HOUSE OF ASSEMBLY

Tuesday, September 1, 1970

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

SUPREME COURT ACT AMENDMENT BILL (SALARIES)

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.

PETITION: WOODSIDE SCHOOL

Mr. McANANEY presented a petition from 205 parents of children attending the Woodside public school and other interested parties stating that conditions prevailing at the school were not considered satisfactory for the attending children, the main complaints being in respect of the high average class numbers and double grades; the special difficulties of children of Army personnel; the need for remedial classes; the inadequate library facilities; the old, antiquated and unsatisfactory school buildings; the substandard and insufficient playing areas and lunch facilities; the outdated and unhygienic toilets; and the lack of a sick room and other amenities for staff. The petitioners prayed that the House would consider providing a new school.

Received and read.

MINISTERIAL STATEMENT: HIGHWAYS PROGRAMME

The Hon. G. T. VIRGO (Minister of Roads and Transport): I ask leave to make a statement about the annual works programme of the Highways Department.

Leave granted.

The Hon. G. T. VIRGO: Several Opposition members asked me questions on August 26 concerning the distribution of the Highways Department's schedule of proposed works for the year ending June 30, 1971. As far back as 1965-66, this matter has been the subject of discussion in the House. In fact, on July 5, 1966, the then Premier was asked the following question by the member for Mitcham:

I read with interest in this morning's newspaper the annoucement by the Hon. S. C. Bevan (Minister of Roads) of the roads programme for the forthcoming year, totalling the large figure of $33,000,000. From time to time members on both sides of this House, and when on opposite sides, have urged that Parliament be allowed to scrutinize and debate the roads programme. Can the Premier say whether this year the Government intends to give the House the opportunity to scrutinize the proposed roads programme and to debate it?

In order to avoid the necessity of giving numerous replies of a similar nature, I am making this statement. The reply to this question given by the then Premier was as follows:

I believe that we can claim that the Highways Department is an authority on building roads and bridges and that it is to be commended for the outstanding work it has done. As a result of that work (and I believe the work has been done in the interests of the State) the answer is "No".

During the term of the Hall Government, the then Minister of Roads and Transport decided to release copies of the road schedule to all members of both Houses, and I gave my explanation on August 26 as to why I do not intend to distribute the current programme so liberally. Although I cannot be sure whether copies of previous road programmes were marked "Confidential" in the same manner as the current schedule, I would be surprised if the previous Minister did not circulate them on such a basis. Of necessity, any programme of proposed works must contain a degree of flexibility in order that resources may be directed towards any unexpected contingencies which occur from time to time.

Some works listed on the programme prepared by the Highways Department may be delayed or deleted during the financial year whilst, conversely, some works listed may be expanded. Delays may be caused for a variety of reasons, such as lengthy negotiations and legal proceedings involved in the acquisition of land, the inability to locate suitable road-making materials, the difficulty of obtaining plant and unexpected difficulties in design work. For example, as members well know, flash floods in the northern and western areas of the State often require resources to be immediately redirected to effect the required reinstatement work. Such contingencies must therefore alter other programmes that are initially intended to be carried out during the year. It is essential that any programme of works must contain complete flexibility so that the best interest of the State may be fully served at all times. The Highways Department encourages its district engineers to keep in close contact with the councils within each district in order that their respective programmes can be discussed and co-ordinated to their mutual advantage. I consider district

engineers to be better equipped than members to discuss these programmes with councils, and therefore I request members to respect the privilege that has been given by the release of the publication for their information, through copies being supplied to Ministers, the Leaders, the Whip and the Parliamentary Librarian.

MINISTERIAL STATEMENT: COMMONWEALTH GRANT

The Hon. D. A. DUNSTAN (Premier and Treasurer): I seek leave to make a statement.

Leave granted.

The Hon. D. A. DUNSTAN: Some time ago, the Commonwealth Grants Commission made a recommendation to the Commonwealth Government concerning the grant which, on the assessment of the Grants Commission, it was proper to pay to South Australia, as an interim grant, under section 96 of the Commonwealth Constitution. At that time, I asked the Prime Minister for notification of the sum so that the South Australian Budget papers could be prepared. He communicated the sum to me, asking me not to reveal it publicly until the Commonwealth Cabinet had considered the recommendation made by the Grants Commission. I am now informed that, in the Commonwealth House of Representatives this afternoon, the Prime Minister, in reply to a question, has announced the sum recommended by the Grants Commission; that sum was $5,000,000. I stress that the $5,000,000 recommended by the Grants Commission is only an interim payment. It is not made on the basis of a full investigation of the comparable position of South Australia with the two standard States: it is only a preliminary and conservative estimate of the sum that would be finally justified on a full investigation of the comparability of the services and taxes of the standard States with those of this State. On the advice that I have received from the Under Treasurer, provided that South Australia takes the necessary action to put itself in the aggregate position of a State that is non-income tax and non-charge raising, which is the position the two standard States are in (that is, if we make efforts to bring ourselves into line with those States in the aggregate), on the final investigation of the Commonwealth Grants Commission of our comparable trading position the commission would be likely to recommend a much larger sum than $5,000,000, which is its interim and conservative recommendation for a preliminary grant at this stage.

QUESTIONS

PARKING

Mr. HALL: My question is prompted by a report in a publication of August 26 headed "Pirie Mayor strikes out at politics", as follows:

The Mayor of Port Pirie (Mr. H. B. Welch) has strongly attacked the Local Government Minister (Mr. Virgo) over a centre-of-the-street parking decision here. He also criticized the member for Pirie (Mr. McKee).

The report also states:

Mr. Welch said both men had intervened in negotiations between city council and the Highways Department and Road Traffic Board. Mr. Welch said he was amazed and bewildered to think the Minister would make the redesign of the street a political issue instead of referring Mr. McKee and the Chamber of Commerce back to the council.

In fairness to the Minister, I should also quote a statement by Alderman J. W. Thomas, as follows:

Alderman J. W. Thomas told the mayor that, although he carried out his civic duties to the betterment of the city, he could not agree with his criticism of Mr. McKee.

It is obvious from this report that the Minister of Local Government is the main target of criticism. This dispute refers to centre-of-the-road parking, and my question is prompted by the coincidence that a dispute also exists about centre-of-the-road parking on the Port Road. In both instances the Minister has been severely criticized by the leader of the council involved. That local government does not consider that it has the confidence of the Minister is of concern, and this situation is not good. Particularly regarding the Port Pirie case, the dispute is rather strange, because I understand that the Port Pirie council is the only council that supports the Minister's views on the foreshadowed changes regarding the method of election of councils in South Australia. It may be a coincidence (although perhaps it is not), but in each case the dispute is about parking in the middle of a road. Will the Minister of Local Government say, regarding centre-of-the-road parking, the subject of the dispute with these two councils (and it may extend to other councils), whether he has a policy on this matter that he has not yet stated? In any case, will he clarify the position to remove the growing dissension between himself, as the responsible Minister, and local government?

The Hon. G. T. VIRGO: The only dissension growing is between the Leader and me: no dissension is growing between local government and me. If the Leader desires to

go on stirring, I have no quarrel with him about that, because I know how ineffective his stirring can be, particularly when he fails to get his facts straight, as in this case. It may be of interest to the Leader that only two minutes ago the member for Pirie passed to me two letters that he said might be of interest to me. I think now that they may be of interest to the Leader. One letter, which is from the Port Pirie Chamber of Commerce, states:

At a recent meeting of members of this Chamber, it was unanimously resolved that you be thanked for the interest and time you were taking in supporting us in our endeavours for the introduction of centre-of-the-road parking in Ellen Street for a trial period. We are convinced that our action is in the best interests of the Port Pirie traders and shoppers alike. Once again, we thank you and your Minister for your support in what we consider to be a worthwhile community project.

The Hon. J. D. Corcoran: I suppose he will now refer to you as an instrument of big business.

The Hon. G. T. VIRGO: Perhaps he will. I do not mind how he describes me, because the more he attacks me the more I know that I am on the right track. However, let me now turn to some of the other numerous matters to which he referred in his rather long explanation and his meanderings in asking his question. The Leader referred to centre-of-the-road parking at Port Adelaide: I thought I made myself plain to every intelligent person in South Australia (and I thought that would have included the Leader) when a few weeks ago I said that, in the interests of road safety, where facilities were available they should be used for parking rather than there being a cluttering up of streets and a danger to road users in general. If the Leader had taken the trouble to read all of the comments in the newspapers, he would have noticed that the final report (the last one that I saw, anyhow) was to the effect that the Mayor of Port Adelaide was delighted at the stand I had taken and intended to have further discussions with me. The Leader also said that the Port Pirie council was the only council that supported the Government's recommendation on electoral reform. Again, the Leader is just so far off the mark that it is not even humorous. He knows that it is a lie—

Members interjecting:

The Hon. G. T. VIRGO: —and he has brought it into the House, knowing full well that it is designed to stir up trouble. I utterly reject attempts by the Leader to stir in this fashion. When this matter is finalized, it will be brought before this House and the Upper House and debated in the right and proper way. Until then, however, I do not intend to debate it with the Leader.

DRIVERS' LICENCES

Mr. WELLS: Recently, Mr. Justice Zelling had occasion to comment on the mentality of a person who had been issued with a driver's licence in this State and who had been found guilty of having, through negligence, caused the death of a person. Mr. Justice Zelling said:

The report disclosed a remarkable situation in that the Registrar of Motor Vehicles has issued a licence to drive to a person (and I say this not unkindly) who comes within the ordinary accepted definition of a mental defective.

Unfortunately, the death to which I have referred was not the only death that occurred through the accident in question: about 10 days later, two other people died (a young man and a young woman) as a direct result. As this has caused much concern, I ask the Minister of Roads and Transport (and I know of his concern in this matter) whether he can outline any action intended to be taken to safeguard the public in respect of issuing drivers' licences. Further, can he say whether it will be possible for this person, who has had his licence suspended indefinitely, to be issued again in the future with a licence?

The Hon. G. T. VIRGO: On seeing the press report concerning His Honour's comments, I immediately contacted the Registrar of Motor Vehicles to try to ascertain the real position concerning the problem to which His Honour had referred. It is quite clear that the Act, as it now stands, gives the Registrar authority either to refuse to issue a licence or renewal or, alternatively, to withdraw a current licence if he is satisfied that there is reason to do so. However, the problem that arises in this matter is rather complex, and it affects two professions, namely, the legal and medical professions. It particularly affects the medical profession because, when a doctor examines such a person, he may form the opinion (and he often does) that the person is not capable of doing many things, one of which may be driving a motor vehicle. Alternatively, the doctor may (as happens in many cases) prescribe drugs which, when taken by the patient, may make him incapable of driving a motor vehicle. Unfortunately, the medical profession regards this sacred cow of doctor-patient relationship so highly that it either refuses or fails to reveal such things to

the Registrar of Motor Vehicles. The Registrar can withdraw a licence or refuse to renew or to issue a licence only when he is satisfied of the situation. However, if he is not given this information, which the medicos fairly religiously refuse to divulge, the Registrar is placed in an impossible position. This matter has also been discussed by the Australian Medical Association, which has strongly advised against the divulging of this information.

Dr. Tonkin: Hear, hear!

The Hon. G. T. VIRGO: The honourable member can say "Hear, hear", but, while he and his colleagues adopt this attitude, the responsibility for the actions of such persons who should not hold licences but who do so must rest on their shoulders. If people get killed as happened recently (on which Mr. Justice Zelling commented), and if the honourable member is prepared to accept that responsibility, I can only say that I am pleased it is on his shoulders and not on mine.

Regarding the final point raised, such a person could again be issued with a licence, but only after the Registrar had been clearly informed of the position. The Registrar would obviously require to be completely satisfied. Such matters could well be referred back to a doctor and, if he gave a false certificate of qualification, a person could obtain a licence even though he might not be in a fit and proper condition to drive.

Dr. TONKIN: When requested to give information to public authorities, a doctor is always faced with his responsibility to the community as opposed to his responsibility to the patient. One of the problems he faces is that disclosure of a patient's affairs and results of examination is in many cases actionable at law. I think the Attorney-General will recall the case of Fitchett v. another (whose name I cannot recall) that went to the Privy Council on this matter. I remember this case well, as I was a colleague of the doctor who was sued at the time. The major problem is to know where one's responsibility to the patient ends and where one's responsibility to the public begins. I was rather startled to hear, I think, the Minister say or imply during his reply that many people driving cars in this State are holding drivers' licences that have been issued as a result of false certificates that have been issued by doctors. I could be mistaken, but that was the distinct impression I got from the Minister. If this is what he said, will he apologize to the members of the medical profession and the Australian Medical Association for this unwarranted attack on their reputations? Will he also consider legislating to provide immunity from action at law for doctors whose sense of public responsibility leads them to disclose information on their patients to the Registrar of Motor Vehicles, the same as the previous Government did in respect of the battered baby legislation?

The Hon. G. T. VIRGO: I suggest the honourable member read *Hansard* tomorrow and he will get the answer to the first question. The second question was whether I intended to bring down legislation. This matter is currently under discussion. However, the most gratifying feature of the honourable members' question was the statement from the doctor that, in fact, doctors are doing just what he said.

Dr. TONKIN: I ask leave to make a personal explanation.

Leave granted.

Dr. TONKIN: I did not say those words and I certainly did not imply that doctors are issuing false certificates.

The Hon. G. T. Virgo: You had better read *Hansard.*

The SPEAKER: Order! The honourable member has been given leave to make a personal explanation. He must be heard in silence.

Dr. TONKIN: I think the Minister has not given an answer to my previous question even though he has implied that I have agreed with him that doctors are issuing false certificates in the community. I cannot accept that I said that. I did not say that, and I resent the fact that the Minister has implied that I did.

CENSORSHIP

Mr. MILLHOUSE: My question concerns a decision, which the Government made yesterday and which was reported in this morning's paper, effectively to allow free distribution in South Australia of the book *Portnoy's Complaint.* I remind the Premier that, when he was in office in 1967, his Government was a party to the agreement with the other States and the Commonwealth to set up the National Literature Board of Review. Indeed, to facilitate that, the Premier even introduced in this place an amendment to the Police Offences Act. In explaining that amendment, he said it was hoped to achieve a measure of uniformity in Australia on literature censorship.

The Hon. D. A. Dunstan: Can you quote my words?

Mr. MILLHOUSE: Yes. At page 3019 of the 1967 volume of *Hansard* the Premier is reported as saying (on October 25, 1967):

Negotiations have been proceeding between the Governments of the Commonwealth and the States concerning the establishment of a joint advisory board to consider publications for which literary, scientific or artistic merit is claimed, but which might otherwise be considered indecent or obscene; it is believed by the Governments concerned that this would achieve a measure of uniformity throughout Australia in regard to literature censorship.

I understand that the board advised the Commonwealth Minister for Customs and Excise against the circulation of this book in Australia, and this decision would have been known to the South Australian Government, as well as all other Governments, and, indeed, it would also be public knowledge. The Minister for Customs and Excise acted on the advice and refused to allow the book to be imported into Australia. We now have the decision of the South Australian Government, which is contrary to that apparently arrived at in New South Wales and Victoria, to allow what is in effect full distribution of the book in South Australia. No-one can suggest that the measures announced by the Attorney-General yesterday regarding restriction to those of above the age of 18 will have any effect whatever in stopping its distribution. Will the Premier say whether it is the policy of this Government to take note of and be guided by the recommendations of the board and, if it is not the policy of the Government, does the Government intend to withdraw from the arrangements entered into by him when he was in office in 1967?

The Hon. D. A. DUNSTAN: Apparently the honourable member does not remember the history that I gave at that time relating to this arrangement for a joint Commonwealth-State literary board of review. When the proposal came forward originally it was for a joint Commonwealth-State literary board of review and it was to be an offence to publish anything not passed by such a board. South Australia was the one dissentient from that proposition and at that time we made it clear to the Commonwealth and the other States that we were not going to be involved in a censorship scheme. The only proposition we would adopt was that there was to be a test in law and that that test would be according to the rule of law, as we would not submit people in this State to a group in the Commonwealth which would read material, decide that they were not corrupted by the material but that other people in the community might be, and that therefore other people had to be protected from this disastrous material. The South Australian Government at that time entered into the arrangement with the Commonwealth and the other States on one basis only: it was made perfectly clear at that time that, if the board passed a publication as being fit for publication in Australia, no State would prosecute; but, if the board did not pass a publication that decision was not necessarily to be accepted by any State, and each State could examine the matter and decide for itself whether a prosecution should be launched. That was the basis on which the joint Commonwealth-State literary board of review was set up. It is not a board of censors on whose decisions all States will act automatically, other than in the cases where it says that a publication is fit and proper to be circulated. In other cases, the circumstances of publication are a matter for the discretion of the Governments concerned. The Attorney-General has said that, with regard to adult persons, the view of the Government is that they should read and see what they choose to read and see, however unfortunate we may think their choice to be. It is not for the Government or anyone else to tell people what they may read or what they may not read: it is for the people themselves to say.

Mr. HALL: I understood the Premier to say that the Government would not interfere with any literature sold to or read by adults; even though the Government might deplore the subject matter, it would not interfere regarding what material adults procured or what they read. Can the Premier therefore say whether it will be possible for the type of pornographic shop that exists in New York to be opened in South Australia for the sale of pornographic literature, so long as it is not sold to people under age?

The Hon. D. A. DUNSTAN: I find that a hypothetical question which at the moment I cannot answer. So far as I am aware, no literature of that type is produced in Australia, and at present it is certainly not importable.

Mr. Hall: Some comes in, though, and you know it.

The Hon. D. A. DUNSTAN: I have not seen the material here. Certainly, the material that I have seen in New York and elsewhere was not produced in America: it was produced in Sweden and Denmark. I have had a look at the material which the previous Chief Secretary assembled and put in a safe. I think it is unlikely that this sort of thing will occur in South Australia, but, quite frankly, if it did occur I am certain that people would soon get sick of it.

