

HOUSE OF ASSEMBLY

Tuesday, October 20, 1970

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

APPROPRIATION BILL (No. 2)

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

QUESTIONS

INDUSTRIAL DEVELOPMENT

Mr. MILLHOUSE: My question concerns the announcement which the Premier made in Whyalla at the weekend about the Government's proposal to establish a State merchant bank and a State development corporation in South Australia. Can the Premier say when it is likely that legislation will be introduced in this House to set up a State development corporation; why he considers it necessary in South Australia to set up these two bodies; whence the funds for them are to come; and, in particular, how their activities will be co-ordinated with the activities of corresponding Commonwealth bodies?

The Hon. D. A. DUNSTAN: I expect that the legislation for the State industrial development corporation will be before the House in about two weeks, but this will depend on the progress made in dealing with business before the House. The legislation is being drafted, and it should be ready by that time. The need for these organizations has been apparent, and their establishment has been recommended by the Industrial Development Branch. In relation to some smaller industries in South Australia, in the past it has been found that quite viable industries (that is, industries with viable products) have been under-capitalized and, therefore, not able to get the normal assistance otherwise given by State Treasury guarantee, because the industries could not get the bank loan that would provide the guarantee. Further, at the early stages of their development they could not find the money necessary to service a fixed interest loan. This has been shown previously in relation to industrial development. An Industrial Development Corporation operated previously in South Australia, and the Government eventually got its shares in Cellulose Australia Limited through the corporation. In the same way, Industrial Products in South Australia was helped by the taking up of equity by the Industrial Development Corporation, which was wound up some years ago. Activities of this kind would be

of advantage to industrial development in South Australia. In fact, it was our policy before the last State election that we should proceed with a measure of this kind. Regarding the merchant bank, it has been pointed out to me, as Minister of Development, that on occasions the flow of funds of fixed interest money for industrial expansion within the State has not been as good as it could have been. Many people involved in industry and industrial development in the State have told me that. Western Australia already has found that a merchant bank of this kind could be of advantage to that State, and the Rural Advances Bank, Development Finance Corporation, and the Crown agents were the main participants in the setting up earlier this year of such a merchant bank angled to industrial development. We have been in touch with people to find out whether we could get a similar facility for South Australia, and it is apparent that we can. Several proposals for putting together the component interests in such a bank are before the Government at present, and it is expected that these will in no way take the place of the Commonwealth corporations but that they will supplement them in areas of particular interest to South Australia.

FROST DAMAGE

Mr. CURREN: Has the Minister of Works, representing the Minister of Lands, a report on the incidence of frost damage in the Murray River irrigations areas? When I returned home last Friday, I was told of damage that had occurred in various areas consequent on the frost that occurred last Thursday, and I got in touch with the Acting Director of Lands asking him to have a survey made in all the areas under his control. I understand that that survey has been made and I should appreciate the Minister's giving the report to the House.

The Hon. J. D. CORCORAN: Following the honourable member's inquiry, my colleague has supplied the following report:

Reports received from district officers indicate that frosts were experienced on October 14 and 15 in most Government irrigation areas but that damage seems to have been confined to the Loxton, Berri, and Barmera areas. There have been a few instances where trees, especially young plantings, have been affected but, generally, frost burn has occurred mainly on sultana vines. The incidence of frost damage seems to be patchy both within areas and within individual holdings, with some isolated cases of severe damage. The information received to date is from quick surveys of the position. Closer investigations will be

made later if required, but it will not be possible to gauge actual losses of crop until fruit has been harvested.

Mr. NANKIVELL: In view of the apparent seriousness of the recent frosts in the Loxton area, will the Minister of Works, representing the Minister of Lands, say whether consideration can be given to treating certain settlers in that area as special cases for assistance under the Primary Producers Emergency Assistance Act? Although I have referred initially to people outside the settlement scheme, I should like to know also whether settlers can be provided with the necessary financial assistance should they be financially embarrassed as the result of this frost. At the request of local representatives, I visited Loxton on Saturday afternoon and undertook a fairly extensive tour of Loxton North and Loxton East. I saw some of the damage done by the frost, and most varieties seemed to have been affected, particularly the sultana varieties. Also affected were the riesling, grenache and shiraz varieties. I was concerned to hear the Minister say that the damage was not assessable at this stage. The people with whom I carried out this investigation and survey were experienced settlers, and their assessment of the damage (and some of the damage we saw indicated this) was that some people would experience the loss of their complete crop whereas others might suffer the loss of only 10 per cent of their crop. Some people concerned have just taken up blocks privately, having bought them from war service land settlers. Also, widows of deceased war service land settlers who are continuing to work their husbands' blocks are particularly involved because they have to employ people to do work that was formerly done by their husbands. Having referred to these cases, I ask the Minister to ask his colleague to consider seriously what assistance can be given to these people as a result of the loss they have experienced prior to the harvest.

The Hon. J. D. CORCORAN: I will take up the matter with my colleague. The honourable member is aware that, under section 5 of the Primary Producers Emergency Assistance Act, the Minister has power to make payments, on the recommendation of people appointed to examine a certain case, to people in necessitous circumstances as a result of any natural calamity. No doubt the Minister will be concerned about the cases referred to by the honourable member. I will bring the

matter to his attention, and tell the honourable member in due course what are the Minister's intentions.

UNIONISM

The Hon. D. N. BROOKMAN: I should like to ask the Minister of Roads and Transport whether he would produce the memorandum with which he corrected his memorandum of September 2 about compulsory unionism or whether he would produce a photostat copy of it. During the debate last week on the censure motion of the Minister, when the Premier was replying to the Leader of the Opposition, I asked (and I admit it was by interjection) whether the Premier would read the memorandum with which the Minister corrected the one that was held by the Opposition to be offensive.

Mr. Millhouse: And by others.

The Hon. D. N. BROOKMAN: Yes, it was so held by many of the people of this State.

Members interjecting:

Mr. Jennings: What would you know about the majority of the people of this State: they tossed you out?

Mr. Millhouse: Members opposite are very offensive today!

The Hon. D. N. BROOKMAN: I take it that the Premier did not then have a copy of the memorandum because, instead of reading it, he made a salvo of uncomplimentary remarks about me. These may be true: I do not know. However, I do not think they are but, in any case, they did not enlighten me or the House any further on the contents of the memorandum. I could not think of any censure motion of a Minister which was defended—

The SPEAKER: Order! The honourable member can explain his question, but I think he is starting to give his own views.

The Hon. D. N. BROOKMAN: If I may be permitted to continue, Mr. Speaker: I am not arguing but I am trying to explain my question. I have never known a defence to rest upon the correction of a document when this correction was not produced in defence. No parts of the corrected memorandum were read to the House nor was the date of memorandum given. It was stated to be a few days after September 2. Therefore, I ask the Minister whether he will produce this memorandum that corrected the offensive one, and if he will not, whether he will produce a copy of it.

The Hon. G. T. VIRGO: Obviously, the honourable member is suffering from many delusions. When the debate took place last week, I had the document before me and read from it to those members who were in the House. I do not know whether the honourable member was here at the time, but I know that his colleague (who was one of the most vocal in abuse of me) and the Leader (who was equally vocal in his abuse of me) were not here to hear the document. I had it here and read from it, but the Leader had the temerity to claim that I had not brought it into the House or had it available. The document was here, and had he or any other Opposition member asked for it, it would most certainly have been tabled.

The Hon. D. N. Brookman: You didn't give the date.

The Hon. G. T. VIRGO: The date is September 2. It has been stated so many times that it should be indelibly imprinted on everyone's mind.

Mr. Millhouse: That is the original one: we want the correcting one.

The SPEAKER: Order!

The Hon. G. T. VIRGO: Obviously, the Opposition is trying to flog a dead horse, which has started to smell. However, if it will help the member for Alexandra or his little puppet alongside him, I am happy to produce the document, to hand it on to the Clerk, and to let the honourable member peruse it.

Mr. MILLHOUSE: Mr. Speaker, I find offensive the description of me given by the Minister as a little puppet of the member for Alexandra, and I ask that it be withdrawn.

The SPEAKER: Will the Minister withdraw the words "little puppet", to which the member for Mitcham has objected?

The Hon. G. T. VIRGO: As the last thing that I should ever want to do would be to harm the feelings of the member for Mitcham, I withdraw.

DUST NUISANCE

Mr. JENNINGS: I ask the Premier, who is in charge of housing, whether he will be good enough to have an investigation made into the dust nuisance caused to tenants of Housing Trust rental houses in Kilburn as a result of the activities of Bradford Kendall Limited, in Cromwell Road, Kilburn. Soon after Parliament first met this year, I asked the Premier a question about this matter, emphasizing the noise nuisance rather than the dust nuisance,

and the Premier had a comprehensive inquiry made. However, since the previous reply has been circulated in the district, I have been asked to investigate the matter further and, having done this, I have found that, although undoubtedly the noise nuisance has diminished considerably, the dust nuisance emanating from the Bradford Kendall factory exists to the extent that many houses have dust on their windowsills, and inevitably the dust insinuates itself into the houses; also, there is tremendous trouble on washing days. Will the Premier have a further investigation made, on this occasion emphasizing the dust nuisance rather than the noise nuisance?

The Hon. D. A. DUNSTAN: Yes.

COMMONWEALTH WORKS

Mr. COUMBE: Has the Premier a reply to my recent question about the extent of Commonwealth works now being undertaken in South Australia?

The Hon. D. A. DUNSTAN: In reply to questions asked on this matter by the member for Torrens, I am informed that a multi-storey telecommunications building is being erected in Waymouth Street for the Department of Works at an estimated cost of \$7,460,000, construction having been commenced in February, 1970, and it is estimated that the work will be completed in February, 1972. An administrative building and studio complex is being erected in Collinswood for the Australian Broadcasting Commission at an estimated cost of \$4,600,000. It is estimated that this work, which commenced last July, will be completed in April, 1972. The contractor in each case is E. A. Watts Proprietary Limited, and those are the only two works that I have listed.

BAGGAGE HANDLING

Mr. HARRISON: Has the Minister of Roads and Transport a reply to the question I asked on September 23 regarding the handling of baggage at the Adelaide railway station?

The Hon. G. T. VIRGO: The cloak room at the Adelaide railway station is open for the receipt and delivery of luggage from 8.30 a.m. to 11 p.m. on Sundays and from 6.30 a.m. to 11.15 p.m. Mondays to Saturdays inclusive. Luggage checks are issued for all interstate luggage and for intrastate luggage when requested. The South Australian Railways does not deliver interstate luggage without demanding the surrender of the luggage check. Upon the arrival of interstate trains, the luggage is transported by trolley to the

luggage delivery counter situated at the northern end of the main concourse and, indeed, in the case of the Overland the brakevan is shunted off the rear end of the train immediately upon arrival and placed in the adjacent platform to facilitate rapid delivery. Average time delays between train arrival and delivery of luggage to the passengers are seven minutes for the West-East, and 10 minutes for the Overland. It does not appear that any improvement is required at present.

PARA HILLS ROAD

Mrs. STEELE: Has the Minister of Roads and Transport a reply to the question I asked on September 22 regarding the maintenance of Nelson Road, Para Hills?

The Hon. G. T. VIRGO: Nelson Road, Para Hills, is entirely under the care, control and management of the Corporation of the City of Salisbury. The council is therefore directly responsible for its maintenance, and it cannot evade this responsibility because vehicles from outside its area may make use of the road. The council is similarly also responsible for any reconstruction or up-grading that may be required. In this regard, the council has approached the Highways Department for financial assistance, and the department has indicated that a 50 per cent grant would be appropriate. Cost sharing on this basis would be normal for a road of the nature of Nelson Road, which carries some through traffic as well as serving local development. I understand that the council has rejected the Highways Department offer, claiming that the department should meet all costs. Negotiations are still proceeding.

STRATHMONT TRAINING CENTRE

Mr. WELLS: Can the Minister of Works say what is the expected date of completion of the Strathmont Training Centre?

The Hon. J. D. CORCORAN: It is expected that the centre will be completed by the end of this year. I visited the centre this morning and was given the honour of laying the last of about 500,000 tiles that have been laid in the course of construction of the centre. I was extremely impressed with the development that has taken place and with the quality of work undertaken, as well as with the thought that has gone into the overall design of the various buildings within the village which, when completed, will house 544 trainees and employ a staff of about 450.

These figures will give members some idea of the magnitude of the project. Although the Chief Secretary will eventually be responsible for the centre, I will suggest to him, although it may not be my prerogative to do so, that all members visit the establishment to see the excellent work being done by the contractors, under the direction of officers of the Public Buildings Department. The project was designed by the departmental architects, and I feel some pride in being the Ministerial head of a department, the staff of which has performed so well on this occasion.

HOUSE SALES

Mr. McKEE: In the temporary absence of the Premier, has the Minister of Works a reply to my recent question about Housing Trust house sales?

The Hon. J. D. CORCORAN: Pending settlement with the lending authority, the trust permits purchasers to occupy houses and, in consideration of this earlier possession, they are required to pay a weekly sum based on interest at 7½ per cent on the unpaid balance of the purchase money. This weekly interest charge by the trust can be likened to bridging finance, but, of course, the interest rate charged by the trust is much lower. The trust, like the purchaser, desires settlement with the mortgagee as soon as possible, but the availability and waiting time is determined by the lending authority.

ABORTIONS

Mr. McANANEY: Has the Attorney-General obtained from the Chief Secretary statistics relating to the number of abortions carried out in South Australia since the legislation dealing with this matter has operated?

The Hon. L. J. KING: My colleague has supplied me with the following information:

From January 8, 1970, the date on which the new regulations under the Criminal Law Consolidation Act, 1935-1969, came into operation, until October 8, 1970, 897 terminations of pregnancy were notified to the Director-General of Medical Services. The numbers of terminations notified on a monthly basis (month ending 8th day of each month) were as follows: February, 29; March, 61; April, 75; May, 106; June, 99; July, 112; August, 132; September, 174; and October, 109. A total of 788 terminations of pregnancy had been notified at September 8, 1970. Of these, 1.3 per cent (10) had interstate addresses. The majority of these women stated that, although not currently resident in this State, they had previously resided in South Australia for a period of at least two months.

The actual numbers of women coming from other States who are unsuccessful in obtaining an abortion because of failure to comply with the residency clause cannot be known. However, from letters received by the Hospitals Department from women living in other States, it appears that some women from other States have been unsuccessful in obtaining an abortion because of the residency clause. The Hospitals Department has also received letters and telephone calls from women living interstate seeking information regarding grounds for abortion in this State. It is not possible for ethical reasons to release the names of individual medical practitioners or specific groups of medical practitioners who have performed abortions. However, the following statistics may be of interest:

	No. of Doctors	No. of Patients	Per cent
Specialists in Obstetrics and Gynaecology	38	620	78.7
Other Medical Practitioners	61	168	21.3
	<u>99</u>	<u>788</u>	

In addition, honourable members will be interested in the following information: An analysis of statistics available from schedule 2 indicated that the grounds for abortion can be classified as being: specified medical disorders; specified psychiatric disorders; potential damage to foetus; and assaults on person. The number of women having abortions on the various grounds is as follows:

	No.	Per cent
Specified Medical Disorders	98	12.4
Specified Psychiatric Disorders	647	82.1
Potential Damage to Foetus	39	4.9
Assaults on Person	4	0.6
	<u>788</u>	<u>100.0</u>

HOUSING TRUST FLATS

Mr. PAYNE: Has the Premier a reply to the question I asked last week about Housing Trust flats?

The Hon. D. A. DUNSTAN: Existing trust flat accommodation has been specifically laid out and the flats are designed for people without young children. Any substantial departure from such practice in existing groups could have an unfortunate effect on tenants who have applied with the knowledge of the trust's predetermined restrictive policy. Experience elsewhere has provided ample evidence that a house with a garden is preferable for families with young children even with the problems associated with garden maintenance where there is no adult male as part of the family unit. The trust considers that the tenant referred to by the honourable member has a

personal problem and will send one of its tenancy officers to discuss this matter more fully with her.

HAY FEVER

Mr. RODDA: Will the Minister of Roads and Transport confer with the Minister of Health with a view to having steps taken to destroy grass and extraneous plants on vacant land and roadsides before the grass and plants come to maturity in the spring, in an effort to minimize the annual heavy outbreak of hay fever that afflicts people in the Adelaide metropolitan area? In the past couple of weeks, thousands of sufferers in Adelaide have been afflicted by the annual scourge of hay fever, which is caused largely by the pollination of vast areas of grass and allergy-bearing plants that are growing on vacant land in the metropolitan area. The Local Government Act requires owners of such land to remove this growth, because of the fire hazard it causes, after it comes to maturity. As weedicides are now available, landholders should be required to destroy these pollen-bearing plants before they come to maturity. Hay fever causes much suffering to hundreds of people, as well as being a pre-disposing cause of asthma. Also, I understand that, because of the geographical situation of Adelaide, with the Hills east of the city and the seaboard to the west, pollen from the hills (the springtime hazard) is blown over the city by the nightly katabatic winds, which aggregate with the pollen-laden air now prevalent in the metropolis. Early control of these offending plants would relieve thousands of people of much unnecessary suffering.

The Hon. G. T. VIRGO: I shall be pleased to discuss this matter with my colleague. Although I foresee problems associated with it, I sympathize with those people who suffer from hay fever and, certainly, we will do anything we can to relieve their suffering.

HIGHBURY SEWERAGE

Mrs. BYRNE: Will the Minister of Works ask the Engineering and Water Supply Department to consider extending sewerage facilities to houses near the proposed Highbury Primary School that were omitted from previous sewerage schemes? The Public Works Committee, in reporting favourably on November 6 last on the construction of a new primary school at Highbury, stated:

The departmental submission to Cabinet made provision for a total estimated cost of \$256,000 but when Mr. Dawes was preparing

evidence to present to the committee he considered that additional difficulty would be encountered with the sewers. In this regard he had discussions with the Engineering and Water Supply Department which advised that it would be preferable to pump sewage to a departmental main in Duncan Crescent, approximately a quarter of a mile away instead of having a septic tank installation at the school. He also conferred with the civil design section of the Public Buildings Department and ascertained that a similar installation previously carried out in conjunction with the Engineering and Water Supply Department had cost approximately \$5,000.

