

**HOUSE OF ASSEMBLY**

Thursday, August 13, 1970

The SPEAKER (Hon. R. E. Hurst) took the Chair at 2 p.m. and read prayers.

**QUESTIONS****TRADING HOURS**

Mr. HALL: This morning's newspaper contains a reference to the Government's intention to hold a referendum to seek public opinion on shopping hours in this State, even though on August 5 the Premier had said that the present position should be held. This morning's report is leading to conjecture that the referendum may be some part of Labor policy to force, in effect, a compulsory vote at the forthcoming by-elections for the Midland District in the Legislative Council. Despite that conjecture and despite the fact that I do not need a referendum to tell me that the public of this State should enjoy some personal freedoms, I shall ask the Premier one pertinent question which, of course, must be followed by other questions if the Premier either explains the position now or introduces legislation on the matter. Will the Premier say whether the Government will consider itself bound by any result that the referendum produces?

The Hon. D. A. DUNSTAN: I do not think that, in reply to a question by the Leader, I can fully reply to the matters he has raised. The matter to which he has referred will come before the House later today and will be fully explained then.

The Hon. D. N. BROOKMAN: In this morning's *Advertiser* it was reported that Mr. Broomhill would address a meeting of trade union officials today so that as many as possible would be acquainted immediately with Cabinet's decision on trading hours. Will the Minister tell me whether the meeting has been held and, if it has, what decision can he acquaint me of?

The Hon. G. R. BROOMHILL: The meeting has been held and general questions associated with a measure to be introduced later were discussed, but no decisions were made.

**LYELL McEWIN HOSPITAL**

Mr. McRAE: Persons in the area served by the Lyell McEwin Hospital are again concerned about the facilities available at that hospital. Several times I have mentioned the difficulties caused by there being no full-time physio-therapist at the hospital. Informed sources

have now told me that no blood transfusion service is available at the hospital, even though a maternity service and a large surgical unit are available. I appreciate that, because of the Loan allocation, the Government's budgeting position is tight, but will the Attorney-General ask the Chief Secretary to try to obtain an urgent grant to deal with at least these two matters at present needing attention at the hospital?

The Hon. L. J. KING: I will discuss the matter with my colleague and give the honourable member a reply.

**INTERMEDIATE COURTS**

Mr. MILLHOUSE: My question refers to a matter that the Attorney-General canvassed yesterday, a report of which appears in this morning's newspaper; that is, the proclamation of the Local and District Criminal Courts Act. I was perturbed to see appended to the report of his remarks yesterday a statement to the effect that he might be under some pressure from, I think, the Council of the Australian Labor Party because certain unnamed young lawyers were said to be bitterly opposed to the scheme and to take the view that the then Opposition took when I introduced the legislation. Can the Attorney-General assure the House that the legislation will be proclaimed, as he announced yesterday, and that it will come into effect from September 1?

The Hon. L. J. KING: The Government's plans in this regard have been announced to the House in reply to questions, and there is no change in those plans.

**BENLATE**

Mr. CRIMES: When a reply was given to a question in another place about the agricultural chemical Benlate, no reference was made to the manufacturer's name. As a constituent of mine has indicated his interest in the purpose and possible dangers of the use of this chemical, will the Minister of Works ask the Minister of Agriculture to supply the name of this manufacturer?

The Hon. J. D. CORCORAN: I will obtain a reply from my colleague for the honourable member.

**WATER SUPPLY**

Mr. COUMBE: Has the Minister of Works a reply to my question of August 6 about the scheduled programme of construction of the Murray Bridge to Hahndorf main?

The Hon. J. D. CORCORAN: All construction work on the Murray Bridge to Onkaparinga main is proceeding according to the schedule,

and progress is in line with the scheme plan. At present, 9.6 miles of main has been laid out of the 30 miles in the whole main. Construction of two 5,000,000gall. capacity tanks is well advanced, and a contract has been let for two more. Pile driving for the main pumping station at Murray Bridge is well advanced, and fabrication of the steelwork has commenced. The concrete foundations for No. 2 pumping station have been placed. Tenders have been let for all the major pumping plant and electric motors that are required at Nos. 1, 2 and 3 pumping stations. At this stage it is expected that tenderers will meet their delivery schedules as required by the overall construction programme of the scheme.

#### TEA TREE GULLY LAND

Mrs. BYRNE: I have asked several questions about the preservation of an area at Tea Tree Gully bounded by the North-East Road on the north, Perseverance Road on the west, Range Road, Houghton, on the east, and Lower North-East Road, Anstey Hill, on the south, which was proposed as a reserve under open spaces. The last time I asked a question I was told that the purchase of some of the land was being considered. As I have since heard that the Government has purchased part of this land, I ask the Minister of Works whether he will ask the Minister of Lands for details of this purchase, particularly as to the acreage that has been bought.

The Hon. J. D. CORCORAN: I shall be pleased to obtain this information for the honourable member.

#### SCHOOL CHAIRS

Mr. SIMMONS: Has the Minister of Education a reply to my question of August 5 about school chairs?

The Hon. HUGH HUDSON: The chair, which is a product of the plastics age to which the honourable member referred in his question, was introduced to meet a need for light durable furniture to be used in conjunction with the introduction of open-teaching spaces and modern educational techniques. Although considerable research was carried out prior to the supply of these chairs, they have not proved satisfactory. As soon as the difficulties with cracking were reported, the chairs were withdrawn from schools which reported cracking, and were replaced without charge by the company supplying them. This company accepted responsibility for failures and has carried out extensive research and

investigation even to sending chair seats to Germany for special testing. It is believed that the difficulty has been overcome and that no further cracking or, I might add, pinching should occur. This is borne out by testing a group of chairs of the new kind in a school.

#### DOG ATTACK

Mr. RODDA: Has the Minister of Education a reply to my recent question about attacks on children by an Alsatian dog?

The Hon. HUGH HUDSON: Complaints concerning the dog nuisance have been received from schools over a long period. Schools notify councils of attacks by dogs but, until a child is severely bitten, little or no action is taken by the councils, as they appear to find it difficult to do anything in face of the general opposition of the public at large to impounding dogs. If the councils could take measures to enforce their existing by-laws on registration of dogs and stray dogs, the problems of schools would diminish and children would be safer. Reasonably and naturally enough, teachers are unwilling to catch savage dogs and chain them up. Usually, teachers and children chase them out of schoolyards, but the dogs return. The Education Department intends to write to all councils, drawing their attention to the danger and nuisance of stray dogs in schools, and asking for urgent action in the policing of their by-laws concerning dogs. We are also seeking the assistance of the Minister of Local Government in this matter.

Mr. WARDLE: I believe that one of the big problems here is the fact that no local government officer in the person of a dog catcher is permitted on school property and private property generally to pick up a dog: the dog must be on public property. Will the Attorney-General examine this aspect of the relevant legislation and, if my understanding is correct, will he make a recommendation to the Government so that inspectors may enter a school property to pick up stray dogs?

The Hon. L. J. KING: I will look into the matter and, after considering it, I will let the honourable member have a reply.

#### COVE ROAD

Mr. HOPGOOD: Has the Minister of Roads and Transport a reply to the question I asked on August 6 about Cove Road?

The Hon. G. T. VIRGO: As I informed the honourable member in my letter of June 26, 1970, there is no immediate warrant to develop and extend Cove Road as an arterial

link with Brighton Road. I have received information from the Marion council that, although funds cannot be allocated for the sealing of this road, action will be taken to ensure that the existing surface is kept in trafficable condition.

#### MOUNT GAMBIER HOSPITAL

Mr. BURDON: I had the opportunity this morning to view the proposed redevelopment plans relating to the Mount Gambier Hospital in which I noticed that no provision had been made to extend the accommodation for Institute of Medical and Veterinary Science officers. These people having made representations on this matter, I understood that plans for an enlarged building were to be included in the general redevelopment plan, but such an enlargement is not shown on the sketch plans I examined. As officers of this institute are working at Mount Gambier under cramped conditions, with the result that an enlargement of facilities is urgently required, will the Attorney-General ask the Chief Secretary whether it is planned to enlarge the institute's accommodation at the Mount Gambier Hospital and, if it is, whether this enlargement will be a separate item from the existing redevelopment plans?

The Hon. L. J. KING: I will obtain a report from my colleague and let the honourable member have a reply.

#### MALLEE FARMERS

Mr. NANKIVELL: One is always cautious about announcing that a part of one's district is experiencing serious difficulties, for the simple reason that it sometimes draws adverse comments. However, I point out that the present situation in the northern part of the Murray Mallee is critical. This is the second drought year it has experienced in three years, and I understand that large areas that have been prepared for seeding will not be sown to crop. Whereas last year there was much good feed in the area and many stock were imported from other States, the feed position has deteriorated to desperation point and, in most instances, hay resources have been exhausted. It may well be that about 200,000 sheep in this area will have to be sold in the next three months. In view of this serious situation, will the Minister of Works ask the Minister of Agriculture to have this matter fully investigated and reported on in order to ascertain whether my statements are correct and to see whether strong representations cannot be made to the Commonwealth Government for what-

ever assistance may be required to reconstruct the industry in that area?

The Hon. J. D. CORCORAN: I am as concerned as the honourable member about the situation that has occurred in the northern part of his district. These people have consistently suffered tremendous hardship over the years as a result of the droughts they have experienced and I have (as, indeed, the Government has) the greatest sympathy for them in their plight. Yesterday the member for Heysen asked me what funds were currently available to the State Government to help needy people not only in the area to which the honourable member has referred but also throughout the whole State. I promised that I would take up this matter with the Minister of Lands, who administers the Primary Producers Assistance Act, under which assistance can be given to primary producers who are in necessitous circumstances as a result of a natural calamity. I will ask the Minister of Agriculture to confirm the honourable member's observations, and I will ask the Minister of Lands to investigate this matter urgently in order to see what assistance can be given to these people so that they can be helped in their hour of need.

#### JUVENILE CRIME

Mr. PAYNE: It is reported in this morning's *Advertiser* that a special magistrate sentenced a boy of 10 years of age to detention in Brookway Park Junior Boys Reformatory until he is 18 years of age: that is, he was sentenced to eight years' detention, for breaking into a house and stealing \$69. I understand that the boy has a small record, but I remind the House that he is only 10 years old. Can the Attorney-General say for how much longer children of such tender years will be brought before magistrates in this way and sentenced to such long periods of detention?

The Hon. L. J. KING: As I have indicated to the House earlier, the Government has plans for a complete overhaul and reform of the system of dealing with juvenile delinquency matters in this State. The plans that have already been announced cover to some extent the matter raised by the honourable member. I point out that the question may be based on a misunderstanding. What happens in these cases is that, when a magistrate considers that it is desirable in the interests of the child to commit the child to an institution, the only order that the Act permits is committal until the age of 18 years. There is good reason

for that, because it means that the child is then under the control of the Minister of the department so that his presence in the institution can be used for the purpose of training and education with a view to his rehabilitation and to setting him on the right road. It does not mean that the child is kept in the institution until he is 18 years old. In fact, rarely is a child kept in an institution for a long period. If the child has any reasonable home environment to go to or if there is any other means of placing him in a home, that is done as soon as it appears that the child is ready for that course to be taken. The idea of committal until 18 years rather than committal for a definite and shorter period is precisely designed to enable the child to be trained, treated and put on the right path. Therefore, there is no question of children being given sentences such as that described as a sentence of eight years for a boy aged 10 years. The child will be released from the institution and placed in a proper environment as soon as he is ready for that action to be taken.