FORCES OVERSEA FUND

The Hon. D. N. BROOKMAN: The Australian Forces Oversea Fund provides amenities for our servicemen and servicewomen who represent Australia outside its own borders. The South Australian branch is responsible for collecting 10 per cent of the total fund and for sending a concert party to entertain the troops. Members of the concert party (who, incidentally, return this week) give their services generously at little or no cost. Last year, the South Australian Government gave $3,000 towards this fund (the Eastern States gave much larger sums), the then Premier opening the fund. The organizers were told by the then Treasurer to apply in due course for an allocation in 1970-71. I understand that the organizers have now been told that there will be no contribution whatever from the South Australian Government; this will leave our young service people without any support from the State Government. Can the Premier say whether the refusal of the Government is connected with his wellknown personal opposition to the National Service Act? Also, as I understand that the Premier is a vice patron of this fund, and in view of the importance of this matter to the personal happiness of our men and women serving overseas, will the Premier reconsider his Government's disgraceful refusal to help this fund?

The Hon. D. A. DUNSTAN: The honourable member is assiduous in making allegations about the personal remarks that other members see fit to pass; he is the worst culprit in the House at making snide, disgraceful allegations about other members. I will give the facts of the matter to the honourable member, who deserves worse of me than I shall give him on this occasion.

Mr. Gunn: It hurts, doesn't it?

The Hon. D. A. DUNSTAN: Yes, it does, and I do not find it strange that it should, although the honourable member can smile and sneer if he likes. During the last year the organizers of this fund applied to the former Government for a grant towards a total programme of fund raising that was then described as being a once-for-all appeal. It was stated to be so in the application to the Government, and there was on the file no statement by the former Government describing it as a contribution towards a once-for-all appeal to raise an amount, which, in fact, was not reached. This year we received an application for a further contribution to a further appeal because last year's appeal target had not been reached. I then asked those controlling the fund whether they intended that this be an annual appeal, because, if it were to be an annual appeal, the amount of the Government's annual contribution would have to be assessed in relation to all the other annual appeals to which the Government contributed, and the basis of the assessment would be an annual contribution, which would be smaller than if the contribution were simply a once-for-all appeal contribution. I have not been able to find out from those controlling the fund whether they wish the fund to be placed within the category of once-for-all appeals, in which case larger contributions than otherwise are made, or whether it intends the appeal to be annual, in which case the original contribution, which was on a once-for-all basis, would then be considered in the assessment of the subsequent grants to be paid on an annual basis, as happens in the case of every other annual contribution from the "Chief Secretary, Miscellaneous" line on the Estimates. That is the position. The amount has not been reduced. The Government's request that the fund decide what the basis of its appeal to the Government will be has not been met. We have asked the organizers of the appeal to decide which way they want to go, but they will not tell us, and the suggestion that the Government's political views on the struggle in Vietnam are influencing the Government in this matter is utterly disgraceful. The Government does not hold anything against the people who are in Vietnam. We are sorry they are there, but we do not hold that against them. We hold it against those who put them there.

The Hon. D. N. BROOKMAN: I ask leave to make a personal explanation.

Leave granted.

The Hon. D. N. BROOKMAN: I wish to read the following letter, dated August 4, 1970, and written to the Premier by the appeal director of the Australian Forces Oversea Fund (Brig. J. Bleechmore):

Thank you for your letter of July 27 referring to my request for a Government contribution to the Australian Forces Oversea Fund. The present appeal for at least $25,000 will enable us to provide the South Australian proportion of the fund expenses until the end of 1971. Should the force be withdrawn completely by that time, there would be no further requirements for funds and we would accordingly make no further appeal in 1971. Although we had hoped last year we would need to approach the public on only the one occasion we did not in the event reach our target of $100,000 which would have made this possible. However, we did not conduct the appeal on a one only basis, nor did we

state this in our appeal letter of last year. We may have expressed our hopes in publicity at the time. We therefore regret that we cannot say now whether the appeal will be on an annual basis or otherwise, because we do not know the future of the force overseas. My suggestion for $1,000 as a Government contribution was calculated to be a suitable donation in the context of a $25,000 appeal. We hope your Government will view favourably my request on behalf of the South Australian Divisional Committee.

The second letter that I want to quote is from the Premier to Brigadier Bleechmore, the appeal director, dated August 28, 1970, as follows:

The matter of the Government's contribution to the Australian Forces Oversea Fund has been examined in the light of the information contained in your letter of August 4, 1970. As previously advised, the proposal which you have presented must fit into one category or the other—a once-for-all appeal or an annual and continuing one. I, therefore, regret that the Government is unable to make a grant on the basis of the present request.

The Hon. J. D. Corcoran: That's just what the Premier said.

Mr. Millhouse: No fear. It's not what he said at all.

The SPEAKER: Order! The honourable member for Alexandra sought leave to make a personal explanation, and leave was granted. Members must not interject whilst that explanation is being made. The honourable member for Alexandra.

The Hon. D. N. BROOKMAN: Thank you, Mr. Speaker. I have obtained this correspondence to give the House the exact statements made in this matter and I leave it to honourable members to judge whether, if they were in the appeal director's position, they would consider that in the terms of the Premier's letter there was any invitation to the organizers of the fund to make further representations to the Government.

STOBIE POLES

Mr. LANGLEY: Last evening's *News* and this morning's *Advertiser* contain reports about a live stobie pole in the metropolitan area, and this is the second occasion on which there has been cause for alarm regarding stobie poles. Considering the extensive use of electricity in this State, comparatively few mishaps occur, although we all wish that no such mishaps occurred. In commenting on yesterday's incident, will the Minister of Works tell the House and the public what can be done to ensure the safety of these poles?

The Hon. J. D. CORCORAN: I am pleased to have the opportunity to tell the people and the House about this matter. The Electricity Trust and I are concerned that anything of this nature should happen, but I was also concerned when I read in the *Advertiser* this morning a sub-editorial that comments on a statement I made about a month ago, when a fatality had occurred as a result of a stobie pole conducting electricity, and when I said that I considered that there was no cause for alarm and that the stobie pole, as such, was safe. I am concerned at what I consider to be the irresponsible statement in the sub-editorial that there is real cause for alarm, because I do not consider that there is. I have received a report from the Electricity Trust, and I may say that, in the 47 years we have been using stobie poles in South Australia, this is only the second occasion on which this sort of circumstance has arisen, and it seems that it is coincidental that the two incidents have occurred in such a short space of time. In the most recent case, it was found that wind had moved a service main running from the pole to a house and displaced the metal strap supporting the service, bringing it into contact with a live conductor. The circumstances in the present case are quite different from those which led to a fatal accident about two months ago. The pole that became live on August 31 was a dead-end pole, having an uncommon arrangement of conductors, and the situation is unlikely to be exactly repeated elsewhere. Nevertheless, an immediate inspection will be made of similar types of pole to make sure that the same conditions cannot exist.

The Electricity Trust is very conscious of the extreme importance of safety, and is giving this matter the highest priority. However, it reiterates that the possibility of accident to the public is extremely low, as is evidenced by the fact that the fatality in June of this year is the only such accident which has occurred in the 47 years during which these poles have been in service. This leads to the question whether, if there is real concern, as the sub-editorial states, we should consider an alternative means of distributing electricity in this State. I suppose that we could revert to using wooden poles, which would solve the problem that may arise from time to time with stobie poles. However, wooden poles would have to be replaced from time to time. Alternatively, we could adopt the system of underground transmission of electric current, but I think members know that the cost of that is extremely high. Even if we adopted that system, we would still

require poles of some description so that street lights could be provided.

Members may be interested to know what underground transmission of electric current would cost the State. There are about 300,000 electricity consumers in the metropolitan area of Adelaide, and a further 120,000 in the country. Based on detailed estimates which have been prepared for some particular, although rather small, suburban areas, it can be accepted that it would cost more than $1,000 a consumer to place underground the existing distribution mains. Hence, for the metropolitan area alone, the minimum cost would be $300,000,000. These figures do not allow for any transmission lines to be put underground. A preliminary estimate is that, to place underground the 66,000-volt transmission lines within the metropolitan area would cost about $30,000,000. There would still remain many hundreds of miles of 66,000-volt, 132,000-volt and 275,000-volt lines outside the metropolitan area. Summarizing and considering the metropolitan area alone, it would cost at least $330,000,000, or more than $1,100 a consumer, to place all electricity mains underground. On many occasions the desirability of using underground transmission has been expressed. This year two housing developers have agreed to meet the additional cost involved and they will proceed with the provision of underground mains. One of these relates to 76 houses in an estate at Athelstone and the other to 63 houses at Semaphore Park. It is hoped that these actions will represent a turning point in the approach to the problem by developers of new estates and that other developers will adopt the underground system. However, even though these unfortunate incidents have occurred in the last few months, it is not intended to adopt any alternative to the present transmission system.

DROUGHT RELIEF

Mr. NANKIVELL: On Thursday evening, at Loxton, I attended a meeting of farmers in the area, at which the problems of drought were discussed and a resolution was passed asking that consideration be given to stating whether or not this area might be regarded as a drought area for the purposes of any relevant current legislation. Will the Minister of Works find out whether a decision has been made on this matter by the Minister of Agriculture and, if it has, whether his colleague will explain the present situation?

The Hon. J. D. CORCORAN: I will obtain a report on the matter from my colleague and bring it down for the honourable member as soon as possible.

TRADING HOURS

Mr. McRAE: Can the Minister of Labour and Industry say whether the Government has decided on the date of the shopping hours referendum and what provision has been made for postal voting?

The Hon. G. R. BROOMHILL: It has been decided to conduct the referendum on September 19. Members will recall that when this matter was debated last week it was pointed out that, as we had to avoid holding the referendum on September 12, as a result of action taken elsewhere, there would be additional costs and inconvenience to electors. In deciding on September 19 as a satisfactory date, we were aware that the decision would mean that people who lived in part of the area in which the by-election would be held on September 12 would be required to vote again the following week. However, as the legislation provided that the electoral roll for the referendum should close on August 11, it was necessary for the Government to consider the problems that would arise if the referendum were held later than September 19. As a result, the present decision has been made.

No doubt, some members have already received inquiries about postal voting from people who expect to be away when the referendum is held. The application form necessary for any House of Assembly election will be the form which the person concerned can obtain from a post office in order to apply for a postal vote. It is expected that the Bill will be assented to on Thursday next, and people wishing immediately to apply for a postal vote may obtain the form from the Electoral Department from next Thursday onwards.

PORT PIRIE SHUNTING

Mr. McKEE: The Port Pirie council has indicated to me that it is concerned about the dangerous situation that exists at the northern end of Ellen Street, where no fence has yet been erected to prevent children from entering the railway yards during daylight hours, when trucks are being shunted. These trucks are moving continuously with the tippler plant, and there is no warning that they are commencing to move. Indeed, children have been seen moving between or under the trucks in order to get to the wharf. Will the Minister of Roads and Transport take up

this matter with the Railways Department with a view to having this area fenced as soon as possible, thereby removing any danger that may exist there?

The Hon. G. T. VIRGO: Yes, I shall be pleased to do that.

MONEY-LENDERS ACT

Mr. PAYNE: Section 24 (1) (*a*) of the Money-lenders Act, 1940-1966, provides:

If after the commencement of this Act any contract is made for the loan by a money-lender of a sum of money of less than one hundred dollars to a borrower who is married, the contract and any security taken in respect of the loan so far as they provide for the payment of any interest shall be void and of no effect unless the purported consent in writing to the loan was given by the spouse of the borrower and delivered to the money-lender prior to the making of the loan.

I understand this provision to mean that if a person wants to borrow less than $100 he or she has to get the permission of the spouse but that this permission is not required if the sum desired to be borrowed is more than $100. Can the Attorney-General explain the reasoning behind this provision, which seems to me to be exactly opposite to what I think ought to apply?

The Hon. L. J. KING: If I might speculate on the reason that motivated the Legislature's passing that provision, I would say that it was a notion that the smaller loans were the loans that would affect families, particularly working men's families whereas it was more likely that a larger sum would involve a transaction of business rather than a domestic or family situation. That reasoning, if it be the reasoning of the Legislature at the time, I find particularly unconvincing. In fact, I think this concept of the consent of the spouse which has been used in several Statutes has not proved nearly as satisfactory as some of those who supported it at the time hoped it would be, and I think it probably bears re-examining. I refer here not only to the Money-lenders Act but to other Acts of Parliament as well. At all events, I will consider the matter referred to, and it may be that this matter ought to be referred to the Law Reform Committee for further consideration.

MURRAY RIVER

Mr. COUMBE: In view of the reports that have recently been received here regarding the filling of the Hume dam and the flooding of country near Albury, caused mainly by the large volume of water that has come down the Mitta Mitta River (on which it was intended to build the Dartmouth dam), will the Minister of Works say whether South Australia is likely to suffer this year from excessive flooding due to high rivers?

The Hon. J. D. CORCORAN: No.

CONSTRUCTION MATERIAL

Mr. HOPGOOD: I have here a coloured photograph that purports to show two reinforced concrete slabs of the type allegedly used at high schools, two of which, at Glengowrie and Northfield, have been mentioned by my informant. These photographs show the end-on cross section and if, as my informant says, the brown marks on the ends are the ends of the reinforcing rods, it would appear to me, having only a layman's knowledge, that these rods are so distributed throughout the blocks as to provide a construction material of dubious quality. If I provide him with this photograph and the other relevant information, will the Minister of Works have the matter examined?

The Hon. J. D. CORCORAN: Yes.

INQUESTS

Mr. VENNING: I recently received a copy of a letter that was sent to the Attorney-General by the two medical practitioners in a town in my district, part of which states:

We would like to draw your attention to the fact that this year in our district there have been two head on collisions involving fatalities into neither of which a coroner's inquest was held. On January 19 in a collision on the Manoora-Burra main road six people were killed, and on April 26 on the Auburn-Watervale main road three people were killed. We obtained from the police the information that in each accident one of the drivers was found to have a blood alcohol level more than twice the statutory .08 per cent limit.

As the booklet *General Instructions to Justices of the Peace* clearly states "wherever there is reason to suspect that death may have been caused by the fault or crime of another an inquest should be held", we would ask your intervention to order inquests into these accidents. The Auburn coroner refused the requests of ourselves and the solicitor acting for our deceased patients' relatives for an inquest into the second accident, and we consider this a miscarriage of justice and against public interest for the folowing reasons.

The SPEAKER: Order! The honourable member cannot comment.

Mr. VENNING: I am only reading the letter that was sent to the Attorney-General.

The SPEAKER: The honourable member sought leave to explain his question. He is now commenting on the matter.

Mr. VENNING: The Attorney-General, I understand, has a copy of this letter, which is

dated August 28, 1970. In view of the amendment to the Coroners Act that was passed last year, will the Attorney-General ensure that inquests into these two fatal accidents are held, even at this late time?

The Hon. L. J. KING: Although I have not yet seen the letter, I will follow up the matter now it has been drawn to my attention, and I will look into the facts of both cases to see whether a direction under the Act should be given.

NURSES' SALARIES

Mrs. BYRNE: In view of last week's announcement that negotiations had been concluded on nurses' salaries, can the Minister of Labour and Industry say from when the increase will apply and what they will cost?

The Hon. G. R. BROOMHILL: True, it was announced last week that negotiations between the Public Service Board and the Public Service Association in relation to nurses' salaries had been completed. The honourable member will be aware that in its policy speech the Labor Party indicated that it would act to improve the rewards and conditions of nurses in South Australia. Shortly after the Government assumed office, this matter was referred to the Public Service Board, which was requested to negotiate improved salaries for nurses. I am pleased to say that as a result of those negotiations, considerable general increases of between 18 per cent and 20 per cent have been agreed upon. When one considers that other increases were granted last April, it is pleasing that nurses' rewards are becoming comparable with those of nurses in other States and with those in other occupations. The new salaries will operate from the date to be fixed by Commissioner Johns, who I understand is to examine this aspect next Thursday. The total cost of increases will be between $1,250,000 and $1,500,000 anually.

SOUTH AUSTRALIAN YEAR BOOK

Mr. HARRISON: Can the Minister of Education tell the House whether copies of the *South Australian Year Book* are supplied free to school libraries under his jurisdiction? If they are not, will he please investigate the possibility of the *South Australian Year Book* being issued free to school libraries?

The Hon. HUGH HUDSON: I thank the honourable member for his question. I will certainly look into the subject of year books being issued to schools and endeavour to see that his request is met.

WOMBATS

Mr. RODDA: On Saturday there appeared an announcement in the press (together with a photograph) that the Government had decided to include, in the faunal emblems of the State, the hairy-nosed wombat, which is universally known as *lasiorhinus latifrons*. It is fitting that this animal, about which we have heard so much from a very distinguished personage in this place during the last two and half years, should now be included in the faunal emblems of the State. It is fitting that the Government recognizes this animal, and I ask the Minister of Works to consider further perpetuating the attachment that seems to have been made between the former member and this burrowing quadruped by having it known as *lasiorhinus latifrons edwardi* to commemorate the significance of the efforts and the judgment that was forthcoming from the former member for Eyre in recognition of such a famous animal.

The Hon. J. D. CORCORAN: I assure the honourable member that the Premier is rather hurt that this question was directed to me, because it was he who made the decision on the wombat. As the honourable member said, the wombat is universally known as *lasiorhinus latifrons* and I think it could be suitably lengthened by adding *edwardi,* which would commemorate the very valuable service given in this House by the former member for Eyre. I must say, though, that I thought it was the aim in life of the former member to get rid of wombats, not to preserve them. I treasure the friendship of the former member for Eyre and I thought him a fine fellow. I am very cross with those members of the Liberal Party who saw fit to defeat him in the plebiscite and so prevent him from re-entering this place in 1970, and I say that with no reflection on his replacement who, I believe, is finding it extremely difficult to live up to the very high standard set by his predecessor.

Mr. GUNN: Over the weekend I visited the Nundroo area, where wombats are causing concern to one landholder. In view of his current interest in wombats, will the Minister of Works, rather than attack the character of the people who elected me, consult with the Minister of Lands to examine the question of having wombats controlled?