Houses near the proposed school have not previously been connected to the Engineering and Water Supply Department sewerage mains, and I ask that the department consider providing an overall sewerage scheme for the school and the houses, as this work will have to be undertaken eventually and probably it will be more economic to do it as one project rather than piecemeal.

The Hon. J. D. CORCORAN: I shall be pleased to consider the matter and bring down a report as soon as possible.

WATER RATING COMMITTEE

Mr. COUMBE: Has the Minister of Works a reply to my questions about the progress being made by the Committee of Enquiry on Water Rating Systems, which was appointed some time ago to try to devise a more equitable system of water rating in South Australia?

The Hon. J. D. CORCORAN: The committee has made substantial progress with the current inquiry. However, the hearing of further evidence has been delayed by the previously arranged one-month visit to Japan by the Chairman (Mr. A. K. Sangster, Q.C.) to attend an International Legal Convention and by the recent urgent need for another member (Mr. P. W. Wells, a chartered accountant) to make a one-month business trip to the U.S.A. and the United Kingdom immediately following the return of Mr. Sangster. The inquiry will probably be completed before the end of the year, but it is not possible to give a firm indication at this stage.

SOUTHERN DISTRICTS TRAINS

Mr. HOPGOOD: Will the Minister of Roads and Transport ask the South Australian Railways to consider providing more trains between 6.30 a.m. and 8.30 a.m. for people in the Hallett Cove and Marino Rocks area?

The Minister will be aware that Marino is the terminus for most of the suburban trains on that line and, therefore, in the busy hours of the morning people have to walk some distance from the Marino Rocks area to catch trains. The provision of additional trains from the Hallett Cove terminus would obviate the need for this imposition.

The Hon. G. T. VIRGO: I understand that the honourable member desires that extending the terminus from Marino to Hallett Cove be considered, rather than that additional trains be provided, and I shall be pleased to discuss this matter with the Railways Commissioner. I doubt very much that it would be possible to provide trains additional to those already running on the line, because of the present heavy demand on rolling stock.

DROUGHT RELIEF

Mr. VENNING: My question is directed to the Premier. I guess that he would have noticed in this morning's newspaper comments by the General Secretary of the United Farmers and Graziers of South Australia Incorporated (Mr. Grant Andrews):

The Hon. Hugh Hudson: What is the question?

The SPEAKER: What is the question?

Mr. VENNING: Will the Premier say how he intends to assist the primary producers of this State? In the report in this morning's newspaper Mr. Andrews has hit the problem right on the head. His statement is headed "\$2,000,000,000 debt facing farms." Unfortunately, South Australia is sharing in this problem. The Premier has received from the Prime Minister a letter stating that the State Government will have to become involved to the extent of \$1,500,000 before the Commonwealth Government will help South Australia. I should like the Premier to say how he intends to expend \$1,500,000 on the problems of primary producers so that the Commonwealth Government may come in behind the State and help the growers.

The Hon. D. A. DUNSTAN: Concerning drought relief, I suggest that the honourable member look at my statement to the House following the receipt of the reply from the Prime Minister. The Government has moneys in hand for drought relief at present. We have invited applications for drought relief and have stated the basis on which the assistance will be given. If it is necessary for us to seek additional authority from Parliament to

go beyond the present figure (and that will depend on the kind of applications we receive), we will have time to do so, and will do so. There will be no question of our not meeting applications for drought relief assistance in cases where that assistance is shown to be needed on the basis on which we said we would give it. If I have to ask Parliament for an additional appropriation I cannot think that any member will refuse an additional appropriation for that purpose.

MYPOLONGA SCHOOLHOUSE

Mr. WARDLE: Has the Minister of Education a reply to my question of October 15, concerning the head teacher's residence at the Mypolonga Primary School?

The Hon. HUGH HUDSON: The Housing Trust is unable to provide land for the head teacher's residence at Mypolonga and, therefore, the Public Buildings Department has been asked to inspect the schoolgrounds to ascertain whether a suitable site is within these grounds. If this is not practicable, the supervising surveyor will be asked to suggest an alternative site. As soon as the site has been fixed, the trust will be asked to arrange a contract for the building of the house.

SHOP ASSISTANTS

Mr. McRAE: If Friday night shopping at Elizabeth and other parts of the outer metropolitan area is abolished, will the Minister of Labour and Industry consider negotiating with the Retail Traders Association in an endeavour to secure alternative casual employment for persons who may lose their employment on Friday night? Figures clearly demonstrate that, in the major shopping centre at Elizabeth in particular, but also in other parts of the outer metropolitan area, many persons are engaged in casual work on Friday nights, and some of them are also engaged in casual work at other times of the week. However, it is rather difficult to sort into categories the various types of casual employee. Will the Minister ask the Retail Traders Association to do everything in its power to obtain either alternative employment for these casual employees involved or a different range of employment with the same employer, possibly at different times?

The Hon. G. R. BROOMHILL: In replying to a question asked last week about this matter, I said I understood that most employees in these areas worked alternative periods in addition to Friday night, but that a few worked

on Friday night only. Therefore, some avenue may be available to provide additional employment for them in order to compensate for the loss of Friday night work by negotiation with the Retail Traders Association. I shall be pleased to follow up this suggestion and speak to the association about it.

WATERLOO SCHOOL

Dr. EASTICK: Will the Minister of Education confirm that the school at Waterloo to be closed, as referred to last week in a press statement, is the same school at Waterloo on which \$700 has recently been spent on renovations? At this school, commencing on July 2 and being completed on September 2, \$700 worth of renovations were made, comprising painting and repairing of schoolrooms, painting of playground equipment, painting and repairing of toilets, and supplying new equipment for the school. At the same school, as recently as October, 1969, the erection of a cyclone pole and five-strand wire fence took three full days. The other comment I make concerning this school is that, although the number of students at present is only 11, 14 children attended as recently as 1968, the number reducing to 13 in 1969, and it is expected that 14 would attend in 1971, 14 in 1972, and 15 in 1973.

The Hon. HUGH HUDSON: First, I apologize to the honourable member. I said that I would tell him of the details of what would occur in his district at the time that I announced those details. Also, I had informed the member for Fisher along the same lines. I did tell the member for Fisher but, because of an oversight on my part, I failed to tell the member for Light, and I apologize for that oversight. The honourable member had asked me to let him know the details, and when I replied to that question I said I would do so, but I failed to tell him. As the honourable member states, there are 11 students attending the Waterloo school at present and, in fact, the school is to be closed. The annual running costs of the school that will be saved as a consequence of the closure will be more than \$700. Further, any equipment at the school that could be transferred and used at the receiving school, namely, Riverton, will be transferred. The closing of schools is a matter of considerable urgency as a consequence of the clearer picture we now have of the likely teaching staff available for primary schools in 1971, 1972, and even into 1973. Although, we have a record increase in teacher training this year, the effect of this will not be apparent

within the schools until 1974, and the staffing of schools in the intervening period will be difficult. I should prefer that we had the resources available to us to be able to maintain these schools, although I am forced to admit when the case is put to me that, on educational grounds, it is almost invariably the case that the decision to close a small school of the size of Waterloo to enable the children to attend a larger school, with a wider range of facilities and wider social and educational contacts available to the children concerned, is a sound decision. The money that was spent on maintenance at the Waterloo school had been allocated before I came into office and spent shortly after that time, and the closing of the school was not being considered at that time.

TEACHERS' CARAVANS

Mr. GOLDSWORTHY: Has the Minister of Education a reply to the question I recently asked about the circumstances in which caravans are used by teachers?

The Hon. HUGH HUDSON: Teachers using departmental caravans pay rent at the rate of \$3 a fortnight. This rate was fixed by the then Minister of Education in 1959 and has not been changed since. Of course, in addition to paying this nominal rental, teachers are required to pay board for meals and ablution and toilet facilities, usually to a farmer on whose property the van is placed.

MORPHETTVILLE PARK SCHOOL

Mr. MATHWIN: Has the Minister of Education a reply to the question I recently asked about paving work to be carried out at the Morphetville Park Primary School?

The Hon. HUGH HUDSON: Recently, a paving contract, which was arranged some time ago, was completed at the Morphetville Park Primary School. The paving of an additional area has now been requested. The area involved was too large to be included in the previous contract by way of variation. As a consequence, the matter will now be referred to a firm of consultants within the next three weeks.

MAIN NORTH ROAD

Mr. JENNINGS: Can the Minister of Roads and Transport say when the intended widening of the Main North Road on the western side near Regency Road will be completed? As this matter is of great interest to the Enfield traders and to many business

men in the area, I should appreciate receiving a report on this matter as soon as possible.

The Hon. G. T. VIRGO: I shall be pleased to look at this matter and to let the honourable member have a reply.

POLITICAL LEVY

Mr. HALL: Can the Minister of Labour and Industry say whether members of the Amalgamated Engineering Union will be able to vote on union affairs in the circumstances that I am about to outline? Earlier this session the Minister, in reply to a question asked in this House about political levies, said that he had never heard of such a thing.

The Hon. G. R. Broomhill: What did I say?

Mr. HALL: I do not wish to do the Minister an injustice. At the time, a member on this side of the House asked the following question:

Since the policies of most trade unions must be known to many Government members, will the Minister say whether the political levy is compulsory and, if it is not, why it is deducted from the wages of workers, even though they may not wish to support the Labor Party either financially or by their vote?

The Minister replied:

I do not clearly understand the member's question. I think he referred to a political levy. However, I have never heard of such a thing.

So the Minister at that time stated in this House that he had never heard of a political levy in relation to contributions made to unions. I have in my possession a circular put out by the Amalgamated Engineering Union, which is a union of repute in Australia and, of course, in South Australia and which has a large membership. This circular states, in part:

To vote at the September "starlight" meeting you must produce your July-September card coloured pink.

Continuing under the heading "Keeping financial", the circular states:

To be financial and entitled to the benefits and rights of membership, a member must have paid a contribution and levies due to the end of the quarter by the end of the first quarter.

The strong inference is that unless all these contributions and levies are paid the member concerned will not have the right to participate in union decisions. Under the heading "Levies", the following appears:

Only adult members pay levies. The political levy is the only one chargeable in the October-December quarter and is 20c a quarter subject to result of ballot on September "starlight".

I take it (indeed, as he stated earlier this year) that the Minister has not heard of this action taken by unions. I therefore refer him to this pamphlet and point out that there is a levy such as the one previously referred to, although he has not heard of it. Further, the Amalgamated Engineering Union's monthly journal for Australia shows an account relating to the Amalgamated Engineering Union political fund for the half-year ended March 31, 1970, at which date, at bank and as cash in hand, \$94,633 had been accumulated, as a result of the political levy paid throughout Australia.

The Hon. G. T. Virgo: I bet the Libs would like to get their hands on that.

Members interjecting:

The SPEAKER: Order!

Mr. HALL: I assure the Minister, for the purpose of this question, that the Liberal Party has never been a recipient of any of these funds. Obviously, political machines other than the Liberal Party receive these funds, and I take it that perhaps not all but certainly the bulk of these funds goes to the Labor Party. It is only natural that those members of the Amalgamated Engineering Union and members of other unions in similar circumstances who do not agree with the politics of the unions concerned may not want to pay this levy. I think that is a corollary of the attitude of a person holding a different view. I understand that, as leaders in the democratic process, all Ministers would support the proposition that some members may differ with the stand taken by their union in regard to Labor Party politics. Indeed, no member of the House supporting the democratic principle would disagree to the granting of this right. I apologize for having given a somewhat lengthy explanation but, as the Minister of Labour and Industry had not previously heard of the levy to which I have referred, I thought the explanation was necessary. This is a matter of great seriousness at present, that is, at a time when certain Ministers are in many ways trying to enforce unionism in South Australia, and it becomes a matter of great personal importance to the members who prize their political freedom.

The SPEAKER: The Leader must not debate the question.

Mr. HALL: No, Sir; I know I must not. I therefore ask the Minister of Labour and Industry, first, whether it is legally possible for these—

The Hon. Hugh Hudson: Are you asking a different question now?

The SPEAKER: Order! The Leader asked his question before he went on to explain, and during the course of his explanation he transgressed slightly. I cannot permit a further series of questions at present.

Mr. HALL: On a point of order—

The SPEAKER: There is no point of order.

Mr. HALL: I may rise, I submit—

The SPEAKER: The Leader is entirely out of order in rising while the Speaker is on his feet. I call on the Minister of Labour and Industry to reply to the question that has been asked.

Mr. HALL: On a point of order, Mr. Speaker, what were the words to which you objected in my original question?

The SPEAKER: That is not a point of order. The Minister of Labour and Industry!

The Hon. G. R. BROOMHILL: I must be fairly competent, because I think I can remember the question, even after the second reading speech given by the Leader. I think the question was whether I was aware that this situation existed and whether I would take steps to ensure that people would not be required to pay the levy referred to. As I said in reply to a question previously, I admit that I could not understand the question at the time, because it was not put clearly. Later, the question was followed up, and I replied. I said it was not the Government's obligation to determine what should apply in relation to the running of trade unions and that industrial machinery was set up for that purpose. It is the obligation of industrial tribunals, both in South Australia and in the Commonwealth sphere, to ensure that the rights of members of an organization are protected.

The Hon. G. T. Virgo: And the rules have to go before the court for approval.

The Hon. G. R. BROOMHILL: Yes, and, unless the industrial registrars are satisfied that the rights of the members are protected, the rules will not be registered. Although I doubt whether it will receive sympathetic consideration, I will take up the Leader's request with the organization to which he has referred.

Mr. HALL: Section 91 of the Industrial Code provides:

No employer shall dismiss any employee from his employment or injure him in his employment, by reason merely of the fact that that employee—

(a) is or is not an officer or member of an association—

and, of course, the following subsection takes that one step further—

(b) is entitled to the benefits of an award, order or industrial agreement.

Will the Minister therefore take up the question of political levies with the Amalgamated Engineering Union management and ascertain whether it is possible for members or intending members of that union to opt out of paying the political levy if the union does not agree with their political beliefs and, if such persons are able to opt out of the union in this way, whether they can obtain full voting rights upon payment of all other dues?

The Hon. G. R. BROOMHILL: I do not know how many times I have to explain this matter to the Leader. As I pointed out to him earlier, the matter of union registration is in the hands of the Industrial Court, which would not register the rules of an organization if such rules conflicted with the provisions of the Industrial Code. The Leader should certainly know that. Obviously, in the eyes of the Industrial Court, both here and in the Commonwealth sphere, this situation does not conflict with the provisions of the legislation. I suggest that the Leader take up his other question with the organization itself.

Mr. Hall: You will not do it?

The Hon. G. R. BROOMHILL: No, the Leader can do that.

Mr. CARNIE: Can the Minister of Labour and Industry say what would be the position of a person who, as a member of a union that extracted a political levy, disapproved so strongly of the way in which that levy was distributed that he resigned from that union? Would his employment or chances of promotion be in jeopardy?

The SPEAKER: Order! The honourable member's question is hypothetical. The honourable Minister may reply if he wishes.

The Hon. G. R. BROOMHILL: As the question is hypothetical, I do not intend to reply to the second part, except to repeat for the honourable member—

The SPEAKER: Order! The honourable Minister does not have to reply at all.

The Hon. G. R. BROOMHILL: I should like to point out to the member that, within the rules of any organization, a member has the opportunity to opt out of paying any levy of this type. If the member of the organization concerned took that opportunity, the situ-

ation outlined by the honourable member could not occur. Therefore, his question is senseless.

RURAL YOUTH ADVISER

Mr. CARNIE: Has the Minister of Works received from the Minister of Agriculture a reply to the question I asked recently regarding the appointment of a rural youth adviser on Eyre Peninsula?

The Hon. J. D. CORCORAN: The Minister of Agriculture states that the appointment of a rural youth adviser for Eyre Peninsula is high on the priority list of additional staff requirements for the Agriculture Department, and, subject to availability of the necessary funds to finance the position, it is hoped that an appointment can be made. However, as no assurance can be given at this juncture that funds will be available, it is not possible to say that an adviser will be appointed this financial year.

EYRE PENINSULA ROADS

Mr. GUNN: Has the Minister of Roads and Transport a reply to the question I asked on September 22 regarding grants for roads made to councils on Eyre Peninsula?

The Hon. G. T. VIRGO: During the last three years, payments to councils in the Western Division as ordinary grants for roads under their control increased from \$696,286 to \$766,090. A small increase is also expected this year. Works carried out by councils for the Highways Department on roads under the department's control during this time, however, increased dramatically from \$450,527 to \$1,117,327. This increase was principally due to construction work carried out by councils on the Flinders Highway and, as this is almost completed, it is expected that expenditure this year by councils on these works will reduce to about \$530,000. The Highways Department's works programme is established on a basis of road needs, which is also the basis upon which grants are made to the States under the Commonwealth Aid Roads Act. The funds made available for expenditure in each division vary accordingly and works are carried out making optimum use of council, contract and departmental resources.

PORNOGRAPHY

Dr. TONKIN: Can the Attorney-General say whether charges have been laid against any persons in South Australia as a result of the recent activities of customs officers in

relation to pornographic material, as reported in the press last Saturday, and can he inform the House of the nature and extent of the activities disclosed by these investigations?

The Hon. L. J. KING: I have no information on the matter other than what I saw in the press. I assume that, if charges are laid as a result of those activities, they will be laid by Commonwealth officers under Commonwealth law. If I am given any information regarding breaches of South Australian law, I will inform the honourable member accordingly.

LOTTERY AGENCIES

Mr. PAYNE: Will the Attorney-General, representing the Chief Secretary, say what happens to a State lottery ticket agency permit or licence when the holder of the licence for such an agency disposes of his business to another person? Some of my constituents have told me that they have been in the habit of purchasing tickets from a certain agency but have been unable to do so when the business has changed hands.

The Hon. L. J. KING: I will bring this matter to my colleague's attention and let the honourable member have a considered reply.

SOCIAL WELFARE OFFICER

Mr. CURREN: Will the Minister of Social Welfare say what is the present position regarding the appointment of a social welfare worker to the Murray River districts? On August 16 the Attorney indicated that this position had been re-advertised and that applications would close towards the end of August.