#### SCHOOL TOILETS

Mr. FERGUSON: Has the Minister of Education a reply to a question asked recently by the member for Bragg, who is absent from the House, about toilets at Glen Osmond and Rose Park Primary Schools?

The Hon. HUGH HUDSON: When the member for Bragg asked his question about these matters previously, I said that the toilet facilities at both schools would be inspected and any necessary action taken. I have now been informed that at Glen Osmond Primary School the condition of the toilets is satisfactory but they will be repainted during a current contract for the general repainting of the school. Certain work is considered desirable to upgrade the infants school toilets. As the cost may justify the erection of new toilets, an assessment is being prepared of the work required. Consideration is being given to the replacement of the Rose Park Primary School toilets. In the meantime, minor improvements will be made to the existing toilets prior to the third term of this year. The infants school toilets at Rose Park, although old, are generally in good condition. Ablution facilities will be provided as soon as possible, and it is also intended to replace the existing high-level cisterns with the low-level type. However, because of more pressing works this cannot be given a high priority.

#### MOUNT GAMBIER HOUSING

Mr. BURDON: In the Loan Estimates presented to members by the Treasurer last week, in the section dealing with housing I noticed that last year the Housing Trust had completed in Mount Gambier 37 houses; that 36 houses were under construction; and that it was intended to commence during 1970-71 the construction of an additional 30 houses. I know that Mount Gambier is no orphan in relation to the length of time that it takes a person living there to secure a house from the Housing Trust: instead of the waiting period getting shorter, it is getting longer. Whereas a person used to be able to get a house in about four to six months, the waiting period now is between eight and 12 months and, in some parts of the city, it is longer. Although I appreciate what the Housing Trust has been doing, will the Premier, as Minister of Development, find out whether the trust could possibly let the contract for the 30 houses it intends to construct in 1970-71 earlier than planned (as soon as possible), possibly following up the construction of those houses with an additional contract, in an endeavour to reduce the long waiting period?

The Hon. D. A. DUNSTAN: I will have the matter examined by the trust and let the honourable member have a report. This year it is intended that a record number of houses be built in country areas by the Housing Trust. It is not possible for us to take each town in the country and say that the maximum that has previously been achieved will be equalled or exceeded in each of those towns; it depends on the particular assessment of demands throughout the country area, adjustments being made from time to time. I appreciate the difficulties faced everywhere in getting sufficient Housing Trust houses. I point out that, on housing, this State is spending from Loan moneys more than twice the Australian average, and that we are building through the Housing Trust far more houses than are being built by any comparable institution anywhere else in Australia. We have stepped up country housing this year; we are doing the best we can with the Loan moneys available to us. If we can make any improvement in the Mount Gambier quota I will certainly want to do that, and I will get a report for the honourable member accordingly.

#### WINE INDUSTRY

Mr. McANANEY: Whenever we pick up the newspaper these days, we see alarm being expressed by members of the wine industry at

the excessive vine planting taking place. Possibly this has been brought about by the fact that a guaranteed price applies in this industry at present. It appears that almost inevitably there will be an over-supply of grapes within a few years, this view being shared by the industry. In the temporary absence of the Minister of Works, will the Minister of Education ask the Minister of Agriculture to find out whether the department is making a survey of and keeping in touch with the situation? Also, if it is fairly obvious that there is severe over-planting of grapes, will he ask his colleague to raise the matter with the Agricultural Council?

The Hon. HUGH HUDSON: I will arrange with the Minister of Works to have that question referred to the Minister of Agriculture for a reply to be obtained for the honourable member.

#### CHOWILLA DAM SITE

Mr. CURREN: In reply to my request that the Chowilla dam site be opened for tourists to inspect, the Minister of Works gave good reasons why the site could not be opened, but since then I have received a further request in a letter from the Renmark Tourist Office, part of which states:

It is not our idea that the site should be open at all times; our thoughts were a fixed time, for example, 2 p.m., or a suitable hour for the caretaker, who would open the gates at the selected time, let the cars in, lock the gates, and conduct a party through the area and then return it to the gate. One visit a day only. The reason I am making this request is owing to the very large number of inquiries I receive and the interest being shown by tourists from all States who visit the area.

In the temporary absence of the Minister of Works, will the Premier have the matter investigated with a view to acceding to this most reasonable request?

The Hon. D. A. DUNSTAN: I will ask my colleague whether he can get a report on the matter. I consider it desirable that as many people as possible see, and be reminded of the value to the State of, the Chowilla dam site.

#### UNDERGROUND WATERS APPEALS

Mr. EASTICK: It has been suggested to me that a person, when appealing to the Underground Waters Appeal Board established under the Underground Waters Preservation Act, 1969, may not appeal against the findings of the advisory committee, or against his allocation, on the basis of hardship. Can the Premier, as Minister of Mines, say whether the appeal board has the right to

consider cases of hardship in the course of hearing appeals against water allocations?

The Hon. D. A. DUNSTAN: I do not think the board has the right to take purely personal factors into account. The board certainly has, and has exercised, the right to consider the difficulties of an appellant in relation to his water situation and the crops he has to grow. Where purely social factors are involved, the board cannot consider those factors, but a committee is investigating the sociological consequences of the decisions in the Northern Adelaide Plains water basin and will make recommendations to government about the ways in which we can cope with social problems arising from decisions under the Underground Waters Preservation Act, and in those circumstances such matters can be referred to that committee for recommendation about whether the Government can assist. So, if the appeal board cannot take into account a purely social difficulty arising from specific factors affecting an appellant, this matter can be considered from another angle. If the honourable member has a certain case in mind, I shall be grateful if he gives me the particulars so that I may find out whether we can, outside the Act, assist to alleviate the hardship.

#### M.T.T. BUSES

Mr. CARNIE: On the last two or three mornings while coming into the city by Municipal Tramways Trust bus, I have noticed, particularly when the bus has been full, that the windows become badly fogged. This fogging has been so bad that the drivers are forced to keep wiping the inside of the windscreen to be able to see clearly. I know that the Minister of Roads and Transport shares the deep concern of all of us about road safety, and I am sure that he will agree that for a driver to have to constantly wipe the windscreen does not make for safe driving. Therefore, will he investigate the possibility of fitting demisters to M.T.T. buses?

The Hon. G. T. VIRGO: I shall be only too pleased to have an investigation carried out in the interests of road safety, and I congratulate the honourable member on using public transport.

#### WHEAT QUOTAS

Mr. GUNN: Last year several farmers in the western part of my district suffered badly because of wheat rust and could not fill their wheat quotas. This year the farmers have been affected by severe drought conditions and again will not be able to fill their quotas.

Will the Minister of Education, in the absence of the Minister of Works, ask the Minister of Agriculture to consider ensuring that those persons will be allowed to carry on their two years' short-fall over the next year and that they will not be discriminated against in any way?

The Hon. HUGH HUDSON: I will refer the question to the Minister of Agriculture and I imagine that, in turn, he will refer it to the committee inquiring into wheat quotas.

#### OVINGHAM INTERSECTION

Mr. COUMBE: Recently several large buildings have been demolished near the intersection of Torrens Road and Churchill Road at Ovingham, in my district, and as the block of land is now vacant I presume that long-overdue road improvements will be carried out at that corner. Will the Minister of Roads and Transport find out what plans the Highways Department has to improve this corner and when the work is likely to be programmed?

The Hon. G. T. VIRGO: I shall be pleased to get a report.

#### DEPARTMENTAL CRITICISM

Mr. EVANS: Has the Premier a reply to my question about whether public servants may criticize the policies or actions of their departments?

The Hon. D. A. DUNSTAN: I have a report from the Public Service Board, which states:

There appears to be some distinction between the statement made by the Minister of Education referring, in his view, to the responsibility of teachers "... to draw the attention of the community to the deficiencies of the system in such a way that the needs of education in this State are recognized ..." and the paraphrasing "... that teachers, if they wish, can criticize if they consider that there are deficiencies in the Education Department ..." by the member for Fisher in asking his question. Parliament has, by Statute, determined the code of the conduct relating to this matter for public servants employed under the Public Service Act, and the relevant portion of section 58 states:

If any officer ...

- (i) otherwise than in the discharge of his duties, directly or indirectly discloses to any person information acquired in the course of his duties except by the direction or with the permission of the Minister;

or

- (j) without the permission of the Minister directly or indirectly and whether anonymously or otherwise, makes any communication or contribution or supplies any information to any newspaper or publication of a similar nature on any matter affecting the Public Service or any department thereof or the business or the officers of the Public Service or any department thereof or on his own office or his own acts or duties as an officer,

he shall be guilty of an offence and shall be liable to such punishment as may be determined under section 59 or section 64 of this Act.

This provision is applied with administrative discretion. Nevertheless, it is consistent with the concept of Ministerial responsibility inherent in our system of public administration, the confidential nature of much of the information about private citizens and their affairs available to public servants, and with the usual employer-employee relationship. While the Act gives public servants rights of appeal in personal matters affecting them, such as grievance, promotion, and classification, they may also make submissions to both their permanent head and the Public Service Board on wider matters of administration. In addition, their staff associations take action, and make public statements on their behalf about both departmental personnel and administration. The board considers that, with these remedies available, an officer of the Public Service has no need and no justification for publicly commenting on any alleged deficiencies in the working of Government departments. The board encourages officers to make suggestions at any time for improvements in the efficiency of departments and employs a staff of investigating officers who are available to examine the merits and practicability of such proposals.

#### LOCAL GOVERNMENT FRANCHISE

Mr. HALL: Yesterday, I asked the Minister of Local Government whether he would submit to the Industrial Development Advisory Council any proposals by the Government that rating and election procedures for commercial and industrial enterprises were to be altered in relation to local government. The Minister did not reply to that question or to a subsequent one I asked. Therefore, I ask the Premier, because it is within his province as an Industrial Development Advisory Council matter and because the Minister did not reply—

The Hon. G. T. Virgo: I did.

The SPEAKER: Order!

Mr. HALL: I am not looking for a political argument: I am trying to be fair to the Premier in the sense that I am not trying

to catch him. I am telling him that the Minister gave me a form of words that in no way said "Yes" or "No". I ask a simple question: will the Premier submit to the Industrial Development Advisory Council any Government proposals as to altering the voting procedures that will affect commercial and industrial enterprises in relation to local government representation?

The Hon. D. A. DUNSTAN: No, Sir, I won't. The only proposals that I know of in relation to rating are the subject of an inquiry that was set up by the Leader's Government, and that inquiry is proceeding. When it is completed the report will be made available to government and will become a matter, in due course, for debate in this House. The only proposal that I know of concerning local government election proceedings is one to have adult suffrage for local government. This practice exists in many other parts of Australia and was a specific election proposal of the present Government spelt out in detail in the policy speech that I delivered. A matter of Government policy, it will be introduced into this House in due course in accordance with the vote that the people gave at the last election.

#### CONSORTING

Mr. McKEE: I understand that the consorting provisions of the Police Offences Act are necessary to protect the public, but it has come to my attention that young people are being required by these provisions to stop meeting even their brothers. Will the Attorney-General inquire into the use of these provisions in the case of juveniles?

The Hon. L. J. KING: I will ask the Chief Secretary to obtain a report about the way these provisions are being used by the Police Department and, having received that report, I will consider the matter and let the honourable member have a reply.