The Hon. J. D. CORCORAN: I did not attack the character of the persons who elected the honourable member: I attacked the character of the people involved in the inner workings of the Liberal Party. I thought the honourable member would have appreciated and joined in the humour of the situation.

I am pleased to see that the member for Victoria has prompted him to take up the cudgels on behalf of his constituents. Although I do not know whether my colleague will impose any control on the wombat now that it is a State emblem, I will refer the matter to him, bearing in mind that the matter was pursued most vigorously by the honourable member's predecessor.

SALISBURY WATER BASIN

Mrs. BYRNE: Has the Minister of Works a reply to my question of August 27 regarding the Salisbury water basin?

The Hon. J. D. CORCORAN: The Department of Mines is continuing investigations to determine the effect of flow in the Little Para River on the replenishment of underground supplies on the Northern Adelaide Plains. No decision can be taken on the construction of a dam until the results of this work are known.

BOLIVAR EFFLUENT

Mr. FERGUSON: I noticed an interesting announcement by the Minister of Works last weekend about the use of effluent from the Bolivar Sewage Treatment Works. Recently I attended a meeting which the Premier had with market gardeners at Salisbury and at which the use of Bolivar water was discussed. As the Premier undertook to get a report from the Health Department on the use of this reclaimed water, I ask him whether that report is now available and, if it is, whether it could be tabled.

The Hon. D. A. DUNSTAN: The recent restrictions placed on extractions of underground water from the Northern Adelaide Plains basin have renewed interest in Bolivar effluent. The Engineering and Water Supply Department has three apparently firm applications before it from private interests who have proposals for irrigating a golf course, almond trees, and vineyards. These people have been offered the effluent under the same standard agreement as has been available to everybody since the effluent became available over two years ago. These three groups will use less than 25 per cent of the available summer flow. In addition to these proposals, the Government has been approached on several occasions to reticulate effluent throughout the Virginia area to offset the restrictions being placed on market gardening operations as a result of depletion of underground water. Although preliminary investigations have been made previously, the Government has now directed the Engineering and Water Supply Department to carry out a full-depth investigation to determine the feasibility of such a scheme.

The engineering design and construction offers no difficulties, but the three following vital considerations need to be resolved before the scheme can be proceeded with:

(1) Is there any likelihood of a public health hazard?

(2) Is the effluent chemically suitable for the crops proposed to be irrigated?

(3) Can the effluent be delivered at an economical cost; that is, if piped?

Mr. FERGUSON: In the report in the *Sunday Mail,* the Minister of Works was reported to have said that water could be made available to certain private enterprises in the area proposed to be reticulated with water from the Bolivar treatment works. Can the Minister say whether any prospective user of this water has signed an agreement to take the water and, if this is so, will he say who the applicant or applicants may be?

The Hon. J. D. CORCORAN: No person at this stage has signed any agreement with the Engineering and Water Supply Department concerning the use of Bolivar effluent. However, two people have been notified of the department's intentions regarding this area, and we are currently awaiting from those persons a reply to our communication. A third person concerned has simply been notified that the Government does not intend to grant a concession of any description in respect of his activities, and I have received no further communication from that person. I reiterate that no agreement has been entered into in this matter, although an invitation has been issued for the people concerned to discuss the matter with the department on the basis that no concession of any description will be granted to them regarding the use of this water.

FISHING

Mr. CARNIE: The fishing industry in South Australia is a very important one and is one which provides much revenue for the State, but compared with that of other States our fishing research programme is inadequate. For example, Western Australia maintains a very large department with 11 laboratories and a large aquarium for the intensive study of edible fish of all types. New South Wales also maintains a large department and part of the study there includes the tagging of prawns to study their life cycle—something that could well be done in this State in view of the growing importance of the prawn industry. In

addition, New South Wales has recently spent $300,000 on a fish farming research station and $300,000 on a research vessel—and this even though the New South Wales total catch is only about 15 per cent greater than ours. As the Premier, in his policy speech, stated that a Labor Government would step up activity in the area of fishing research, I ask the Minister of Works whether he could obtain information from the Minister of Agriculture as to what plans they have to honour this election promise and when they expect to put these plans into effect.

The Hon. J. D. CORCORAN: I shall be happy to obtain a report for the honourable member from my colleague.

READERS DIGEST RECORDS

Mr. WELLS: One of my constituents recently used a form in a copy of *Readers Digest* to obtain some records for his record player. The price of the records was $9.90, the advertisement stating that, if the applicant was not delighted with the records, he could return them and no cost would be involved. When the records duly arrived, my constituent was most displeased with them, saying that they were inferior, and he returned them to the firm concerned on the very next day. However, since then he has received accounts from the firm. Although the original sum was $9.90, yesterday he received an account for about $37 with a letter telling him that he could pay immediately and so discharge the debt or, if he did not do this, the firm would put the matter in the hands of a debt-collecting agency. If I provide him with the necessary information, will the Attorney-General take up the matter with the firm concerned to see that this activity is stopped?

The Hon. L. J. KING: Yes. On the facts given by the honourable member, the member of the public concerned would obviously have a defence to any proceedings brought by *Readers Digest*. However, I will raise the matter with the company and see what can be done to solve the problem.

RUN-OFFS

Mr. EVANS: Several operators of heavy vehicles have approached me about two aspects concerned with the safety run-offs on the South-Eastern Freeway, work on these run-offs being nearly complete. Regarding the run-off farther from Adelaide, the point raised is that its entrance has been barricaded for about a fortnight. As the run-off is now partly constructed, it would be satisfactory for use in an emergency. The person who complained to me about this said that, as it was barricaded, operators would be dubious about using it. Therefore, a serious accident could occur that could be avoided if the barricade were removed. Regarding the run-off nearer Adelaide, the complaint is that a section of rock protrudes at the entrance, making it rather difficult for the driver of a large vehicle with a high load to negotiate the slight curve into the run-off. This rock protrusion creates a further hazard in that a lorry could overturn and its load could fall on vehicles travelling along the freeway. Having looked at this myself, I believe that possibly some action needs to be taken. As a large sum has been spent in building these run-offs and as it is intended that they be as nearly perfect as possible, can the Minister of Roads and Transport see, first, whether the barricades can be removed from the run-off farther away from Adelaide so that that run-off can be used to a certain degree and, secondly, can he see whether the piece of rock that protrudes at the entrance to the run-off nearer Adelaide can be removed to make that run-off safer? Will the Minister have these matters checked, supplying me with information whether the complaints are justified and, if they are, whether work can be carried out to solve these problems?

The Hon. G. T. VIRGO: I shall be happy to obtain the report that the honourable member seeks. Having personally inspected both of these run-offs, I suggest that the Highways Department has probably put up the barricade because, on Sunday afternoons particularly (and during the school holidays this probably applies on most days of the week), inquisitiveness causes people, on seeing a new road, to drive along it to see where it goes. This has caused a problem with regard to the construction work, which, as the honourable member has said, is not yet completed. An additional hazard is created in that if a family drove along the run-off and, as they were manoeuvring, a semi-trailer out of control used the run-off and wiped out that family, unfortunately we would have a tragedy similar to the one that occurred previously.

Mr. Evans: Do you think signs would help?

The Hon. G. T. VIRGO: I am sorry if that does not satisfy the honourable member, but I have been there with the Commissioner of Highways and I know that is the situation. Much more work has to be done. Some heavy metal and lighter metal and sand must be used to stop vehicles on the run-off, as there is not sufficient grade, particularly on

the run-off farther from Adelaide, to stop a vehicle. In fact, many of the existing trees are being left standing for the sole purpose of providing something fairly weighty for trucks out of control to run into. I did not notice the rock protrusion to which the honourable member referred but, as I said, I will get a report on both matters that the honourable member has raised.

SPECIAL TEXTBOOKS

Mr. HOPGOOD: Has the Minister of Education a reply to my recent question about the supply of special textbooks to schoolchildren?

The Hon. HUGH HUDSON: The book *English for Migrant Children* has been prepared to assist children who cannot take their place with other children of the same age because of language difficulties. The Education Department consultant teacher has been working on the revision of the book for the last 12 months. She has recently been checking the final draft of the revised book. School libraries contain remedial readers written for children who have a limited vocabulary. Schools that have a high percentage of Aboriginal or migrant children are given special help to build up an adequate supply of remedial material. The situation is slightly different in Aboriginal schools. Special readers, both in the vernacular and in English, have been prepared for the use of the Aboriginal children at Amata. The teachers at Yalata and at some of the other Aboriginal schools are also making use of these readers. An effort is also being made to provide books that have a cultural background similar to that of the Aborigines. Sets of the South Pacific Commission reading material have been ordered and Minenda Readers, specially prepared for use in New Guinea schools, have also been made available on request. Further, a sum of $250 a school has recently been made available for the purchase of suitable library material for the Aboriginal schools.

WATER POLLUTION

Mr. McANANEY: Has the Minister of Works a reply to my recent question about water pollution and its effect on factories?

The Hon. J. D. CORCORAN: The Engineering and Water Supply Department is not anxious that existing secondary industries that discharge strong wastes expand to a great extent. However, no objection will be raised to their expansion provided that the industries provide for treatment and disposal of their wastes to prevent pollution of water-courses.

TEACHERS' RALLY

Mr. MATHWIN: The executive of the South Australian Institute of Teachers has decided to recommend that State-wide rallies be held during school hours in October. As the children are to be sent home on this occasion, can the Minister of Education state his policy regarding the interruption of children's tuition in this way?

The Hon. HUGH HUDSON: I think the honourable member is conjecturing about what may or may not happen as a result of the decision of the executive of the Teachers Institute. Certainly, the executive alone cannot determine what particular action will or will not be taken, so I think the honourable member is incorrect in assuming that classes will necessarily cease on the day he has mentioned.

Mr. Mathwin: Who will teach them?

The Hon. HUGH HUDSON: The honourable member did not even listen to what I said. He assumes that the executive of the Teachers Institute automatically controls the actions of all teachers in this matter. In making that assumption, he is conjecturing. Whether the honourable member's assumption is correct remains to be seen, as he may discover if he waits. The official attitude of the department is that it does not favour such action being taken. The Teachers Institute has asked me to address such a rally and I have said that I would be willing to do so, provided that it took place at a time that did not affect the normal conduct of schools. That is the present position. If the majority of teachers in schools decided not to teach on a particular afternoon, I should think there would be no alternative but to send the children home, unless the member for Glenelg cared to tackle the task of teaching them.

FUTURE RESERVOIRS

Mr. HOPGOOD: Has the Minister of Works a reply to the question I asked last Thursday about future reservoir sites in the Adelaide Hills?

The Hon. J. D. CORCORAN: Present design work is in hand for a storage on the Onkaparinga at Clarendon for which proposals will be available at the level required for submission to the Public Works Standing Committee in about mid-1971. Surveys for a storage on the Finniss River are also in hand. The future programme of storage development in the Mount Lofty Ranges is tied with the long-term outcome of studies on the ultimate use of the Murray River, but forward planning in

the Engineering and Water Supply Department includes consideration of further storages. Sites already located are on the Onkaparinga River at Baker Gully and on the Little Para River. Last week there was some public comment about much of the overflow from Mount Bold running to waste out to sea. The projected Clarendon storage, which will have a capacity of about 6,000,000,000gall. would have been able to cope with all of the Mount Bold overflow and more. However, the Clarendon of the future would not have filled during the recent rains. It is perhaps necessary to point out that we can never build storages that will take all floodwaters: we can never save all catchment water. There will always be times when we will have floods that will cause storages to overflow. Any reservoir that takes more than a reasonable number of years (this might be five years; it might in some cases be more) to fill is too large.

SOCIAL WELFARE

Dr. TONKIN: In view of what I think is a recognized shortage of qualified social workers, I was most impressed, while in Toronto earlier this year, with the system of voluntary social workers being used in that city. Briefly, I point out that social workers who had married or who had retired from active work, selected schoolteachers, and other members of the community were drafted into the Social Welfare Department on a voluntary basis to act as probation or supervisory officers for individual children, and the case load involved only about one child. It is reported to me that this system has been tried also in Victoria and seems to work, within limitations, extremely well. In view of the shortage of qualified social workers in the department, will the Minister of Social Welfare consider using adequately qualified volunteers from the community to act as individual probation or supervisory officers in suitable cases?

The Hon. L. J. KING: I have been considering this matter in the last few days and I have read a report prepared by a former magistrate in the Australian Capital Territory (Mr. Hermes), who, having travelled in the United States on a Churchill scholarship, reported on this aspect of social welfare as well as on other aspects. He, too, was favourably impressed by the work done by voluntary welfare workers who had had adequate training. I intend to look into this matter further to see whether the employment of voluntary workers would usefully supplement the work of the professional welfare workers in the department.

MORATORIUM CAMPAIGN

Mr. MATHWIN: The State Committee of the Vietnam Moratorium Campaign, which is going ahead with plans to hold a demonstration in the city on September 18, has stated that it intends to occupy a city intersection for six hours. Will the Premier say what the Government intends to do about safeguarding the rights of people in transit who wish to use that intersection during the demonstration?

The Hon. D. A. DUNSTAN: Although this matter has not been placed before the State Government, I understand that the organizers of this campaign will consult with the police, and I imagine that an arrangement will be made regarding the intersection in question on this occasion similar to the arrangement made in relation to John Martin's Christmas pageant.

Mr. WARDLE: An article appearing in the latest edition of the *South Australian Teachers Journal* of Wednesday, August 26, refers to support for the Vietnam moratorium march on Friday, September 18, and develops the point concerning those interested teachers who will be required to take a day or half day off from their normal duties. The article states, in part:

> Teachers in the metropolitan area who wished to take only a half day off could profitably spend the morning in a discussion about the war with students and other teachers.

If this statement is to be taken at face value, and if I understand it correctly, I should like to know whether this sort of thing has the blessing of the Minister of Education. Can the Minister say whether parents will be asked whether they desire a teacher to instruct their children on his attitude to the war in Vietnam, and can he say what will happen regarding ordinary school curricula during this period?

The Hon. HUGH HUDSON: I have every confidence in the teachers of this State to handle this kind of problem in a suitable and satisfactory way.

Mr. Millhouse: What's that?

The Hon. HUGH HUDSON: When matters of public concern are discussed in schools, the normal practice is to ensure that both sides of any point of view are put. For example, I recall one occasion when the member for Mitcham and I were invited on different days to visit the Marion High School, I think it was.

Mr. Clark: And you visited the Elizabeth High School.

The Hon. HUGH HUDSON: Yes; I think that in that case a member of the Democratic Labor Party went on a later occasion, as did also a member of the Liberal and Country League, and there might also have been a member of the Communist Party. That kind of discussion involving public issues has been going on, particularly in senior classes, for a long time, and the teachers of this State have, to my knowledge, always taken precautions to ensure that both sides of any point of view are considered. I have every confidence that they will be able to do that on this occasion, and I should have thought that the honourable member would have every confidence also.

PRESS RELEASES

Mr. EASTICK: Members have on several occasions this session been acquainted with the fact that the Minister of Roads and Transport does not accept press reports on a variety of subjects purporting to be statements made by him. The Minister will know that his colleague in another place, the Minister of Agriculture, makes press releases available to members of this House. So that the House will be well informed on statements made by the Minister of Roads and Transport, will the Minister make press releases available to members?

The Hon. G. T. VIRGO: I was not aware that the Minister of Agriculture made press statements available to the honourable member. However, I am delighted that the honourable member (and, I hope, his other colleagues) appreciates it. The Minister of Agriculture is able to make available the press statements, as he has at his disposal the services of a press secretary. Regrettably, at this stage I have not, so I hope the honourable member will, unlike his Leader, support the appointment of press secretaries to all Ministers.

PATAWALONGA BASIN

Mr. BECKER: During the past weeks seasonal rains have brought a greater flow than ever of water down the Sturt Creek to the Patawalonga basin. On Saturday morning one of my constituents and his seven-year-old daughter, while exercising along the foreshore of the lake, found amongst the debris of broken tree branches, boxes and sundry household refuse two dead dogs and a dead cat. From the condition of the animals, they appeared to have been dead for about two days. This is not the first time household pets have been disposed of in the lake, and dead rats and poultry are often seen floating in it. A popular water sport playground, the lake is used most Saturday mornings by children from the yacht club learning to sail, and by the sea scouts, and it was used last Sunday for water ski-ing. To control pollution of the Patawalonga basin, and to prevent what could be a serious health hazard, will the Minister of Works urgently consider installing heavy-gauge wire mesh net at, say, the bridge on Tapley Hill Road to catch such debris?

The Hon. J. D. CORCORAN: Although I do not know whether the honourable member's suggestion would be practicable, I will take it up with the department and examine it.

STRAY DOGS

Mr. WARDLE: Three weeks ago I asked the Attorney-General a question regarding dogs straying on school property, but as yet I have not received a reply. I am not admonishing the Attorney for that, as I realize it would take some time to prepare a reply. However, an article headed "Dogs in schoolyards" appeared in the *South Australian Teachers Journal* of August 24, in which the legal and industrial officer (Mr. C. A. Willcox) is reported as having said that any dog at large in any part of the State (including a schoolyard) whether registered or not can be seized by a member of the Police Force, special constable, or Crown lands ranger or by any person authorized in writing by any municipal or district council to seize dogs found at large. As I understand that local government does not have this authority, I ask the Attorney-General whether he will link this information with the information he gives in answer to my former question?

The Hon. L. J. KING: I will look into the matter and bring down a reply.

GOOLWA FERRY

Mr. McANANEY: I am not really transgressing on the district of my esteemed colleague the member for Alexandra, because the area to which my question relates was in my previous district. I am greatly interested in a report that Goolwa is to have a ferry to carry 18 cars. When I suggested a similar project four or five years ago, the department gave me four very good reasons why it would not be practicable. As the Minister of Roads and Transport has said that he and I have no knowledge of these things and that we must rely on experts, will the Minister say what technical progress has been made so that it is now practicable to have a ferry taking 18 cars,

which I requeted when the department was so opposed to this project four or five years ago?