The Hon. L. J. KING: After applications for this position closed, I conferred with the Chairman of the Public Service Board, who told me that the board would consider the applications that had been received, interview certain of the applicants, and make a recommendation to me. My most recent information from the board is that that procedure is being carried out, and I expect to receive a recommendation from it soon.

RESIDENTIAL COLLEGES

Mr. COUMBE: Has the Minister of Education a reply to my recent question regarding residential colleges?

The Hon. HUGH HUDSON: The \$51,000 provision on account of residential colleges is towards recurring expenditure of the various colleges and is based on the number of

students accommodated, with a minimum payment of \$5,000 a year to the college. This money is made available by the Commonwealth under the States Grants (Universities) Act. The following amounts were disbursed in 1969-70: St. Mark's College, \$11,100; St. Anne's College, \$9,000; Aquinas College, \$7,500; Lincoln College, \$10,000; and Kathleen Lumley College, \$5,900; total, \$43,500. The 1970-71 provision includes \$5,000 payable to the hall of residence at the Flinders University and allows for possible increases to the above colleges.

ROYAL COMMISSION

Mr. MILLHOUSE: Can the Premier say whether the Government is considering altering or enlarging the terms of reference of the Royal Commission into the moratorium demonstration? The Royal Commission sat for a day last week, when it considered the submissions of the Law Society concerning the appearance of Mr. Connor, Q.C. As the Premier probably knows, these submissions were not accepted by the Commission. I understand that, at the same sitting, counsel for the Police Association requested an enlargement of the terms of reference of the Royal Commission to include the statements that were made, during the week preceding the demonstration, by the Leader of the Opposition, by me, by the Premier and by the Minister of Works, and the Royal Commissioner said that he would refer that matter to the Government. I remind the Premier that this is partly in line with the motion moved in this House by the member for Alexandra. For reasons not made public, that motion was opposed by the Government and defeated. I speak for myself, and I believe I may respectfully speak for the Leader, when I say that neither of us has any objection to our statements being scrutinized by the Royal Commissioner. In view of that, I ask whether the Government intends to accede to the request to enlarge the terms of reference, as suggested by Mr. Mark Harrison.

The Hon. D. A. DUNSTAN: I have not seen any reference to this matter other than the newspaper reports; the matter has not been officially referred to the Government by the Commission. Before the Commission commenced, the terms of reference were discussed in detail with the Commissioner. The Government and the Commissioner were satisfied that all relevant matters were raised by the terms of reference, and we are still satisfied that all

relevant matters, including anything that influenced the events on the day in question, are within the terms of reference of the Commission.

RUMBLE STRIPS

Dr. TONKIN: Can the Minister of Roads and Transport say whether the treatment of the road surface on each side of the railway crossing on the Two Wells to Mallala road has been effective in reducing the number of accidents at that crossing, and whether similar action has been taken at other dangerous railway crossings over main roads? Alternate strips of paving at intervals of about 15ft. or 20ft. have been placed at the crossing on the Two Wells to Mallala road for about 100yds. or 150yds. on either side of the crossing. The inference to be drawn is that the rumble strip effect causes a noise that will slow down people at the crossing. The local general practitioner has told me that this has been effective in reducing the number of accidents at this crossing, and I should be interested to know whether similar action is being taken at other danger points, or whether it is intended to take action.

The Hon. G. T. VIRGO: I will obtain information on this matter and bring it down for the honourable member.

KIMBA MAIN

Mr. GUNN: Has the Minister of Works a reply to my recent question about the Kimba main?

The Hon. J. D. CORCORAN: The first 12 miles of the Lock-Kimba main commencing from the Tod trunk main is laid parallel to an existing main. A connection from the new main to the old one has enabled a satisfactory supply to be given to properties supplied from the old main, but in due course the services will be transferred to the new main and the old main abandoned. A further six miles of the new main has been completed beyond the end of the old main and is being charged with water and tested. The preparation of gazettal sketches is in hand and it is expected that this length of main in the hundreds of Palkagee and Boonerdoo will be gazetted as available for supply by the end of November, 1970. The department will then be able to accept applications for services off this length of main. Thereafter each section of new main will become available for supply as it is charged, tested and gazetted until the new main reaches the Smeaton tank. The question

of availability of supply past this point will then be reviewed, and it will depend on the construction of a pumping station and a tank.

BRIGHTON ROAD

Mr. MATHWIN: Will the Minister of Roads and Transport use his influence to have the section from Dunrobin Road northward started? As the gangs now working in the Brighton area—

The Hon. Hugh Hudson: Section of what?

Mr. MATHWIN: That is the question.

The Hon. Hugh Hudson: Set out something in the question.

The SPEAKER: Order! Will the honourable member repeat his question?

Mr. MATHWIN: Will the Minister of Roads and Transport use his influence to have the section from Dunrobin Road northwards started? That is the question.

The Hon. Hugh Hudson: Of what road?

Mr. MATHWIN: Can I explain my question? As the gangs now working in Brighton on the reconstruction of Brighton Road are to be moved in November, and as it seems that the work to which I am referring will take a long time to complete, any assistance that the Minister can give will certainly be appreciated.

The Hon. G. T. VIRGO: I am afraid that, despite the requests made of the honourable member to clarify his question, I am still in the dark about which area leading from Dunrobin Road he is referring to. I do not know whether he is talking about Diagonal Road, Morphett Road or some other road. If he can give me clear information about what he desires, I shall be only too happy to discuss the matter with the Highways Department to see what can be done.

Mr. MATHWIN: Could I make an explanation, Mr. Speaker?

The SPEAKER: No.

Mr. MATHWIN: I mentioned Brighton Road.

Later:

Mr. MATHWIN: Bearing in mind that the gangs at present working in Brighton Road are to be moved away in November, will the Minister of Roads and Transport consider directing them to work on the section of Brighton Road north of Dunrobin Road, in the direction of Glenelg?

The Hon. G. T. VIRGO: Yes.

LAKE ALEXANDRINA

Mr. McANANEY: Will the Minister of Works obtain a report on the possible level of Lake Alexandrina during the next month or so? A report in this morning's *Advertiser* states that 300 shacks in the Milang area will disappear, temporarily at least, under the swirling waters, whereas all the official reports so far on the river level indicate that there will be very little rise in the level of the lake. This is some sort of imaginary scare that will frighten many people into taking things out of their shacks.

The Hon. J. D. CORCORAN: I shall be pleased to obtain a report. Yesterday I saw the forecast figures and they have been reduced again from what was initially expected, in some cases by as much as 3ft. I shall be pleased to give the honourable member information not only on the area he has asked about but also on other areas that may be flooded.

NURIOOTPA BY-PASS

Mr. GOLDSWORTHY: Can the Minister of Roads and Transport say when it is intended that work on the Nuriootpa by-pass road will be commenced? I wrote to the Minister some weeks ago about the final choice of a route for the by-pass road and I understand, from contacts I have had in the Barossa Valley, that some decisions have been made. I should be pleased if the Minister would explain the present position.

The Hon. G. T. VIRGO: If the decisions have been made and the honourable member knows them, he must have got from the Highways Department some secret information that I have not got. I do not know of any decisions that have been made but I shall inquire and, if I can bring down the information, I shall do that.

Mr. Goldsworthy: I was talking to one of the councillors, if you want to know. There is nothing secret about it.

The SPEAKER: Order!

TRADING HOURS REFERENDUM

Dr. EASTICK: Will the Minister of Labour and Industry interpret for me this statement attributed to him in the *News* of Thursday, October 15: "It seems to me the future of the ratepayers in these areas is grim"? Further, will he state the significance of the removal of this paragraph from subsequent editions of the newspaper? A report on page 3, headed "Broomhill not going to Elizabeth", states,

amongst other things, in quotation marks, as if it were a verbatim report of the Minister's statement, that, following information that the Mayors of Salisbury and Elizabeth had criticized the Government in respect of night shopping, the Minister had stated, "I was quite shocked when I read their statement. It seems to me the future of the ratepayers in these areas is grim."

The Hon. G. R. BROOMHILL: I am grateful to the honourable member for asking this question, because the report that appeared in the *News* was not very accurate. My statement to the *News* continued and, as the subsequent remarks did not appear in the *News*, the report did not seem to make much sense. I went on to tell the reporter that the reason why I considered that the future for the ratepayers in those areas was grim was that it was obvious that the Mayors of those districts were not willing to accept the majority vote as valid. I observed to the reporter that, in those circumstances, any poll of ratepayers that might be taken in those areas, the result of which did not suit these Mayors, would obviously be ignored, and, for this reason, I considered that the situation for ratepayers in the areas was grim.

Dr. EASTICK: Will the Minister of Labour and Industry confirm my information that in the recent referendum on shop trading hours there was in the Elizabeth District a vote of 9,376 for and a vote of 2,442 against (a ratio of almost four to one); that in the District of Playford, there was a vote of 9,836 for and 2,910 against (almost 3½ to one); and that in the Salisbury District there was a vote of 7,752 for and 3,296 against (over two to one)? If he can confirm this information, will the Minister agree that his statements about the views held by the Mayor of Elizabeth and the Mayor of Salisbury were unjust statements concerning those gentlemen, whose responsibility it is to represent the views of the people who elect them?

The Hon. G. R. BROOMHILL: I believe that it is the obligation of any person in the community to accept the majority decision, and this is why I said what has been reported. Although I acknowledge the figures quoted by the honourable member, I point out that the voting figures, particularly in the Districts of Hanson, Bragg, Glenelg, Mitcham and Torrens, were overwhelmingly in favour of shops closing in accordance with the terms of the referendum. Indeed, this was the situation in 22 of the 32 districts involved in the

referendum. I reiterate that when there is a majority decision in the community it is up to the minority, even though they may disagree with the overall result, to accept that majority decision. I am surprised that the honourable member is apparently advocating that this is not a proper situation, although perhaps I should not be surprised when I consider the attitude of some Opposition members who, when in Government before the member for Light came into this House, constantly clung to office even though their Government had been elected on a minority vote. I am therefore not surprised that members opposite are continuing with this line of thought.

Mr. MILLHOUSE (on notice):

1. Has the Returning Officer for the State sent notices pursuant to the Referendum (Metropolitan Shop Trading Hours) Act, to electors who appear to have failed to vote at the referendum held on September 19?

2. If so, how many such notices have been sent?

3. If not, when is it intended to send such notices?

The Hon. L. J. KING: The replies are as follows:

1. No.

2. Not applicable.

3. Preparations are in hand for the sending out of notices and they will be sent in due course.

Mr. MILLHOUSE (on notice):

1. What was the total cost to the Government of the referendum held pursuant to the Referendum (Metropolitan Area Shop Trading Hours) Act?

2. How is that cost made up?

The Hon. L. J. KING: The replies are as follows:

1. and 2. Returning officers' accounts have not yet been brought to debit and the actual cost is not yet known. The following is an estimate of the cost of the referendum:

	\$
Salaries (wages)	48,470
Contingencies (including print of roll)	23,990
	<hr/> \$72,460 <hr/>

The above estimate does not include the cost of follow-up action on non-voters.

WALLAROO AND ARDROSSAN

Mr. VENNING: Can the Minister of Marine say when it is expected that the report of the committee appointed to investigate the two ports of Wallaroo and Ardrossan will be completed and whether the report will be tabled?

The Hon. J. D. CORCORAN: I cannot say accurately when the report will be completed. I think the honourable member will appreciate the large amount of detail and investigation that goes into preparing such a report; this is evidenced by a previous report on establishing Port Lincoln as a major port. The honourable member knows that much study and investigation must take place. However, I hope that this will be done as soon as possible, and I assure the honourable member that nothing will be done to delay the committee's work. I do not see any reason at this time to say other than that, when the report is made available, copies can be given to honourable members if they desire them.

HOSPITAL INQUIRY

Dr. TONKIN: My question is to the Attorney-General, who represents the Chief Secretary and who may be able to reply now to part of the question. Will the Attorney-General ask his colleague whether some witnesses before the committee of inquiry on administration and communications in hospitals have become frightened and reluctant to answer when asked questions that they consider could imply that some negligence has occurred in certain cases? Will he also ask his colleague whether witnesses giving evidence before the committee have any protection from action at law in respect of their evidence in relation to the activities of other hospital staff members? Further, since the inquiry is being held in camera, will he ask what protection have other staff members whose actions may be commented upon without their knowledge? Also, will he ask whether it is intended that a report of the proceedings of the committee be made public, and, if it is, when the report can be expected?

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

EXAMINATION PAPERS

Mr. BECKER: Will the Minister of Education reconsider the method of printing past examination papers issued by the Public Examinations Board? Until the change of Government a constituent of mine was printing past

examination papers set by the Public Examinations Board for sale to schools throughout the State. Because the Minister has approved of the board's arranging for such printing to be done in future, my constituent has been put out of business.

The Hon. HUGH HUDSON: I find the honourable member's statement somewhat extraordinary. I understand that the constituent to whom he refers is a schoolteacher who does certain reprinting as a spare-time activity, and that printing of examination papers is only part of his business. All that the Public Examinations Board has done is copyright its examination papers, and I presume the honourable member would not object to that. Secondly, the board has decided that it may, in certain circumstances, reprint its papers rather than leave reprinting to chance, as occurs at present. Perhaps the board will arrange for the printer who prints the annual examination papers to print additional copies, and if the board does this either the price of the final examination paper or of the reprint will be cheaper or the board will recover some profit, which will then be used to offset the board's deficit. I hope the honourable member appreciates that persons who sit for public examinations in South Australia must pay a fee and that, although the total fees are substantial for candidates sitting for several subjects and although this is a strain on many people who have children sitting for public examinations, the fee does not cover the full cost of the board's operation. The Government has to subsidize the activities of the Public Examinations Board by about \$120,000 a year and if, as a consequence of this activity, the board can reduce the deficit to some extent or prevent it from rising, I find it very difficult, in the interests of the community, not to agree to the board's propositions on these matters.

BUILDING ACTIVITIES

Mr. GUNN: Will the Minister of Works take action to provide extra staff in the Public Buildings Department on Eyre Peninsula in order to carry out necessary work at schools, police stations, and other Government properties? During the last weekend I travelled around my district, and wherever I went I received numerous complaints from school committees that, although urgent work was required to be done, the Public Buildings Department could not provide the men to do the work or that the jobs were not large enough to warrant private contractors' tendering for them.

The Hon. J. D. CORCORAN: The problems raised by the honourable member are real.

Mr. Millhouse: That is so obvious I wonder why you bothered to say it.

The Hon. J. D. CORCORAN: The honourable members chuckles about something that is a serious problem.

Mr. Millhouse: You were stating the obvious.

The Hon. J. D. CORCORAN: Many people, in country areas in particular, find these problems most annoying.

Mr. Millhouse: I was with the honourable member yesterday.

The Hon. J. D. CORCORAN: I can tell the honourable member that a member of the previous Government obviously recognized the need and the difficulties, and was wise enough to appoint consultants, at a substantial cost I might add, to examine the position concerning minor works to be carried out by the Public Buildings Department. From these consultants I have received an interim report, and I hope that it will not be long before I receive a final report. I expect that the report may lead to a considerable strengthening of the regional activities of the department, and that this, in turn, will help alleviate the difficulties referred to by the honourable member. Also, he spoke of the difficulty of obtaining the services of contractors in remote areas, and this is a real problem for the department. Contractors are either not available or will not submit prices for tenders for work in remote parts of the State. I assure the honourable member that I share his concern, as do members of the Public Buildings Department, and that everything is being done as quickly as possible to try to overcome the difficulties to which he has referred.

MOORLANDS INTERSECTION

Mr. NANKIVELL: Can the Minister of Roads and Transport say why, because all other approaches except the southern approach to the Moorlands intersection have been posted with a hoarding sign indicating what can be expected at that corner, the southern approach has been neglected? I think most members are aware that the Moorlands corner on the Dukes Highway is considered to be a most dangerous corner, particularly because of the fatal accidents that have occurred there. In the past I have asked that this corner be properly sign-posted. A hoarding sign can be

seen when one approaches the corner from Tailm Bend, and on the approach from Lameroo a sign indicates a major road junction ahead, but when the approach is made from Coomandook (and this is the approach used by motorists from other States and the approach at which most of the serious accidents occur), there is nothing more than a "curve" sign. Can the Minister say why this approach has not been posted properly with a sign, and will he use his best offices to ensure that it is?

The Hon. G. T. VIRGO: No, I cannot say why it does not have the sign, but I will use my good offices to find out why it does not have one.

PORT LINCOLN PRIMARY SCHOOL

Mr. CARNIE: Has the Minister of Education a reply to my question of October 13 concerning the six-teacher open unit at the Port Lincoln Primary School?

The Hon. HUGH HUDSON: Providing present plans can be maintained, it is expected that the six-teacher open unit proposed for Port Lincoln will be available for occupation towards the latter end of 1971. The timing of present plans is dependent partly upon some assistance being made available by the Commonwealth Government for the school-building programme.

RELIGIOUS INSTRUCTION

Mr. MATHWIN: Can the Minister of Education say what is the policy of the Minister and the department on religious instruction in our schools? Some denominations no longer take part in religious instruction in schools, and I am sure that the present position is doing no good: in fact, I think it is doing considerable harm.

The Hon. HUGH HUDSON: The Education Act, which is the Act I administer, requires the Government of the day to make time available in schools for any religious denomination that wants to provide religious instruction. As the honourable member has correctly observed, certain denominations that previously participated in religious instruction in schools have withdrawn from it. The denominations concerned, in association with people interested in this work, have developed pilot courses in religious instruction to be taught on a combined basis. The courses have been used this year at Westbourne Park Primary School and Elizabeth West High

School. I have heard that a proposition is being considered for an extension of these courses in 1971, but as yet I do not have details about it. To a large extent we are in the hands of the denominations that have withdrawn from the schools. We have indicated our willingness to co-operate with them when they determine exactly what they want to do in relation to any further attempt to provide religious instruction in schools.

OAKBANK AREA SCHOOL

Mr. McANANEY: Has the Minister of Education a reply to a question I asked during the Estimates debate about the Oakbank Area School?

The Hon. HUGH HUDSON: The resurfacing of school tennis and basketball courts is a matter for subsidy.