#### WHALES

The Hon. D. N. BROOKMAN: In the temporary absence of the Minister of Works I ask this question of the Premier. Last weekend I saw a whale in waters near Victor Harbour, but I did not realize at the time that it was accompanied by a calf. The presence of whales is rare in water so close to the shore, and much interest has been shown by tourists as well as by local residents. A few years ago a similar incident occurred, but some maniac with a rifle shot at the whale, which disappeared and, I presume, fled. I

realize that much international legislation is available concerning whales but, as this matter is of considerable interest to people living on the south coast and to South Australians generally, will the Premier ask the Minister of Agriculture what protection is available for these animals?

The Hon. D. A. DUNSTAN: I will obtain a report about this matter. I am interested to hear that a whale was at Victor Harbour last weekend, because I was also there and I did not hear anything about it. I wish that I could have been there while the member for Alexandra was shouting, "Thar she blows", or something like that. I shall be interested to obtain a report from my colleague on what action can be taken.

#### MURRAY STORAGES

Mr. MILLHOUSE: Yesterday, the Premier was away because he was sick, and we all rejoice to see him back in his place apparently fully recovered.

The Hon. G. T. Virgo: You aren't fair dinkum about that?

Mr. MILLHOUSE: Yes, I am.

The Hon. G. T. Virgo: You wanted him away today!

Mr. MILLHOUSE: No, I miss him. In his absence I asked the Minister of Works, as Deputy Premier, a question about the so-called renegotiation of the Dartmouth dam agreement and whether, in view of the Premier's refusal to publish at this juncture the letters he had sent to the other States, that correspondence would be tabled after the negotiations had been completed, whether they were successful or unsuccessful. The Deputy Premier undertook to refer the matter to the Premier when the Premier returned to work (that was the phrase the Deputy used), and I presume that he has done this. Can the Premier say whether he can now give an undertaking to the House that these letters will be tabled in the House for the information of members and the general public?

The Hon. D. A. DUNSTAN: That will have to be determined when negotiations are completed.

Mr. Millhouse: Oh!

The Hon. D. A. DUNSTAN: I am grateful for the honourable member's kindly references to my health. I admit that the honourable member generally does miss me and I think he has done so on this occasion. I suggest that it is obvious to him now (as I am sure it was when he was in government) that, when confidential negotiations take place between

Governments in Australia, there are reasons why one does not publish everything that takes place during the negotiations, simply because otherwise public stances are taken which then become hardened and this makes negotiations much more difficult. However, when the negotiations have been completed consideration will be given to publishing the basis on which they proceeded before there was agreement.

### RECEIPTS TAX

Mr. RODDA: Has the Treasurer a reply to the question I asked last week about the receipts tax?

The Hon. D. A. DUNSTAN: The Chief Secretary made the following reply in another place, following a question asked there on this matter:

The extent to which the State duty is invalid is limited to where the payments concerned are considered to be excises because they are for new goods produced in Australia. In these circumstances, taxpayers must decide whether they should refuse or continue to pay the duty. If they refuse payment, they will still have to make returns relating to those other payments which are not in the nature of an excise. If, then, the Commonwealth Bill, which is to be resubmitted next month, becomes law, taxpayers will have to make payments of duty previously omitted. If they continue to pay the duty in respect of new locally-produced goods they have been assured that they will receive refunds if the Commonwealth Parliament does not pass the Bill with operation retrospectively.

In answer to the specific question asked by the honourable member, the State does not have the power to enforce payment of duty in relation to moneys received by primary producers, or their agents or by dealers marketing their products, in relation to the sale of wool, sheep, cattle, grain or other items of primary production. The duty does, however, continue to be payable in respect of all other transactions including services of all kinds, fees, commissions, interest, dividends, rents, payments and repayments of loans and other debts, and all payments for land, real property, second-hand goods and imported goods. This remains the situation.

### SUCCESSION DUTIES

Mr. RODDA: Has the Treasurer a reply to the question recently asked about succession duties by the member for Mallee, who is temporarily absent from the Chamber?

The Hon. D. A. DUNSTAN: The Succession Duties Act, while it does not contain any express power for the postponement of payment of duties upon an estate, does give power to the Commissioner to postpone the date from which interest begins to run. Accordingly, where a reasonable case has been made out

for steps for collection to be held over to give a breathing space to arrange finance to pay the duty, with interest (if running) to be chargeable in the meantime, this is granted by the Commissioner. The period of any deferment must, of course, be fixed by the Commissioner with discretion and with proper regard for protection of the revenue and for the obligations laid down by the Act; it obviously cannot be given at large. Experience has been that in this manner it has been possible in proper cases to give some help in avoiding immediate undue pressure on an estate. There would seem to me to be no necessity for a Ministerial direction on this matter and, indeed, as I suggested earlier, I would appear to have no authority to issue such a direction.

### DOG RACING

Mr. MATHWIN: Can the Premier say whether the Government intends to introduce a Bill legalizing betting on dog-racing?

The Hon. D. A. DUNSTAN: That matter is being considered at present.

### DROUGHT RELIEF

Mr. ALLEN: The Minister of Works is no doubt aware of the dry conditions prevailing in parts of South Australia at the present time, particularly in the area outside Goyder's line. Indeed, unless good rains fall within the next few weeks, so that large areas of grain can be sown, there is little likelihood of a substantial harvest in these areas. There is a particularly dry area in the North-East of South Australia, and I understand that a drought area has been declared in an area south of the dog fence. Another particularly dry area lies between the dog fence and the Broken Hill railway. Although the people concerned have moderate feed supplies, their properties are particularly short of water, so much so that at present they are taking their stock out of the district.

In fact, the owner of one station recently spent \$3,000 on sinking bores, without receiving any satisfactory water supply. As, during the 1967 drought, a subsidy was paid on the transporting of stock out of the affected areas, will the Minister of Works ask the Minister of Lands whether any moneys remain from the 1967 drought relief fund, and, if such moneys are remaining, will the Government consider paying a subsidy in respect of livestock being taken out of the drought areas in this State?

The Hon. J. D. CORCORAN: I will take up this matter with the Minister of Lands and



ascertain the information for the honourable member as soon as possible.

### GLENSIDE ROAD

Mr. McANANEY: The situation concerning Glenside Road, Stirling, seriously affects residents in one of the main areas of Heysen, and I do not altogether agree with the Minister's statement on this road. Glenside Road does not enter a freeway: it is an off-ramp from the freeway, and drivers approaching the crossing have a distance of 200 yards in which to slow down. They arrive at a corner at which there is a 30 miles-an-hour sign, and if a car does not slow down to that speed the tyres will skid and rubber will be worn out. The off-ramp enters the township of Stirling, in which a 35 miles-an-hour limit applies, anyway. Although this off-ramp has been used frequently under these conditions over the last year or two, I believe that no serious accidents have occurred on it.

When the freeway has been constructed through Verdun, it will take much of the traffic that is at present involved, and little traffic will use the off-ramp. People going to Strathalbyn and Mount Barker, etc., will go to Verdun. As the present situation causes considerable inconvenience to many people in the area, I should like to know whether the Minister of Roads and Transport has inspected this site and whether he will review the position. I think that in the circumstances the effect of the decision made on this matter will be unjust. If the crossing was 50 yards or 75 yards nearer the freeway, I would agree entirely with the Highways Department's decision. However, in the circumstances, I regard the decision as representing a complete bureaucratic interference with the privileges of many people.

The Hon. G. T. VIRGO: I do not think it is fair to describe this as bureaucratic control: I think that is rather a harsh slur on servants of the people of South Australia, who do an excellent job. I do not think it behoves the honourable member to cast slurs on the actions of officers of the Highways Department. Having made that point, I point out that the honourable member is apparently using the fact that there has not been a serious accident as a premise for not doing anything about this matter until a serious accident occurs. As the Minister in charge of road safety (in case the honourable member does not know it; I know that some of his colleagues do not), I assure him that I do not intend to wait until a serious accident

or, worse still, a fatality occurs before we take action.

The position regarding the area concerned has been under discussion for a considerable period. There have been untold numbers of inspections on site by instant experts and fully qualified experts, and the final recommendation made by the Highways Department is the one published to which I referred yesterday. I have said previously that I am always open to renegotiating a matter at any time. However, in this instance I am at a loss to see what value would be obtained from my going up there, as I am not an expert in this field. The honourable member is not an expert in it either and, if I were to go up there, I would ask the experts in the field to give us guidance, the same as any other Minister would do in relation to his portfolio. If the honourable member thinks some good would be served by my going up there, I shall be happy to arrange such a visit at a time mutually suitable to us. However, we would have to be accompanied by the expert departmental officers, rather than the honourable member and me, neither of whom is competent in this field, merely expressing our views.

### LEVEL CROSSINGS

Mr. McANANEY: Several people have suggested to me that signals at level crossings do not commence operating quickly enough in view of the speeds of trains and motor vehicles these days, and that this has caused some accidents. As this is a matter for experts and not one of common sense, will the Minister of Roads and Transport obtain a report?

The Hon. G. T. VIRGO: I shall be delighted to do that for the honourable member, and to bring down the information. However, I think I should say that the allegation that the honourable member's constituents have made is a complete fallacy.

### CLARE PIGGERY

Mr. VENNING: Last April the District Council of Clare refused an application by a Mr. Wendall to build a piggery alongside the Clare caravan park. A tribunal, under the direction of the Minister of Local Government, was set up to examine this application, with the result, according to today's paper, that this pig breeder is to be permitted to establish a piggery of 200 pigs alongside the caravan park at Clare. I point out to the Minister that the piggery site is adjacent to the caravan park to which I have already referred, that its effluent will run through a creek that passes the caravan park, and that it is opposite

the showgrounds and the local golf course. Will the Minister therefore table in the House a copy of the evidence taken by this tribunal? If he has any doubts about the effect of piggeries, I suggest he take up residence alongside one for a while so that he may realize the effects of the aroma emanating therefrom.

The Hon. G. T. VIRGO: I do not think my colleagues on the front bench would appreciate my taking up residence next door to a piggery and then sitting alongside them here, so I must decline the honourable member's invitation. I am a little surprised to hear the honourable member, who usually champions the cause of rural producers, suddenly taking an about turn in this case. However, I will do as he suggests and examine the matter. In addition, I will ascertain what the Minister of Health can add to any report that is forthcoming and will bring it down for the honourable member.

#### NURSES' UNIFORMS

Mr. GUNN: I have been informed that South Australian nurses are to be issued with new uniforms that will consist of a terylene-like material but will not contain any wool. Will the Attorney-General ask the Chief Secretary to consider having all nurses' uniforms contain some proportion of wool?

The Hon. L. J. KING: I will refer the honourable member's question to my colleague and obtain a report.

#### TUMBY BAY JETTY

Mr. CARNIE: I recently asked the Minister of Marine a question regarding the Tumbly Bay jetty which, although no longer used for shipping, is still used by a few fishermen with boats and, more important, by local residents who just like to sit and fish there. I am sure the Minister will agree that the ordinary simple wishes of ordinary people deserve consideration. In view of this, will the Minister say what the Marine and Harbors Department intends to do about this jetty?

The Hon. J. D. CORCORAN: The Marine and Harbors Department has no intentions at present regarding this jetty, on which the honourable member says people just like to sit and fish. The honourable member's most recent question about the jetty referred to the need for some commercial activity, such as the export of minerals. In reply, I said that (as the honourable member would know from his observations) the jetty was not suitable for the export of minerals. However, I will have the matter examined to see whether seats

can be provided for the people who just like to sit and fish.