The Hon. G. T. VIRGO: I should have thought the honourable member would be delighted that his suggestion had been adopted, but I will get the information for him and bring it down.

TRANSPORTATION STUDY

Mr. MILLHOUSE: During the Loan Estimates debate, I asked a question on the purchase by the Highways Department of a property owned by one of my constituents (Mr. C. M. Bennett). Has the Minister of Roads and Transport a reply?

The Hon. G. T. VIRGO: On August 20, 1970, while the Premier and I were in conference with a deputation that had travelled from another State specially to see us to deal with unfinished business of the former Minister of Roads and Transport, the member for Mitcham raised the question of one of his constituents, a Mr. Bennett of Birdwood Street, Netherby. I would like to put the record straight on this matter.

Mr. Millhouse: You didn't know, did you, Hugh?

The Hon. G. T. VIRGO: For the information of the honourable member the business that the Premier and I were engaged in happens to run into several million dollars a year income to South Australia and I think that was of greater importance than being here listening to the honourable member waffle.

The Hon. J. D. Corcoran: I told him that at the time.

The Hon. G. T. VIRGO: Yes, but he does not take any notice. On June 18, 1970, a letter was received in my office from the honourable member concerning Mr. Bennett. I acknowledged this letter on the same day and asked the Commissioner of Highways for a full report on the matter. Because of the somewhat complex nature of the problem, it was not possible to give a full reply until July 28. Mr. Bennett initially contacted the Highways Department in 1968 when he was proposing to add an additional room to his property. Because of the previous Government's decisions regarding the M.A.T.S. plan, Mr. Bennett was placed in the position of not knowing what would happen to his property. Presumably because of this indecision, Mr. Bennett decided not to extend his present house but to sell it and move to an alternative home at Coromandel Valley.

Mr. Bennett's agent was told that the project had been deferred (this being the decision of the previous Government) but even if there was any acquisition likely, it would not be for at least 20 years and that, because of this, quite understandably the department would prefer not to enter into negotiation at this stage. The agent was also offered formal advice setting out the position which could possibly be of use in effecting a sale. I may point out that in several instances where similar advice has been given, both verbally and in writing, to owners who wish to sell their property, no further contact from the owners has resulted and it is therefore safe to presume that sales have in effect been effected. In fact, I understand that in some cases the department's letter is read at auction sales and a sale made at an acceptable price.

From the information available there is no evidence of severe personal hardship in the case of Mr. Bennett. I refute the implication made by the honourable member that because of the Labor Government's decisions Mr. Bennett cannot sell his property. There has been no change in the policy which enables the Commissioner of Highways to purchase properties where proven hardship is apparent. I am saying that in the case referred to by the honourable member there appears to be no evidence to support hardship. As the honourable member will know, there is no provision at present under the Highways Act permitting the purchase from the Highways Fund of property on the freeway route. This is a further impediment that I trust will be removed in the not too distant future.

INSTITUTE COURSES

Mr. COUMBE: My question relates to the Wiltshire report and the reintroduction of degree courses into the South Australian Institute of Technology. The Minister of Education will be aware of the move by the previous Government to have this matter resolved. It was eventually decided that Dr. Mills and Mr. Bone were to do some work, representing South Australia, and that this matter was to be discussed at a meeting of the Australian Education Council which the Minister attended, I think, a week or so ago. I may have missed the Minister's report on this matter, but can he now tell me and the House whether a decision has been made on the reintroduction of degree courses at the Institute of Technology?

The Hon. HUGH HUDSON: No final decision has been made by the Government whether or not legislation is to be introduced this session to permit the Institute of Technology to award degrees. This possibility is

being considered; it will depend on the amount of legislative time available, particularly before Christmas. Regarding the Wiltshire report, the whole matter was discussed at the Australian Education Council meeting in Melbourne. There is a difference of opinion between the States on this matter. I think it is no secret that New South Wales and Victoria have both established accreditation agencies of their own and want to have any Commonwealth authority purely as a body that registers the accreditation granted by the State agencies, without any authority to review the registration, whereas the smaller States almost unanimously take the view that the Commonwealth authority, if set up, should have the right to refuse registration or, at least, to ask for a review and reconsideration of the whole matter if it is not satisfied with the contents of the particular course for which accreditation is being asked. The present position is that no agreement was reached between the smaller States, on the one hand, and the larger States, on the other. However, a proposition may be put to the Commonwealth that will allow the States an option either to establish their own State accreditation agencies or to use the Commonwealth authority, and, in the case of New South Wales and Victoria, to permit the Commonwealth authority to ask for a review of the accreditation of a particular course by the State agencies, and, if that review was not to its satisfaction, that the Commonwealth authority after a certain interval of time should be able to ask for a further review. Whether or not such a dual purpose system will be acceptable to the Commonwealth remains to be seen. It may well be that such a system of providing for national accreditation of diplomas and degrees in colleges of advanced education will be acceptable and that general financial pressure will be relied on to ensure that the contents of such courses are up to the standard that the Commonwealth registering agency sets. The matter remains, however, to be determined finally by the Commonwealth.

At 4 o'clock, the bells having been rung:

MIGRANTS

Mrs. STEELE (on notice):

1. How many teachers, if any, are being given special training for teaching English to migrant children?

2. Which schools provide these special English classes for migrant children?

3. Are some of the funds provided through the Commonwealth Immigration Department for this purpose made available to the Education Department to assist in the teaching of English to migrant children?

4. How many adult migrants are being taught in South Australia under the Commonwealth scheme?

The Hon. HUGH HUDSON: The replies are as follows:

1. No teachers at present are receiving special training for teaching English to migrant children. Consideration is being given at present to a general course of training by the State department and the Commonwealth Department of Education and Science at some time during the third term this year.

2.

School	Number of Teachers
Thebarton	2
Kilkenny	2
Hindmarsh	1
St. Leonards	3
Gilles Street	2
Sturt Street	1
Pennington	1
Pennington Infants	1
Trinity Gardens	1
Norwood Demonstration	1
Allenby Gardens Demonstration	1

Additionally, there are other schools in which class teachers take some special lessons for migrant children.

3. Not yet. However, discussions have been held with the Commonwealth Immigration Department and the Commonwealth Department of Education and Science. They have intimated that the Commonwealth funds will become available for certain purposes, but no finality has been reached on the amount to be received by the Education Department.

4.

In classes	1,505
By correspondence	872
Total	2,377

CONSTITUTION ACT AMENDMENT BILL (ADULT FRANCHISE)

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Constitution Act, 1934-1969. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

It is designed to widen the field of Legislative Council electors from the narrow confines of land and leasehold owners and their spouses to the broad field of House of Assembly electors. Since its inception, the Constitution Act has provided that, irrespective of the vastly wider provisions of the Act embracing House of Assembly electors, no person shall be entitled to vote at a Legislative Council election unless he or she owns or leases land in this State or is the tenant of a dwellinghouse in this State. Apart from the addition, in 1943, of servicemen actively engaged in war, and the addition, in 1969, of electors' spouses, the field of Legislative Council electors has not been altered. It is the opinion of this Government that property qualifications are artificial and outmoded as conditions attaching to any franchise, and that it is desirable to amend the Constitution Act so as to entitle all House of Assembly electors to vote at a Legislative Council election.

I believe that, in this day and age, it is scarcely necessary to address to a popular assembly such as this House argument in favour of the proposition that all of the adult residents of this State should have an equal say in the Government of the State and in the election of their Parliamentary representatives. This restricted franchise for the Legislative Council had its origin in a society in which there was a notion that ownership and occupancy of property gave to the owner and, in some limited instances, to the occupant a special stake in the country, so that those persons, it was said, had the right to determine the political control and policies of the Government. As the years have passed, the emphasis has shifted from property to persons. The tone and outlook of society has gradually altered to a more democratic outlook on society generally.

That being the case, at this juncture in history, as I have said on another occasion, it is remarkable that we still have a franchise for one of the Houses of Parliament of this State that is restricted to persons who qualify in one way or another in relation to property (that is, whether they be owners or occupants of property, or the spouses of the owners or occupiers of property) and to those who qualify as servicemen and ex-servicemen. Therefore, I submit that a popular assembly such as this (an assembly based on the vote of all the people of the State in popular election) should be unanimous in its view that the only proper franchise and the only proper method of electing members of Parliament is the vote of all the people of the State expressed in a way that gives to them an equal say in the makeup of the Parliament that makes the laws for them. For that reason, I look forward, when the vote is taken on the Bill, to a degree of unanimity in this House, for I find it difficult to believe that any member of this House who professes the democratic faith, which is at the very basis of the society in which we live, could possibly support the continuance of a restricted and privileged franchise that has the effect of giving one section of citizens of the State political privileges that the rest do not enjoy.

Clause 1 of the Bill is formal. Clause 2 fixes the commencement of the Act on a day to be proclaimed. Clause 3 repeals section 20 of the principal Act which deals with the qualifications of Legislative Council electors. New section 20 enacted by this clause provides that a person who is entitled to vote at a House of Assembly election shall be qualified to have his name placed on the Legislative Council electoral roll and shall be entitled to vote at a Legislative Council election. Clause 4 repeals sections 20a, 21 and 22 of the principal Act. Section 20a includes servicemen on active service as Council electors. Sections 21 and 22 set out various disqualifications for Council voting. These three sections are redundant, as they appear in almost identical form in sections 33 and 33a relating to House of Assembly elections.

Mr. HALL secured the adjournment of the debate.

PROHIBITION OF DISCRIMINATION ACT AMENDMENT BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Prohibition of Discrimination Act, 1966. Read a first time.

The Hon. L. J. KING: I move:

That this Bill be now read a second time.

Its purpose is to close certain loopholes that are believed to exist in the present law against discrimination in the supply of goods and services by reason of the race or colour of the skin of the person concerned. Rather more than 12 months ago it was alleged that at a country hotel people of Aboriginal extraction were refused service in the saloon bar of the hotel. There was, however, some evidence that they were offered service in the front bar of the establishment. Section 9 of the principal Act provides, in effect, that no prosecution under the Act may be instituted without the

consent of the Attorney-General. When these allegations were referred to the Attorney-General of the day, it appears that he did not consider that he could move in this matter since, quite apart from the merits of the matter (which, of course, would fall to the court to determine), he considered that a prosecution was bound to fail, as a "refusal to supply" in the circumstances adverted to above would not be a "refusal to supply" in the terms of the principal Act then in force.

Subsequently, the then Leader of the Opposition introduced, as a private member's measure, a Bill to clarify this matter, and in the course of its passage certain amendments were successfully moved by the then Attorney-General. The Bill now proposed is substantially the same as the measure that left this House in the last Parliament. Subsequently it was returned from another place with amendments and, in due course, lapsed. Clause 1 of the Bill is formal. Clause 2 strikes out the definition of "service", which it is believed is somewhat too imprecise in the context of the principal Act, and substitutes a somewhat more satisfactory definition. Clause 3 formally binds the Crown and is consequential on the re-enactment of the definition of "service". There was an implication in the original definition, to put it no higher, that the Crown was bound as the supplier of a service, and this amendment should put the matter beyond doubt. Clause 4 re-enacts section 4 of the principal Act to make it clear, in proposed new subsection (2), that there must be no discrimination in the quality or kind of the service supplied. Clause 5 extends the principle enunciated in relation to section 4 of the principal Act to the supply of food, drink or accommodation under section 5 of the Act.

Mr. MILLHOUSE secured the adjournment of the debate.

LOCAL GOVERNMENT (CITY OF WOODVILLE WEST LAKES LOAN) BILL

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to authorize the Corporation of the City of Woodville, subject to certain limitations, to borrow money for the purposes of discharging and performing the obligations of the corporation in connection with the West Lakes Development Act, 1969, as amended from time to time, and the indenture referred to therein, and for other purposes. Read a first time.

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

Its purpose is to authorize the Corporation of the City of Woodville to borrow money for the purposes of discharging and performing its obligations in connection with the West Lakes Development Act and its related indenture, subject to a borrowing limit to be fixed by the Minister. As members are aware, under the West Lakes Development Act and its related indenture the city of Woodville is required to contribute towards road, drainage and other works involved in the development. According to present estimates, the cost of those works could amount to nearly $1,000,000, and the city of Woodville would have to finance these works by borrowing. However, if the council should borrow under its powers under the Local Government Act, the borrowings would be subject to ratepayer consent and, if this consent was not obtained in respect of any loan required for that purpose, the West Lakes development programme would be seriously disrupted.

The development of West Lakes is the subject of a special Act entitled the West Lakes Development Act, and it is reasonable that ratepayer consent should not be required for any borrowings for the purposes of implementing that Act. It is also essential that any such borrowing should be additional to the council's ordinary powers to borrow under the Local Government Act. These matters are given effect to in the Bill, which has been sought by the city of Woodville and which the Government considers essential if the developmental programme of the West Lakes Development Scheme, as envisaged in the West Lakes Development Act, is to be implemented. Although this Bill would give the city of Woodville power to raise specific loans it would still be governed by the borrowing limits set by the Australian Loan Council. I should explain that the Bill does not fix the total amount to be borrowed because estimates that have been received are only tentative at this stage.

I shall now deal with the clauses of the Bill. Clause 1 is formal, and clause 2 defines "the Corporation" as The Corporation of the City of Woodville. Clause 3 confers on the corporation power with the Governor's consent to borrow money, not exceeding an aggregate amount fixed by the Minister, for the purposes of discharging and performing the corporation's obligations in connection with the West Lakes Development Act and the

indenture referred to therein. Clause 4 provides, *inter alia,* that moneys borrowed under the Bill are to be raised by the issue of debentures by the corporation on terms and conditions agreed between the corporation and the lender and approved by the Minister, while the debentures are to have a currency not exceeding in the aggregate 60 years. Clause 5 provides for the repayment of the moneys borrowed under the Bill and, where necessary, for the establishment of a sinking fund to provide for such repayment. Clause 6 provides for the investment of the sinking fund and for the appointment of a receiver if the sinking fund required to be kept is not properly maintained.

Clause 7 provides for the payment of the debentures out of the general rates and revenue of the corporation or out of a special rate which the corporation is authorized to levy and collect. The special rate may be levied and collected without the consent of ratepayers. Clause 8 invokes the provisions of the Local Government Act in its application to any rate declared or to be declared under the Bill. Clause 9 invokes the provisions of Part XXI of the Local Government Act in the event of a default being made in the payment of principal or interest under any debenture. Clause 10 provides, in effect, that the money borrowed in pursuance of the Bill is not to be taken into account in calculating the amount of the corporation's borrowings under the Local Government Act and also provides that the money may be borrowed without the consent of the ratepayers.

Clause 11 provides that the provisions of the Bill are to be construed as additional to the provisions of Part XXI of the Local Government Act in its application to the corporation. The Bill is in the nature of a hybrid Bill and, if it passes the second reading, will be required to be referred to a Select Committee.

Mr. MILLHOUSE secured the adjournment of the debate.

BUILDING BILL

The Hon. G. T. VIRGO (Minister of Local Government) obtained leave and introduced a Bill for an Act to regulate the construction, alteration and demolition of buildings; to establish standards to which buildings must conform; to repeal the Building Act, 1923-1965; to amend the Local Government Act, 1934-1969; and for other purposes. Read a first time.

G3

The Hon. G. T. VIRGO: I move:

That this Bill be now read a second time.

Its purpose is to provide a new code to regulate building work and practices in this State. South Australia is, indeed, the only State to have a separate Building Act. Other States have enabling legislation, usually contained in their Local Government Acts, with a major part of the regulatory provisions being contained within building by-laws or regulations. While our Building Act, which first came into operation in 1923, has been amended to some extent, there is widespread concern among manufacturers of building materials, builders, architects and local government authorities regarding the present state of the Act. There is urgent need for complete revision and updating, and for the introduction of a system of administration that can readily be adapted to changing methods of construction and new materials.

The Building Act Advisory Committee, established under section 98a of the present Act, has therefore been engaged over the past few years on consideration of new provisions to form the basis of a new revised Act. This committee consists of Mr. S. B. Hart (Chairman), Mr. T. A. Farrent, Mr. H. E. S. Melbourne, Mr. R. J. Nurse, Mr. S. Ralph and Mr. K. A. R. Short; the Secretary is Mr. W. A. Phillips. The Government would like to place on record its sincere appreciation of the excellent work these gentlemen have peformed, and continue to perform, in assisting the Government and local government to ensure proper regulation of building methods and practice.

It is appropriate that action should be taken at this point of time, in view of the moves at present in progress throughout Australia for the preparation of a uniform building code. The Ministers of Local Government of the various States, at their annual meeting in 1964, agreed to establish an interstate standing committee to prepare an Australian uniform building code. South Australia has two representatives on the committee, and they report back to our own State committee. One of the South Australian representatives, Mr. T. A. Farrent, a former Dean of the Faculty of Engineering at the University of Adelaide, became Chairman of the interstate committee in 1969. The interstate committee is preparing an Australian model uniform building code. It is envisaged that each State will adopt the code with a minimum of alteration to meet local needs.

The new code, at present in course of finalization by the interstate committee, is in

a form which can be readily adopted by most of the States. However, it cannot be incorporated into South Australia's present Building Act because it is based on a classification of buildings that is completely foreign to the provisions of that Act. The code groups buildings into 10 classifications and specifies various requirements for each class. The committee has recommended that a complete rewriting of building legislation should take place, taking advantage of the interstate committee's findings where they are available. The committee has also recommended that the legislation be enacted in a flexible form so that advantage may be taken of any new findings made by the interstate committee as soon as they become available. The present Bill contains provisions relating broadly to the administration and enforcement of proper building requirements. The detailed requirements that will establish the standards to which buildings and building work must conform will be established by regulation, in which form they may more easily be amended as changes are made in the nature of building materials and in building science and practices.