NATIONAL SERVICE PAY

Mr. MILLHOUSE: My question concerns the making up of salary of public servants who are fulfilling their National Service obligation. I have been told of the case of a public servant now on National Service who as a public servant received a salary of \$4,800 a year. As the Premier will know, that salary is almost cut in half, certainly during the first three months of training, the service pay being, I think, \$2,160 a year, and in addition there is a marriage allowance. Although I understand that the Commonwealth Government does not make up salary in these circumstances for Commonwealth public servants on National Service, I am told that several banks make it up in respect of their officers. I have been told that the Commercial Bank of Australia Limited and the Australia and New Zealand Banking Group Limited make up salary, as does also the Norwich Union Insurance Society, and other organizations have been referred to me as doing this. I ask the Premier whether, despite his own feelings about National Service, the Government will consider taking the same action as that taken by the concerns to which I have referred, so that public servants who are fulfilling their National Service obligation will not suffer financially while doing so.

The Hon. D. A. DUNSTAN: I will examine the file on this matter. I know that there have been previous applications for the making up of pay, but from memory those applications were refused by the Government of which the honourable member was a member. However, I will get a full report for him.

FINNIS CAR

Mr. RODDA: Has the Minister of Roads and Transport a reply to the question I asked during the debate on the Loan Estimates about the Finnis car?

The Hon. G. T. VIRGO: It is not a practicable proposition to modernize the Finnis car, for it would involve a complete rebuilding and the provision of air-conditioning. The work being currently undertaken on this car consists of an overhaul, repaint and refurbishing.

AGED COTTAGE HOMES

The Hon. D. N. BROOKMAN: Will the Attorney-General say how his so-called negotiations are going with Aged Cottage Homes Incorporated?

The Hon. L. J. KING: Being out of town for a few days last week, I have not had the opportunity to confer with the officer who is handling this matter. However, I shall be in touch with the Chief Secretary in the next day or so, trying to obtain from the officer concerned a report on what has taken place in my absence.

CLARE ROAD

Mr. VENNING: Can the Minister of Roads and Transport say whether there has been a delay in commencement of the reconstruction of the Auburn-Clare road and, if there has, what is the cause? I should be happy if the Minister would look into the matter for me, as I understand that this is a possibility.

The Hon. G. T. VIRGO: I will obtain that information.

SUPERPHOSPHATE

Mr. GUNN: Has the Minister of Roads and Transport a reply to the question I asked during the debate on the Loan Estimates about railway facilities for the handling of superphosphate?

The Hon. G. T. VIRGO: It is not the policy of the Railways Department to provide facilities for the handling of superphosphate in bulk. It is understood that in many instances the manufacturers provide this kind of facility.

MURRAY RIVER FLOWS

Mr. McANANEY: Will the Minister of Works obtain for me the figures relating to the flows recorded at Albury for the last three months and the flows in the main tributaries of the Murray River system?

The Hon. J. D. CORCORAN: Yes.

DAVENPORT RESERVE

Mr. MILLHOUSE: My question, which I direct to the Minister of Aboriginal Affairs, concerns the Superintendent of the Davenport Reserve.

The Hon. J. D. CORCORAN: What's your question?

Mr. MILLHOUSE: Does the Minister intend to take action regarding the Superintendent of the Davenport Reserve? Some few weeks ago complaints were made publicly (I think, from memory, in the press) about certain aspects of the conduct of the Superintendent, in reply to which the Minister said he intended to send Mr. Cox, the new Director of Social Welfare and Aboriginal Affairs, to the reserve to investigate the situation as soon as possible. My recollection is that that time would by now have passed and I presume that the investigation has been carried out.

The Hon. L. J. KING: Following the publicity to which the honourable member refers, I caused Mr. Cox to go to Port Augusta and to the Davenport Reserve. Indeed, he visited the area on at least three, possibly four, occasions. When conferring with me this morning, Mr. Cox said he expected that his report, which is being prepared, would be in my hands by the end of the week, and I shall then be able to give the honourable member further information.

ROAD ACCIDENTS

Mr. VENNING: My question relates to letters I received from the two medicos in a northern town regarding two bad accidents that occurred in that part of the State. Some time ago I told the Attorney-General that I had received copies of letters that had been sent to him in this respect. In their letters to the Attorney these two medicos expressed concern that there was not an inquest on these two accidents, even though they involved several fatalities. The Attorney indicated that he would look into and take action on the matter when he received the letters. Can he now say whether he has received those letters and, if he has, what action he intends to take?

The Hon. L. J. KING: I received the letters and called for a report regarding the circumstances in which it was decided, as I recall it, not to hold an inquest which, I think, was the burden of the complaint in the letter. Not having yet received a report, I will follow up the matter and try to obtain one as soon as possible.

WARNING DEVICES

Dr. EASTICK (on notice): Apart from financial considerations, on what basis are decisions made for the installation of warning devices at railway crossings?

The Hon. G. T. VIRGO: Apart from financial considerations, priorities for the installation of warning devices at level crossings are based on numerous factors. The principal considerations, however, are the relative volumes of rail and road traffic, the road and rail alignments, road and rail traffic speeds and local conditions, such as visibility at any particular location.

SEA RESCUE

Mr. BECKER (on notice):

1. How long, approximately, would it take for rescue boats to reach an aircraft which had crashed off the coast near Adelaide Airport?

2. What grant has the Government provided to the Glenelg council or the West Beach Recreation Reserve Trust to repair the boat ramp at Glenelg North which could be used by the Sea Rescue Squadron in case of emergency?

3. Is it the intention of the Government to give consideration to wholly financing an alternative method of launching rescue boats at this point to meet any emergency?

4. Is it intended to provide the necessary finance for all-weather sealed access roads to this area?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. The launching of boats by the Sea Rescue Squadron depends upon the tide. At high tide two boats at least would be in the water within 15 minutes of a call being received. In the case of low tide, there would be a minimum of three-quarters of an hour, as the boats would have to be towed by a tractor. Time taken to reach the aircraft would depend upon its location.

2. No grant has been given.

3. The Government recently assisted the Sea Rescue Squadron by providing some tarpaulins to assist in beach launchings. Government assistance for an alternative method of launching rescue boats at this boat ramp would be considered upon receipt of a detailed proposal.

4. The provision of a road to this area is the responsibility of the appropriate council. No requests have been received by the Highways Department for any assistance.

Mr. BECKER (on notice):

1. How many alarms have been raised concerning safety of boats in South Australian waters during the past five years?

2. How many alarms were false in each of those years?

3. How many were genuine alarms?

4. How many sea rescues have been made each year for the past five years?

5. How many persons were rescued in each of those years?

6. How many persons have died or been reported missing from ship, small boat or yacht accidents each year for the past five years?

7. What sea rescue organizations are recognized by the Government?

8. Do they receive Government assistance?

9. If so, what is the amount received by each organization?

The Hon. J. D. CORCORAN: The replies are as follows:

1 to 6. No detailed records are kept.

7. There is no specific form of recognition given.

8. No annual grant has been given but capital assistance has been.

9. Not applicable.

Mr. BECKER (on notice):

1. What are the penalties, if any, for the wilful misuse of flares at sea?

2. Does the Government intend to introduce legislation to provide for heavier penalties?

The Hon. J. D. CORCORAN: The replies are as follows:

1. If the master (or skipper, in the case of a fishing vessel) of a vessel, the crew of which misuses flares, is the possessor of a certificate of competency or a certificate of service, then it would be possible to withdraw his certificate on the score that he cannot control his crew or for some other relevant reason. Section 64 (2) of the Marine Act lays down that the master of any ship that displays any distress signals except in an emergency shall be liable to pay all costs that may be incurred by other parties as a direct result of the display of such signals.

2. No.

GLENELG FAN STATION

Mr. BECKER (on notice):

1. Why was a reply not given to my suggestion of September 30 that sewer gases from the proposed fan station to be erected at Glenelg in the near future be filtered?

2. What stage has planning to re-locate the fan station reached?

The Hon. J. D. CORCORAN: The replies are as follows:

1. The letter dated September 30, 1970, to which the honourable member refers, was acknowledged and forwarded to the Director and Engineer-in-Chief for attention. It has never been the department's practice to reply to all suggestions, but they are all investigated. However, the process of filtering sewer gas, both in initial cost and continuous operating costs, is very expensive as compared with exhausting direct to atmosphere through a high vent. However, the department has recently successfully constructed vents where fresh air is injected into the base of the stack, consequently diluting the sewer gas so that it becomes innocuous.

2. The whole question of ventilation of the trunk sewer at Glenelg is being critically examined, and it will be some time before the tests and investigations are completed. The department, however, is taking the necessary steps to see that a small piece of land in the area owned by the department at the corner of Anzac Highway and Tapley Hill Road is reserved so that it can be used as a ventilating station if and when required.

GLENELG TRAM LINE

Mr. BECKER (on notice): When will the weeds and rubbish be cleared from the Glenelg to Adelaide tram line, as indicated by the Minister of Roads and Transport in answer to my question on this matter on August 11, 1970?

The Hon. G. T. VIRGO: The removal of rubbish from the Glenelg track is a continuing process. The poisoning of weeds along the reserved area is now in process and the burning off of further weed growth is planned to be completed by the end of December.

Mr. BECKER (on notice):

1. Is it planned to replace existing rolling stock used on the Glenelg tramway with modern equipment?

2. Are there any plans to replace the rails of this tramway?

3. Has the Government plans to increase level crossing protection along the Glenelg tramway?

The Hon. G. T. VIRGO: The replies are as follows:

1. The Municipal Tramways Trust does not plan to replace the trams used on the Glenelg service. The existing rolling stock is in good

mechanical condition, the traction motors having been replaced and the electrical equipment renewed about 10 years ago.

2. There is no plan to replace the tracks on the tramway, as the existing rails are being maintained in good condition by continual levelling, gauging and other track maintenance as required.

3. Since 1956 it has been compulsory for trams to stop at all stopping places on the Glenelg route on the approach side of road crossings whether or not passengers wish to board or alight. The trams are then required to proceed cautiously across the intersection. Since these arrangements were introduced there have been relatively few accidents at tram crossing intersections. The Highways Department has under consideration the establishment of signals at the recently widened crossings at Morphett Road and Marion Road.

MORPHETTVILLE INTERSECTION

Mr. BECKER (on notice): When will traffic lights be installed at the intersection of Anzac Highway and Morphett Road?

The Hon. G. T. VIRGO: It is expected that traffic lights will be installed at the intersection of Anzac Highway and Morphett Road in January-February, 1971.

CAMDEN PARK DRAIN

Mr. BECKER (on notice): When does the Highways Department intend to cover the open drain situated on the western side of Morphett Road, adjacent to Immanuel College, Camden Park?

The Hon. G. T. VIRGO: Morphett Road, north of Anzac Highway, including the length adjacent to Immanuel College, Camden Park, is under the care, control and management of the Corporation of the City of West Torrens. The open drain along this portion of Morphett Road is also the responsibility of the corporation. The Highways Department does not intend to take any action to close the drain.

NURSES

Dr. TONKIN (on notice):

1. When is it intended to revise the Industrial Code?

2. Will steps be taken in such revision to bring district nurses under the provisions of an industrial award?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. In 1971.

2. One amendment under consideration is to give the Industrial Commission the jurisdiction to make an award in respect of persons employed by the District and Bush Nursing Society.

Dr. TONKIN (on notice):

1. Is the Attorney-General aware that, because of the high standards of nursing education in Canada and the resulting increased status, there is reported to be no shortage of nurses in that country?

2. Are South Australian trained nurses no longer granted reciprocal registration of any kind in Canada?

3. What action does the Government intend to take to improve standards of nursing education in this State?

4. When is it expected that this urgent need will be met?

The Hon. L. J. KING: The replies are as follows:

1. Yes. Nurses' training programmes in that country are associated with a highly developed community health and hospital service and many trained nurses are attracted from England, Europe, Australia, and the United States of America.

2. It is pointed out that reciprocal registration, inasmuch as it means that if a nurse is registered in one country she can be automatically registered in another country, has never existed. All Australian States and overseas countries reserve the right to determine their own standards of registration. However, the registration of a nurse in one country does make her eligible for registration in another country, provided she can meet the overall standards required in that country. The Canadian Statutory Authority requests detailed information from every applicant for registration. This must include names of hospital training schools, minute details of clinical experience in weeks, lectures in subjects and hours, and examination results. Nurses who undertake their training in a class A training school in South Australia, and hold their midwifery certificate are still eligible for registration in Canada.

3. A new curriculum of training was approved in principle earlier this year by the previous Government. This curriculum, together with the allied improvements to the overall education of nurses in this State, is presently being considered by my Government.

4. The Chief Secretary is currently considering recommendations from the Nurses Board of South Australia in which proposed dates for implementation have been stated.

DEPARTMENTAL REPLIES

Mr. BECKER (on notice): Is it the intention of the Government to instruct State Government departments to direct replies to all matters raised with them by Commonwealth members of Parliament (House of Representatives or Senate) through State House of Assembly members?

The Hon. D. A. DUNSTAN: No.

SUPERANNUATION FUND

Mr. BECKER (on notice):

1. Has the Government given consideration to improving the benefits to persons receiving pensions from the South Australian Superannuation Fund?

2. If so, what action is proposed and when?

The Hon. D. A. DUNSTAN: The replies are as follows:

1. The Government has had a number of consultations with bodies representing pensioners coming under the South Australian Superannuation Fund, as well as with bodies representing pensioners of other funds with which the Government is directly concerned.

2. The Government intends to submit to Parliament, if at all possible this session, legislation to authorize increases in pensions payable from the South Australian Superannuation Fund designed to offset the loss in purchasing power since pensions were last varied. It also intends comparable treatment of pensions derived from the Police Superannuation Fund, the arrangements for pensions for the judiciary, and the Parliamentary Superannuation Fund. Details will be announced when the legislation is ready for submission to Parliament.

OVERSEA AGENTS

Mr. BECKER (on notice):

1. What is the fee offered to each of the recently appointed overseas agents acting on behalf of South Australia?

2. What are the terms and conditions of the agreements entered into?

The Hon. D. A. DUNSTAN: Only one agency has so far been established and located in Tokyo, Japan. The terms and conditions are as follows:

- (1) Function: To conduct a general representation service which will promote the best interests of South Australia.
- (2) Terms of appointment: The initial appointment is for a period of three years, with the right of renewal for further periods of one year, subject to the agreement of both parties. Either party has the right to cancel the appointment by notification in writing (six months in advance) of their intention to terminate the arrangement.
- (3) Remuneration: An annual retainer of \$2,500 is payable for the general representation. In the event of a specific request from the Premier's Department involving the agency in time and services, the agency will charge a fee calculated at \$25 a man-hour expended.

Negotiations for the establishment of other agencies are still proceeding.

FORESHORE CONTROL

Mr. BECKER (on notice): What grant has been provided this year in the Budget for sea-side councils and, in particular, Glenelg council, regarding foreshore damage and beach erosion?

The Hon. D. A. DUNSTAN: No grant has been provided in the Budget for the 1970-71 financial year. The Government is awaiting reports on this matter currently being prepared.

LOCAL GOVERNMENT COMMITTEE

Mr. BECKER (on notice):

1. How much did it cost to produce the report by the Local Government Act Revision Committee?
2. How many copies were printed?
3. To whom were they issued?
4. What is the total amount of money expended by this committee in obtaining this report?
5. How many committee meetings were held?
6. When will action be taken to implement the recommendations in the report?

The Hon. G. T. VIRGO: The replies are as follows:

1. Printing costs will be in the vicinity of \$17,000.
2. One thousand of full report and 500 of the summary of recommendations.
3. All members of Parliament. One free copy of the full report is being issued to each local government authority and to certain Government departments and authorities.
4. \$39,651.
5. 129.

6. Local government authorities will be given a period of six months to study the report following which the Government will proceed towards implementing its policy of completely revising and rewriting the present Act.

PUBLIC HOLIDAYS

Mr. BECKER (on notice):

1. Which days will be declared public holidays for the Christmas and new year period?
2. What Government departments will be closed during this period?

The Hon. G. R. BROOMHILL: The replies are as follows:

1. The following are public holidays pursuant to the Holidays Act, 1910-1959, over the Christmas-New Year period: Christmas day, Friday, December 25, 1970; Proclamation day, Monday, December 28, 1970; and New Year's day, Friday, January 1, 1971.

2. All Government offices are closed on public holidays, except those branches responsible for essential services, e.g., Hospitals, Police, Tourist Bureau, etc.

ST. LEONARDS PRIMARY SCHOOL

Mr. BECKER (on notice): When will the request of a deputation from the St. Leonards Primary School Committee some time ago, seeking a school crossing or, alternatively, a pedestrian crossing on Tapley Hill Road, Glenelg North, be granted?

The Hon. G. T. VIRGO: As the matter is not being held up by any Government inaction, it is not possible to say when the matter will be finalized.

Mr. BECKER (on notice): What stage have plans reached to erect a new block of classrooms for St. Leonards Primary School to replace existing temporary accommodation?

The Hon. HUGH HUDSON: A six-teacher open unit is planned for St. Leonards Primary School. The project is one of a large number waiting on the availability of funds. If a Commonwealth Government grant for school buildings is made available, it is planned that the project should be completed for the opening of schools in February, 1972.

ENVIRONMENT USE

Mr. MILLHOUSE (on notice): What statutory powers have each Minister and public servants in each Minister's departments to control the use of the environment and in the general fields of pollution and conservation?

The Hon. D. A. DUNSTAN: The powers are as follows:

1. Aboriginal and Historic Relics Preservation Act, 1965: protects and conserves Aboriginal and historic relics, and is administered by the Minister of Education.

2. Control of Advertisements Act, 1916-1935: concerned with the control of the display of advertisements in certain portions of the State (for example, does not apply in municipalities) by means of the making of regulations. Prior to June 22, 1967, it was administered by the Minister of Immigration, but is now administered by the Minister of Local Government.

3. Control of Waters Act, 1919-1925: concerned with the control, by means of licensing, of the taking of water from water courses to which the Act applies; to date, applies only to the Murray River and the preservation of water purity (by preventing fouling) thereof; administered by the Minister of Works.