#### ABATTOIRS

Mr. NANKIVELL: My question relates to what I have said previously regarding the possibility of large numbers of sheep having to be slaughtered because there is no outlet for them, and it relates more particularly to the situation at the Metropolitan and Export Abattoirs at Gepps Cross. The Minister of Works, representing the Minister of Agriculture, would realize that, while there is an outlet for prime lamb and mutton in carcass form, the principal outlet for stock that must be slaughtered as a consequence of the drought is in the form of processed meat, 80 per cent of the market of which is in North America. As the abattoir at Shepparton is the only one in Australia whose meat has been cleared by the United States Agriculture Department and by the Commonwealth Department of Primary Industry for export to America, and as we have spent millions of dollars on the Gepps Cross abattoir, will the Minister see why that abattoir is not suitable and does not measure up to the American export requirements? Also, will he treat as urgent the need for something to be done to remedy this situation so that people who are forced to sell their stock will at least have the opportunity to obtain the best possible price that the market can offer?

The Hon. J. D. CORCORAN: I know that action is being taken for the abattoir to be examined not only by the Department of Primary Industry but also by representatives of the American Consul. However, I will not answer the question for my colleague. I shall be happy to take up the matter with him and I am sure he will give a reply as soon as he can.

#### OPEN-SPACE UNITS

Mr. WARDLE: On page 12 of yesterday's *Advertiser*, in the country section (with which the Minister of Education would be familiar), is a report regarding the Government's introducing open-space teaching units at schools listed therein. Will the Minister say whether these units are in addition to those that have been referred to in recent weeks in relation to the Murray Bridge South and Murray Bridge Primary Schools, or whether the erection of units at these schools in my district will be deferred until those listed in yesterday's press report are built? I believe that the units referred to in the report may be in addition to

those that are to be erected in my district. Will the Minister confirm this?

The Hon. HUGH HUDSON: The rebuilding programme for the Murray Bridge Primary School and additions for the Murray Bridge South Primary School are at present on the design list. Open-space units are to be erected at about 30 primary schools in relation to which an announcement has already been made. I have been able to include in the list only those schools at which the erection of such units has been approved. These are in addition to other building work being carried out or planned by the department. There is a further reserve list of open-space units for another 40 primary schools and that will be added to progressively as we are able to get the programme going for the schools on the existing list.

#### MORGAN SLIPWAY

Mr. ALLEN: It has been brought to my notice that the craft slipway at Morgan may be transferred to Murray Bridge. This slipway employs about 17 men who have their own houses in Morgan. As the Minister of Roads and Transport will know, the closing of the Eudunda-Morgan railway line was a severe blow to the township of Morgan. It is considered that, if this facility is transferred to Murray Bridge, Morgan will be deprived of an industry it cannot afford to lose. Will the Minister say whether it is a fact that this activity is to be transferred to Murray Bridge?

The Hon. G. T. VIRGO: No, it is not a fact that it will be transferred anywhere. However, the matter is being considered at present because of several circumstances. Let me reply to the earlier references made by the honourable member by saying that it was not this Government but a Liberal Government that closed the railway line to Morgan: we merely passed in this House a Bill to permit the Railways Commissioner to recover his assets after the line had been closed. The reference made in another place yesterday and reported in the press was completely untrue.

#### TRANSPORTATION STUDY

Mr. COUMBE: Earlier this week I heard the Minister of Roads and Transport say, I think in reply to a question, that there would be no Metropolitan Adelaide Transportation Study plan in South Australia, and this was not denied when a further question was asked. Several weeks ago the Minister announced that Dr. Breuning was coming to Adelaide (I think he arrived earlier this month). Regarding his statement that there would be no M.A.T.S.

plan in Adelaide, will the Minister say whether that is his own opinion; whether it is an opinion substantiated by Dr. Breuning and reported to the Minister and the Government; how far Dr. Breuning's investigations have proceeded; and whether the House will have the advantage of his report?

The Hon. G. T. VIRGO: I hope I can remember all the questions the honourable member has asked. First, I made a Ministerial statement in this House a couple of weeks ago and, if the honourable member cares to check *Hansard*, he will see there the words I used, and those words still apply. The Government has brought out Dr. Breuning and his associate, Mr. Kettaneh, to review the proposals contained in the M.A.T.S. plan. Dr. Breuning and his associate arrived in Adelaide on Sunday, August 2, and for the past two weeks the doctor has been actively engaged in reviewing the M.A.T.S. plan in accordance with the terms of reference given to him by the Government and reported to this House. He has had discussions with many people who have been able to make valuable and sensible contributions in an endeavour to solve this complex question. I do not think that the honourable member honestly expects me to be able to give a progress report on something that is less than half way through. Suffice to say that from the discussions I have had with Dr. Breuning I am more than satisfied that he is carrying out the task that we brought him out here to carry out.

#### BLUE LAKE EXPRESS

Mr. RODDA: Has the Minister of Roads and Transport a reply to the question I asked on July 30 about the Blue Lake express?

The Hon. G. T. VIRGO: It must be agreed that the standard of sleeping cars used on the train is not up to the usual high standard of our South Australian Railways and, while the seating cars are of good construction, they are not air-conditioned. The overhaul of one of the sleeping cars is now in hand, and this will improve the level of accommodation. This Government believes that there is an obvious demand for a passenger service to Mount Gambier and that its retention is vital to railway interests in that area, but the hard facts must be faced. Until the Government is able to allocate a sufficient level of Loan funds to enable the Railways Commissioner to provide new passenger cars for the Blue Lake service, no substantial improvement can be made to the present level of accommodation of this passenger train.

## OVAL DISPUTE

Mr. MILLHOUSE: I notice in this morning's newspaper that the National Football League has decided not to seek a renewal of its lease of the Adelaide Oval after, I think, 1973, and I notice the canvassing of consequences which will very likely follow that decision. Can the Premier say whether he has interested himself in this matter and, if he has, whether he has discussed it with the South Australian Cricket Association or the South Australian National Football League, or whether he intends to take any action in view of the significant consequences that would follow the league's leaving the Adelaide Oval?

The Hon. D. A. DUNSTAN: I have no intention of entering this controversy in any partisan manner. The question of what is the best course to be followed by the sporting bodies involved is a question for them, and it is not for the Government to intervene. True, both the S.A.C.A. and the S.A.N.F.L. have talked to me, not on any request that I should intervene in the matter but about what action might be taken by the Government to assist them in matters of consequence that would arise from decisions made in their negotiations. I have undertaken, as did the previous Labor Government, that, if the S.A.N.F.L. decides that it must seek other headquarters for football on a State basis in South Australia, whatever we can do as a Government to assist it will be done, but the decision must be made by that body. I do not believe it is the duty of the Government or that it is in any way advisable for the Government to intervene in what is purely the business of the sporting bodies concerned.

## REFERENDUM (METROPOLITAN AREA SHOP TRADING HOURS) 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. R. BROOMHILL (Minister of Labour and Industry) moved:

That Standing Orders be so far suspended as to enable him to introduce a Bill and move the second reading forthwith.

The Hon. D. N. BROOKMAN (Alexandra): The actual title of the Bill was not announced in the Minister's motion. I take it that it is the Bill dealing with shopping hours and a referendum. Is that correct?

The Hon. G. R. Broomhill: That's what was indicated earlier.

The ACTING DEPUTY SPEAKER (Mr. Ryan): Order!

The Hon. D. N. BROOKMAN: Mr. Acting Deputy Speaker, the Minister has agreed that that is the subject of the motion. I will not oppose the suspension of Standing Orders, provided I get a reasonable assurance that there will be no undue haste in passing this legislation. As every member of this House knows, the suspension of Standing Orders to enable the second reading explanation to be given on the same day as that on which a Bill is introduced is obtained frequently (in fact, in about 90 per cent of all cases) and in many cases, as in this one, Standing Orders are suspended further to allow a Bill to be introduced and read a first time and the second reading explanation given, even without notice having been given in advance. This streamlines the work of the House and I think we should approve of it in general.

However, I think we must remember the purpose for which these rules are made. Basically, they are made to see that there is no undue haste about considering legislation and that every member has a good opportunity to discuss the legislation and consider it at each stage. In most cases the need is not so great but, in this case, this subject has been first canvassed in the press this very day, and I take it that now we are to go as far as the second reading explanation. Certainly, I am sure that the Minister would not expect us to go beyond that.

The Hon. G. R. Broomhill: No.

The Hon. J. D. Corcoran: Of course we don't.

The Hon. D. N. BROOKMAN: Nevertheless, I point out that, if we followed the normal practice of the House without suspending Standing Orders, the Minister would give notice of the Bill today, the first reading would be given on Tuesday next, and the second reading explanation would not be given before next Wednesday.

The Hon. J. D. Corcoran: That's rubbish, and you know it.

Mr. Millhouse: That's the proper progression, under Standing Orders.

The Hon. D. N. BROOKMAN: I am astounded at the stupid attitude of the Ministers who are interjecting. I am setting out what is the practice on occasions other than those on which there is a suspension of Standing Orders.

The Hon. G. R. Broomhill: This will give members the weekend to study the explanation. It is helpful.

Mr. Millhouse: He telescopes the procedure and tells us it is helpful!

The SPEAKER: Order! The member for Alexandra is on his feet and must be heard.

The Hon. D. N. BROOKMAN: Thank you, Mr. Speaker. I am setting out the normal procedure and I have pointed out how, for very good reasons, this House almost always agrees to suspend Standing Orders to enable consideration to be given more quickly. We on this side do not mind having the second reading explanation given today: in fact, we would like it to be given, and there will not be any trouble about that. However, I want to be assured that this does not mean that we will be expected to have the Bill through the House early next week, because in the normal procedure under Standing Orders the second reading explanation would not be given before next Wednesday.

This Bill deals with an important matter that has not yet been before the public for 24 hours, and we will not be pleased if we are forced to consider the matter and conclude it in the early days of next week. I want the Minister to assure me that, whilst he will give the second reading explanation today, there will be no undue haste about further consideration on the matter. It is one of the most important matters that we have had before us and it is one that claims great public interest. For those reasons, the consideration should be less hurried rather than more hurried. If I am satisfied that the Government is acting in order to give us the second reading explanation more quickly, not in order to telescope the passage of the Bill in time, I will have no objection to this motion for the suspension of Standing Orders.

The SPEAKER: The question before the Chair is the motion moved by the honourable Minister of Labour and Industry, namely, that Standing Orders be so far suspended as to enable him to introduce a Bill and move its second reading forthwith. For the question say "Aye"; against say "No".

The Hon. D. N. Brookman: No.

The SPEAKER: There being a dissentient voice, there must be a division.

The House divided on the motion:

Ayes (26)—Messrs. Broomhill (teller), Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King, Langley, Lawn,

McKee, McRae, Payne, Ryan, Simmons, Slater, Virgo, and Wells.

Noes (19)—Messrs. Allen, Becker, Brookman (teller), Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall, Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Venning and Wardle.

Majority of 7 for the Ayes.

Motion thus carried.

The Hon. G. R. BROOMHILL (Minister of Labour and Industry) obtained leave and introduced a Bill for an Act to provide for the holding of a referendum of certain House of Assembly electors on a question relating to trading hours of certain shops within the metropolitan area as defined, and for other purposes. Read a first time.