The provisions of the Bill relate, for example, to the areas of the State to which the Act will apply, the administration of the Act by local government, the powers and duties of building surveyors and building inspectors, the adjudication of building disputes by building referees, the function of the Building Act Advisory Committee, and similar matters. Thus the Bill will seek to establish the framework of administrative and legislative machinery, while the regulations will relate to the technical details of building construction. One major change that the committee has suggested is that the new Act should apply to all parts of the State where local government operates. Councils are given, pursuant to the provisions of the Bill, the opportunity to seek exemption from exercising control over particular classes of building in the whole or any part of their areas. Indeed, in view of this extension of the operation of the Act, the Governor is given a wide discretion to declare that the Act shall not apply to, or modify, the operation of the Act in any local government area or portion of an area.

The ambit of the new legislation has been confined more or less to prescribing minimum standards for structural, health and safety aspects of building construction. Before the introduction of the Planning and Development Act, inadequate town planning legislation had necessitated the inclusion in the Building Act of provisions for matters that lie more appropriately in the field of town planning. The committee has recommended, for example, that Part XII of the present Act relating to architectural standards should not be reintroduced in the Bill. The Bill does, however, retain certain effectual powers that enable a council to prevent the amenity of an area from being destroyed by building work in instances where the nature of the building work and its effect on its environment is closely interrelated.

The provisions of the Bill are as follows: Clause 1 sets out the short title of the Act. Clause 2 provides that the Act shall come into operation on a date to be fixed by proclamation. This will enable time to be given for the finalization of the regulations to be brought into force under the Act. Clause 3 sets out the manner in which the provisions of the Act are arranged. Clause 4 repeals the Building Act, 1923-1965. Clause 5 deals with the application of the Act. Subsection (1) provides that, subject to subsection (2), the provisions of the Act shall apply throughout each local government area. Subsection (2) provides that the Governor may modify the operation of the Act by proclaiming that the Act shall not apply within an area or portion of an area specified in the proclamation; that any specified portion of the Act shall not apply within an area or portion of an area specified in the proclamation; or that the Act, or any specified portion of the Act, shall not apply in respect of any specified buildings, or class of building, within an area or portion of an area specified in the proclamation.

Clause 6 sets out various definitions that are necessary for the purposes of the Act. The most important of these is the definition of "building work", which means work in the nature of the erection, construction, underpinning, alteration of, addition to, or demolition of, any building or structure; the making of any excavation, or filling for, or incidental to, the erection, construction, underpinning, alteration of, addition to, or demolition of, any building or structure; or any other work that may be prescribed. The definition does not, however, include work of a kind declared by regulation not to be building work for the purposes of this Act. This will enable various kinds of minor building and structural alteration to be excluded from the operation of the Act.

Clause 7 consists of various transitional provisions that are necessary in view of the enactment of a new system of law in connection with buildings and building work. A

building that was lawfully erected, constructed or altered pursuant to the law of this State as it existed at the time of that erection, construction or alteration shall be deemed to conform to the new Act. Building work for which approval has been given under the old Act may be completed subject to the provisions of that Act. Building work altering a building or structure erected before the commencement of the new Act must conform to the provisions of the new Act, except that where the general safety and structural standard of a building would not be impaired thereby, the council may permit the building work to be carried out otherwise than in conformity with the new Act.

Clause 8 deals with an application for the approval of building work. It provides that the owner of any land upon which building work is to be performed must, before the commencement of the building work, submit plans, drawings, and specifications of the building work to the council for approval. Clause 9 requires the council to obtain a report from the building surveyor on the plans, drawings and specifications. New subsection (2) requires the council, subject to the provisions of the new Act, to approve any proposed building work that conforms to the provisions of the Act. If, however, the council is of the opinion that the proposed building work will adversely affect the local environment within which the building work is proposed, it may, notwithstanding that the building work complies with the provisions of the Act, refer the plans, drawings and specifications to referees. If the referees determine that the building work would adversely affect the environment within which the building work is proposed, the council may then refuse to approve the building work. A determination of referees under this clause is subject to appeal to the Planning Appeal Board. The clause also provides for modification of plans, drawings and specifications, at the instigation of the building owner, and provides that approval of building work shall become void if it is not commenced within 12 months after the day on which the approval was given.

Clause 10 sets out various penalties for the illegal performance of building work. Subclause (1) provides that a person shall not begin, or proceed to perform, any building work unless it has been approved in accordance with the Act. Subclause (2) requires that the building work be performed in accordance with plans, drawings and specifications approved under the Act. Subclause (3) requires that the building work be performed in conformity with the requirements of the Act. Subclause (4) prevents a person from selling, leasing or disposing of portion of the site of a building without the approval of the council. Clause 11 enables the council to require a person to desist from the illegal performance of building work.

Clause 12 provides that where building work has to be performed by reason of an emergency the owner must serve notice of the building work upon the council as soon as practicable. Clause 13 provides for the classification of a building and prevents the use of a building otherwise than in accordance with its classification. Clause 14 provides for the appointment of building surveyors. Clause 15 provides that building work is subject to supervision by the building surveyor. Clause 16 gives the surveyor the power to enter any land or premises for the purpose of ascertaining whether the provisions of the Act are being complied with. Clause 17 enables the surveyor to serve notice upon any person by whom building work has been illegally performed, requiring him to make good deficiencies in the building work and bring it into conformity with the provisions of the Act.

Clause 18 provides that if a notice of irregularity is not complied with the court may empower the surveyor to enter upon land or premises and bring any building, structure or building work into conformity with the provisions of the Act. Clause 19 empowers the council to delegate certain powers of a building surveyor to some other officers of the council. Clause 20 provides for the appointment of a panel of referees in respect of each area consisting of one or more persons appointed by the Minister and one or more persons appointed by the council. Clause 21 provides that a referee shall not act in any matter in which he is personally interested. Clause 22 invests referees with the powers of arbitrators under the Arbitration Act.

Clause 23 sets out the jurisdiction of referees. It provides that they shall have jurisdiction where any difference arises as to any act done or to be done in pursuance of the Act; the effect of any provision of the Act in certain circumstances; the manner in which the provisions of the Act are, or ought to be, carried into effect; whether the requirements of the Act have been satisfied in a particular case; or what is necessary for the satisfaction of those particular requirements; the proportion or amount of the expense to be borne

by the respective owners of premises separated or divided by a party wall; or any other matter. Clause 24 provides that where the referees are not in agreement they may refer their disagreement to a umpire for final determination.

Clause 25 provides that the functions of referees may, with the consent of all parties, be performed by a single referee. Clause 26 provides that an application may be made to referees claiming that any provision of the Act is inapplicable or inappropriate to a particular building work; that the operation of any provision of this Act would adversely and unnecessarily affect the conduct of business; or that the adoption of some specified modification to the provisions of the Act so far as they relate to the particular building work would achieve the objects of the Act at least as effectually as if they were not so modified. If after consideration of the matter by the surveyor and the referees they are of the opinion that modification of the requirements of the Act is justified in a particular instance, they may make a determination to that effect and the provisions of the Act will be modified accordingly.

Clause 27 provides that if a party to any matter for determination by referees fails to appear at the hearing of the matter, the referees may proceed in his absence. Subclause (2) provides that the authority of referees is only revocable with the consent of all parties. Clause 28 requires the referees to keep proper minutes of all their proceedings and to send certified copies to the clerk and the Minister. Clause 29 provides that a determination of referees shall, subject to the Act, be binding and conclusive, and may, by leave of a judge of the Supreme Court, be enforced in the same manner as a judgment of that court. Clause 30 provides for the payment of fees to referees. Clause 31 provides for payment to the council of fees in respect of the matter referred to referees for determination. Clause 32 requires a referee to make a declaration of his impartiality before he first commences to act as a referee.

Clause 33 empowers the surveyor, if he has reasonable cause to suspect that any excavation, building, or structure in the area is in a dangerous, ruinous, dilapidated, or neglected condition, to make a survey or inspection thereof. Clause 34 empowers the surveyor to serve a notice of defect upon the owner of any dangerous, ruinous, or neglected excavation, building, or structure, requiring him to carry out building work specified in the notice. The surveyor may also require loading to be removed from an overloaded building. Clause 35 enables the owner, if he disputes the propriety of any requisition contained in a notice served under the preceding section, to apply to referees to have the requisitions contained in the notice varied or struck out.

Clause 36 empowers the court to order that persons be removed from a building or structure that is unsafe. Clause 37 empowers the surveyor to require the owner of a building or structure that does not conform to the provisions of the Act to bring it into conformity with those provisions, or to demolish it. Clause 38 empowers the council, if it is of the opinion that a building or structure affects seriously and adversely the health or amenity of the local environment within which it is situated, to apply to referees for a determination under the clause. If the referees are satisfied that, in fact, the building or structure does adversely affect the health or amenity of its local environment, they may determine that building work specified in the determination be carried out in relation to the building or structure. If the owner does not carry out that building work the council may itself have it carried out, whereupon the owner shall be liable for any expenses incurred by the council.

Clause 39 empowers the owner, with the consent of an adjoining owner, to build a party wall on the line of junction between adjoining properties. Clause 40 sets out various rights of repair and improvement of a party wall, and provides for an equitable sharing of expenses by the two owners. Clause 41 gives the building owner various rights of entry upon the land or premises of the adjoining owner for the purpose of carrying out building work in conformity with the preceding sections. Clause 42 provides for the determination and recovery of contributions by an adjoining owner in respect of work carried out by the building owner.

Clause 43 provides that where the council is invested with a discretion to approve or consent to any act, matter, or thing, it may give its consent subject to reasonable conditions. Clause 44 empowers the council to delegate to a committee of its members or to any of its officers such of its powers and duties under the Act as it thinks fit. Clause 45 provides that the moneys recovered by the council under the Act are to be applied to the expenses incurred by the council in the general administration of the Act. Clause 46 provides that a fine imposed by a court for any offence

committed under the Act is to be paid to the council.

Clause 47 deals with the situation where the person who is required to perform building work under the Act may not be in actual occupation of the building or structure. He is empowered to enter the building or structure after giving seven days' notice to the occupier. Clause 48 provides that where a building owner intends to carry out building work of a prescribed nature within a prescribed distance from the land or premises of an adjoining owner, the building owner shall serve notice of his intention to perform the building work on the adjoining owner; the building owner shall take the prescribed precautions to protect the adjoining land or premises, and shall carry out such other building work as the adjoining owner is authorized by the regulations to require. This section is intended to deal with the case of a building owner making excavations and conducting other work within such proximity to the land or premises of an adjoining owner that that land or those premises may be injured thereby.

Clause 49 provides that a person shall not, without a licence of the council, erect any building or structure that may encroach or project upon, over, or under any public place. The clause provides that, if the council unreasonably refuses a licence under the section, an application can be made to the court for an order that the licence be granted or that any of the conditions upon which a licence may have been granted be varied or struck out. Clause 50 exempts all buildings and structures, the property of the Crown, from the operation of the Act. Clause 51 provides that the Act does not affect, or exempt any person from the obligation to comply with, the provisions of any other Act or regulations. Where under any other Act or regulations any building work is permitted or required, building work must, unless the contrary intention appears, be performed subject to, and in conformity with, the provisions of the Act.

Clause 52 provides that nothing in the Act prejudices the exercise of civil rights by or against a builder or any other person. Clause 53 provides for the service of notice, and clause 54 provides for the summary disposal of offences. Clause 55 provides for the imposition of a default penalty. Where a section of the Act contains the words "default penalty", that indicates that the surveyor may cause to be served upon any person, who is in default under that section, a notice of the default, requiring him to remedy it within a period allowed in the notice. If he fails to remedy that default within the time so specified he is liable to a default penalty for every day for which the default continues after that stipulated period.

Clause 56 is an evidentiary provision. It provides that in any proceedings for an offence under the Act an allegation that an act has been done without the consent or approval of the council shall be *prima facie* evidence of that fact; a document purporting to be a copy of a by-law made under the Act shall be received as *prima facie* evidence of the existence, contents, and validity of the by-law; a certificate in writing purporting to be signed by the clerk or surveyor, and stating that any place within the area of the council is a public place or a fire zone, is to be *prima facie* evidence that that place is a public place or a fire zone.

Clause 57 empowers the court at the hearing of the complaint for an offence under the Act, if it is satisfied that a building or structure does not conform to the provisions of the Act, to require the owner of the land to bring it into conformity with the provisions of the Act or to demolish it. If the order is not complied with the council may itself carry out such work as is envisaged by the order. Clause 58 requires the council to preserve certain material documents lodged with it pursuant to the provisions of the Act.

Clause 59 empowers the councils, subject to the relevant provisions of the Local Government Act, to make by-laws for the purpose of the Act. Those by-laws may deal with the issue of licences with respect to encroachments on, over, or under public places, and the prohibition or regulation of the use of cranes, hoists, or other machinery in, over, or under any public place. The clause contains certain provisions that may be used by the council as an interim measure prior to the inclusion of land within an authorized development plan under the Planning and Development Act. These provisions provide for regulation of the use of buildings or structures and prohibit the erection of buildings or structures of an inappropriate category within defined areas.

The by-laws may declare any land to be a restricted site for the purposes of the Act. Under the next provision the Governor may make regulations regulating, restricting, or prohibiting the performance of building work

on a restricted site, or the erection or construction of any building or structure, or class of building or structure on a restricted site. The by-laws may prohibit the erection of any building or structure of a specified class within a locality specified in the by-law on account of the insalubrity of the locality.

Clause 60 provides for the Governor to make regulations for the purposes of the Act. These regulations are to contain the detailed requirements for the construction and erection of buildings and structures. The regulations may prescribe the qualifications of building surveyors or building inspectors and make provision for their training and education. They may provide for the declaration of any portion of an area as a fire zone, and provide that a register of fire zones be kept by a council and made accessible for public inspection. The requirements for buildings or building work within a fire zone are to be specified by regulation.

The regulations are to deal with the classification of buildings, the resolution of disputes relating to classification, and the issue of certificates of classification. They may provide that where a building or structure erected before the commencement of the Act is demolished, destroyed, or taken down to a prescribed extent, it must be rebuilt or reconstructed in complete accord with the provisions of the Act; they may provide for semi-detached buildings to be treated as a single building for the purposes of the Act; they may prescribe procedures and fees for the purposes of the Act; and they may provide for the testing of building materials and the prohibition of unsuitable material in building work.

The performance of building work within a prescribed distance from a street or other public place may be regulated or prohibited; the height and dimensions of building work may be regulated. Building work that encroaches over public places may be subject to special provisions contained in the regulations. The regulations may make any provision that reduces the likelihood of fire in, or the spread of fire from, any building or structure. The maximum loadings, stresses, load factors, and deformations permissible in respect of building work may be prescribed.

Provision may be made for the foundations and other structural aspects of building work. The method of drainage from a building or site and the disposal of waste may be regulated. Standards of damp proofing or weather proofing may be stipulated. Measures for the prevention of damage to buildings or structures by termites, rodents, or other pests may be required. Standards of health and amenity may be established and, in this connection, the building may be required to meet the required standards of sound proofing and the rooms may have to be of prescribed dimensions and conform to minimum standards of lighting and ventilation. The inclusion of lifts, fire extinguishing sprinklers, and other apparatus in the building may be regulated.

The occupation of a building before all building work contemplated by the plans, drawings, and specifications approved by the council has been completed may be restricted or prohibited. The affixure or construction of awnings or other attachments to buildings may be regulated. The regulations may make special provision for a prescribed building or prescribed class of buildings or structures. Finally, the regulations may prescribe penalties not exceeding $200 and default penalties not exceeding $50 for breach of or non-compliance with any regulation.

Clause 61 provides for the appointment of the Building Advisory Committee. The committee is to consist of six members appointed by the Governor on the recommendation of the Minister. The function of the committee is to recommend any changes to the Act or regulations, generally to advise the Minister on the administration of the Act, and to perform such other functions and duties as may be entrusted to the committee by the Minister.

Mr. COUMBE secured the adjournment of the debate.

AUSTRALIA AND NEW ZEALAND BANKING GROUP BILL

The Hon. L. J. KING (Attorney-General) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT

The Select Committee, to which the House of Assembly referred the Australia and New Zealand Banking Group Bill, 1970, has the honour to report as follows:

1. Your committee met on two occasions and heard evidence from the following persons:

Mr. G. B. Willcocks of Melbourne, Chief Administrative Officer of Australia and New Zealand Bank Limited; and Mr. L. M. S. Hargrave, Solicitor, of Pirie Street, Adelaide —representing the banking group concerned with the proposed legislation.

Mr. L. J. Doyle, Commissioner of Land Tax, Stamps and Succession Duties, State Taxation Department, Adelaide.

Mr. E. A. Ludovici, Parliamentary Draftsman.

2. Advertisements were inserted in the *Advertiser* and the *News* inviting persons who wished to give evidence on the Bill to appear before the committee. There was no response to these advertisements.

3. While under the proposed legislation documentation which could be subject to stamp duty and require registration is rendered unnecessary, your committee is satisfied, on the evidence submitted to it, that State revenue is protected by the arrangement made between the State Treasury and the banks for the payment by the banks of a sum sufficient to compensate the State for the loss of revenue involved.

4. Your committee is of the opinion that the Bill adequately provides for all matters necessary to render the transfer of the undertakings and the vesting of assets in connection with the proposed merger to be effective and that there is no opposition to the Bill.

5. Your committee recommends that the Bill be passed in its present form.

Bill read a third time and passed.

COMPANIES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 6. Page 573.)

Mr. MILLHOUSE (Mitcham): I support the second reading of this Bill but should like to say something about it. I do not support it at this stage without a reservation which I should like to explain to honourable members, and particularly the Attorney-General. The Bill proposes two amendments to the Companies Act. The first is to allow a no liability company to be converted into a limited liability company. To this amendment I have no objection whatever, because it was a matter considered by the former Government. I think we gave instructions for the Bill to be drawn for this purpose: so that is all right.