4. Crown Lands Act, 1929-1969: Administered by the Minister of Lands, it enables certain controls to be placed on the use of the lands to which the Act applies.

5. Dog Fence Act, 1946-1969: Administered by the Minister of Lands, its aim is to protect certain portions of the State from the ravages of wild dogs.

6. Fauna and Flora Reserve Act, 1919-1940: Applicable only to Kangaroo Island, its purpose is to preserve fauna and flora on and in reserves under the control of the Fauna and Flora Board of South Australia; administered by the Minister of Agriculture.

7. Fauna Conservation Act, 1964-1965: Administered by the Minister of Agriculture, the purpose of the Act is the conservation and control of native animals and birds. Under the Act, certain animals and birds are protected, and the use of guns and traps for the taking thereof controlled by means of licences. The Act also controls the importation, exportation and keeping of various animals and birds.

8. Fisheries Act, 1917-1969: The Act, administered by the Minister of Agriculture, conserves fisheries by controlling, by means of licensing and the imposition of penalties, the taking of fish.

9. Health Act, 1935-1968: Administered by the Minister of Health, this Act contains various provisions whereby our environment can, in certain circumstances, be controlled.

In particular, the 1963 amendment set up a Clean Air Committee to investigate and report, and to recommend the making of regulations to the Governor. This constitutes the major air pollution control legislation applicable in this State although, to date, only one set of regulations, controlling dark smoke, has been made thereunder.

10. Mining Act, 1930-1962: Although this Act is not concerned with conservation or pollution, its provisions are such that certain aspects of mines and their environs can be controlled and, of course, the minerals in certain areas can be conserved by the refusal of leases, licences, rights, etc. The Act, formerly administered by the Minister of Mines, is now under the control of the Minister of Development and Mines.

11. National Parks Act, 1966: Administered by the Minister of Lands, this Act provides for the establishment and development of national parks, and for the control and conservation of animals, plants and land therein in a natural state.

12. National Pleasure Resorts Act, 1914-1960: This Act provides for the establishment and control of national pleasure resorts and is administered by the Minister of Development and Mines.

13. Planning and Development Act, 1966-1969: This Act makes provision for the appointment of a State Planning Authority and a Director of Planning. Its provisions, which are comparatively sophisticated and rely on substantial co-operation from local councils for their full implementation, provide for the control of land use and land subdivision and resubdivision. Its administration has been committed to the Minister of Local Government.

14. River Torrens (Prohibition of Excavations) Act, 1927-1934: This Act confers limited protection to the River Torrens by prohibiting certain excavations. It is administered by the Minister of Works.

15. River Torrens Protection Act, 1949: Also providing protection to the River Torrens, the Act forbids certain activities in or near those portions of the river to which the Act applies. It is administered by the Minister of Works.

16. Road Traffic Act, 1961-1969: Placitum (d) of subsection 176 (1) of this Act permits the making of regulations determining the "equipment or devices of any kind" to be fixed to motor vehicles. This provision could

be used to provide for pollutant reduction devices on motor vehicles. The Act is administered by the Minister of Roads and Transport.

17. Sewerage Act, 1929-1969: Administered by the Minister of Works, the Act provides for the sewerage of those areas declared to be drainage areas. By forcing owners of premises to drain those premises to available sewers, pollution in drainage areas can be partially controlled.

18. Underground Waters Preservation Act, 1969: By regulating the sinking of bores and the withdrawal and use of water from aquifers, the Act preserves the underground water resources in those areas, known as "defined areas", to which the Act applies. It is administered by the Minister of Development and Mines.

19. Water Conservation Act, 1936-1969: This Act, administered by the Minister of Works, applies to those areas proclaimed as water districts thereunder, and deals with the conservation, pollution control and use of water within those districts.

20. Waterworks Act, 1932-1969: Administered by the Minister of Works, this Act deals with the collection, conservation and reticulation of water. It contains numerous provisions dealing with pollution control of water in reservoirs, in rivers and streams and on water-sheds.

21. Native Plants Protection Act, 1939: Applicable only to the wild flowers and native plants specified by proclamation, the Act is administered by the Minister of Forests. The purpose of the Act is to protect the flowers and plants to which it applies.

22. Noxious Trades Act, 1943-1965: Administered by the Minister of Health, the Act provides for the declaration, by regulation, of noxious trade areas in which noxious trades may be carried out. The Act relies for its proper functioning upon the co-operation of local boards of health.

23. Prevention of Pollution of Waters by Oil Act, 1961-1969: Applicable only to waters within the jurisdiction of the State, the aim of the Act is to protect such waters from pollution by oil from ships. The Act is administered by the Minister of Marine.

It will be appreciated that all the above references to the various Acts also refer to all regulations, proclamations and by-laws made thereunder.

Time does not permit a detailed answer enumerating all the various powers conferred upon the various Ministers by these Acts or of the powers conferred upon various public servants thereby. Some Acts vest certain powers in nominated public servants—for example, the Director of Mines, the Director and Engineer-in-Chief, the Director-General of Public Health, the Director of Planning, etc., whilst other Acts do not. In the interests of completeness, it is pointed out that there are other Statutes which confer some powers of environment or pollution control, but such control is vested in local government bodies—for example, the Local Government Act, 1934-1969, and the Vermin Act, 1931-1967.

RIVER TORRENS ACQUISITION BILL

Returned from the Legislative Council with amendments.

LICENCE SUSPENSION

The Hon. G. T. VIRGO (Minister of Roads and Transport) brought up the report of the Select Committee on Motor Vehicle Licence Suspension, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

CONSTITUTION ACT AMENDMENT BILL (ADULT FRANCHISE)

Adjourned debate on second reading.

(Continued from October 15. Page 1830.)

Mr. GROTH (Salisbury): I support the Bill and, like other members on this side of the House, I also support the abolition of the Legislative Council. This Legislative Council, which houses the bosses of the Opposition, is like most other systems that work to the detriment of the working-class people of this country, in that these systems destroy themselves, and in my opinion it will not be long before the Legislative Council destroys itself. The Labor Party's policy to abolish that House is one for which I make no apology, and I have full support for my stand. Members on the Opposition benches who have supported the holding of Legislative Council elections on a different day from that on which House of Assembly elections are held will have to answer for their waste of public money to the taxpayers of this State. Of course, the Opposition does not care how much money is wasted: all it wants to do is maintain its stranglehold on the bosses' House down the passage. Let me quote a report in this morning's *Advertiser*

to show how the Liberal machine thinks. This is a press statement by a person in the District of Salisbury who has been a Liberal all his life. It states:

The council decided that all Legislative Council members representing the Midland District be told that, if the amendments to end Friday night trading in the Salisbury area were passed in the House of Assembly, they would be expected to support the majority views of the constituents of the Salisbury area to defeat the Bill in the Legislative Council, even to the extent of forcing a State election on the issue.

I am referring to the Mayor of Salisbury, Bowey, who made this press statement. Opposition members are fully aware of the difficulties in enrolling people on the Legislative Council roll. At the time of the Midland by-election, it was evident that both the Labor Party and the Liberal Party had enrolled hundreds of persons on the Legislative Council roll. In the Salisbury District alone, on May 5 there were 500 additions and on August 8 there were a further 573 additions. I add that, as the Senate election will be held soon, the rolls will be made up again and it is expected that further additions will be made. If this Bill is defeated in the Legislative Council, that will point to the wish of members of that House to maintain their stranglehold on the districts that the Opposition holds in the Council. I have been told on good authority that New South Wales will introduce adult suffrage and, if the Bill that we are considering is defeated, South Australia will be the only State without that franchise. I have much pleasure in supporting the Bill.

The Hon. L. J. KING (Attorney-General): I do not intend to take up much time in replying to the second reading debate, because speakers on this side have covered most of the points. I think the most notable aspect of the debate has been the consistent and persistent refusal of Opposition speakers to deal with the Bill. They have talked about compulsory voting and about having separate rolls for the two Houses of Parliament. They have even talked about having elections for the two Houses held on different days; but, with only two exceptions, I think, the Opposition speakers have consistently declined to deal with the subject matter of the Bill, namely, adult franchise.

True, one Opposition member, the member for Alexandra, certainly grasped the nettle and disputed the proposition that the Legislative Council should be elected on the same franchise as that for the House of Assembly. One would think that, in 1970, this would be a

fairly difficult proposition to justify. However, I give the honourable member full credit, because he did not shrink from attempting the justification. He said that this proposition was justified because the conservative side of the argument should have an advantage, and he put his argument fairly and squarely upon that basis. Really, when one analyses the position, one realizes that this amounts simply to the honourable member's saying, "I favour a conservative approach to a social change and, because I favour it, it is a good thing and therefore it should be given an advantage; indeed, the advantage it should be given is that the franchise should be so arranged as to favour those who share my conservative views."

Boiled down, that is the argument that the member for Alexandra put. It is an untenable argument, but at least he had the courage to put it. Not many of his colleagues were willing to deal with the Bill at all: they sought to deal with all sorts of side issues that were not raised. The member for Alexandra (and, indeed, I think the member for Mitcham and perhaps other members) claimed that a bicameral system was the most desirable system and that it was impossible to have such a system unless there was a difference between the franchises. Why that was so was simply not explained. Indeed, it is not the position that obtains in either Victoria or Western Australia, where a bicameral system exists and where the Legislative Council is elected on an adult franchise system. Why it should be impossible in South Australia, when it is possible in Victoria and Western Australia, has not been explained. Of course, talking about the existence of the Legislative Council, about compulsory voting, and about all the other matters that have been mentioned is simply evading the issue raised by this Bill, namely, what the franchise for the Legislative Council should be. No attempt was made to argue the proposition that it was impossible to have a bicameral system upon an adult franchise basis.

Of course, it obviously is possible to have one, and it is possible to have a second House of Parliament of a different political complexion from the first House of Parliament, notwithstanding that the franchise is the same. This is so because in both Victoria and New South Wales and, of course, the Commonwealth Parliament, half the second House retires at alternate elections for the Lower House. This means that the electors have the opportunity

under a bicameral system upon that basis of having a second say, in the sense that a sudden change in electoral opinion is not fully reflected in the second House at the time of the election following which it occurs. Whether or not that is a desirable system is not the question that arises in this House today, and I mention it simply to refute the suggestion that it is impossible to have an effective bicameral system upon the basis that both Houses are elected upon the same franchise.

Having to reply to the second reading debate is a rather curious position to be in, because the Opposition speakers, with the outstanding exception of the member for Alexandra, simply refused to deal with the issue raised by the Bill, namely, the question of adult franchise and the basis of the franchise for the Legislative Council. Consequently, to trace arguments that were advanced upon issues not raised by this Bill would simply be wasting the time of the House. Therefore, I urge members to vote for the second reading.

The SPEAKER: As this is a Bill to amend the Constitution Act and to provide for an alteration of the Constitution of the Legislative Council, the second reading requires to be carried by an absolute majority. In accordance with Standing Order 300, I now count the House. There being present an absolute majority of the whole number of members of the House, I put the question: "That this Bill be now read a second time." For the question say "Aye", against say "No". There being a dissentient voice, it will be necessary to divide the House.

The House divided on the second reading:

Ayes (37)—Messrs. Becker, Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Carnie, Clark, Corcoran, Crimes, Curren, Dunstan, Eastick, Evans, Ferguson, Groth, Hall, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, Mathwin, McAnaney, McKee, McRae, Millhouse, Nankivell, Payne, Ryan, Simmons, and Slater, Mrs. Steele, Messrs. Tonkin, Virgo, and Wells.

Noes (7)—Messrs. Allen, Brookman (teller), Goldsworthy, Gunn, Rodda, Venning, and Wardle.

Majority of 30 for the Ayes.

Second reading thus carried.

The SPEAKER: The second reading of the Bill having been carried with an absolute majority of the whole number of members of the House being present, the Bill may now be proceeded with.

Mr. HALL (Leader of the Opposition) moved:

That it be an instruction to the Committee of the whole House on the Bill that it have power to consider a new clause to enable—

- (a) Council and Assembly elections to be held on different days;
- (b) Enrolment as a Council elector and voting at Council elections not to be compulsory; and
- (c) Electoral rolls for the Council to be kept separate from rolls for the Assembly.

Motion carried.

In Committee.

Clauses 1 to 4 passed.

New clause 5—"Enactment of section 22a, 22b and 22c of principal Act."

Mr. HALL (Leader of the Opposition): I move to insert the following new clause:

5. The following sections are enacted and inserted in the principal Act before section 23 thereof:

22a. An election for a member or members of the Legislative Council shall not be held on the same day as an election for a member or members of the House of Assembly.

22b. A person is not obliged—

- (a) to seek, or make a claim for, enrolment as a Council elector under the Electoral Act, 1929, as amended;

or

- (b) to vote at any election for a member or members of the Legislative Council.

22c. The electoral rolls for the Legislative Council shall be kept and maintained separately from the electoral rolls for the House of Assembly.

I thank members for their courtesy in allowing the motion for instruction to the Committee to be carried so that this amendment may be considered, and I know that this is done without passing judgment on the amendment. During the second reading debate I made my stand clear on this issue. I said that I believed there should be a universal voluntary franchise so that every citizen who could vote for the House of Assembly could vote at Legislative Council elections. I said that the Government's proposal (made not for the first time) was made in a politically charged atmosphere, because it was the fervent and expressed opinion and belief of Government members that the Legislative Council should be abolished.

Mr. Jennings: Hear, hear!

Mr. HALL: That is confirmed by the interjection, which is out of order.

The ACTING CHAIRMAN (Mr. Ryan): Interjections are always out of order.

Mr. HALL: The political implications are that the Legislative Council is jealous of its existence: it knows that the Labor Party in South Australia wants to get rid of it and to have only one House that can originate, consider, and finally pass legislation. I think it is fair to say that members on this side and all members of the Liberal and Country League in the Upper House are firm believers in a bicameral system, and in adopting this attitude they are supported by most people in the free world.

Mr. Jennings: Absolute balderdash and rubbish!

Mr. HALL: Therefore, they have the majority on their side. The Attorney-General can refer to Queensland, which is the lone example in the Australia scene, but this situation confirms that most Australians believe in the bicameral system. Government members will find that this belief will be confirmed at the forthcoming Senate elections when the Australian Labor Party, believing that the Senate should be abolished, will be put to the test. They will find a further adoption by the public of Australia of this dual-house system. I believe that the Labor Party in this State has not been a very practical administrator of the State's affairs in the first few months of its office, and this belief is shared by the public of South Australia. As the member for Ross Smith would know, this belief was freely expressed last evening at a meeting that he attended. This should not blind Labor members to the necessity of having a proper look in depth at the practicability of achieving universal franchise for the Legislative Council, not the ideological viewpoint that members opposite are so fond of presenting to this Chamber, shorn of the policies and the political effects on the community, but the practical job of getting it through and becoming law. They know, as all members know, that the Legislative Council has 16 members of the Liberal and Country League who do not believe in abolishing the Council. Therefore, if the Government is to have universal franchise passed, it must do it on the basis that it is not aiming this political legislation at abolition.

Mr. Payne: You mean that we have to make a deal!

Mr. HALL: The Labor Party can, if it wants to be ideological in its approach, put up something that can be used for years as propaganda in the fight on behalf of that Party, or it can put up something on behalf

of the people of this State who do not have the right to vote at Council elections. If it does the latter it will consider the sensibilities of members of the Upper House who want to retain it and, therefore, it will demonstrate clearly to the Upper House its good faith. I assure members opposite that I have received no undertaking from members of the Upper House, who do not meet in common at a Party meeting with House of Assembly members of the Liberal and Country League. I have no undertaking that members of the Upper House will accept my amendment.

Mr. Payne: Don't make us laugh!

Mr. HALL: I am sorry that the honourable member wants to laugh: the present standard of administration of his Government does not give him much to laugh at. He should give full attention to this matter and try to have it passed through this Chamber. If he had been a member for some years he would understand that thought and tact are needed to get legislation passed through both Houses, and this is the balanced and effective way in which this Parliament meets. It is not a dictatorship and not a one-House standard. If the honourable member and others want this measure to be a success they will assure the Upper House that their aims are simply to get the franchise for those who are at present denied it. I do not have any undertaking from my colleagues in another place that they will support my amendment and therefore the Bill if it is included, but I assure members opposite that unless something like this is included in the Bill it will fail.

Mr. Hopgood: How do you know if you don't meet them?

Mr. HALL: The honourable member is not so new that he cannot understand what I am saying. He knows enough of the political scene to know that I am speaking the truth. Therefore, I offer what I believe is a compromise. If political students in the Chamber use their ability to study they will realize that members on my side, who do not go all the way with a full franchise without safeguards, have voted for the first time to pass the second reading, because they support the Bill in its amended form. This is significant for members opposite and something they should understand: the vote was made without any discipline within my Party, because no discipline exists to bind members on any vote. Therefore, members opposite should understand that a certain political move is afoot,

if they want to go along with it. If members of this Chamber adopted this amendment there would be an unanswerable case. The member for Mawson may snigger at the logic of my argument.

Mr. Hopgood: It's completely illogical.

Mr. HALL: If this Chamber presented this Bill to the Council in the amended form, there would be an unanswerable case. Assuming that only seven members on this side oppose the Bill in its amended form and that all members of the Government support it, there would be such a case that the Council dare not oppose the measure, so it will be in the hands of members opposite whether or not this Bill passes eventually.

Mr. McRae: That way, they still avoid free elections.

Mr. HALL: The member for Playford need not talk about avoiding things.

Mr. McRae: Your members up there didn't even turn up.

The ACTING CHAIRMAN (Mr. Ryan): Order!

Mr. HALL: The member for Playford does not have to make a decision for himself; he said last night that they were all made for him.

The ACTING CHAIRMAN: Order! The Leader must link up his remarks with the amendment and not refer to something that happened last night.

Mr. HALL: I was distracted by a member who attended the shopping hours meeting last night.

Mr. McRae: Tell us about the Midland members!