The Hon. G. R. BROOMHILL: I move:

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

The Government intends to introduce legislation into Parliament during the current session to make a complete revision of the present laws which restrict shopping hours. There has been no major review of the Early Closing Act since 1950, and the hours at which shops within shopping districts must close are those determined during the early part of the Second World War under the emergency conditions that operated at that time.

The two main problems which exist at present are, first, the frustrations caused to the public by shopkeepers of exempted shops being required by law to lock away after normal trading hours many goods, particularly food-stuffs, for which there is a considerable public demand at nights and weekends. Secondly, the unrestricted trading hours in the large areas immediately surrounding the metropolitan shopping district has resulted in shops in those areas (often on the other side of a road from the metropolitan area) trading at night and weekends when shops in the metropolitan area are required to close. With the rapid developments on the fringe of the present metropolitan area that have taken place in the last year or so, the Government considers that it is urgent that some action be taken to establish equal trading opportunities for shopkeepers.

The Government recognizes that the metropolitan shopping district, which was defined in 1926, is hopelessly out of date and it has decided that whatever new laws are to apply will be uniform in the metropolitan planning area, as defined in the Planning and Development Act, together with the municipality of Gawler. This will mean that the metropolitan area for the purpose of shop trading laws,

will extend from Gawler in the north to Willunga in the south and include Tea Tree Gully and Bridgewater.

The Government intends to introduce a Bill later in the session to provide that non-exempt shops in this enlarged metropolitan area will not be permitted to open on Saturday afternoons or Sundays. There will be one exception to this as it is intended that there will be no change in the present arrangements for the sale of petrol, so that unrestricted hours will continue for those service stations which can presently trade on that basis.

The intended Bill will also considerably widen the list of exempted goods. The goods which it is intended will be unrestricted and, therefore, could be sold at any time if the Bill is passed are, with several additions, those contained in the Bill introduced into this House, but not fully debated, last session. The main additions to the present exempt goods are those sold by chemists, delicatessens (including a number of grocery lines), florists, fruit and vegetable shops, and newsagents and tobacconists shops, whilst drawings, etchings, paintings, and other works of art, as well as souvenirs, will also be unrestricted.

The Government intends that there should be uniform shopping hours within the enlarged metropolitan area. It is recognized that this will affect many people, both shoppers and shopkeepers, and that there are differing views as to whether all shops should be permitted, should they desire to do so, to open on Friday nights. The Government recognizes that there is considerable public interest in this matter, not only as to whether it should be possible to shop on Friday nights but also in considering the social aspect. Many people seem to regard the opening of shops on Friday night as the opportunity for an outing as well as for shopping. On the other hand, organizations of shopkeepers have strongly claimed that the general opening of all shops on Friday nights would not result in more goods being sold but would increase prices.

The Government does not consider that it should take the responsibility for making a decision which can significantly affect the lives of the people in the metropolitan planning area and Gawler and upon which they have not been able to directly express their opinion. The Government has, therefore, decided to introduce this Bill to provide for a referendum to be held of House of Assembly electors in the metropolitan planning area and the municipality of Gawler. As can be seen from clause 4 the referendum will be to enable

electors to vote on whether shops in the metropolitan planning area and in the municipality of Gawler should be permitted to remain open until 9 p.m. on Fridays.

The referendum is being confined to the enlarged metropolitan district, because conditions in most country areas of the State differ so markedly from the metropolitan area. The Government intends to introduce legislation to provide that the present country shopping districts should continue, but that the present system of petitioning and counter-petitioning should be abolished. However, provision will be included in that legislation for a local government authority outside the metropolitan area to apply for the creation or abolition of a country shopping district within its area. In making such an application the local government authority will have to report to the Minister of Labour and Industry on the inquiries that have been made to ascertain the wishes of the public in their district, as well as indicating the view of the municipal or district council concerned.

The Minister will be empowered to make further inquiries (if he wishes to do so) and if, after such application has been made, he is satisfied that the Act should or should not be applied in any country district, then he would recommend to the Governor that a country shopping district be created or abolished. It is intended that there be only one exception in country districts and, in accordance with the promise contained in the Government's policy speech, the intended legislation will provide that retail butcher shops throughout the State must not open on Saturday afternoons or Sundays.

I have explained the Government's proposal for other amendments to the present laws regarding shop-trading hours in order that the public may have all the facts before voting at the referendum. The question whether shops should or should not open on Friday nights can then be considered in the light of what the proposed law will be, rather than being based on what has happened for the last 20 years. The Government hopes that this Bill to enable the referendum to be held will be passed by Parliament as quickly as possible so that there will be no delay in ascertaining the views of the public. It is proposed that a further Bill will be introduced immediately after the referendum to give effect to the decision of the people as expressed in the referendum. The Bill will also contain the other matters I have already mentioned and it is hoped that it will be passed by Parliament and operating well before the end of the year.

I shall now deal with the clauses of the Bill. Clause 2 of the Bill contains the definitions necessary for construing the Bill, and I draw attention to the definitions of "elector" and "the metropolitan area". An elector is defined as meaning a person whose name appears on a House of Assembly roll (in force at noon on August 11, 1970) as a resident of any place within the metropolitan area; and the metropolitan area is defined as meaning that area of the State which comprises the metropolitan planning area within the meaning of the Planning and Development Act, and the municipality of Gawler.

Clause 3 provides that as soon as convenient after the Bill becomes law the Governor may by proclamation fix a day for the referendum and that the Returning Officer for the State is to conduct the referendum. It is intended that the day to be fixed will be September 12, 1970, the day on which the by-election for the Legislative Council seat of Midland is to be held. This date is proposed so that electors in the northern parts of the metropolitan area will not have to vote twice within a few weeks, and will result in considerable saving in costs to the Government. Clause 4 sets out the prescribed question that is to be submitted to the electors at the referendum. The question is: "Are you in favour of shops in the Metropolitan Planning Area and the municipality of Gawler being permitted to remain open for trading until 9 p.m. on Fridays?" Clause 5 provides that only qualified Assembly electors would be entitled to vote at the referendum. Clause 6 provides for the application to the referendum of such of the provisions of the Electoral Act and regulations as are appropriate and applicable, with necessary modifications.

Clause 7 provides for the voting at the referendum to be taken on the day fixed by proclamation for the referendum, and that each elector shall vote only once at the referendum. Clause 8 provides that the polling places within the metropolitan area appointed under the Electoral Act or by notice published in the *Gazette* shall be polling places for the purposes of the referendum. Clause 9 provides that the ballot-papers to be used at the referendum are to be issued by the Returning Officer for the State. Clause 10 provides for the manner of voting at the referendum. Clause 11 provides that only certain persons may be present at a polling booth. Clause 12 provides in effect that the roll in force as at

12 noon on August 11, 1970, is to be the roll for the purposes of the referendum.

Clause 13, which provides for compulsory voting, substantially follows section 118a of the Electoral Act. Clause 14 sets out the grounds on which a ballot-paper may be rejected for informality. Clause 15 provides for the scrutiny and is a machinery clause. Clause 16 provides that, as soon as convenient after the result of the referendum has been ascertained, the Returning Officer for the State shall, by notice published in the *Gazette*, declare the result of the referendum. Clause 17 provides for the declaration of the result to be made notwithstanding outstanding ballot-papers if the Returning Officer for the State is satisfied that the outstanding ballot-papers could not possibly affect the result of the referendum. Clauses 18, 19, 20, 21, 22 and 23 reproduce, with necessary modifications, those provisions of the Electoral Act which deal with bribery, undue influence and other illegal practices.

Clauses 24 and 25 likewise deal with posters and electoral matter relating to the referendum. These clauses substantially follow sections 26 and 27 of the Referendum (State Lotteries) Act, 1965. Clause 26 deals with the evidentiary effect of a certificate of the Returning Officer for the State that the referendum was duly held. Clause 27 deals with proceedings for offences; clause 28 provides for the making of complementary regulations; and clause 29 makes the usual financial provisions.

Mr. HALL secured the adjournment of the debate.

#### SUPPLY BILL (No. 2)

His Excellency the Governor, by message, recommended to the House of Assembly to make provision by Bill for defraying the salaries and other expenses of the several departments and public services of the Government of South Australia during the year ending June 30, 1971.

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

That the Speaker do now leave the Chair and the House resolve itself into a Committee of Supply.

The Hon. D. N. BROOKMAN (Alexandra): I wish to raise a matter affecting enthusiastic and unselfish voluntary workers, namely, members of the board of Aged Cottage Homes Incorporated, who have been dealt with unfairly by the Government, particularly by the Attorney-General. I have raised this matter previously, following an implied criticism made by the Attorney-General during the Address in Reply debate. Members

of this board have faced nothing but obstruction from the Government and have received no satisfaction from the statements made by the Attorney-General. I am taking the opportunity now to say something on behalf of the board. The whole matter having arisen a long time ago, I think the key to the origin of the complaint that has been made is contained in a report made on the matter in the *Advertiser* on April 22 last. Headed "Call on Government to Aid Age Tenants," the report states:

Government intervention was necessary to overcome tenancy problems in subsidized homes for the aged, the Leader of the Opposition (Mr. Dunstan) said yesterday. A Labor Administration would intervene to clear up the whole question of costs for life tenancy in subsidized homes for the aged . . . Mr. Dunstan advised tenants who have received eviction notices to "sit tight" and seek legal advice. An election was likely on May 23, and legal processes would prevent any evictions before then, he said.

This apparently refers to a meeting of the tenants concerned, who were told to sit tight because there would be an election before the legal processes could be carried out. The article continues:

Mr. L. J. King, Q.C., an A.L.P. candidate in the next election, told the meeting a final solution could only come from Government intervention. "There is obviously something terribly wrong," he said. The Secretary of the Aged Cottage Homes Occupants' Committee at Magill (Mr. H. Q. J. Pearce) said 15 occupants had received eviction notices because they had refused to pay rental increases. They had been given until today to settle their accounts.

As far as I am concerned, that is where this particular matter started. On assuming office, the Government seemed to leave this matter to the Chief Secretary, although some correspondence suggests that the Chief Secretary and the Attorney-General were so closely involved in the matter that probably the letters written were at least observed by the Attorney-General before they were sent. On June 24 the Chief Secretary wrote a letter to the organization, part of which states:

The Government is disturbed by the situation that has arisen between your organization and certain of its tenants. As Minister administering the Collections for Charitable Purposes Act, I feel it is my responsibility to endeavour to assist in reaching a solution to the problems. I should like the opportunity of conferring with representatives of your organization at a conference that would also be attended by the Attorney-General. I should be grateful if you would communicate with the Under-Secretary to arrange a suitable time for such a conference. I understand that ejectment proceedings

have been issued against one of the tenants. I request that no further action be taken in this matter or in relation to any of the other tenants until we have had an opportunity for a full discussion.

That conference was held, and, in reply to the Chief Secretary's letter of June 24, the solicitors for the management of the homes pointed out that in one case ejectment proceedings had actually reached the court, and that affidavits were before it. The letter implied that it was scarcely practicable to stop proceedings at that stage. That case has now been concluded, but there are some other tenants (I think four) in relation to whom certain action was contemplated. In order to comply with the Chief Secretary's request that no further action be taken, the board has held up this matter and, even though a conference has been held and other letters have passed between the Attorney-General and the solicitors concerned, the board has not been told that the Government would release it from its request to withhold action.

