

appears in the *Advertiser* of November 20 under the heading "10,000 Hurt at Work":

Nearly 10,000 people in South Australia had sustained an injury at work which incapacitated them for a week or more last financial year, the acting Minister of Labour and Industry (Mr. Millhouse) said yesterday. Commenting on the latest figures from the Commonwealth Bureau of Census and Statistics, he said there was still evidence that industrial accident prevention measures in South Australia were having some effect. Although the 9,888 accidents were 326, or 3.4 per cent more than in the previous year, figures indicated that South Australian employment increased by almost 3 per cent. The increased number of accidents was therefore mainly brought about by the higher level of employment. The 9,888 accidents were 1,921 fewer than four years ago—a reduction of 16 per cent over a period in which the number of people employed increased by 11 per cent. Mr. Millhouse said that while the number of accidents involving men increased by .9 per cent, those for females increased by nearly 27 per cent.

The interesting part of the article to which I want to draw members' attention is as follows:

A total of 54,500 workmen's compensation claims were made during the year in S.A., and compensation payments totalled more than $6,000,000. This represented an increase of 300 claims on the previous year, but was still lower than in any other year since 1964-65. The total time lost as a result of accidents was 40,089 weeks, an increase of nearly 3 per cent.

We must consider the many injuries that take place at work. More than 54,000 claims a year are made.

Mr. Hurst: And there is loss of production.

Mr. BROOMHILL: Loss of production is important, but the most important matter that this Parliament should be considering is the loss of health by workers of the State. When we consider that 10,000 people have suffered injuries that have kept them away from work for one week or more last year and also the severe disabilities that necessitate claims before the court and may prevent a person from working for 12 months or, perhaps, for the rest of his life, we cannot place too much stress on the importance of creating a tribunal to give such employees their rights. I repeat that I am surprised that no Government backbench members have spoken on the Bill.

Mr. Lawn: Didn't the member for Stirling speak?

Mr. BROOMHILL: Yes, but he spoke about something different from the Bill.

Mr. Lawn: That's normal for him.

Mr. BROOMHILL: He was completely mixed up. I hope that, in the Committee stage, he reconsiders what he has said. The Minister said only about a dozen words in explaining the Bill. That is not good enough. The Opposition will not accept such an important change for the reasons that he has given, and I hope he recognizes the merit of our argument and accepts the foreshadowed amendments. I support the second reading.

Mr. LAWN (Adelaide): This Bill is similar to the measure on which I spoke earlier. The Attorney-General then invited me to wait until he replied, when he would satisfy my colleague and me about legal costs. I said that I did not consider that the Attorney could do that, and certainly he did not do it. In fact, he said that he could not say what the legal cost would be. He could say what lawyers would charge for appearing for one day before a judge, but that is not the taxed cost that the court awards. The Attorney-General could not tell us the taxed costs, because, as he said, the hearing may or may not be held in chambers. Regardless of whether the case is heard in chambers or in open court, the lawyer charges his daily fee.

That is my reason for speaking on this measure, although I accept my colleague's remarks. If I had my way, I would oppose the Bill, because I support what the Leader has said about having these cases heard by a magistrate in a local court. I think the Attorney-General knows that, for as long as I can remember, it has been said that members of the medical profession bury their mistakes and that the mistakes of the legal profession are hanged. It has also been said that, as a result of legislation introduced by the Attorney-General setting up these courts, the lawyers will be protecting their clients' money from their clients' enemies in order to use it themselves.

The Hon. ROBIN MILLHOUSE (Attorney-General): I am disappointed in the honourable member for Adelaide. He has been very hard on the legal profession and a trifle irresponsible in what he has said about it. What has really disappointed me is that he is the only member who has not supported the second reading outright. I was getting ready to say what a refreshing change it was for the Opposition to support one of the Bills that is part of the scheme for setting up intermediate courts.

Mr. Virgo: We are supporting the second reading so that we can move amendments.

The Hon. ROBIN MILLHOUSE: I am delighted that the Opposition is supporting the Bill, even if it is doing so only for that purpose. It is the only Bill associated with intermediate courts that the Opposition has supported. I will not canvass the amendments foreshadowed by the Opposition. However, I assure members that I share their view that workmen's compensation ought to be handled by one judicial officer. This Bill furthers that view.

Mr. Lawn: Does that mean that you will accept our amendments?

The Hon. ROBIN MILLHOUSE: No; what we have in mind is that, on the setting up of the intermediate courts, one of the judges will be given special responsibility for workmen's compensation matters; they, in fact, will be his principal responsibility. So, the object that members have in mind is the same as that which I have in mind, although we hope to achieve it in different ways. This is definitely our idea: it is an important and, to a large extent, a specialist jurisdiction, and we believe it should be handled by a man with the status of a judge who will specialize in these matters.

Mr. Broomhill: What is wrong with our proposal?

The Hon. ROBIN MILLHOUSE: Simply that the Industrial Commission is not equipped to cope with the work. There are at present two men in the commission, Judge Bleby and Judge Olsson, the latter being the Public Service Arbitrator, too. They are at present fully committed.

Mr. Broomhill: The system could be altered.

The Hon. ROBIN MILLHOUSE: Yes, but it would mean altering another Act. If we were to saddle them with this jurisdiction, the whole system would collapse. We could not do it: we would have to alter legislation and make another appointment. Members may say, "You could do it." I suppose we could, but we are not equipped to do it this week or next week. What I have in mind will achieve what members have in mind: one judge of the same status will be given responsibility administratively (I hope members will accept my word on this); although he will be given responsibility administratively, he will be given it just as effectively as if it were done by Act of Parliament.

This is why I do not support the Opposition's proposal in connection with the Industrial Commission; it could not handle the additional volume of work. We are doing what the Opposition wants us to do, but in another way; that is, through a judge in the new intermediate jurisdiction of local courts. Members have said that they will support the second reading, and I can go into more detail about clause 3 when in Committee. I ask members to bear in mind that the Opposition and the Government have the same object, but I believe that the way in which we intend to do it is more effective and more workable than that proposed by the Opposition.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Progress reported; Committee to sit again.

ADJOURNMENT

At 11.3 p.m. the House adjourned until Wednesday, November 26, at 2 p.m.