Mr. HALL: I will this evening. We therefore come to the possibility of preserving the Council, at the same time demonstrating that we support its existence. If the Labor Government wishes to introduce a Bill to abolish the Council, that is its affair: this Chamber can vote on that measure, as can the Upper House. We must assure the Council of the good faith of this move, and to do so we must preserve the franchise of the Council basically in its present form. If I can be heard over the tiresome interjections coming from the south-western corner of the Chamber, I submit that it is necessary to demonstrate that we support voluntary voting for the Legislative Council. I do not think that, in their hearts, Government members oppose voluntary voting. I know that there has been some play on this subject, although I am sure that the public in general supports voluntary voting.

The Hon. L. J. King: For both Houses?

Mr. HALL: Yes, I am sure it would. My friends opposite put only selected questions to the electors.

Mr. Payne: Is your policy voluntary voting?

Mr. HALL: My policy would be voluntary voting.

The Hon. L. J. King: For both Houses?

Mr. HALL: Yes. The Attorney-General's policy is to have compulsory voting by inserting crosses. He does not credit the public with any intelligence to be able to put "1", "2", "3", "4" or "5"; he believes in putting one mark.

The ACTING CHAIRMAN: Order! There is nothing in this Bill about voting by cross. We are dealing with the clause sought to be inserted by the Leader, and he must link up his remarks with that clause.

Mr. HALL: Yes; I hope there will never be anything in here like the matter to which I have been referring. It is therefore necessary to preserve the right of citizens to vote voluntarily for the Legislative Council, to enrol voluntarily, and for all our citizens of voting age to receive a vote. With other members, on this side as well as on the Government side, I agree on this issue, and to achieve this I have outlined what I think is a proper course for members to adopt. The main purpose of this Bill can be achieved by ensuring voluntary voting for the Council and by having voting take place on a separate day, a procedure which I understand applies and has worked successfully in Tasmania. If this amendment is passed, it will be possible to ensure this.

New section 22a provides that an election for a member or for members of the Legislative Council shall not be held on the same day as an election for a member or for members of the House of Assembly, and this would preserve the voluntary aspect by separating elections for both Chambers and not compelling people to come to the polls. It can be argued that new section 22b (a) already applies, as it does. I believe that the Government can have no argument about this provision, because that is the existing practice. I can see no objection to reinforcing that practice for the sake of assuring members of the Council that no intention exists at present to alter it. New section 22b (b) provides that it is not compulsory for a person to vote at any election for a member or for members of the

Legislative Council, and that is again reinforcing the existing practice. The only real difference, apart from the assurances contained in new section 22b, is to establish, if this amendment is passed, different days of election for the Legislative Council and the House of Assembly.

As I have said, this practice already exists in Tasmania and, whether or not members entirely agree that it is a desirable procedure, they will have to decide whether or not they are sufficiently serious about getting a franchise for all of the electors as to go along with this provision. If they are not sufficiently serious, they will reject the provision and go along with their ideological argument which up until now they believe has favoured them at elections, and they will continue to play the political game with the people's right to vote. On that basis, I urge members to support the new clause.

The Hon. L. J. KING (Attorney-General): I found considerable difficulty in understanding whether the Leader of the Opposition was saying that he believed in the principle of this amendment or whether he was simply saying that it was something to which we must agree if we wished to have the Bill passed by the Legislative Council. Even to the end of his speech, despite his reply to me, when I was so far out of order as to interject, that he believed in voluntary voting for both Chambers, it still did not clearly appear to me whether he was saying simply, "This amendment doesn't amount to much but you'll have to agree to it if you ever want to get this through the Legislative Council." I suggest that we look at the new clause and at the reason advanced for moving it.

The Leader of the Opposition said that it was necessary to reassure the Legislative Council that the object of the Bill was not to abolish the Council. Why it should be thought that a Bill dealing with the franchise for the Legislative Council involves a proposition concerning its abolition is a little difficult to understand, and it is even more difficult to understand why the Legislative Council or anyone else should be concerned with any safeguards in this Bill, because the Parliament of this State provided the safeguard (and one would think that it was the only safeguard that any Chamber could ever reasonably ask) in the Constitution Act Amendment Act of 1969 when, at the instance of the Legislative Council, this Chamber agreed to an amendment to the Bill then being considered. That

amendment provided the most real and effective safeguard that the Council could have and certainly the maximum safeguard that any democratic Assembly could ever request. The 1969 Act enacted new section 10a, the material parts of which are as follows:

- (1) Except as provided in this section—
 - (a) the House of Assembly shall not be abolished;
 - (b) the Legislative Council shall not be abolished;
 - (c) the powers of the Legislative Council shall not be altered;

Subsection (2) provides:

A Bill providing for or effecting—

- (a) the abolition of the House of Assembly;
- (b) the abolition of the Legislative Council;
- (c) any alteration of the powers of the Legislative Council;
- (d) the repeal or amendment of section 8 or section 41 of this Act; or
- (e) the repeal or amendment of any provision of this section,

shall be reserved for the signification of Her Majesty's pleasure thereon and shall not be presented to the Governor for Her Majesty's assent until the Bill has been approved by the electors in accordance with this section.

Subsection (3) provides the machinery. The general effect of the provision is that, before the Legislative Council can be abolished or its powers altered, a Bill must pass not only the House of Assembly but also the Legislative Council and must be approved by the majority of the people at a referendum. What possible safeguard beyond that could any Chamber that pays even lip service to democratic principle require or request? How unreal it is in these circumstances for the Leader to talk about the necessity of inserting further safeguards in the Bill as the price of having the Council agree to adult franchise. Surely, in light of the provisions to which I have just referred, there can be no genuine fear by the Council that adult franchise can lead to its abolition, unless that result is clearly desired by a majority of the people; and, indeed, the people would be asked the question only if the Council had first agreed to the Bill relating to the referendum. Therefore, to put it that it is necessary to insert the sort of provision that is in the Leader's amendment as a reasonable assurance to the Council that what is intended by this Bill is not its abolition is specious and unreal.

I shall now discuss whether it is possible to find any intrinsic merit in the amendment. First, the Leader proposes to add new section 22a to provide that elections for the Council and the Assembly shall not be held on the

same day. However, it is less costly and more convenient for the people if elections are held on the same day. By inserting new section 22b, the Leader makes it not compulsory for a person to seek enrolment as a Council elector. It is not compulsory now for a person to make an application or claim for enrolment either as an Assembly or as a Council elector, and there is nothing in the Bill that will change that. This is an entirely gratuitous provision to exclude something that is not the case at present. New section 22b also provides that it is not compulsory for a person to vote at any election for a member or members of the Legislative Council. Is there any possible justification for distinguishing between one Chamber and another? The Bill deals with adult franchise and not with compulsory voting. Compulsory voting for the Legislative Council will be proposed to this Chamber in a separate Bill. The Opposition will then have an opportunity to express its views on that subject, as will the Legislative Council.

No justification has been put forward for tacking the question of compulsory voting on to this Bill. Both Chambers will have separate Bills designed to give them an opportunity to decide on the separate issues of adult franchise and compulsory voting for the Legislative Council. However, as the Leader has raised this subject, I ask why there should be a provision for the House of Assembly different from that which applies for the Legislative Council with regard to compulsory voting. The Leader grasped the nettle firmly in reply to my interjection, saying that there should not be compulsory voting for the House of Assembly anyway. Therefore, he does not have to face up to the question why there should be a different provision in relation to voting for members of both Chambers. Although I do not know what other members opposite will say, I do not imagine that it is the policy of the Liberal and Country League to depart from the principle of compulsory voting for the House of Assembly. Certainly the policy of Liberal Governments throughout Australia for many years has been to favour compulsory voting, no attempt having been made by Liberal Governments in any part of the Commonwealth since compulsory voting has been introduced to change that system of voting. Therefore, I was surprised to hear the Leader of the Liberal Party in this State say that he believed voluntary voting should be applied to both Chambers.

If it is the policy of the L.C.L. that there should be compulsory voting for the House of Assembly, why should there be a different system of voting for the Legislative Council? If there is justification for compulsory voting for one House, why does that justification not apply to the other Chamber? Surely the justification for compulsory voting is simply that, human nature being what it is, the only possible way to obtain a satisfactory consensus from the public on a question is by making it compulsory by law for people to exercise their franchise, thereby requiring them to apply their minds to the question and to reach a decision. For that reason we have compulsory jury service and compulsory voting. As all political Parties in Australia have recognized this for many years, it is surprising to hear, in 1970, after so much experience and so many unsatisfactory experiences in countries that have adhered to the voluntary system of voting, a Leader of a political Party in this State say that he favours a voluntary system of voting (I do not think he went quite so far as to say that he thought compulsory voting should be abolished).

If I am right, as all political Parties in this country have hitherto agreed for many years, that the way to obtain a satisfactory consensus from the public is by compulsory voting, why does that not apply to the Legislative Council? What possible basis of distinction is there? Why is it that what achieves the most satisfactory consensus of opinion of the public in relation to the House of Assembly does not have the same effect in relation to the Legislative Council? I suggest that the only possible explanation for the opposition by members of the Legislative Council to compulsory voting is the belief by its members and by Liberal members of this House that somehow they derive a political advantage from the retention of voluntary voting. Perhaps this devotion to voluntary voting requires some explanation from Opposition members. Do they hope that a substantial number of electors who are likely to vote against them will remain away from the polls if there is voluntary voting? Is that the explanation? Do they want to encourage as many electors as possible to get out and exercise their franchise or do they want to confine the voting to as few people as possible, people who they think may support them and their point of view?

Mr. Gunn: That is a hypothetical question.

The Hon. L. J. KING: Is it? If it is a hypothetical question, will somebody explain to me why it is desired to have the voting on two separate days? What possible justification is there for that? Even if we had compulsory voting for the House of Assembly and voluntary voting for the Legislative Council, surely anybody who had a real interest in the operation of the democratic process would be keen to see as many people as possible vote, even on a voluntary basis. A measure designed to have voting for the two Houses on different days can only be designed to discourage people from voting.

It is not a matter of compulsion in their minds because, if voting for both Houses was on the same day, a voter could vote for the House of Assembly and say, "I will not vote for the Legislative Council; I am not obliged to vote for it—I am free in that regard." But why is it desirable to have the voting on separate days? Surely it can only be because the Liberal Party wants to keep as many people as it can away from the polls, people who it thinks may vote against it. Anything that may have the effect of encouraging people to exercise their franchise it wants to avoid. There is no sense or logic in having the elections for the two Houses on separate days. I suggest it can be a move on the part of the Liberal Party in this House, apparently anticipating that its colleagues in another place will take the same attitude, designed only to secure a political advantage for that Party notwithstanding the inconvenience and expense to the public through having to vote on two days. We have had enough of it with separate election days for the two Commonwealth Houses. I suggest that the Leader of the Opposition may like to consult the public about its views on having Senate elections and House of Representatives elections on different days, and what its views would be on being told "You have to vote twice for your State Parliament—once for the House of Assembly and once for the Legislative Council."

It is curious that, notwithstanding that the 1969 Act provides that the powers of the Legislative Council can be affected only after a referendum, the Leader of the Opposition says there must be some sort of safeguard. Apparently, the holding of a referendum where the majority of the people vote for the proposition is not regarded as a sufficient safeguard. However, that is at least consistent with the Leader's attitude to the result of the shopping hours referendum, where the wishes of the majority of the people are, in his view,

to be disregarded anyway. The framers of the Constitution of this State had the wisdom to provide that a Legislative Council election was to be held on the same day as a House of Assembly election, and a heavy onus must rest on the Opposition to justify actually writing into the Constitution that the elections for the two Houses must be held on separate days, with all the consequent inconvenience and expense and no justification in reason or logic for it except a desire to secure a Party advantage by discouraging as many people as possible from going to the polls.

The last amendment put by the Leader of the Opposition to this clause is a proposed new section 22c, which provides:

The electoral rolls for the Legislative Council shall be kept and maintained separately from the electoral rolls for the House of Assembly.

Why should that be so? What reason did the Leader of the Opposition give for such a proposition? Why should we keep two completely separate rolls if both are on the same basis of adult franchise? What purpose can be served? I suggest the purpose is, once again, the hope and belief that some people who may not favour the Liberal cause will not enrol for the Legislative Council although they have applied for enrolment for the House of Assembly, and that in that way some political advantage will be gained. It will be an inconvenient and expensive operation: the public will suffer the inconvenience of having to make separate applications and the electoral office will have to handle matters on separate bases. It will have no justification other than whatever Party advantage is sought to be obtained from it.

So I suggest that none of the amendments are justified in themselves and that, so far as compulsory voting is concerned, this House and the Legislative Council will have the opportunity of expressing their opinions when the Government produces a Bill for that purpose. None of these amendments in themselves are justified: they are certainly not justified upon the basis put by the Leader of the Opposition, that they would in some way placate the Legislative Council, which might have a reasonable fear that this Bill was designed to procure its abolition, because the safeguard provided by the 1969 Act, that the Legislative Council can be abolished only by a Bill passed by both Houses of Parliament and approved by the electors in a referendum, is the only reasonable safeguard that any Chamber with any pretence

of being devoted to the democratic process can possibly require. Therefore, if the Legislative Council is not satisfied with that safeguard, it certainly will not be satisfied with any of the provisions that the Leader of the Opposition seeks to insert. For those reasons, I ask the Committee to reject the new clause.

Mr. MILLHOUSE: I do not believe that even the Attorney-General believes in the points he has put in rebuttal to the Leader of the Opposition, or that he is ignorant of the answers to the rhetorical questions he has asked in a tone of such injured innocence.

Mr. Payne: I believe in them.

Mr. MILLHOUSE: I am afraid the honourable member is so gullible that he will believe anything. He knows perfectly well that the Leader of the Opposition has put forward this amendment both out of conviction of their intrinsic merit and because he believes they will make the Bill acceptable to the Legislative Council. The Attorney has drawn his defence of the Bill without these amendments and his rebuttal of the amendments far too narrowly in charging the Leader of the Opposition with bringing them forward only to placate the Legislative Council. That is not the case, the Leader made it plain it was not the case, and the Attorney-General knows it is not the case. I did not think the Government would be prepared to accept these amendments because, after all, it is bound by the third plank in its platform under "Constitutional and Electoral"—"Compulsory enrolment and voting for all State Parliamentary elections". Whatever Government members may think, and even if they think as the member for Playford obviously thinks in another connection (that he will lose his seat if he votes with his Party), they have to do it.

The ACTING CHAIRMAN: Order! We are not dealing with another connection now.

Mr. MILLHOUSE: It was just a passing reference, Mr. Acting Chairman. There was no hope (although hope springs eternal) that the Government would be willing to accept this amendment. I shall state briefly my own viewpoint in support of it, and I think I have stated that many times previously in this Chamber. First, I believe firmly in a two-House system of Government and the experience of the overwhelming number of Parliamentary democracies throughout the world, including Australasia, supports my belief that this is the system which works best in practice. We may argue it backwards and forwards if we like.

Mr. Payne: Every other State—

Mr. MILLHOUSE: I ask the honourable member to listen to me.

Mr. Payne: I have before, but it's a waste of time.

Mr. MILLHOUSE: The honourable member can go outside if he thinks that. The overwhelming number of Parliaments have a two-House system, and I believe in it. Secondly, I believe just as strongly in a full franchise for both Chambers. I do not believe there is any justification for a restrictive franchise for any House of a democratically-elected Parliament. However, having made those two points I go on to say that, if one House is not to be merely a reflection of the other, there must be a difference between the franchises of those two Houses and, in my opinion, that cannot be based upon a restriction on those who vote for one House or the other.

Therefore, we must look elsewhere for the difference between the franchises, and the Leader has done that in this amendment. He has sought to provide for differences to be written into the Constitution which are not based on any breach of democratic principle but differences which will, in our view, create a sufficient distinction between the attitudes and outlooks of the two Houses to make the system work as it should work. He has provided for separate rolls, different days for elections, and voluntary voting for one House (knowing that there is compulsory voting for the other House) and he has also provided that, alas in the—I was going to say "foreseeable" future, but in view of the developments on the matter to which I made passing reference earlier, I should say that the Leader has also provided that, in the near future there is little or no chance of their being any change in the system of voting for the Lower Chamber. He has done these things deliberately to make a distinction.

Mr. Langley: And it will be more costly.

Mr. MILLHOUSE: I shall deal with that interjection soon, if that satisfies the honourable member. The Leader has moved this amendment to this Bill because we suspect (and our suspicions were confirmed by the Attorney-General a short time ago) that other Bills are floating about (in fact, two of them are about to come to rest in this Chamber) that will negate this amendment. We must write the amendment into the Constitution Act if it is to have force and be linked with

full franchise for the Legislative Council, which I believe in, as I have said, and which many other members on this side believe in.

Unfortunately, at present the question of compulsion or voluntariness of voting is dealt with in the Electoral Act, hence the reference to that Act in the amendment. I have explained why we must do what we have moved to do in this Bill.

I should like to deal with a few of the detailed points that the Attorney-General has made. He referred at length to the referendum provisions inserted in the Bill by the Legislative Council last year, which amendments were accepted unanimously, I think, by members of this Chamber, many of whom are still members. I heard one interjection from, I think, the member for Eyre, implying some doubt about the validity of the referendum provisions that have been inserted, and those doubts had been raised before. They were raised when the referendum provisions were first suggested in 1968, and I think it was on that basis that they were rejected by the Legislative Council. Strangely enough, many of those in the other place who spoke against the referendum provisions in 1968 apparently supported them in 1969. I think they were inserted without a division last year. I, as Attorney-General and also a member of the legal profession, have considered the validity of these provisions.

Mr. Payne: Go to all the people and we'll abide by the result. Get around that.

The ACTING CHAIRMAN: Order! The honourable member for Mitcham.

Mr. MILLHOUSE: I am satisfied that those referendum provisions are valid and would be upheld in the courts of this country. They rest ultimately on the Colonial Laws Validity Act.

Mr. Burdon: You aren't doubting, are you?

Mr. MILLHOUSE: No, I am trying to put at rest any doubts in the mind of the member for Eyre or any other members about the validity of the referendum provisions.

Mr. Burdon: We consider that they are valid.

Mr. MILLHOUSE: I do not suggest that the member for Mount Gambier believes otherwise. I referred particularly to the member for Eyre when I started to deal with this point.

Mr. Simmons: If the courts support you there is no need for this amendment.