The board naturally does not want to offend the Government. Indeed it wants to extend it every possible courtesy. It is fair to say, however, that it has not had every courtesy from the Government. In any event, at this conference or at a subsequent one the board produced a statement that it requested be read by the Attorney-General to the House of Assembly. The Attorney appears to have contradicted himself remarkably in this regard, because the letter from the solicitors to the board dated July 28 says, among other things, the following:

It has come to the notice of our clients that, when speaking in the House of Assembly on Thursday, July 23, the Attorney-General (Mr. King) is reported at page 281 of the *Hansard* report as making the following statement:

The explanation itself covers about five foolscap pages. The management did not request publication . . . and I have had no request from the management to make anything public.

Our client confirms the request which it made to the Attorney-General this morning that the abovementioned statement be published by him to the House of Assembly and included in the *Hansard* report.

The Attorney-General is shown at page 281 of *Hansard* as saying that no request had been made, yet the letter clearly shows that a request had been made. In fact, the Attorney-General discussed with me the possibility whether he should read this statement by the organization. Because of its length, he did not want to read it during Question Time, and I agreed that it was too long to be read then. Nevertheless, I thought it was only



fair that the board should have its statement read to the House at the first opportunity because, as I say, by inference it has been severely criticized. Therefore, I shall read the statement of the board of management, dated July 20, as follows:

1. The board joins issue: The attention of the board of management of Aged Cottage Homes Inc. has been drawn to the remarks of the Attorney-General (Mr. King) in the House of Assembly last week in relation to Aged Cottage Homes. The Attorney referred to various documents which had been prepared by the board of the society and executed by its tenants; these documents varied the former arrangements under which tenants of the homes occupied their flats. The Attorney-General's claim is that no-one who had been properly advised would have signed these documents. The board, by way of reply, now joins issue with the Attorney upon his claim.

It is apparent to the board that, upon the face of his remarks, the Attorney has made his claim without reference to all the relevant facts. Indeed, it is unlikely that the Attorney would have access to these facts without inquiry from the board. It is the contention of the board that expressed in general terms the altered arrangements are beneficial to the tenants' interests. The Attorney claims to have spoken in broad general terms but, in fact, it would be necessary to examine each case individually to assess the extent of the benefit of the new agreements to each tenant. Such an examination would involve a consideration of numerous factors including the age and health of each tenant, the state of repair of his flat and its appliances, the tenant's financial position and the form of agreement by which the tenant was originally bound; there are many other factors which it would be necessary to take into account in individual cases.

The effect of the new agreements is to relieve tenants from various obligations (for example, the covenant to maintain the premises) which may have become a burden or worry to tenants for financial reasons, by reason of advancing age of the tenant or for other changes in circumstances. The comment of the Attorney is that no-one properly advised would have signed the new form of contract. The board is only concerned in this statement to meet this specific remark of the Attorney. The board will welcome the opportunity to discuss this statement with the Chief Secretary and the Attorney-General this morning and to consider any other matters which the Government may wish to raise. The board expresses itself as willing and anxious to co-operate with both the Commonwealth and State Governments in anything which can be effectively done to assist the board's tenants and other aged people in need of accommodation.

2. The fallacy in the Attorney's statement: Whilst the legal advice tendered to the board as to the effect of individual documents does not accord with the broad statements by the Attorney as to the effect of the transactions, the board draws attention to the basic fallacy which appears even on the face of Mr. King's comments. The Attorney says:

No reasonable person possessed of a right to a home for life, for which he or she had paid a sum of money, would, if properly advised, sign away that right in exchange for an unenforceable privilege involving not only the payment of rent but the loss of the security of tenure existing under the original agreement.

In other words the Attorney claims that in practice a life interest which has been purchased is necessarily a more attractive proposition than an arrangement conferring no legal privileges upon the occupier of premises. The board says that this statement is incorrect either in the form expressed by the Attorney or in the form as above paraphrased by the board.

The value (or attractiveness) of the two opposing arrangements depends upon the conditions or covenants attaching to each agreement. A life interest (particularly for a person of advanced age) having onerous covenants may well be a far less attractive proposition than an arrangement which confers no legal privileges but also is devoid of these burdensome covenants. The Attorney's speech does not deal with this possibility. In fact, in the events which have happened, the tenants' covenants to repair and maintain as contained in the leases of some tenants have become such a burden and worry to some tenants at our homes that they are more than glad to be relieved of this obligation in exchange for a new form of agreement involving the payment of rent.

The Attorney has placed some store upon the fact that a sum of money may have been paid (or donated) for the right to secure the original interest. However, he does not mention the possibility (as again is the fact in this case) that the sum may have been paid many years previously and that the value of that sum may have been more than offset by the various amounts which the covenants of the lease direct to be charged against that original sum.

3. A history of the agreements: Aged Cottage Homes Incorporated has been supplying accommodation since 1953 on a non-profit basis. Over the period of years some 15 different forms of agreement have been developed. The basic form of the agreements from time to time has been determined by the requirements of the Commonwealth Social Services Department and the agreements have followed forms which that department has suggested as suitable. It has been the policy of the department at all relevant times that tenants should not acquire any proprietary interest in the premises built under the Aged Persons Homes Act; not even a mortgage of the board's proprietary interest is now allowed. The current policy of the department is that a tenancy agreement may recite the intention of the board to provide a flat for the life of the pensioner so long as a legal life estate is not thereby expressed. The current form of agreement as used by the board reflects this policy.

The board has been advised that each of the various forms of agreement must be separately examined as to its legal effect. However, we are advised that generally speaking

our agreements throughout their whole history have operated as licences of a special kind and not as leases. These agreements operate so as to prevent the board from determining a tenancy whilst a tenant observes the agreement. The board is advised that all our agreements fall short of conferring full legal life interests and that all our agreements do provide security of tenure and are not mere expressions of intention carrying no legal obligation as suggested by Mr. King. There are several individual agreements which have been designed to meet special cases which are not covered by this general statement. We believe that these individual cases have been dealt with satisfactorily but will make a further statement thereon if in the course of discussion the Government has any point to raise thereon.

4. A practical example: The board has already pointed out earlier in this statement that the benefits of the altered arrangements may vary from case to case. However the following is an example of the type of case which may arise: In 1960 a widow then aged over 70 paid \$1,500 to the home and entered into an agreement in the form which was then current; it was the intention of the parties that Aged Cottage Homes would provide the widow with a home for life subject to the observance by the widow of the terms of the agreement. The agreement provided for the tenant to be responsible for rates, taxes and other outgoings and required her to pay for repairs and maintenance. The agreement authorized the home to deduct \$6.00 per week from the capital sum by way of rent and subject to this deduction the tenant was entitled to the capital sum on leaving the home. By about 1965 the tenant's right to obtain any refund of the capital sum had disappeared (as the aggregation of the weekly amounts of \$6.00 now exceeded \$1,500) but the tenant remained entitled to continue living at the home subject to the continuing obligation to pay outgoings and meet repairs. At this stage the flat is due for repainting and the appliances (for example, refrigerator and hot water service) are due for extensive overhaul. There is also the possibility of other substantial maintenance liabilities due to the effluxion of time. The tenant is faced with the prospect of obligations running into hundreds of dollars if she is to keep her flat as she would wish. Furthermore, she has joined with other tenants over the years in voluntary attention to the garden and lawns. By reason of advancing years she is no longer able to take an active part in the maintenance of the grounds and her neighbours are likewise becoming too infirm to garden. The board then offers the widow a new form of agreement (in accordance with the currently approved Social Services Department form); under this form of agreement the board records its intention of providing the widow with a home for life and accepts the legal obligation for all maintenance and repairs in return for which the widow is to pay \$1.50 per week and increases in this amount over the years at the discretion of the board but limited to a proportion of increases in the amount of the aged pension; a formula is provided in the

agreement for calculating the upper limits of any such increases. The widow is informed of the new proposal and is informed that she may elect to continue under the old arrangements or elect to enter into the proposed new agreement. It is to be noted that by operation of law the tenant's obligation under the old agreement would be extinguished by the execution of the new agreement.

It is the contention of Aged Cottage Homes that a tenant in the above situation might quite properly be advised to sign the new agreement and that the example is typical of the circumstances in which new agreements were signed. For the reasons given in this statement Aged Cottage Homes Incorporated cannot accept Mr. King's statement as being correct.

I interpose here that another worthy organization dealing with aged persons requires a much higher rental or weekly payment than does Aged Cottage Homes Incorporated. Incidentally, this other organization is one that recently had to increase its charges considerably, and there have been many protests about that increase. The Commonwealth member for Adelaide was a member of that organization until about a week or a fortnight before the increases were made.

Mr. Millhouse: Until a fortnight before.

The Hon. D. N. BROOKMAN: The honourable member resigned before the increases were made. I do not criticize the organization and I mention it only as an example of one that imposes a much higher weekly obligation than does Aged Cottage Homes Incorporated. Following the statement by Aged Cottage Homes Incorporated to which I have referred, the Chief Secretary wrote to the board of the organization and, as I do not want to delay the House, I will not read the whole of his letter, but the relevant part states:

1. That occupants who signed the original form of agreement and subsequently converted to a rental agreement should be given the opportunity to re-consider their decision. It is suggested that some arrangement should be made for them to have independent advice and to have the facts explained to them so that there can be no doubt that they are clear as to the full implications of the decision.

2. The complaints which have been made about increases in rent should be dealt with by the appointment by the Government of an appropriate officer to look into the financial basis of the increases, the board to place at the disposal of this officer such information as he may require.

The board gave special consideration to this letter from the Chief Secretary and, although I should like to be able to read the whole of the board's reply, I shall read only the relevant parts, which state:

As regards the proposition contained in the paragraph numbered "1" of your letter, we are

instructed that the course suggested by you appears to be inconsistent with the current requirements of the Commonwealth Government in so far as you may be suggesting that tenants should be given the opportunity of reverting to the earlier forms of agreement; to the extent of this inconsistency your proposal cannot be implemented . . . . Notwithstanding the above remarks the board is prepared to consider any application which it may receive in any individual case from a tenant who might wish to revert to the principle of accepting unlimited liability for the outgoings and maintenance of his flat in preference to an obligation to pay rental . . . . As regards the proposal numbered "2" in your letter the board would be willing to make information available to a Government nominee regarding the cost structure of the rentals which have been imposed by our client for the purposes of providing you with an appreciation of the justification of the rentals. However, our client's audited accounts are already before you and a full explanation of the basis of the rentals and circumstances necessitating increases has been given to the tenants in circular form by the board . . . . Whilst expressing itself as willing to meet your Government's request as abovementioned, our client points out that it does so as a matter of goodwill and not as a matter of legal responsibility.

I remind the House that we are discussing increases in rent considerably lower than those that have been imposed by other organizations. The Chief Secretary acknowledged receipt of the letter from Aged Cottage Homes Incorporated and stated:

You will appreciate that the matters mentioned therein will require consideration. It will also be necessary to communicate with those occupants who may be concerned in the matter.

At this stage, I remind the House that, when I asked the Attorney-General whether he would give Aged Cottage Homes Incorporated the names of the persons concerned in the matter, the Attorney-General replied that there were too many at the meeting for him to know their names and that he could not give the names. However, apparently the Chief Secretary knew the names, because he stated that he found it necessary to communicate with the people, and he continued:

I will feel free, by reason of the last paragraph in your letter, to make available to any occupant who may be interested the contents of your letter and the preceding correspondence and the formal statement of your client as a whole.