The only point I make (and I make it both with regard to this amendment and, more particularly, with regard to the second amendment) is that, so far as I recollect, it is not part of the uniform revision Bill: in fact, I know it is not part of the general revision Bill, because that had been printed before we left office and, although I have not checked this, to the best of my recollection it does not contain either of these amendments. It has been the practice for the last eight years or so to try to keep the various State Companies Acts uniform and we are departing from that principle of uniformity with both these amendments. As I say, the first one is all right: we had decided that we were justified, in the special circumstances of South Australia, in doing that, so I need not spend any more time on the first amendment.

However, the second amendment gives me much more cause for hesitation. It is an amendment to section 374 of the Act. Unfortunately, the second reading explanation supplied to the Opposition referred to section 274 of the Act, and that unfortunate mistake has found its way into *Hansard*. I understand it has caused some confusion in the business community. However, it is one of those little slips that I understand occur from time to time. (Honourable members will observe how much more tolerant I am now having had experience in office of the difficulties that occur!) Be that as it may, the explanation that the Attorney-General gave for this amendment is bald in the extreme. This is what he said in his speech:

> Secondly, the Bill extends the provisions of section 274—
>
> that should be 374—
>
> of the principal Act which prohibits the hawking of company shares. The Government feels some apprehension that the public may soon be subjected to high-pressure hawking of shares in industrial and provident societies, and consequently the application of section 274—
>
> again, it should be 374—
>
> is extended to cover such activity.

We are not told what the apprehension is and what the likely activity is. It is apparently not going on yet, but the Government is afraid that it may go on in the future. This is hardly a sufficient explanation, as it stands, to justify this amendment. There may be a perfectly good and valid explanation, but the Opposition would like to hear it before it finally votes on this clause. I should like the Attorney-General to be so kind, when he replies to this debate, as to give fully the reasons that have prompted the Government to introduce this amendment, and then allow us some time to consider it—perhaps until tomorrow. In other words, I should be glad if he would not put the Bill right through Committee at this stage so that we may have an opportunity to consider the rather better explanation for this amendment that I hope he will give us. I ask for that particularly because we have had some objections to this amendment. So far as I can discover, there are no objections of a legal nature: I have heard of no objections within the profession to this amendment, but I have had objections from outside organizations which fear they will be adversely affected by it. It may be that the Government wants to catch them—I do not know: if it does, it should say so in this place.

Let us look briefly at section 374 of the Act to see what its scheme is and what it sets out to do. The aim of the section is stated in three lines in subsection (1):

A person shall not, whether by appointment or otherwise, go from place to place offering shares for subscription or purchase to the public or any member of the public.

In other words, it prohibits, as it stands, share-hawking. Then subsection (2) gives an opportunity to persons who are caught by the prohibition to get permission from the Government to carry on their activities. That is in the nature of a licence to do so, I suppose. We need not worry about the following subsections, I think, until we come to the subsection it is proposed to amend by this Bill, subsection (14), the relevant part of which reads as follows:

The provisions of this section do not apply to any offer of (*a*) a right arising out of a document issued by a society as defined in the Friendly Societies Act, 1919-1956, as amended . . .

(*b*) A share in (i) an industrial and provident society registered or deemed to be registered under the Industrial and Provident Societies Act, 1923-1958, as amended; or (ii) a society registered or deemed to be registered under the Building Societies Act, 1881-1938, as amended.

The amendment is designed to cut out the exemption for industrial and provident societies; I have asked for the reason for this. We have had a number of objections to this move, several members having received letters from the Co-operative Travel Society Limited objecting strongly to it. I will read the following parts of a letter sent to the member for Davenport setting out the objections which the society has and the reason why it believes it should be allowed to continue its present activities:

I have been advised that the new Attorney-General has introduced the abovementioned Bill with the object of having section 374 of the Companies Act amended. This section contains severe restrictions upon the offering of shares for subscription or purchase. However, in the past, industrial and provident societies (also known as co-operatives), building societies and friendly societies have been exempted for a very good reason.

The person writing this letter now hazards a guess at the reason for the amendment, as follows:

Lately, a political Party, the Social Credit League, has started to promote a large number of so-called credit unions under the Industrial and Provident Societies Act. These credit unions are promoted by the Credit Union League of South Australia Co-operative Limited, which was formed by members of the Social Credit League. Particularly in N.S.W., the credit union movement has become a nuisance to banks and hire-purchase companies, and the undersigned believes that the Attorney-General maybe aims the amendment of section 374 of the Companies Act at credit unions. However, if the amendment would be passed in its proposed form, it would do a lot of harm to useful industries which are also registered under the Industrial and Provident Societies Act and the proposed restriction would have a very harmful effect on them.

The same person goes on to list a number of organizations in South Australia which he says would be affected by this particular amendment. He states:

Another good example is the South Australian fishing industry, operated by an industrial and provident society, South Australian Fishermen's Co-operative Limited, usually referred to as Safcol. Thanks to the exemption which Safcol enjoys from section 374, being registered under the Industrial and Provident Societies Act, it not only operates very successfully in this State where it is initiated but it has since established itself in Tasmania and elsewhere.

That is not quite the point I was looking for; the point I am seeking is in another letter from a person who refers to the Co-operative Travel Society Limited, the South Australian Fishermen's Co-operative Limited, World Travel Co-operative Limited, and South Australian Perpetual Forests Limited. I have not checked with this organization to see whether it is affected, but my recollection is that it is likely to be affected by the amendment to this section. Unless there is some reason why the organization should be prohibited from its present activity, I do not think it should be. I hope I have said enough to explain to the Attorney-General the reservations I have about the second amendment set out in the Bill. The Attorney may be able to satisfy me entirely that the amendment is justified, but he did not do so in his second reading explanation. Therefore, in any case, I ask whether, if he is prepared to give an explanation now, he will allow the Opposition time (perhaps until tomorrow) to consider whatever he has to say.

Mr. COUMBE (Torrens): I support what the member for Mitcham has said about the second amendment included in the Bill; we all agree to the first amendment. Members generally view the indiscriminate hawking of shares with abhorrence: we all oppose this. We are concerned about the position of industrial and provident societies. The present Act provides strict control of the activities of societies that operate under its provisions. This State has several societies or co-operatives affected by the Act. As well as the South Australian Fishermen's Co-operative Limited, to which the member for Mitcham has referred, many co-operatives in wine, dairying and fruit-growing areas come under the provisions of the Industrial and Provident Societies Act. This House deserves a further explanation of the

reason for this amendment. Organizations affected by the Bill have played a significant part in the development of the rural economy of the State. I would welcome an explanation by the Attorney. If the Opposition needs a little more time to consider any explanation the Attorney gives, I should appreciate this time being provided to us.

The Hon. L. J. KING (Attorney-General): I have listened with considerable interest to the points raised by the members for Mitcham and Torrens. The clause to which they have spoken was placed in the Bill as a consequence of detailed consideration by Government officers, there being several minutes or reports in existence. Listening to the member for Mitcham, I had the thought that some of the matters raised in the letters from which he quoted might deserve more consideration than they had, although without consulting my officers I could not say that this information was not before them. Probably the best approach to the matter at this stage is to allow the Bill to go into Committee today. I shall take up with my officers the matters raised by the member for Mitcham and, when the relevant clause is reached at the Committee stage, I may give the information that the honourourable member seeks. If at that stage honourable members desire further time to consider the matter, on behalf of the Government I undertake that the debate will be adjourned to enable that to be done.

Bill read a second time.

In Committee.

Clause 1 passed.

Progress reported; Committee to sit again.

LOTTERY AND GAMING ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from July 30. Page 457.)

Mr. HALL (Leader of the Opposition): This Bill is aimed at removing the double standards that apply in the community because the principal Act is not actively applied to the many types of lottery and games of chance that are entered into by hundreds of clubs and organizations throughout South Australia. It is therefore one of the few measures introduced by the present Government that I can wholeheartedly support. This measure was referred to in the Labor Party's policy speech prior to the last election. The previous Government had said that it planned to revise the principal Act, and here we have an instance of the new Government following the previous Government's policy almost to the letter. The Minister of Education may laugh, but the Bill drafted by the previous Government, a copy of which I have here, is identical except for two small drafting matters that do not substantially affect it. So, I congratulate the Government on following to the word, the letter, and the inverted comma the previous Government's policy in regard to lotteries and gaming. This Bill was already drafted when the present Government came to office. All it has done is to take it and introduce it in its own name. I do not criticize it for that, because there are many parts of the previous Government's policy that I should like the present Government to follow. I commend it for looking through the files and introducing this Bill so quickly.

The stricture that all members would put on the operation of lotteries and their like in South Australia would be that no individual should seek or obtain personal gain through them. All of us want to be sure that a charity benefits from any profits accruing from lotteries and gaming in South Australia. One of the main problems of the Minister will be to see that wrong appropriation of profits does not gradually creep into the operation of lotteries and gaming in this State. The following paragraph, which I hope is not put into effect in this wide Bill, was included in the Labor Party's policy speech prior to the last election:

> Small-scale raffles where the tickets are not priced at greater than 20c and the value of the prizes is not greater than $200 will be completely free from any control.

I put it to the House in all seriousness, now that this Bill is before us and we are away from the election hustings, that the Government has seen how many abuses would arise if there were no control over lotteries carrying no more than $200 in prize money; I have no doubt that at some stage some individual would take some profits for personal gain. I am pleased that the Government has introduced the Bill in the form in which it was drafted prior to its coming to office and has not included the provision I have quoted, but I warn the Minister that, if the regulations are framed so that there will be no control over lotteries carrying less than $200 prize money, members on this side will oppose it.

I suspect that the Government, after considering this matter in the light of the difficulties inherent in framing such legislation, will have second thoughts and ensure that controls exist over such lotteries. I hope that the Government will ensure that community

organizations and charities are the beneficiaries of the lotteries. This Bill brings to the fore the question of enforcing the Act. All members realize that, when legislation falls into disrepute (as was the case with the previous Licensing Act and as applied, because of inaction, to the previous betting laws) the law is disregarded. When a law is amended to meet present-day requirements, it behoves the administering authority, of whatever political persuasion, to ensure that it is properly administered. It may come as a shock to some organizations and individuals if the Government enforces the legislation in its newly amended form.

The manner in which it will be enforced will depend almost entirely upon the regulation-making power in the Bill. I hope the Government has carefully considered the regulations that will be made under this rejuvenated Act. I am not sure what this will mean, but surely some of the activities entered into today (which the law does nothing about) will involve inspection and regulation. So, this may not be an unmixed blessing for all the people who are at present engaged in this type of activity. When the previous Cabinet considered the matter it looked at various definitions in its effort to include more detail in the Bill, so that members would be able to understand the Government's intentions. However, it was found that it was almost impossible to include the details which members would perhaps like to see and which would cover all the circumstances that might arise. So, it became necessary to draft the Bill in its present wide form and to rely on the regulation-making power and on Ministerial supervision.

I support the present Government's action in proceeding in this way, because it could find no alternative. However, it does place an added responsibility on the Minister, one which I personally could do without, and I am sure the Minister will not really welcome this new responsibility. However, I repeat that I hope and feel sure that he will administer it fairly. At least, there will be the supervisory power of Parliament in watching the regulations as they proceed through the House, and I hope this will clean up the situation that we know will never be entirely neat and as tidy, perhaps, as a law enforcement group would like, but at least the public will know the standards set by regulation by the Government of the day. People will know when they will be complying with Government policy in regard to lotteries and when they will be transgressing. Today, because of the open defiance of the law as it exists, there is no real standard by which behaviour in this matter can be measured. I support the Bill.

Mr. RYAN (Price): It is rather unusual for me to follow the Leader of the Opposition and to adopt the same viewpoint on legislation, as the Government will be doing on this occasion. However, whilst I agree with some of the Leader's remarks in support of this Bill, I violently disagree with some other remark that he has made. He said that credit for this Bill must rest with the Liberal and Country League.

The Hon. G. R. Broomhill: He says that on every Bill.

Mr. RYAN: Yes; on every occasion on which the present Government has introduced legislation, the Leader has claimed the credit for it. However, I think that actions speak louder than words. We remember the violent opposition that this Government received during one of the few periods that it was in office previously. When we initiated the legalization of lotteries, the viewpoint of the Opposition was vastly different from the viewpoint we have heard from the Leader this afternoon. I think the most important aspect of this Bill is that it will legalize something that has more or less grown up in this State over many, many years. Whilst we know that the composition of the Opposition has altered in the last few years, it is rather amazing that the Opposition is claiming credit for something that it could have done during the 30 years that it was in Government. On this occasion, the Leader says that he announced it in his policy speech.

Mr. Hall: No, I didn't. I said we had talked of it previously and that we intended to introduce legislation.

Mr. RYAN: Once again, I say that actions speak louder than words. The Labor Government is placing this legislation on the Statute Book.

Mr. Rodda: There's no need to be parochial about it.

Mr. RYAN: My attitude now is no different from what it was between 1965 and 1968 when, as I have said, we initiated the first legalization of lotteries in South Australia. This has proved a tremendous benefit to the people of this State. This is one Bill on which I could probably disagree to a principle to which I have disagreed on other legislation. I refer to the granting of power to act by regulation. I think the only way that the legalization of lotteries, etc., can be performed is by allowing the amendment to be

made by regulation. However, at this stage we cannot know what the regulations will provide. Of course, we know what the policy of this Party is and we know that it was accepted by the people on May 30. It is rather amazing that this type of procedure has been allowed to go on in this State for so long. If any honourable member wants to see an example of the open flouting of the law in South Australia today, he has only to go to the Adelaide railway station ramp. For the last five weeks or six weeks various types of car being raffled have been displayed openly.

For the benefit of honourable members who may want to see an example now, one car is displayed and a notice reads, "Win this car for 25c in a raffle." This type of thing has been going on illegally for many years. It has been allowed to proceed, but at least now we will give the practice some degree of decency by allowing it to proceed on a legal basis rather than on an illegal one. I know that honourable members, whether they are serious or whether they are joking, say that they make the laws and do not break them. I do not think one honourable member of this Chamber could honestly say that, over a period of years, he has not broken or flouted the law of this State regarding raffles.

The Hon. Hugh Hudson: You're not suggesting that Opposition members would flout a law, are you?

Mr. RYAN: I have often sold Opposition members lottery tickets,

The Hon. Hugh Hudson: You've actually conspired with them to flout a law?

Mr. RYAN: I have sold them raffle tickets.

Mr. Rodda: What about betting on football?

Mr. RYAN: I have done that many times. I can be unlucky in that respect, because last Saturday I had a bet with the Premier on football and, although I did not lose, I did not collect. I have had a bet on football many times, and hardly a day passes that I am not asked to buy a lottery ticket.

The Hon. Hugh Hudson: Do you think Opposition members would actually encourage people to flout the law by getting them to organize a raffle?

Mr. RYAN: I do not want to get too political, but I remember a certain honourable member winning preselection on a lottery basis. I presume that members of the Labor Party have broken the law on raffles, too, but raffles have grown up in the community and I should hate to envisage what would happen to any Government, irrespective of Party, if it said it would implement the present law and clamp down on raffles. There would probably be a social revolution in this State if we said, "The law reads a certain way and we will implement it accordingly." This law has been broken: I have broken it, and probably every other honourable member of this Parliament has done the same.

How many times do we see sporting clubs openly advertising that they are raffling motor cars? This goes on every day of the week. I know that the member for Torrens has taken part in several raffles of motor cars. I shall not mention the name of the club concerned, but I know he has bought tickets. This type of thing is one reason why it is essential to contain, in this amendment, the power to govern by regulation, because probably it will be necessary to learn as we go along and to amend from time to time the regulations on the legalizing of raffles and lotteries. Rather than having to amend an Act whenever necessary, it is easier, as we all know, to amend a regulation. However, this does not take away Parliament's power to determine what the law shall be, as regulations are closely scrutinized by a Parliamentary committee, and it is up to each member to approve or disapprove a regulation in question.

I agree with the Leader that once these practices are legalized, we must ensure that a penalty for infringing the Act or the regulations will be severe, and we must implement such penalty once the relevant regulation is in force. We must also ensure that rackets are not allowed to develop wherein people run a raffle for their own benefit. We all know of the "crook chook" raffles held in hotels on Saturday afternoons; indeed, if I had won every "crook chook" raffle that I had entered I would have a bigger hatchery than the Windsor poultry organization had ever heard or dreamed of. We must ensure that a severe penalty will be imposed in the case of any abuse of the legislation. The main purpose of the Bill is that it should be confined to certain activities, including those of charitable and sporting organizations, which exist largely on the proceeds of raffles that have previously been illegal.

I support the Bill, hoping that it receives a speedy passage through Parliament, so that we shall be able to bring down a regulation to cover something, provision for which has been long overdue in this State. This is a matter concerning which no-one is claiming political credit: the Bill seeks to implement a provision which the public wants and for

which it has asked, and any consideration of the measure should be above Party politics.

Mr. GOLDSWORTHY (Kavel): I wish to make some observations regarding this Bill and, at the outset, I have certain reservations about it. Having taken the trouble to wade through the original Act and the dozen or so amending Acts to get some sort of background to this legislation, I may say that in my view it has been no mean intellectual exercise. Nevertheless, one or two fairly strong impressions have emerged. One impression is that there are in the original Act some provisions that one could only describe nowadays as being quaint. Section 59, for instance, refers to some of the games of chance which were apparently in vogue when the original Bill was introduced and which have not been removed by amendment. Section 59, for instance, refers to such "games, tricks or devices" as the "purse trick", "three card trick", "thimble rig", "faro", "banker", "fan tan", "two up", "pitch-and-toss", and "hazard". Perhaps my education has been lacking, as the only one of which I am aware is the game of "two up".

Mr. Ryan: What!

Mr. GOLDSWORTHY: The member for Price is rather proud of the fact that his former district was the home of this game. The honourable member said that this Bill might not make certain practices legal but that, if we took action against those engaging in them, we would have a social revolution on our hands. He then made the contradictory statement that penalties should be increased so that the law would be enforced. One cannot have it both ways. In reading through the Australian Labor Party's policy speech, I find that, following the paragraph on the Lottery and Gaming Act, the Premier said, "Every citizen has to live subject to the law."

Mr. Venning: Who said that?