Mr. MILLHOUSE: I am not arguing that point. I am now arguing the legal point that the referendum provisions are valid and could not be upset and set aside by the court and, therefore, the provisions for a referendum—

Mr. Simmons: You believe we have adequate democratic safeguards?

Mr. MILLHOUSE: Yes, I do.

Mr. Simmons: Then, there's no need for this.

Mr. MILLHOUSE: Members opposite are self-centred. Why will they not let me say a few words for the benefit of the member for Eyre on this matter without interjecting persistently? The validity of these provisions rests eventually upon the Colonial Laws Validity Act, a Statute of the Imperial Parliament, and the matter was tested as far as the Privy Council in 1932 in Trethowan's case, which arose from substantially similar provisions in the New South Wales Constitution. The Privy Council upheld the validity of the provisions then and I have no doubt that the High Court, which now is likely to be the final court of appeal (although I suppose it need not necessarily be in a matter in which these provisions would be tested) would follow the ratio of Trethowan's case. There is no doubt in my mind or in the mind of any legal practitioner of standing in this community, as far as I know (and many of them have given opinions on this, I assure the member for Eyre) about the validity of these provisions.

I come now to the detailed points made in rebuttal, because this was not directly relevant to the amendment but the Attorney-General canvassed them at some length, for reasons best known to himself. Obviously, if there is to be genuinely voluntary voting, people must go to the polls on a day different from that for voting for the House of Assembly, for which they are obliged to vote because we have compulsory voting for that House. Only someone who does not want to see that point will reject what is so obvious. If a person has to go to the polling booth to vote for the House of Assembly, he may just as well take a ballot-paper for the Legislative Council, whether voting for the Council is voluntary or compulsory. So, if we are to have a perfectly voluntary vote for the Legislative Council, we must have the Council elections on a day different from that for House of Assembly elections.

Mr. Payne: Why don't you say that the people should bring their own pencils. Then, you would have it really sewn up.

Mr. MILLHOUSE: What I have said is self-evident, and I know the Attorney-General sees the point. He used the argument only because he had so few arguments to rebut the amendment. He knew he had to rebut it because of the policy of his Party. The next point I take relates to the rolls. The Attorney-General said he could not for the life of him see why there should be a separate roll for the Legislative Council. He said it was not compulsory to enrol for the House of Assembly. Technically, I suppose he is right in that last point, but he knows (as, I think, the member for Peake knows) that it is an obligation on electors in this country to enrol for the Commonwealth Parliament and, unless they opt out of enrolment for the House of Assembly, their names automatically go on the House of Assembly roll. So, to all intents and purposes enrolment for the House of Assembly is compulsory. That again is something that should have been mentioned by the Attorney-General, but he chose to ignore that point because it did not suit his argument: it rather weakened it. If we are again to have voluntary voting for the Legislative Council, the Legislative Council roll should be separate from the rolls for the House of Assembly, the House of Representatives and the Senate; enrolment is compulsory for all these Houses.

Mr. Burdon: I do not think your argument is worth arguing about.

Mr. MILLHOUSE: I know the honourable member is bound by his Party's policy, and it would not matter if every Opposition member argued between now and tomorrow morning and not one argument was advanced from the Government side: all Government members would still have to vote against this amendment, because they are not free agents. There is no freedom of the individual in the Labor Party to stand up and be counted in accordance with his own conscience or, apparently, with the overwhelming view of his or her electors.

Members interjecting:

Mr. MILLHOUSE: Let there be no question about that. I now come to the question of compulsory or voluntary voting. Quite frankly, the arguments advanced by the Attorney-General were specious in the extreme. As far as I can discover, there is no reason of democratic principle either for or against

compulsory or voluntary voting. It is against common sense to say that to force a person to vote in some way makes the system more democratic. Of course, it is a contradiction in terms in the first place. A person may, if he likes, espouse the compulsory principle in elections, but that has certainly got nothing to do with the principles of democracy as such. Just before I came into the Chamber I had a look at the report of the debate in the Senate when the Bill for compulsory voting in Commonwealth elections was introduced by Senator Payne of Tasmania in 1924. I must say that the arguments set out in the report of that debate appeal to me no more than the arguments advanced by the Attorney-General this afternoon.

The Hon. L. J. King: What is your view?

Mr. MILLHOUSE: The countervailing consideration is the one involved in this amendment. It is very important that we have the maximum distinction between the franchise of the two Houses, and this is a very significant distinction. In my own mind I am not certain about one point, but I hope it will have to be decided by me and by other members. It will eventually have to be decided. I have not yet made up my mind in view of the countervailing consideration.

The Hon. L. J. King: Is there any compulsion to make up our minds?

Mr. MILLHOUSE: No; it is not necessary for me to make up my mind any further than to say that I believe there should be a voluntary vote for the Legislative Council and a distinction between the voting systems for the two Houses, and that is what this amendment would achieve, in the light of the present situation of Assembly voting and in the light of the policy of the majority Party in this House. So, let us not hear any more nonsense about its being democratic for people to be forced to the polls. When the Attorney-General was speaking I nearly interjected and asked him to say whether he regarded voting as a privilege, not an obligation. Of course, I realized I would have been ruled out of order if I had made that interjection.

The Hon. L. J. King: I would have had the opportunity to reply.

Mr. MILLHOUSE: The Attorney-General is obviously relieved that he cannot reply now. In the overwhelming number of democracies throughout the world voting has been regarded as a privilege, not an obligation. Members have probably seen the list of countries in which there is compulsory voting.

Mr. Langley: Start off with the Australian States!

Mr. MILLHOUSE: I agree that the Australian States have compulsory voting, but the overwhelming number of Parliamentary democracies throughout the world do not have it. I well remember when I was in the United States of America in 1952 being reproached at university after university with coming from an undemocratic country, because we force people to vote. I may say that it had never occurred to me before, but people there said it time and time again.

Mr. Mathwin: Even Harold Wilson supports voluntary voting.

Mr. MILLHOUSE: Yes. We know that, despite what the Attorney-General said, some Labor Party officials in this State support voluntary voting. I am thinking of Mr. David Combe, who is either the official secretary or the acting secretary of the Labor Party while Mr. Mick Young is trying to clean up the Victorian branch. He said it would be an advantage to the Labor Party to have voluntary voting. The following countries have compulsory voting: Argentina, Belgium, Ecuador (in that country women may opt out), Greece, Guatemala, Italy, Peru, Spain, the United Arab Republic (this week we saw an example of the way its elections are conducted), and Venezuela. Most of the great Parliamentary democracies of the world do not have compulsory voting for either House. Of course, it is easy for members on the other side who are advocating compulsion to say, "Look no further than Australia." However, there is no reason why we should not look to the United Kingdom and the United States of America, in which we see examples in both the federal sphere and among the 50 States. Why should we not look to other democracies throughout the world?

Mr. Hopgood: What about Great Britain's bicameral system?

Mr. MILLHOUSE: The honourable member knows enough about the situation to know that we cannot look to the House of Lords for any help at present.

The ACTING CHAIRMAN: I point out to the member for Mitcham that we are dealing with a proposed new clause of the Leader of the Opposition concerning voting in the House of Assembly and the Legislative Council in South Australia, and I ask him to keep his remarks to the amendment.

Mr. MILLHOUSE: We cannot look to that particular example, but I support the amendment as a matter of principle, the principle being that we want a two-House system and that we want full adult franchise, but if the system is to work in these circumstances there must be the maximum of distinction based on matters other than those of democratic principles between the franchises of the two Chambers, and that is what the amendment would achieve.

Mr. HOPGOOD: I can see no reason why there should be any different provisions between the system under which members of the Lower House in a bicameral system are elected and that for an Upper House. In referring to what was said by the member for Mitcham, I believe there are probably three apologies that are due from the honourable member, the first being to the member for Eyre. The member for Mitcham took some time in a detailed attempt to educate the member for Eyre politically, and in doing so did the honourable member a great disservice, because he completely misunderstood the import of the interjection by the member for Eyre. He assumed that the member for Eyre had certain doubts about the validity of the referendum section that had been inserted in the Constitution Act in 1969. This was not the burden of the honourable member's interjection. The member for Eyre is rather concerned by the fact that the referendum clause could possibly be wiped out by a simple vote of the Legislative Council should the Labor Party gain control of it. I take over from the member for Mitcham the arduous task of educating the member for Eyre on this point, by referring the honourable member to the Constitution Act. The Constitution Act amendment of 1969, section 2 (2) provides:

A Bill providing for or effecting—

- (a) the abolition of the House of Assembly;
- (b) the abolition of the Legislative Council;
- (c) any alteration of the powers of the Legislative Council;

- (d) the repeal or amendment of section 8 or section 41 of this Act;

or

- (e) the repeal or amendment of any provision of this section,

shall be reserved for the signification of Her Majesty's pleasure thereon, and shall not be presented to the Governor for Her Majesty's assent until the Bill has been approved by the electors in accordance with this section.

In other words not only is it true that the Legislative Council cannot be abolished without a referendum, but it is also true that this

provision in the Act cannot be abolished without a referendum. The entrenching clause is itself entrenched in the Act, and I believe that it would be the opinion of constitutional lawyers that, even if this clause was not there and the Act did not entrench the referendum, it would not be possible to wipe out this clause by a simple majority vote of the Upper House. When the democratic process provides for a referendum to be held either to abolish an Upper House or to reinstitute the Upper House (which is the situation in Queensland), it has been ruled time and time again by constitutional lawyers that it cannot be got around by making use of a simple majority in the legislature. The referendum clause cannot be abolished without a referendum. We do not worry about this point because it is provided in the Constitution, but it it were not (and I say this for the edification of the member for Eyre and others) I do not think they would have to worry, because it could not be done.

What I and the Attorney-General have said makes clear that there is no chance of the Upper House in a two-House system being abolished without a referendum. Therefore, if the Upper House is entrenched in this way and if it cannot be abolished except by a vote of the people, what is the point in the arguments introduced by the Leader of the Opposition and the member for Mitcham? What are they trying to do? Are they trying to protect the bicameral system? Of course, they are not, because it is protected except by a vote by the people at a referendum following a Bill passing through both Houses. The only motive behind their arguments in support of this amendment is that they are seeking to protect the Liberal Party majority in the Upper House. I can see no other reason except this one.

The others to whom the member for Mitcham should apologize are Government members and, I think by implication, people of his own Party, because he assumed that, in the way in which honourable members look at legislation, there is some significant difference between Government and Opposition members. He said that Liberal members were free moral agents and voted how they liked, whereas Government members were bound. I put to the member for Eyre that if Opposition members are free moral agents in everything, and *de facto* independents, how was it possible for the then Premier to appear on a television programme before the electors of South Aus-

tralia and say, "This is the policy that we will put into effect if we are elected"? How could he give any guarantee of the things he intended to be brought into force, if, as the member for Mitcham says, he and other Opposition members are free moral agents and not bound to any of these things? I was elected on the platform of the A.L.P. concerning the Legislative Council. This was the platform put to the people of South Australia and so endorsed, and I am bound by this endorsement of the people. Honourable members opposite say that they are not bound; irrespective of who wins the election and whether the now Leader's policy is endorsed or not they will have a second look at it. One wonders why the Leader of the Opposition bothered to have a policy speech at election time.

Thirdly, I believe that the member for Mitcham has a duty to apologize to the Attorney-General because of the way in which he said the Attorney was not sincere in his arguments. I would not suggest that the member for Mitcham was not sincere in his arguments: deluded perhaps, but sincere. If he believes in adult franchise, and that all adults should be given a vote for the Upper House, I see no reason why he should not be willing to support a measure that will give these people the right to vote without writing into the legislation other provisions that will take away from people this right to vote. I oppose the amendment.

The Hon. D. N. BROOKMAN: I support the amendment, because I believe it will make a useful change in the present system. The question we are discussing is one of voluntary voting for the Upper House, and not for the Lower House. The voting system for this Chamber is established and is not under discussion at present. The Upper House has always had a voluntary voting system. However, in recent years, the voluntary aspect of this system has been somewhat eroded by the existence of the common roll and the feeling by many voters that they are being compelled to vote. The member for Mitcham referred to people to whom he spoke in the United States about compulsory voting. I had a similar experience in London, where voluntary voting applies, in 1967. I attended a conference of representatives of a great many countries of the Commonwealth. Each representative was there to discuss various aspects of his own country's laws, answer questions and so on. In view of the controversy about

migration, I took much trouble to obtain information about Australia's immigration policy. I went to Australia House, where I spoke—

The ACTING CHAIRMAN: Order! I point out to the honourable member that the Committee is dealing with the proposed new sections which are included in the Leader's amendment and which deal with voting for the House of Assembly and the Legislative Council. There is nothing whatever in those new sections that deals with migration laws. Will the honourable member come back to the matter before the Committee?

The Hon. D. N. BROOKMAN: I think I might be permitted to refer to this conference, because the one thing that interested the representatives of other countries (it astonished many of them) was the question of compulsory voting; the subject of migration was merely referred to. What I was asked questions about was compulsory voting. I was taken by surprise, because I had not contemplated any argument about this matter. After that, I realized that the experience of the vast majority of people in the world is of a system of voluntary voting. They would think it embarrassing if not horrifying if they were forced to vote. However, for a great many years we have accepted compulsory voting at elections of this Chamber.

At the recent Midland by-election, only about 30 per cent of the people eligible to vote voted in certain portions of the district, while as many as 60 per cent voted in other parts. However, a comparatively small percentage voted. The experience of people who handed out how-to-vote cards at that election was that, in many cases, people inquired at the polling booth whether or not they had to vote and, when they were told that they did not have to vote, they walked away without voting. Surely that is a compelling argument in favour of the amendment. The amendment proposes that the poll for each Chamber should be held on a different day and that the vote for the Upper House should not have the compulsory aspect attached to it that has been attached to it during the last few years. The amendment seeks to ensure that this is a truly voluntary vote. In the circumstances I have outlined, I can see absolutely no argument against the amendment. In view of the trend in recent years with the common roll, the voluntary voting aspect has been partly removed. As that tends to defeat the spirit of the Constitution, I want

to see that spirit again adhered to, as it always has been and as it was meant to be adhered to. For those reasons, I support the amendment.

Mr. COUMBE: During the Committee stage, the only Government members who have spoken have been brand new members of this place: the Attorney-General and the member for Mawson. How long they will remain members is a matter of conjecture. I remind those members (and they should know this as they both have an academic background) of the very famous saying to which the Leader referred that the art of politics is compromise.

The Hon. G. R. Broomhill: I thought it was being in power.

Mr. COUMBE: Of course, a Party can get power through compulsion: that is easy.

The Hon. L. J. King: You can get it through manipulation of the vote.

Mr. COUMBE: A Party can stay in power forever if it has enough compulsion. A famous English Parliamentarian who was a great commoner and who spoke for the people said that the art of politics is the art of compromise. We are discussing an amendment that is really a test of the Government's sincerity in putting forward the Bill. When the second reading debate took place (and I know you, Mr. Acting Chairman, will not allow me to elaborate too much on that discussion), the Government said that it had brought forward this measure in all good faith.

Mr. Payne: You get compulsory advice from the Acting Chairman.

The ACTING CHAIRMAN: Order!

Mr. COUMBE: I do not reflect on the Chair as the member for Mitchell has done: I respect the Chair. This is a testing time for the Government. I trust that it has brought this Bill forward in good faith. If it wants to get it through, I suggest that one way to do so is to accept the amendment. Ever since I have been a member, over many years, from the front bench to the back benches, the Premier has tried, when in Government and in Opposition, to introduce measures to alter the Constitution Act. Several of those measures dealt with the franchise of this Chamber, while several others dealt with the franchise of the other place.

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

Mr. COUMBE: The Government has now introduced a Bill that bears significantly upon the franchise of the Legislative Council. This

is a wonderful opportunity for the Government to take one step further towards the Premier's goal (whatever that may be) of securing full adult franchise for the Legislative Council. I have already made it clear that I support the principle of the bicameral system and the principle of full adult franchise for the Legislative Council for those people who wish to enrol and exercise their right to vote. That means exactly what I have said—that there shall be no compulsion. But the opportunity is here in this Bill, if the Government accepts this amendment, to give effect to that. If the Premier does not accept this amendment, the Bill may not pass through the other place.

Mr. McKee: You are attempting to hold a gun to our heads regarding the other place.

Mr. COUNBE: Not at all, but, if the Government is sincere in its move to get this measure through, it must be realistic about it. The member for Pirie has been in this Chamber for many years, but the Government members who have spoken have been the Attorney-General and the member for Mawson, who have been in this place for only a few months and have not yet learnt the art of compromise. The Government should compromise, because that is the only way to get measures through both Chambers. All persons over 21 years of age should have the right to vote in the Legislative Council and voting for that Chamber should be voluntary. We do not want the other place to be a mirror image of this Chamber. Members opposite are imbued with the idea of compulsion. Recently we heard much about compulsion and the Government has been saying "Thou shalt" and "Thou shalt not." It insisted on compulsory voting at the recent referendum and now regrets the result of that referendum.

The ACTING CHAIRMAN (Mr. Ryan): Order! We are dealing not with the referendum but with the amendment moved by the Leader of the Opposition, and I ask the member for Torrens to speak to the amendment.

Mr. COUNBE: I shall do that, Mr. Acting Chairman, because the essence of the Leader's amendment is voluntariness, not compulsion, and that is democratic. However, the Labor Party is hell bent on compulsion. The Attorney-General has told us today that he intends to introduce a Bill for compulsory voting as soon as he can get the measure drafted. Does the Government want this Bill to go through or not? If Government members are sincere and want this Bill to pass, they will accept the amendment. The Bill will then

stand a very good chance of passing the Legislature of South Australia and achieving the very purposes that I presume the Government had when it introduced the Bill. I sincerely believe that the inequities and inequalities in the present franchise for the Legislative Council should be removed. Every person over 21 years of age should have the right to vote in Legislative Council elections, but the two Houses should not be a mirror image of each other. Compulsory voting is used for elections for the House of Assembly. The purpose of the Leader's amendment is to have voluntary voting for elections in the Upper House, and this is an essential factor in the well-being and organization of the Legislature of this State.

This is a chance that the Government has not had for many years to achieve the extra advantage concerning the Legislative Council. At present about 15 per cent of the population of South Australia over the age of 21 years are constitutionally debarred from voting in Legislative Council elections.