The solicitors for Aged Cottage Homes Incorporated then wrote a letter dated August 7. We are now getting to very recent times and I shall not read the whole of that letter, which is to the Attorney-General. However, one paragraph states:

We refer to our previous correspondence herein with the Chief Secretary, whose office has now requested us to refer to you the inquiry which is set out hereunder.

I think it is probably true to say that the Chief Secretary was probably getting a bit tired of the matter by this time.

The Hon. L. J. King: It might have had something to do with the fact that the previous letter was addressed to the Attorney-General.

The Hon. D. N. BROOKMAN: The two Ministers attended the conferences, but we seem to have got to the stage now where the solicitors are dealing with the Attorney-General only. I will not read the second paragraph of the letter, because I doubt that it is important at this stage. The last paragraph states:

We are now instructed to ask you to let us know the present position in this matter so that the board may assess its present position; the board of Aged Cottage Homes Incorporated is unwilling to defer its instructions to us indefinitely but, on the other hand, it would not necessarily wish to proceed immediately if it could be satisfied that some useful purpose might be served by a further postponement in our instructions. A copy of this letter has been sent to the Chief Secretary to complete his file.

That was a fair question. It was several months after the board was asked by the Chief Secretary to withhold any further action, and it still does not know. The board has been replying with courtesy and consideration, but in return it has been subjected, as I say, to some quite unpleasant inferences—inferences that it may have taken advantage of old people by offering them an agreement that they would not have considered properly. The board has told me that its greatest concern was that these old people would not be worried by these matters. The Attorney-General spoke about this matter in the House but, as I pointed out earlier, it had been raised at an election meeting with what I thought seemed to be rather intemperate accusations.

The Attorney has spoken about negotiations with representatives of Aged Cottage Homes Incorporated, and correspondence (some of which I have read) has passed between the parties, but beyond that the board has not received a reply either that it might clearly go ahead about its business or that the Government would do anything else. As recently as last Tuesday I asked the Attorney-General whether any progress had been made in what he termed the negotiations taking place between him and Aged Cottage Homes Incorporated.

In reply, the Attorney said that he could not give any further information to the House at present.

In all fairness, no charge has been substantiated. Voluntary workers, who have encountered nothing but trouble from this sort of thing, have been caused further trouble by the criticisms by the Attorney-General. I think it is time that the Minister made a clear statement admitting the good qualities of the board, its good intentions and, what is perhaps even more important in this case, its good sense.

The Hon. L. J. KING (Attorney-General): The member for Alexandra, from the manner in which he has raised this matter today, has contributed nothing towards solving the problem that confronts not only the occupants but also the management of Aged Cottage Homes Incorporated. Let the honourable member be under no misapprehension about this matter: its origin was not a meeting attended by the Premier and me before the election: indeed, my presence at that meeting was the result of a request made to me by a committee that represented occupants of the homes. That committee had existed for a long time, so I was told.

Mrs. Steele: In my district.

The Hon. L. J. KING: The honourable member may like to explain what she did to assist these people in her district. Whatever she did, I considered that, having been approached, it was my duty to attend at the meeting to ascertain what it was about, and I went. The origin of this matter was not an election meeting: it was the disquiet that many of the occupants (and the member for Alexandra would say that it was wrongly felt), judging from the attendance at the meeting, felt about the situation. It seemed from what was said at the meeting that the committee (which seemed to be supported by the people at the meeting) had, apparently, communicated with the management of Aged Cottage Homes Incorporated, and had sought to make representations for a long time. It was in these circumstances that my interest was engaged in the matter.

I make that statement at the outset, because it seemed to me that the member for Alexandra was implying that this was an election stunt: he is entirely wrong. The honourable member has referred to what I said in my maiden speech. I shall not repeat that, but it was apparent to me then, and is now, that a situation in which occupants of these homes felt disquiet (which they obviously felt and

expressed about the situation in which they found themselves) was an extremely unsatisfactory situation. My belief, as it is now and was at the time of the meeting (and I expressed it there), was that the solution had to be found in some form of Government intervention in the relations between the occupants and the management, because without the good offices of the Government the relations of the parties had deteriorated to the point at which I found them at the meeting I attended before the election. It was in these circumstances that I spoke about this matter in my maiden speech.

The member for Alexandra has done his best by several questions and again today to read into my speech (for what reason I do not know) some sort of charge against the management of Aged Cottage Homes Incorporated. He has persistently tried to do this. I repeat what I have said many times, that what I said in my speech was factual and deliberately intended to be a bare recital of the facts of the case without attempting to pass judgment on the rights or wrongs of what had taken place between the parties. Immediately following my assumption of office I set about doing what I could to resolve the situation. I consulted the Chief Secretary about it, and negotiations that followed were the result of this action.

One or two matters to which the honourable member has referred call for a reply. First, he said that the management of Aged Cottage Homes Incorporated had not had, I think his expression was, "every courtesy from the Government". I am completely unable to understand the basis for that suggestion. Every contact with Aged Cottage Homes Incorporated by the Chief Secretary and by me has been marked by the utmost courtesy, and the letters have been expressed in the most courteous fashion. At the conference that took place with the management, the Chief Secretary, and me, neither the Chief Secretary nor I said one word that could be construed by the wildest stretch of imagination as involving discourtesy to the management or to those who represented it. My object throughout has been to promote, if I could, an atmosphere of goodwill between the parties concerned in order to bring about, if possible, a solution of the problem that would set at rest the fears and disquiet of the occupants and enable them to continue living in a relationship with the management that must persist.

The member for Alexandra has tried to make a point about the non-publication of the long statement that he read to the House.

Unfortunately, not having been pre-warned that the honourable member intended to raise the point today, I have not been able to extract dates, which I would have liked to do, in order to give the history of the matter. At the conference among the Chief Secretary and me, on behalf of the Government, and the management of Aged Cottage Homes Incorporated in company with its solicitors, the solicitor handed to the Chief Secretary the statement that the honourable member has read to the House today and asked that it be incorporated in *Hansard*. I indicated assent to that course, believing then that that could be done quite readily. I took advice (as I believed I should have done, as a new member) before I made any comment on the matter and I ascertained that it was possible to incorporate a statement in *Hansard* only if it consisted entirely of statistical material. I then approached the member for Alexandra and said, "I have here a five-page statement. I have indicated my desire to publish this statement because of the request of the management of Aged Cottage Homes Incorporated, but I do not know whether it is convenient to do it by way of an answer to a question. You may like to consider it." He said that he thought it was not appropriate to read such a long statement in answer to a question.

I then communicated with the solicitor for Aged Cottage Homes Incorporated and suggested that a condensed version might be provided and given in the House in answer to a question. The letter which followed the conference and which confirmed the request for the statement to be incorporated in *Hansard* was dated July 20. On July 23, I received a letter from the solicitors for Aged Cottage Homes Incorporated, of which the last paragraph states:

We are instructed that our client has no objection to this letter and the preceding correspondence and the formal statement of our client being made public as a whole.

I read that as being an indication that the management of Aged Cottage Homes Incorporated did not want partial publication: it wanted the whole of the correspondence and the statement published. Of course, there was no request for publication but a mere statement that there was no objection to publication provided we published the lot. It was on that very day, July 23, immediately after I received the letter, that the member for Mitcham accepted the reasons I had given for not reading the statement to the House in answer to a question, but asked whether I would make

it available to the press and other news media. I said that obviously I had not been asked to supply it to the press by the management of Aged Cottage Homes Incorporated but the management was at liberty to do it itself. The honourable member asked whether I had any objection to his doing it. I said "No", and I think he did it. (I assume the member for Mitcham was responsible for that publication.)

The statement I made on that occasion that I had not been requested to publish the statement was in a context that referred to the honourable member's question about publication to the press and immediately followed the paragraph which stated that the management of Aged Cottage Homes Incorporated had no objection to the publication of the material as a whole, that is to say, the correspondence and the statement. The point was reached where the management of Aged Cottage Homes Incorporated indicated that, before considering any requests from tenants regarding the conversion of their contracts from donor contracts to rental contracts, it would require the names of the occupants. That was at the same time as a request, in effect, that there should be no publication of what had taken place unless there was publication as a whole. That entailed some communication by the Government to the occupants of the whole of the correspondence and the statement, because that was the only way in which they could be put in a position of deciding to do anything. The consequence is that I, in consultation with the Chief Secretary, have communicated with two members of the committee which had originally made the contact and which subsequently had seen the Chief Secretary in deputation. We examined the whole of the correspondence, including the statement, and requested those two members of the committee to ascertain whether they or anyone else wished me to take up with the management of Aged Cottage Homes Incorporated the question of the contracts.

I said in answer to the member for Alexandra previously that I had no intention of canvassing the tenants, and I have no such intention. I communicated with their representatives and asked them to indicate whether they wished the Government to take up the question further with Aged Cottage Homes Incorporated as to their contracts. I have no doubt that they have consulted their committee and are doing whatever they think is desirable to ascertain

whether any of their number wishes the Government to take this matter further. At present the negotiations are at a pretty delicate stage. I personally regret very much that the member for Alexandra has seen fit to ventilate the matter in the way he has today. I hope it was not at the instance of the management of Aged Cottage Homes Incorporated, because I think the success of negotiations of this kind depends to a very great extent on the discretion exercised by those participating in them, and I hope the member for Alexandra has a desire to contribute to the success of the negotiations.

I do not intend at present to enter into any debate with the member for Alexandra or with Aged Cottage Homes Incorporated as to the point of view put forward in the long statement; if I have to, I will, but not in the middle of negotiations. I plan to provide the good offices of the Government to these parties to reach a solution that will allay the fears and disquiet of these elderly people so that they can put aside their worries and enjoy the security that they hoped they would have when they entered into this transaction. That is the object of the Chief Secretary and me, and we will continue to pursue it.

The member for Alexandra may be assured that the Government is pressing the matter to a conclusion. At present it rests in the hands of the occupants themselves to consider whether any of them wishes the Government to take the matter further with the management of Aged Cottage Homes Incorporated: it is entirely a decision for them to make. We have put the whole of the correspondence, including the statement by the management of Aged Cottage Homes Incorporated, before them. My door is open to them for advice if they want it. The decision is up to them. When they decide, I shall be happy to communicate their decision to the management of Aged Cottage Homes Incorporated. If my good offices can be of any use in further negotiations, they will be available. I will certainly see to it that some answer is obtained as soon as practicable, having regard to the number of people involved in the matter, and that the management of Aged Cottage Homes Incorporated is informed as soon as I know what are the wishes of the occupants.

Mr. MILLHOUSE (Mitcham): I cannot for the life of me understand why the Attorney-General did not give his side of the story in answer to a question which the member for Alexandra asked a couple of days ago.

The Hon. L. J. King: The less said at this stage the better, in my view. I am sorry the member for Alexandra has raised it today.

Mr. MILLHOUSE: The Attorney-General is a new member in this House and perhaps does not understand that it is in this place—

Mr. Burdon: You're not going to teach him much.

Mr. MILLHOUSE: Dicken! It is in this place that matters of grievance are ventilated and it is the right (indeed, the duty) of members on both sides of the House to raise them. I do not think it is proper for the Attorney-General to try to discourage people from doing that.

The Hon. L. J. King: The member for Alexandra knows that, if he had approached me privately, I would have been happy to give him the information.

Mrs. Steele: Rubbish!