Mr. GOLDSWORTHY: The Premier of the State said that. Surely, in the light of what has transpired since, he had his tongue in his cheek when he made that statement. Another strong impression that one could not but gain was that most of the legislation was concerned with the control of betting activities in connection with horse racing and trotting. The third impression I gained was that the powers vested in the Minister were strictly limited. He had some power in connection with the appointment of the Betting Control Board. The Treasurer was enabled to make certain payments in connection with the operations of the totalizator. Also, I read through the Bill that was introduced to authorize the State lottery. Here again, the powers of the Minister were limited. He had some powers in the appointment of the commission but he had very limited discretionary powers under the original legislation.

What has in fact led up to this Bill? The policy enunciated by the Labor Party has led to its being brought into the House. I am particularly interested in the fact that the Bill has been introduced in a form almost identical to that of the Bill drafted in the time of the previous Government. The fact that it was drafted then does not preclude me from criticizing what I believe to be weaknesses in the present legislation. However, it bears out my point that the Labor Government has not thought this out independently if it is prepared to bring in a measure almost identical to that introduced by the previous Government.

Mr. Burdon: Not introduced by the previous Government.

Mr. GOLDSWORTHY: It was drafted, not introduced, by the previous Government. That indicates that this Government has not done any original thinking on this matter. The Labor Party policy speech states:

> The present absurd laws relating to raffles and small-scale sporting and charitable lotteries will be completely revised.

The "complete revision" appears to be in paragraph (*e*) in clause 10—that raffles will now be exempted. I do not think that this Bill represents a complete revision of what the Labor Party called the "absurd laws relating to raffles". In fact, I do not think it has done much homework on this Bill.

The part of the Bill about which I have considerable reservations is the sections in new Part IIA in respect of authorized or exempted lotteries. The member for Price made much of the fact that this had to be introduced by way of regulation, but I do not concede that. The fact is that new section 14b provides "for the granting and refusal of such licences by the Chief Secretary or any person nominated by him". In my view, the Chief Secretary should not be given discretionary powers. Any powers given in the past under the Lottery and Gaming Act to the Minister have been fairly limited. We have seen already in the life of this Government the ability of some Ministers, at all events, to exercise discretionary powers. Whatever the political opinion of a Minister may be, I do not think that these discretionary

powers should be vested in him. Then the Minister is to prescribe:

the persons, or associations or organizations or classes of persons, associations or organizations . . . to whom or to which licences . . . may be granted under this Act.

This will lead to considerable difficulties in making decisions. Then the Minister shall make decisions providing for the cancellation of these licences. The Government made much of the fact that there was pressure on it to implement some of these measures. Personally, I have had no pressure put on me, either preceding or since my election, regarding some of these changes. I have been asked by some people, "What does the Government plan, or what has it in mind for some of these measures?" I am not in a position to tell those people, and this Bill does not put me in a position to tell them, just what the Government intends to do in the licensing of lotteries. The only statement I recall the Government spokesman making on lotteries was that it was not in favour of one-armed bandits—poker machines. If we are to believe that this Bill will enable sporting and charitable organizations successfully to raise finance, poker machines are the best money-spinners ever invented for that purpose. If that is the Government's thinking, it should go all out for them.

Mr. Burdon: You are advocating poker machines?

Mr. GOLDSWORTHY: No; I do not advocate them. I make the point that, if it is a valid argument that we are introducing this measure to enable sporting and charitable organizations to raise revenue, the Government should go all out for one-armed bandits, because they have proved to be the best money-spinners ever introduced.

Mr. Burdon: There is no provision for one-armed bandits in the Bill.

Mr. GOLDSWORTHY: No. There is very little definitive in the Bill.

Mr. Burdon: In other words, you are saying they should be provided for?

Mr. GOLDSWORTHY: No. I am saying the Bill is not definitive enough. We do not know from Part IIA what is in the Government's mind.

Mr. Burdon: You are inferring—

The SPEAKER: Order! The honourable member must take no notice of interjections.

Mr. GOLDSWORTHY: It is difficult not to answer interjections, Mr. Speaker, but I will try to ignore the specific interjection of the member for Mount Gambier. There is in this Bill a lack of definition: we do not know just what we are letting the public of South Australia in for if we pass it. The only indication we have had from the Government about poker machines is that it does not intend to license that sort of operation. In the circumstances, I believe we are being asked to buy a pig in a poke. There should be far more definition in this Bill. We should know definitely what the Government has in mind to license, and this discretionary power should not be vested in the Minister. In the circumstances, in view of the reservations (in fact, they amount to considerable objections), I should like to see this Bill pass into Committee in the hope that there will be some clarification and substantial amendment. I consider the Government has not done its homework on the Bill. It has adopted a measure that was drafted previously. Therefore, I do not believe that on third reading some members on this side will support the Bill.

Mr. SIMMONS (Peake): It seems to me that the member for Kavel is complaining because we have taken over the draft prepared by his Party and we have not done enough homework on the Bill. Presumably, it was badly drafted in the first place, if the allegations of the Leader have any point. The member for Kavel has referred to paragraph (*e*) in clause 10. Obviously, that is a minor way to give effect to the Labor Party's policy in this Bill. New Part IIA is the area wherein the licensing and exemption of lotteries will effectively be carried out. The previous speaker also said that he had been under no pressure since being in Parliament to legalize these lotteries.

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

Mr. SIMMONS: I trust the member for Kavel and the Leader have sorted out the questions whether the Bill is a good one and whether the Liberal Party still claims to have conceived it. The important thing is that the Labor Government is giving birth to the legislation. The member for Kavel said that he had been under no pressure to see this sort of legislation enacted. I suggest that if he has any conscience or respect for the law he should not needlessly have delayed the passage of the Bill for even the 10 minutes or so that he spoke. As the Leader said, the Bill will remove much of the double standard involved in contests conducted by hundreds of types of society within our community. Although I am a new member, like several other members (on this side at least) I have deplored the tendency

to waste time in lengthy debates on issues about which responsible people on both sides agree, and I do not intend to prolong this debate unduly. However, I wish to stress the value of the Bill in that it makes legal, under reasonable conditions, much activity carried out by all sorts of organizations, be they social, charitable, religious, political or sporting. Together, those organizations make up the rich and varied texture of our community.

The Bill will free from the fear of breaking the law the active workers in those societies to whom we owe so much. I believe the respect of most citizens for the law will be increased by this means, and I think that is most desirable. It is bad for the law to be generally flouted. This can take the form of open defiance, as in the type of case instanced by the member for Price or, perhaps, in even worse cases, the law is made a joke of in the sort of instance where a quiz is introduced, a person being asked, "Who is the Premier of South Australia?", when any schoolboy for the next 20 years will be able to say it is Mr. Dunstan. Another good result of reducing the area of illegality is that it makes much more possible the policing of the remaining illegal sections. Therefore, I am glad that the Bill provides increased penalties under the Act. As the Leader said, the regulations will be of critical importance in implementing the legislation. I believe that when the regulations are introduced the House and the public will be adequately satisfied with them. As the member for Price has said, if the implementation of the Act is covered by regulations, it will be possible for us to review them with a minimum of delay and trouble when experience shows that possibly some alteration is required. For this reason, I believe this Bill is the proper way to carry out the policy of the Labor Party in this respect. As I believe that the Bill is a good one and that the regulations will also be found to be good, I support the Bill.

Mr. EVANS (Fisher): Although in Committee I will move the amendment standing in my name, I think this is mainly a good Bill. It has been said that action speaks louder than words and that previous Governments took no action in this matter. It was also said that the Government immediately before this Government took no action. I take no blame for what happened before my time here. However, during the term of the previous Government (and this has been admitted) a Bill dealing with this matter was being drafted, so action was taken by that Government. Perhaps because of the dam issue there was insufficient time for the Bill to be introduced.

I am concerned to a small extent about one or two aspects; one aspect concerns the type of regulations that will have to be observed by sporting clubs and charitable organizations that operate on a limited basis in our community. Will they have to apply for a permit to a police station or court, or will they be given blanket permission to conduct certain types of raffle? As the member for Peake has said, one of the big bugbears for these organizations is that they have only a few active workers, and the lighter their work load the better. In addition to giving them the opportunity to operate raffles legally, I hope it will be possible for them to operate without too many restrictions in connection with applications for permits. I hope that that aspect will be considered when the regulations are being framed. I support the Bill, except for the provision affected by the amendment that I have foreshadowed.

Mr. LANGLEY (Unley): I, too, support the Bill, which is long overdue. Anyone who has lived in our community knows that over the years raffles and quizzes have been prevalent. The key to the Bill is the regulations, and I am sure they will be supported by the House when they are introduced. Members of Parliament are often called upon to conduct the draw for raffles. I am sure the member for Kavel will know that raffles have been conducted for many years, and it is about time we legislated to meet current needs. If people do not want to buy raffle tickets they do not have to. Over the years there has been a saying, "One for the needy and one for the greedy." The first part of this saying is meritorious, but not the second. We have recently seen this type of raffle being conducted in this State.

How would any respectable club be able to continue if raffles were not held? Surely we have all visited functions conducted by people who say they oppose raffles and have encountered efforts to beat the law—for example, competitions to guess the number of fish in an aquarium, the length of string in a bottle, the number of marbles in a tin, or the length of time for which a clock will run. What a test of skill! Surely all members readily accept that this type of competition has been going on for some time. This type of window dressing is not needed. Clubs could have been given the means of raising additional funds. Anyone who has a knowledge of the operations

of sporting clubs knows that they could not meet their commitments unless they conducted raffles. Not only members but also outside people support this fund raising and so help clubs to remain solvent.

Mr. Clark: Have you had any experience of raffles conducted by political Parties?

Mr. LANGLEY: Yes, raffles that the Australian Labor Party has conducted have helped the candidates, and we can see how many members we have on this side. We used to hear about the *Voice of South Australia,* but the voice has changed now. I have spoken about the needy and the greedy, and when we travel around our districts we find out about the greedy. I hope the Government eliminates the type of raffle conducted in hotels and other places where people congregate. This type of raffle must be stopped, because people conducting this type of raffle are getting rich and the money is not going to needy organizations. These operators have many means of going about their business, they are able to buy prizes cheaply, and they make much money out of the raffles. I wish to refer now to a game known as housey-housey.

Mr. Jennings: That's bingo.

Mr. LANGLEY: It is also known as bingo. Although that game is not legal in South Australia, it is played on ships and passengers travelling overseas are able to have a little flutter in well-run games. Housey-housey is played in South Australia and is conducted properly. People would be pleased if they did not have to play the game "under the lap", and I am sure the regulations will make this game legal.

Mr. McKee: And unders and overs?

Mr. LANGLEY: Yes, that is another game that may be legalized. I commend the Government for introducing the measure, even though we stole it from the Leader! The people of South Australia will be pleased to be able to participate in games and so to help organizations in the right way.

Bill read a second time.

In Committee.

Clauses 1 to 9 passed.

Clause 10—"Exceptions from Act."

Mr. EVANS: I move:

After paragraph (*d*) to strike out "and"; and to insert the following new paragraph:

"and

(*f*) any raffle of a private nature among persons who are *bona fide* members of the same club, society or organization where the net proceeds thereof are to be appropriated to the provision of amenities for the members of that club, society or organization and the value of the prize does not exceed twenty-five dollars."

I believe that the amendments are self-explanatory, and the intention is virtually the same as that contained in paragraph (*e*), which provides the opportunity for employees to conduct a raffle, the prize for which shall not exceed $25, and the proceeds of which shall be used to provide amenities for the employees concerned. The amendments, which concern people who belong to a lodge, Returned Services League club or other similar organization, are restricted to benefiting *bona fide* members of such organizations. The proceeds are to be used for providing amenities for those members, who would not have to apply for a special permit to conduct a raffle. I believe that it is possible to include the organizations referred to in the amendments, which I ask the Government to consider sincerely.

The Hon. D. A. DUNSTAN (Premier and Treasurer): I regret that I cannot support the amendments, although I do not think there is any difference between the honourable member and the Government regarding this matter. However, there are some difficulties about the amendments as they stand, because there is no provision in the Act for the definition of clubs, societies or organizations. In fact, this is contained in the scheme of regulations. All that the honourable member proposes, and more, will be achieved in the regulations. So it is intended to do this and, in fact, to go wider, but the regulations will also prescribe the means of establishing that the people concerned are in fact *bona fide* members of clubs, organizations or societies, and make certain that we have an effective control of them. Therefore, while I regret we cannot accept the amendments, I assure the honourable member that the intention of his amendments will be incorporated in the regulations.

Mr. EVANS: Can the Premier explain why the Bill includes paragraph (*e*), in which groups of employees working for a particular employer are covered?

The Hon. D. A. DUNSTAN: The fact of employment and that it is a group of employees is easily establishable objectively but, when we talk about a *bona fide* club, society or organization and bring in an unincorporated organization without anything much in the way of formal rules, to determine who is and who is not a member of that organization is difficult. That is why we intend to include that provision in the regulations, which will be more detailed.

Mr. EVANS: Will this mean that the smaller clubs, some of which have only 20 members and run a 20c competition every time

they meet, will have to make a written application for a permit every time they run a competition or will there be a blanket provision in the regulations excluding them?

The Hon. D. A. DUNSTAN: There will be an annual permit so that they do not have to apply in relation to every lottery or raffle: they will merely go along to show that they are a *bona fide* club and get a stamp and a number to put on their tickets. It is completely inexpensive. but by such means it can be established that such an organization is a *bona fide* organization. It will not be required to do much paper work. We have seen to it that it is as simple as possible; so that, in fact, all that is required to be done is to show that they are a *bona fide* club or organization, which can be done by a simple declaration.

Mr. EVANS: I am happy to let the amendments lapse, but I believe it is completely unnecessary for some of these clubs that have established themselves as genuine clubs to have to apply every 12 months. We are not making it any easier for them: we are only making it legal for them. They do not have to apply now just to conduct raffles. I hope the Government will look at this matter and realize that, once a club has established itself as a genuine club, there should be no need for applications every 12 months.

The Hon. D. A. DUNSTAN: The Governments lapse, but I believe it is completely as possible in the way of formal application. Our aim is that there should not be restrictions in the area below the $200 prize money and 20c a ticket proposal. However, the honourable member will be aware that clubs come and clubs go. A club can get a permit, but how long the club remains an unincorporated organization, and a *bona fide* one, needs some sort of check. If we find that the 12-months' period is too frequent a requirement for application, then obviously the period will be extended. In this we have to operate to a certain extent pragmatically, because this has not been in operation before and we have to see how it works. That is why the legislation has been drafted so that regulations can be introduced. We can see how it is planning out and, if we find something needs to be changed, it can be changed quite simply. The aim of the regulations is to provide as little restriction as possible.

The CHAIRMAN: Does the member for Fisher wish to withdraw his amendments?

Mr. EVANS: Yes, Mr. Chairman; I seek leave to withdraw my amendments.

Leave granted; amendments withdrawn.

Clause passed.

Clause 11—"Enactment of Part IIA of principal Act."

Mr. FERGUSON: I do not mind provision being made for raffles, which have been common practice throughout practically all organizations. However, I am worried about the fact that the Chief Secretary or some other person nominated by him may be permitted, by regulation, to administer any raffle of any kind. I am concerned that under these regulations a football pool could be set up in South Australia, and I voice my opposition to this sort of thing. Can the Premier say whether a football pool could be set up under the regulations that will be introduced?

The Hon. D. A. DUNSTAN: As I understand the operating of football pools, we would need very much more than these regulations to set them up. The Government has not had from the South Australian National Football League a submission about the conducting of football pools, and very much more than is permitted under these regulations would be required to enable the operation of such a pool. For instance, we would need to have not merely exemption provisions but specific enabling provisions to enable a thing of that size and nature to run, so I think the honourable member can take it that this provision is not in here to authorize football pools.

Mr. COUMBE: Can the Premier assure the Committee that if such a football pool were to be planned it would necessitate legislation?

The Hon. D. A. DUNSTAN: Yes; if a submission were made and if it were to be accepted or even considered for introduction, the Government would introduce legislation. I stress that the Government has certainly made no decision on this matter.

Mr. GOLDSWORTHY: Can the Premier outline more definitively the type of lottery that will be permitted? The regulations will prescribe the persons, assocations or oganizations, etc., that will be licensed. Surely the Government must have in mind the scale of lottery that it will allow. The small-time raffles have already been dealt with. One of the advantages of the State lottery has been that we are no longer bombarded with invitations from other States to take part in lotteries with a first prize of a house at Surfers Paradise and about six motor cars as other prizes, or something of that type. What does the Government have in mind in respect of these regulations?

The Hon. D. A. DUNSTAN: At this stage I cannot spell out in detail the regulations. We will not debate the regulations while we debate the Bill. The Government's policy is clear. For any organization, club, association or group of people whose purpose is a *bona fide* social, sporting or other purpose a lottery with prize money of up to $200 with 20c tickets will not be subject to restriction. As soon as the club or association has established that it is such an organization and has obtained a number to put on its ticket, it can run these lotteries, and there will be no restriction. Above that level, application will have to be made for a licence for a particular lottery. In those circumstances, audited statements will have to be provided. The Government will have to be satisfied that the proceeds are reaching the beneficiaries for whom the lottery is being run, and rather more stringent provisions necessarily will apply.

At this stage, I cannot outline in detail the whole of the regulations, but they will certainly place some restriction on the number of lotteries in various classes that can be run each year in respect of the larger-scale lotteries, as in the case of the kind of caskets we have seen here which have been called quizzes but which are lotteries. That sort of thing will be subject to a restriction in number. Also, much more stringent control than now exists will apply. At present there is no requirement for these organizations to give audited statements as to the way in which they dispose of proceeds from this class of activity.

Mr. BECKER: I refer to new section 14b (1) (*h*). Has the Government in mind that clubs will have to put up a bond to protect people who take out tickets in lotteries so as to ensure that the prize money will be available to those who buy tickets and win a prize? I raise this point because a small lottery or raffle could be in the hands of unscrupulous treasurers who could make off with the money. In these circumstances the lottery might not be drawn and the prize money might be unavailable. Does this new subsection mean that clubs should take out a bond to ensure that the prize money will be available when the lottery is drawn?