Mr. MILLHOUSE: Why this should be done in private—

The Hon. L. J. King: Because negotiations are going on at the moment.

Mr. MILLHOUSE: How was the matter first raised in this place? Was it raised in private? Of course it was not. It was raised by the honourable gentleman himself in his maiden speech.

The Hon. L. J. King: There were no negotiations in progress at that time.

Mr. MILLHOUSE: But negotiations had been asked for at that time. In his speech, the honourable gentleman said he had called for a conference. If that does not foreshadow negotiations (it is just as much to the point as saying that negotiations are in prospect), I do not know what does. So it ill becomes the Attorney-General to try to avoid a public discussion on a matter which he himself was the first to raise publicly in this place.

The Hon. D. N. Brookman: As an example of something unfair!

Mr. MILLHOUSE: Yes. If honourable members will cast their minds back, they will recall that the Attorney-General used this matter as an example of the need to alter the law because of unconscionable practices that were going on.

The Hon. L. J. King: Do you want negotiations to proceed, or do you want to make it a debating point?

Mr. MILLHOUSE: No, I do not want to make it a debating point. Why should not I speak on this matter? I have as much right as any other member has in this House to speak; this is the purpose of the debate. I want to make it perfectly clear that, long

before the Attorney-General (to my knowledge, anyway) came into this matter, I was preoccupied with it and concerned about the situation that had arisen, because when I was in office I was approached by Mr. Pearce, other members of the board, and tenants of Aged Cottage Homes about these matters; but I came to the conclusion, as I said in my Address in Reply speech, that there was nothing which I properly could or should do in the matter, which is one between tenants and management of Aged Cottage Homes, and it is utterly absurd to suggest that, by the threat of withdrawing the licence under the Collections for Charitable Purposes Act, some coercion can be exercised to make the management of Aged Cottage Homes take some action or other.

I do not want to canvass the matters that have been canvassed by the member for Alexandra perfectly properly this afternoon. The Attorney-General in his reply to the member spent most of it justifying his action with regard to the statement. That is all very well, but it does not go to the crux of the matter. What negotiations are in train? How long does the Attorney-General intend to ask Aged Cottage Homes to hold its hand in the matter of certain civil proceedings? It was on June 24 that the Chief Secretary wrote to the management of Aged Cottage Homes and asked that certain proceedings should not continue. That is now about seven weeks ago.

The Hon. G. R. Broomhill: Is there anything in your file that you want to disclose?

Mr. Hall: They are differing: one says it should be disclosed and the other says it should not be.

Mr. MILLHOUSE: Yes, that is a most extraordinary inconsistency. The Attorney-General apparently wants the matter hushed up, but the Minister of Labour and Industry wants a disclosure.

The Hon. G. R. Broomhill: I only asked whether there was anything in your file that you wanted to disclose.

Mr. MILLHOUSE: I intend only to refer to a paragraph in the letter written on August 7 to the Attorney-General asking him to indicate how long the organization was to wait, and it is a mere courtesy on the part of Aged Cottage Homes that it has been prepared to wait. If I know the procedures and routines in the Attorney-General's office, the honourable gentleman would have received the letter, which was written on August 7 (a Friday), on Monday of this week at the latest. He wrote either on August 10, which was the

Monday, or on the next day to Giles, Magarey and Lloyd, who are acting, and he did not refer to this request at all. I know that a further letter has been written today to the Attorney-General (he may not yet have seen it) in which Giles, Magarey and Lloyd say:

We note your position as set out in the last paragraph of your letter to us of August 10, 1970, but now request you to consider the position of our client as set out in our letter to you of August 7, 1970.

What I want to know (and what we are all entitled to know) is how long the Government intends to ask Aged Cottage Homes to wait (it has waited now seven weeks or more), and what precisely is to be done in future by the Attorney-General in the way of negotiations. He said, if I understood him correctly a moment or so ago, that his good offices were available, if any of the tenants wanted him to do anything more. That is very different from the attitude which he took in his maiden speech in which he said that he and the Chief Secretary had been active to find a solution to the problem. Is the Attorney-General now saying that he cannot find a solution to the problem? I believe that he will not be able to find a solution to the problem. As I say, that was the opinion I personally formed, but in his maiden speech on July 15 the Attorney-General said he was active to find a solution.

Now, he says his good offices are available if any of the tenants want him to do anything more. I think it is about time the Attorney-General brought this matter to a decent conclusion and either admitted that there was nothing he could do, as I believe the position to be, or told Aged Cottage Homes what he intended to do. Although I know that the Attorney-General cannot speak again in this debate, I ask him to make it clear to Aged Cottage Homes which of these courses he intends to take and to get on with it because, as the member for Alexandra has said several times, the management of Aged Cottage Homes gets nothing out of this. This is a public service which Sir Keith Wilson and others have rendered to the community, and all they have had is unpleasant publicity, worry and trouble to no effect whatever, so far as I can see.

There are about 600 tenants at Aged Cottage Homes and, so far as I am aware, not more than 100 of them have ever made any complaint or expressed any disquiet about the matters which the Attorney-General raised in this House; so that five-sixths of the tenants, or about 500 of the 600 tenants, I think we

can assume with reasonable fairness, are satisfied with the arrangements they have with Aged Cottage Homes. The final point I make, honourable members will be pleased to hear—

The Hon. L. J. King: No we won't.

Mr. MILLHOUSE: I am not looking at the Attorney-General; I am looking at his backbenchers, who seemed to be trying to stop me a little while ago when I was speaking.

Mr. Clark: We never opened our mouths.

Mr. MILLHOUSE: I know that members opposite do it unconsciously.

Mr. Clark: You are acting as though you are semi-conscious.

Mr. MILLHOUSE: No abuse, please. I have never yet made a speech in all the 15 years I have been in this House but that the member for Elizabeth, the former member for Gawler, has not said it is the worst effort he has ever heard me make.

Mr. Clark: No. I heard you make a good one once, back in 1957, on April 13.

Mr. MILLHOUSE: It was the first I ever made.

Mr. Hall: The honourable member is such a shining example himself!

Mr. MILLHOUSE: Yes; he contributes so much these days.

Mr. Clark: I do not make any claims.

Mr. MILLHOUSE: Let me not be side-tracked by interjections. The last point I make is that several organizations have objects similar to those of Aged Cottage Homes Incorporated. One of them is Elderly Citizens Homes of South Australia Incorporated. I noticed two days ago that the Minister of Education has interested himself in the affairs of that organization, because in the *Guardian* of August 5 he has had, I have no doubt, inserted some paragraphs dealing with increases in the charges at Elderly Citizens Homes. I understand those increases are much more substantial than those in respect of Aged Cottage Homes Incorporated, but I assume they are well justified because of increasing costs.

I notice that the Minister of Education does not suggest, as the Attorney-General suggested in his maiden speech and subsequently in this House, that the Government should intervene in the affairs of that organization, because he finishes by saying that any tenants who find themselves in difficulties over the increased charges should make an immediate application to Elderly Citizens Homes for adjustment. So the Minister of Education considers that the matter can be dealt with directly between the tenants and the organization concerned. I believe that that is the only way in which the

matters in dispute, so far as there is a dispute, between a certain group of the tenants of Aged Cottage Homes and the management can be concluded.

The Hon. L. J. King: Of course, it had led nowhere at the stage when we came into it, had it?

Mr. MILLHOUSE: We have not got anywhere yet, I remind the Minister, and that is the point which the member for Alexandra is raising today and which I am supporting. The Attorney-General has got nowhere, except to cause trouble.

The Hon. L. J. King: You and your colleagues might like to use your good offices in the matter.

*The Hon. D. A. Dunstan interjecting:*

Mr. MILLHOUSE: If the Treasurer had been present when I was speaking earlier, he would have known what I suggested—that nothing could be done. The sooner the Attorney-General admits this or tells the management of Aged Cottage Homes what he wants done or what he intends to do, the better.

Mr. EASTICK (Light): I do not want to prolong the debate unnecessarily, but the Attorney-General in his reply said that the matter was at a delicate stage and it was advisable that as soon as practicable it should be resolved. It is extremely urgent, not only in relation to the homes that the member for Alexandra has mentioned but also in relation to the numerous other homes in existence and, more particularly, to the homes the development or building of which is being discussed. The comment made on July 16 (to the effect that no-one who had been properly advised would have signed the document that the elderly people signed) and the fact that it was given press coverage have not helped the situation of several other organizations in their discussions about building aged cottage home units. The Commonwealth Government, which has been the adviser in these matters to the various organizations in the country (and, I have no doubt, in the city, too) has indicated there is considerable merit in the situation of the Adelaide Aged Cottage Homes Incorporated group and it has used the constitution of that organization as a basis for the articles of incorporation of other groups in the country.

It is not only the people in the community who are likely to be participants in the scheme who are affected by the present situation: the people who constitute the boards of management of the about to be created Aged Cottage Homes groups have brought negotiations, in some instances (I can highlight the one in



which I am particularly involved, Gawler and Districts Aged Cottage Homes Incorporated), to a virtual standstill. All the discussions that have been held in the past and the directions and suggestions that have been made by the Commonwealth, particularly through the Commonwealth Social Services Department, have been to the effect that the future management and tenancy of the units is based on a low rental to provide for maintenance charges, rates, taxes and council rates, which can and should be varied or, it is suggested, will be varied from time to time when charges against the organization are increased.

The basis of all these arrangements is a contract with the person when he first enters the home. The disquiet felt by the boards of management and the persons who were at the point where they were becoming involved with the boards of management (caused by the implication that no-one who had been properly advised would have signed the document that the elderly people did) has not helped the situation. It is on this basis that I add my contribution. I am in total agreement with the Attorney-General that the matter should be resolved as soon as practicable.

Motion carried.

In Committee of Supply.

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

That towards defraying the expenses of the establishments and public services of the State for the year ending June 30, 1971, a further sum of \$40,000,000 be granted: provided that no payments for any establishments or services shall be made out of the said sum in excess of the rates voted for similar establishments or services on the Estimates for the financial year ending June 30, 1970, except increases of salaries or wages fixed or prescribed by any return made under any Act relating to the Public Service or by any regulation or by any award, order or determination of any court or other body empowered to fix or prescribe wages or salaries.

Motion carried.

Resolution adopted by the House. Bill founded in Committee of Ways and Means, introduced by the Hon. D. A. Dunstan, and read a first time.

The Hon. D. A. DUNSTAN: I move:

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

For some years it has been customary for Parliament to approve two Supply Bills so that the current financial commitments of the Government may be met during the period between July 1 and the assent to the Appropriation Bill following the Budget debate. The Supply Act approved by Parliament in April last provides authority to the extent of \$40,000,000. The requirement to meet ordinary day-to-day expenditure from Revenue Account is currently running at more than \$20,000,000 a month, and present indications are that the existing provision will not last beyond the end of next week. It is desirable, therefore, for Parliament to consider a second Supply Bill now to give authority that may suffice until the Appropriation Bill becomes effective, probably late in October.

This Bill for \$40,000,000 is the same in all respects as the second Supply Act passed in 1969-70. Together with the \$40,000,000 of the first Supply Act, it will give a total of \$80,000,000 to meet the normal running expenses of the Government. Clause 2 provides for the issue and application of \$40,000,000. Clause 3 provides for the payment of any increase in salaries and wages that may be awarded by a wage-fixing body.

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

#### ADJOURNMENT

At 5.9 p.m. the House adjourned until Tuesday, August 18, at 2 p.m.