The Hon. D. A. DUNSTAN: I do not imagine that in every case a bond will be required, but there will need to be some sort of administrative discretion in this connection. This new subsection would certainly allow for regulations to be made providing that in appropriate cases bonds were required for the due performance of the arrangement entered into under the regulations.

Mr. EASTICK: I agree that it is necessary to provide for a bond or some other security. As many organizations will be handling sufficient money to warrant a bond and as the sale of tickets sometimes extends over a long period, is it intended that the bond so entered into will involve interest at normal bank rates, or will it be a bond held in trust without any interest?

The Hon. D. A. DUNSTAN: That is not a question that I can answer at present, What the honourable member is asking us to do is to debate the details of the regulations themselves. They will be before members shortly, and the honourable member will then have an opportunity of dealing with the detail of this matter.

Mr. LANGLEY: Will consideration be given to ensuring that this provision will not adversely affect the State Lotteries Commission?

The Hon. D. A. DUNSTAN: The aim is to see that, whilst we make legal what is generally acceptable in the community, at the same time we do not hopelessly overload the market, because that would be detrimental to the citizens of South Australia and the very many hospitals that now receive assistance from the Hospitals Fund, which benefits so markedly from the existing State lotteries. Necessarily, of course, the market will have to be watched and decisions made under the regulations as to the annual number of large-scale lotteries that might be held in some measure to compete with the State lotteries. It is not contemplated for one moment that the prizes authorized under this provision will in any way approach the amount of prizes available from the State Lotteries Commission.

Mr. GOLDSWORTHY: I take it from what the Premier has said that a lottery having, say, a house as the first prize will not be licensed. The sort of lottery I am thinking of is that advertised in other States, to which I referred previously. The first prize is a house and lesser prizes are motor cars.

The Hon. D. A. DUNSTAN: I do not expect that prizes of the very extensive kind offered by some of what are euphemistically termed art unions in other States will exist under the regulations in South Australia.

Clause passed.

Title passed.

Bill reported without amendment. Committee's report adopted.

GOODWOOD TO WILLUNGA RAILWAY (ALTERATION OF TERMINUS) BILL

Adjourned debate on second reading.

(Continued from August 11. Page 608.)

Mr. McANANEY (Heysen): The Government has seen the light and has realized that what must be must be. Only one train a week ran over the line for a long time, and the Highways Department has been involved in considerable expense in building roads around it or over it. The lines should have been closed and pulled up years ago. It was built with too big a curve and too steep an incline, and trains could not travel on it at more than about 25 miles an hour. Further, the line could not be converted into a modern type of line such as will be required to be provided to the Christies Beach and Sellick Beach areas. In years to come there may be a railway line along that route to Victor Harbour, but that is looking ahead many years. The Goodwood to Willunga railway is of no value to the community and the quicker it can be closed and the rails pulled up and used elsewhere, the better. I support the Bill wholeheartedly.

Mr. NANKIVELL (Mallee): Briefly, I support my colleague and should like to read a short extract from the report of the Public Works Committee regarding the financial aspects of this particular line. The report states:

> In a study of all services operated by the South Australian Railways during 1965 to 1966 it was ascertained that the revenue received on this line—

that is, the Hallett Cove to Willunga line—

> was of the order of 26 per cent of the full cost and 32 per cent of the out-of-pocket cost of operating the service. At the time the revenue was approximately $14,700, full cost $56,900, and out-of-pocket costs $45,300.

The Hon. G. T. Virgo: What year was this?

Mr. NANKIVELL: This was for 1965-66. The report continues:

> Since that time, the revenue has decreased further to approximately $6,300.

There is now a deficit in addition to the one incurred when the service was running. The report then states:

> It is estimated that costs in the same period have increased by some 12 per cent on account of wage, material and price increases since that time. If the line is to remain open, it is estimated that $419,000 will need to be spent within the next six years on extraordinary maintenance and no future developments in freight traffic are envisaged on this section of the line.

That is the economic aspect, but I think the other evidence given to the committee was even more interesting. I think the committee accepted the evidence from the State Planning Authority that by 1991 it was expected that the area as far south as Willunga would be a residential area and that a fast passenger commuter service into that area would be required. However, the evidence submitted was to the effect that the surveyed land on which this line is situated would have been completely unsuited to this purpose, as the grades are steep and the curves too sharp for a train to maintain sufficient speed. Consequently, there was no point in the committee's supporting a retention of any of the land in question as a future site for a railway line.

As the Minister has said, the Railways Commissioner has indicated that it is intended to extend the present line south to Christie Downs, and at some future time the line could be extended to Noarlunga and beyond. At least the service extending to Christie Downs could be a fast and efficient service and it could be, as has been suggested, a co-ordinated service if there were buses leading to it. This would in some measure meet the requirements for fast public transport out of the area. I should like the Minister in due course to comment on the committee's recommendation with respect to preserving the existing line as an area to be used as a bridle path or by people interested in hiking. It is an interesting route, and there seems to be little purpose in disposing of the land, because little of the area in question, if any of it, would be suitable for subdivisional or other purposes. There was no question in my mind that the existing route of the line would be unsuitable for further development. The cost of restoring the line was completely out of reason. Therefore, I freely admit that I am opposed to retaining this line and that, in fact, I favour its closing, and I have no hesitation in supporting the Bill, which seeks to do just that.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Removal of portion of the railway."

Mr. NANKIVELL: I understand that most of the material from the line is recoverable and one of the reasons for urgency in passing this legislation is that the Railways Commissioner can make use of these materials in further line construction and upgrading elsewhere. Is this so and, if it is, where is it intended that the materials shall be used?

The Hon. G. T. VIRGO (Minister of Roads and Transport): I cannot tell the honourable

member where the materials will be used. However, all material that is removed, as in the case of the Morgan-Eudunda line, is subject to salvage. The best possible use is made of it. Where the rails themselves are suitable, they go through the butt-welding plant and come out as longer rails although, to the best of my knowledge, no rails on the Willunga line would be suitable, because they are, in the main anyhow, of a lighter weight. This means that their salvage use is restricted to fences, cattle grids, and things like that. The modern trend is to put down the heavier weight rails. Preferably, rails of a very heavy weight, either 93 lb. or 107 lb., are used. The only indication I can give the honourable member is that, after the legislation has been approved and received assent, the line will be removed and the best possible use will be made of the material salvaged.

Clause passed.

Clause 4 and title passed.

Bill reported without amendment. Committee's report adopted.

RIVER TORRENS ACQUISITION BILL

Adjourned debate on second reading.

(Continued from August 12. Page 677.)

Mr. COUMBE (Torrens): I support the Bill wholeheartedly and have much pleasure in doing so. It is appropriate that the member for Torrens should support it, as the Torrens is one of our more important rivers in South Australia. In fact, we have only two of any consequence. Much attention has been given to the preservation of the Torrens River over the years, and we already have on our Statute Book two other Acts dealing with the river. I refer to the River Torrens (Prohibition of Excavations) Act and the River Torrens Protection Act, both of which have been used very efficiently in the past. This Bill brings a new concept to the control of the river.

I might say for the benefit of the House that this Bill has quite a deal of history behind its birth, if I might be permitted to use that expression. We hope that tonight we will see it delivered very safely. Some years ago I interested myself in this subject, as did the Walkerville council, whose area abuts the river. The council, with which I was connected at that time, formed what was called the River Torrens Improvement Standing Committee and invited councils both upstream and downstream of the city of Adelaide to join with it on that committee. The city of Adelaide itself, of course, was excluded and, in fact, this Bill specifically excludes the Adelaide City Council area. The only council that was not interested was the Tea Tree Gully council, and the reason it was not terribly interested was that the Torrens River did not affect it very much at all.

A great deal of activity resulted from that committee, and I was successful in getting the then Treasurer (Sir Glen Pearson) to establish the principle of giving a grant to the councils to assist in improving the river banks. In those days this expense was met by the councils. This grant was towards the cleaning up and the establishing of informal areas along the river, not at all like the formal work done by the city of Adelaide but work in the provision of areas where people could have picnics or barbecues. Also, some lawn planting took place. A number of members of this House whose districts abut the Torrens River have on several occasions been up and down the river on conducted tours arranged by the Walkerville council.

Subsequently to this, I was successful in getting Sir Glen Pearson to set up what was called the River Torrens Committee. That was a governmental committee consisting of representatives of the Treasury, the Town Planner, the Engineering and Water Supply Department (represented by Mr. Ligertwood), the Highways Department, and five members of local government from councils upstream and downstream of the city of Adelaide. Subsidies were provided by the Government and met on a $1 for $1 basis by the councils concerned, and much work was done. I was very pleased to learn the other day that the present Minister had announced that this amount would be increased, and I give him full marks for that.

This present Bill was prepared last year at my suggestion, and I am pleased to see that it is coming into the House at this stage. Before having the Bill prepared last year I took the trouble to see that all councils concerned were unanimous in their support of the measure. As reported to me by Mr. Symons, representing the committee, all councils were unanimous in their support. I have also made inquiries from a number of my constituents who live adjacent to the river, and I have ascertained that those people have no objection to this measure.

We see in this Bill a very good attempt by the Government to establish a common boundary for the river on both sides. That boundary is to be the bank. Some years

ago I had the opportunity to witness an old map of the river which showed some titles (which, incidentally, were well over 100 years old) running to the centre of the river. Unfortunately, since then the centre of the river has changed several times. The titles in respect of other parts stop at the bank of the river, so there is much confusion. Also, under the existing legislation, some landholders would have fairly solid obligations if the provisions of the River Torrens Protection Act were implemented. Under the Bill, it is proposed that the river bank shall be defined and that that shall be the boundary, which shall be marked on the title. People with titles running to the so-called centre of the river will be protected, as the Bill provides certain safeguards somewhat akin to those included in the Planning and Development Act. The Bill provides that a plan, having been arrived at, must be displayed in the local council office, any landowner having the right to see the plan and, if he has an objection, to object in writing directly to the council or the Minister. He can lodge his complaints, which must be heard, so that his rights are preserved.

I believe that the provisions of the Bill will eventually help to smarten up much of the Torrens River, parts of which are presently a shocking mess. If some of the river can be cleaned up, not only will this remove the impediment to water flowing down the river but it will also afford opportunity for further beautification of the banks, such beautification having already occurred in some areas. Under the Bill, councils will have the right to purchase either from the Crown or from other sources certain lands, which they can beautify. The land so taken over between the banks will become the property of the Crown. This will lead to further beautification of the river. The question of the impediment of the water might not be quite as important as it was a few years ago because, since the Kangaroo Creek reservoir was built, there have not been the frequent floods of the river that used to occur. Those floods were a good thing in many ways because, even though they brought much debris down the river, they did a good job of scouring out certain sections of the river. Now that the Kangaroo Creek reservoir has been built, there will not be as many floods down the river. As parts of the river are in a mess, I hope that the provisions of the Bill will help in their clearing up. I support the Bill wholeheartedly, wishing it a speedy passage and commending the Government for introducing it. My only regret is that I did not have the opportunity to introduce it myself.

Bill read a second time.

In Committee.

Clause 1 passed.

Clause 2—"Interpretation."

Mr. EASTICK: In previous discussions concerning the top of a river bank difficulty has arisen with regard to the difference between the top of the bank when the river is at its normal flow level and the top of the bank when the river is at its high point, that point sometimes being far removed from the current river bank, having regard to erosion and other problems of flow. Can the Minister assure the Committee that this definition covers all possible eventualities that may occur along this river?

The Hon. J. D. CORCORAN (Minister of Works): I am happy with the definition. True, one could find difficulty in arriving at an exact definition but, generally speaking, the definition will cover the problems that the honourable member has raised. If a difficulty arises, I am certain that we will be able to overcome it.

Clause passed.

Clauses 3 to 5 passed.

Clause 6—"Exemption from rates, etc."

Mr. COUMBE: I do not object to the clause but I wish to raise an obscure legal point. I have personally seen a river bank being washed away. After the boundary has been fixed under this legislation part of the river bank may suddenly disappear under a rush of water and a person may find that part of his land has disappeared into the river. I do not know the solution to this problem; if the Minister knows the solution, I should like to hear it. If he does not know it, will he investigate the matter and reply later?

The Hon. J. D. CORCORAN: The honourable member covered this matter during the second reading debate when he said that because of the Kangaroo Creek dam there was little likelihood, if any, of flash floods in the future, and I agree with him. If and when the problem arises, I will deal with it.

Mr. RODDA: The point raised by the member for Torrens is not beyond the bounds of possibility. I have a farm alongside Mosquito Creek, and the corner of the property is partly in mid air.

The Hon. J. D. CORCORAN: Mosquito Creek is far from the Torrens River.

Clause passed.

Remaining clauses (7 to 10) and title passed.

Bill read a third time and passed.

SUPREME COURT ACT AMENDMENT BILL (SALARIES)

Adjourned debate on second reading.

(Continued from August 25. Page 977.)

Mr. MILLHOUSE (Mitcham): I support the second reading. I guessed that the Bill would be coming along, because it is supplementary to other legislation that we have had before the House to increase the salaries of some other judges in this State. I am a little surprised that this Bill was not introduced either at the same time as, or a little before, the other measure, but that does not matter. So far as the amendments are concerned, I accept the computation that has been made of the salaries of the Chief Justice, $23,000, and the puisne judges, $21,000. I hope that these salaries preserve relatively with the salaries of their brother judges in other States and also with the judges in inferior jurisdictions in this State.

There is only one matter that I would like to raise, but unfortunately the Attorney-General is not here. I do not know whether the Minister of Works can answer the question that I want to ask. If he cannot, I hope he will allow the debate to be adjourned so that I may get an answer. My question concerns a matter that was raised with me by the retired judges several times during my period in office regarding their rates of pension. This matter is extremely important to the three judges affected. One of them, the former Mr. Justice Travers, now the Hon. Mr. Travers, retired only recently and the matter has not become of any great moment in his case, because he retired on half of the salary he was receiving at the date of retirement. However, as the Minister of Works knows, two other judges retired a considerable time ago and, therefore, their pension is much lower than they would be receiving had they retired more recently.

Further, the pensions of several widows of judges are half the pension that their late husbands would have received if they were still alive. The previous Government and I were considering this matter when we went out of office. I had rather hoped and expected that the present Government might have seen fit to take action, and perhaps it still will do that. However, I should like to know before this Bill is passed whether the Government intends to increase those pensions and, if it does not, I should like to know the reasons that prompt the Government's refusal. Perhaps either the Premier or the Minister of Works will be kind enough to give me an answer to this question before the Bill goes through the Committee stage this evening.

The Hon. D. A. DUNSTAN (Premier and Treasurer): So far as I am aware, discussions have been held relating to judges' pensions, and I believe those discussions are continuing. An assessment has been made of the pension situation, but it was considered that that should not delay the salary changes proposed in this Bill. It is on that basis that the Bill has been introduced.

Mr. Millhouse: So there may well be another Bill this session?

The Hon. D. A. DUNSTAN: There could be. I am not suggesting to the honourable member at present that I can promise that this will happen immediately, but I know that there have been discussions on pensions.

Bill read a second time and taken through Committee without amendment. Committee's report adopted.

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

That Standing Orders be so far suspended as to enable the third reading to be moved forthwith.

Mr. Millhouse: Why do you want it put through tonight?

The Hon. D. A. DUNSTAN: I want to get the matter off the Notice Paper. Does the honourable member want the third reading made an Order of the Day for tomorrow?

Mr. Millhouse: Yes.

The Hon. D. A. DUNSTAN: Very well; I will move the third reading tomorrow.

EVIDENCE ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from August 26. Page 1083.)

Mr. MILLHOUSE (Mitcham): I support the second reading of this Bill.

Mr. Burdon: What about the third reading?

Mr. MILLHOUSE: I will support the third reading tomorrow, I hope. This Bill is in precisely the form in which it was rendered to me by the Law Reform Committee a day or so before the last election, and I am glad that the Government has seen fit to introduce the measure. In view of the response which my proposal to set up the Law Reform Committee received from the present Premier about two years ago, I was a little fearful when we left office that the present Government might not use the committee's services or accept the work it had done.

However, I am glad that the counsels of the present Attorney-General have apparently

prevailed over those of the Premier (or perhaps the Premier has changed his mind on this; indeed, I hope more that the latter is the case). This is one example of the work that the Law Reform Committee can do to keep the laws in South Australia up to date on matters of considerable importance not only to the legal profession but also to certain sections of the community and, I suppose, the community as a whole. It is only right and proper that the courts should be able to use evidence that has been collated by computer or computed and stored in that way, and this Bill has that object. I think it is a modest reform in the law which I hope will work as well as we expect it will.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Enactment of Part VIA of principal Act."

Mr. SIMMONS: I should have liked to direct a question to the Attorney-General, had he been present, on the procedures of the law generally, because new section 59b (6) provides:

The court may, if it thinks fit, require that oral evidence be given of any matters comprised in a certificate under this section, or that a person by whom such a certificate has been given attend for examination or cross-examination upon any of the matters comprised in the certificate.

That is fine, but we cannot look at computer programmes quickly and decide there may be something wrong with them. I wonder what the procedure is in the law for programmes to be made available to people who may want to challenge the validity of the output so that they can examine the programmes carefully, which is a fairly lengthy and important process. I do not know whether it is possible to cover that but I think it is important there should be some provision for someone who wishes to challenge the computer output to be able to satisfy himself that it is all right.

The Hon. J. D. CORCORAN (Minister of Works): As I understand the situation, every precaution has been taken to see that there will be no error with the programming or anything else involved with the computing of evidence. However, in view of the query raised by the honourable member, I am happy to ask that progress be reported in order that the query can be completely answered.

Progress reported; Committee to sit again.

ADJOURNMENT

At 8.55 p.m. the House adjourned until Wednesday, September 2, at 2 p.m.