Mr. Jennings: And a lot more are because they do not enrol.

Mr. COUNBE: This 15 per cent comprise children living at home with parents, nurses, people living in hospitals and colleges, and graduates and post-graduate students who are not entitled to vote. I believe that they should be, and that everyone over the age of 21 years should be entitled to vote for the Legislative Council. The question of voluntary as against compulsory voting is the only difference between the Government and the Opposition. Is the Government sincere? If it is, and is willing to accept the amendment the Bill will pass, but if it is not and votes against the Leader's amendment there is a chance that the whole Bill will be lost.

The Hon. G. R. Broomhill: Why shouldn't we get the Bill through? We are the Government.

Mr. COUNBE: The Government has the chance to achieve what it wants to obtain. I have been here long enough to know the way that things are run and how they can be achieved. The present Premier has tried for years to amend the Constitution Act. Last year, as Leader of the Opposition, the Premier accepted a Bill to alter the electoral boundaries of this Chamber that had been introduced by the then Premier (Mr. Hall), even though it did not go as far as he believed it should go. As a result of his accepting that Bill, the Premier is now on the Government side.

I suggest that he should bear that in mind now in considering whether or not to accept the Leader's amendment to this Bill.

By this means, the Legislature can be improved. If the Government defeats the amendment, that action could be held against it when we consider another Bill to be introduced to deal with compulsory voting. As I believe the amendment is workable and gives the Government an opportunity to achieve its purpose, I support it; it will be a test of the Government's sincerity.

Mrs. STEELE: In 1965, when a Bill with motives behind it similar to the motives behind this Bill was before the Chamber, I remember well that the Leader, who was then the member for Gouger, the member for Mitcham and I expressed opinions similar to the opinions now being expressed by members on this side. I remember well that we got into hot water because we expressed those opinions at that time in relation to altering the franchise of the Legislative Council.

However, we all know that times have changed, and in the five years since then people have begun to think very differently about what the franchise of the Upper House should be. I believe the Opposition has shown by its actions that it believes in the democratic right of people to be allowed to vote. However, I point out that there is no point at all in having two Houses elected on exactly the same franchise with, as someone has said, one being the image of the other. We frequently hear taunts from Government members that we have perpetuated a gerrymander. However, I point out to honourable members who have been in this place for a fairly long time that when they look at the benches of the Opposition they will realize that there are now very few of the members in this Opposition Party who served under the previous Liberal Premier. I believe that the Opposition now led by Mr. Steele Hall has shown how democratic it is towards the question of franchise for the Upper House.

I did not speak in the second reading debate because most of the things I would have said had been expressed by my colleagues. However, I believe that on an issue of this kind it is necessary for any member to declare himself or herself, and for that reason I have risen to support the Leader's amendments, which I believe are most democratic. As the member for Torrens said, this is a chance for the Government to show its sincerity. It is a chance for it to come to some compromise so that this Bill can be passed through this

Chamber (which it undoubtedly will, I hope with the amendment moved by the Leader) and so that it will have a chance of success in the Upper House, which I hope would accept the kind of amendment that has been moved.

As I said earlier, many of the older members on this side have been in the vanguard of wanting to see changes in the franchise of the Upper House, a House which I believe has safeguarded the interests of the people of South Australia. This is seen if one studies the record of Bills passed in the previous reign of an A.L.P. Government: very few of those Bills were discarded or rejected outright. One member opposite said earlier in the debate that what we wanted to do was negotiate. Well, this is the kind of negotiation that we can bring about. I believe that the people of South Australia would be very happy indeed if this kind of compromise could be achieved and we could get through the Parliament of South Australia the kind of Bill which would be democratically based and which would provide people who want to put themselves on the Council roll and to vote at Council elections with an opportunity to do so. In accepting the Leader's amendment, we would be preventing one House being merely the image of the other.

Mr. McRAE: I have already spoken on this Bill but, in view of some of the comments made, I cannot remain silent during the Committee stage. The member for Torrens and some other Opposition members have continually said that it is mainly the new members on this side of the Chamber who have spoken on this Bill. That is no argument, because it deals with persons and not merit. This amendment is proposed in all good faith by the Leader of the Opposition, who sees them in relation to his own personal philosophy as becoming a guardian for the conservative elements of his own Party; but, as far as this place is concerned, I see this amendment as an invitation to us and to the people of this State to grovel before the members of the Upper House. I cannot accept that; neither will any other member of the Government benches.

This afternoon we heard a considerable amount of misleading argument about bicameral legislatures in other countries. In the mother country of all Parliaments, the United Kingdom, we have a classic instance of a bicameral Legislature. There, the Lower House clearly represents the people and is predominant in presenting legislation. The rights of the House of Lords are clearly restricted: they have been

restricted to obstructing the passage of a Bill for only a limited period of time. That was achieved largely as a result of the endeavours of Liberal and Conservative, not Socialist, Governments.

Although I accept this amendment as genuinely put by the Leader, I see in them an attempt to placate a House that serves no useful purpose in this State. I see them as urging the Government to negotiate on a policy that has already been accepted by the people—and that I could never accept; nor could members on this side of the Chamber. The amendment is clearly designed to ensure that, although there will be a democratic right to vote, very few people will exercise that right; and that the system of some men being more equal than others is perpetuated. The whole basis of putting the amendment forward is to ensure that some sort of face-saving device is gained for the Upper House, which is frightened of its position in relation to the people of South Australia.

We were asked time and time again by members opposite about our attitude to the Legislative Council as a House of Review. Most people in South Australia are unaware of the existence of its members; they do not see them even in the distance. I accept that those members as individuals are genuine and that, when they put forward their arguments, they do so in good faith; but it is their philosophy that I attack. Their philosophy is one that represents not the will of the people but a very sectionalized interest in the community.

Mr. Mathwin: That is untrue and the honourable member knows it.

Mr. McRAE: The Leader in the other place has referred—

Members interjecting:

The ACTING CHAIRMAN: Order! The honourable member for Playford is addressing the Chair, not replying to interjections.

Mr. McRAE: The Leader in the Legislative Council has referred to that Chamber as representing the permanent will of the people. That is the philosophy of members there, but my Party does not accept that philosophy, which is a disgraceful attack on South Australians. I am sure the Leader does not accept it, either. He has looked for a way out for the Legislative Council members, behind whom well known and invisible forces work to guide the votes of those members. A few of the members of the Legislative Council, in rotation, vote with

the Government and thus show some fake kind of individuality. The purpose of the amendment is to get members of the Council to agree to a fake compromise. However, the Government has a mandate for this Bill and we should not accept the amendment. The Government stands by its policy of abolition of the Upper House, a useless vestige that, I hope, will be abolished, but abolition is not dealt with in this Bill. The members of the Legislative Council are frightened to face the consequences of any genuinely-held election.

Mr. RODDA: As one of the—

The Hon. G. R. Broomhill: Establishment?

Mr. RODDA: I am not a member of the establishment.

The ACTING CHAIRMAN: Order! I have said previously that nothing in the clause deals with the establishment. Interjections are out of order and I ask the honourable member to refrain from replying to them.

Mr. RODDA: Thank you, Mr. Acting Chairman. The Leader has moved a democratic amendment. After the vote taken this afternoon—

The ACTING CHAIRMAN: I point out to the honourable member for Victoria that we are dealing with a proposed new clause and that, in speaking to it, he cannot refer to a vote taken on another matter. If the honourable member persists, I will have to rule him out of order.

Mr. RODDA: The amendment provides for the election of members of the other place on a different day from that set for elections for this Chamber. Other parts of the amendment seek to preserve democracy in this State. We have heard the more arrogant and inexperienced Government members make no secret of the fact that they aim to abolish the Upper House. The recipe book that makes us a little different says:

The ultimate aim of a Labor Government should be an electoral system which, to the greatest extent possible, recognizes: (a) that as each citizen should be equal in the sight of the law, so each citizen should have a vote of equal value to the vote of each other citizen in electing legislators who make that law; and (b) that a second Parliamentary Chamber in South Australia is unnecessary and wasteful of public funds.

The rule book of the Labor Party continues:

The immediate aim should be that the Legislative Council should be abolished after a favourable vote of citizens. . . .

So, we have this spelt out to us in the rule book. We have heard Government members say that they have been elected on this policy.

Opposition members commend the Leader of the Opposition for moving this amendment. The member for Playford had much to say about the Upper House. Some members were at a meeting last night—

The ACTING CHAIRMAN: Order! I have warned members previously that we are dealing with a proposed new clause in Committee. Any reference to any other matter is out of order. The member for Victoria.

Mr. RODDA: The member for Playford, in referring to the clause and the Upper House, said that members of that House were not known to their constituents. However, he was being unfair to members of that distinguished Chamber. After all, they are elected members of this Parliament who have made valuable contributions in their consideration of legislation. My friends opposite have been eternally grateful to them, and it is obvious from the straws in the wind that they are not ungrateful to them now.

Mr. McKee: Tell us about their great contributions.

Mr. RODDA: They have certainly saved the honourable member from his folly many times. I hope they will cease doing that and let the honourable member and his colleagues take the full consequences of the legislation they bring into this place. The member for Playford said that the Legislative Council saw itself as the saviour of the people and that that was the House that would protect the people from themselves. I am sure that members of the Legislative Council would be the last persons to do that. I think the Bill is piecemeal legislation, and this is the first instalment. I have said clearly that with full franchise one House mirrors the other, and that an election on the same day makes it a compulsory vote for both Houses. The Leader is providing the Government with a means of getting out of its dilemma. We have seen instances of Labor Party politics not working out; one example was seen as recently as last evening. Because the Leader's amendment preserves a difference between the two Houses, I support it.

Mr. EVANS: I have explained my reasons for supporting the amendment. First, it is important that we safeguard the voluntary vote now used for the Upper House, and I hope that it is eventually introduced for elections for the House of Assembly. It is important that we have in the other House the part of democracy that has voluntary voting. I believe it is important to have elections for the two Houses on separate days. When they are held on the same

day, as at present, with a compulsory vote for the House of Assembly, it means that it is not a voluntary vote for the Legislative Council. If a voluntary vote was available for both Houses there would be some merit in holding elections on the same day. Also, separate rolls should be available.

In speaking of democracy, there is no benefit if we have a compulsory vote. I know that Government members consider that this is not democracy, but I realize that they are tied to a Party platform and a pledge that they have signed to abide by, to ensure that there is a compulsory vote throughout this State, and to provide for abolition of the Legislative Council. If the Labor Party were absolutely genuine it would have introduced a Bill to abolish the Council; if that is what is written into its Party platform that is the Bill it should have presented. The amendment seeks to preserve the other place, because the Opposition believes that it is an important part of the Legislature, as it has been in the past and will be in the future. During this debate it has been said that, because members on this side have a Party platform, it proves that we are not individuals; we agreed to support a particular policy speech. However, it is not uncommon for a group of people to decide to agree to certain aspects of government. In this case, we agreed on a type of Budget. I assure members that if what we agreed to ever came before the Chamber in a form that one of us did not think was correct that member would vote against it and he would not be penalized by his Party for his action; he would not be held to a pledge, because we do not sign a pledge.

I supported the second reading of this Bill, and we now have an amendment before us that is a genuine attempt to bring about a democratic election of members to the other place. If Government members genuinely want full adult franchise, they will support the amendment, which provides for a democratic election of members to the other place by retaining the voluntary vote, by providing that elections for the two Chambers must be on separate days, and by providing for separate rolls, so that there will be no officers at polling booths handing out cards advising people how to vote for both Chambers. It has been said that at the Midland by-election, when people found out that voting was voluntary, they did not bother to vote. There is no democracy in forcing people to vote if they do not want to: only those interested should be asked to vote. It has been said that people

do not know the name of the members who represent them in the Legislative Council. A person who does not know the name of his Legislative Councillors is not interested in government and should therefore not have to worry about a compulsory vote. I give credit to the Leader for moving the amendment, which shows that we are interested in democracy and not interested in compulsion.

Mr. GUNN: Although I opposed the second reading, I support the amendment because I believe it is democratic. I do not believe anyone should be compelled to vote if he does not wish to vote. I believe that voting for this Chamber, too, should be voluntary. The new section providing for elections on separate days ensures that people who do not wish to exercise a vote are not forced to vote.

Mr. Payne: How do you reckon they should qualify?

Mr. GUNN: If people are interested enough to qualify, they will do so. The member for Playford has spoken about the democratic right of the electors. I think the honourable member ought to put a little of what he preaches into practice. If he did this, people in his district would not be carrying on like they were last night.

The ACTING CHAIRMAN: Order! If the honourable member persists in saying something which I have previously ruled out of order, I will rule him out of order.

Mr. GUNN: Thank you, Mr. Acting Chairman. I consider that the amendment moved by the Leader is a step in the right direction and that it will ensure that democracy is upheld.

Mr. HARRISON: I oppose the amendment. I have been amazed at some of the suggestions put forward by certain members, particularly the member for Torrens, who suggested that if the Government wished the Bill to go through it should compromise and accept the amendment. Let us examine the amendment very closely. It provides for full adult franchise, voluntary voting, separate rolls, and elections for the Legislative Council on a separate day. What an utter waste of public money and time this would be. The Government could not possibly compromise on that issue, because the only point in the amendment that falls into line with the purpose of this Bill is full adult franchise. Apart from that, it is ridiculous to put such a suggestion forward, because it would not assist in any way to get for the people the democratic right to elect the Upper House.

We have heard the word "democratic" used often in this debate. However, I wonder whether members opposite even know how to spell it, let alone how to carry it out. The member for Torrens spoke of the new members in the Government Party. I can tell him that both the new members and the old members on my side of the Chamber have had not weeks but months and years of experience of getting people enrolled for the Legislative Council. This is something that members of Parliament should not have to do, for people are entitled to be enrolled and to have their names on the roll, without members having to go doorknocking in order to get people the justice of the vote. Probably members opposite have had to do the same thing. I heard recently that they went up to the Midland District and were scurrying around up there. But how often have they done it before?

The member for Victoria spoke about democracy. However, I do not think the honourable member can even spell the word. Members opposite do not practise democracy, otherwise they would be supporting this Bill in its entirety and not saying to the Government, "Accept the amendment as a compromise, otherwise the Bill won't go through." That is the attitude not only of the Opposition in this Chamber but of the Upper House to which this Bill will go, and that is one reason why democracy does not prevail in South Australia. Many members on this side have had years of experience in assisting electors. I have had close contact with the people in regard to not only this House but also the other place, and I know they are disgusted at the attitude adopted by the Legislative Council. There is a golden opportunity in this Bill to remove all the anomalies and give the people what they want.

Mr. KENEALLY: I support the Bill and oppose the amendment. We have heard from members opposite much about the abolition of the Legislative Council. Certainly, the Labor Party has it as part of its policy that it would like to abolish the Upper House (we make no secret of that) but also we have made it clear that it cannot be abolished unless by a decision of the people of South Australia. This, however, is glossed over by members opposite. Who in this Chamber could complain if we had a referendum among the people and they voted for the abolition of the Upper House? That is purely and simply the Government's argument.

This Bill has nothing to do with abolition, and whether or not members opposite think it may lead to that eventually is for them to decide. If abolition becomes an issue, the people of South Australia will decide it. I cannot see how anybody can argue with that.

Another point made in support of the amendment is that we should have elections on different days as this would retain the freedom to vote by ensuring that there would be no compulsion to vote, thus maintaining a form of democracy in Upper House elections.

Mr. Mathwin: I think that is right.

Mr. KENEALLY: I think it is wrong. If there was voting on the one day for both the House of Assembly and the Legislative Council and the elector was given a voting slip and was told he could vote for the Legislative Council, he could then decide whether or not he wished to vote for it, with a free vote; but, if he is not there (and there are many reasons why he could not be there), he is not given the same chance to decide whether he desires to vote. It is ridiculous that a Government should fall because a temperature of 22 degrees is prevailing and it is raining all day so that people cannot get to the poll. Members may laugh at that, but it could happen. The voter is at the polling booth and is given the opportunity to vote for the Legislative Council. He can then decide whether or not he will vote for it. That is a free decision.

Why do we have to have voting on different days? The fact that a person is in a polling booth does not compel him to vote for the Legislative Council. It is ridiculous for members opposite to say that to retain democracy we must have voluntary voting, and on a different day. If members opposite say that to retain democracy in the Legislative Council there must be freedom of voting, they must assume that the compulsory voting system for the House of Assembly is not democratic. If they say that, they must check and find out who introduced compulsory voting into South Australia, and they will find it was a Liberal Government.

Another point that has been made and defended strongly by members opposite concerns the criticism that I probably made first in speaking to the Bill that the reasons why people do not take a great interest in the Legislative Council are that, first, they do not know who the members are and, secondly, they do not realize the power of the Legislative Council. Many members of the Legislative Council are engaged in primary industry, as are many members oppo-

site, and, having so much in common, may often be in contact. However, my district has little primary industry and the members of the Legislative Council for Northern District are not well known to my constituents. During the last week, when I asked many of them who their four representatives in the Legislative Council were, I did not get even one correct answer. People do not take an interest in the Legislative Council, because they consider that the Government of the State resides in this Chamber, and this is where the Government should rest, because members here are elected democratically on a full franchise. I accept that we should make people aware of the Legislative Council's existence and of its power and I shall do that in my district.

I compliment those members opposite who believe in adult franchise. The Opposition is in difficulty in trying to protect its Party members in another place, and the Opposition will do anything to protect these members. Nevertheless, if some members opposite believe in adult franchise, they should accept our Bill, not hold the gun at our heads and say that we should accept the Opposition amendment. Why should we have to compromise? The Government has been elected on a policy of adult franchise for the Legislative Council. I hope that, when the vote is taken, the voting will be similar to that which applied on second reading. If the members opposite to whom I have referred vote that way, they will get what they want—adult franchise.

Dr. TONKIN: Bearing in mind that this matter is now being discussed in Committee and that speeches should therefore be brief, I shall make my points briefly. We have just heard the member for Stuart say that the Opposition should not point the gun at the Government's head. He also asked why the Government should listen. My reply is that it is the Government's responsibility to listen to criticism and to everything that is put forward from this side of the Committee. The Government must be mature enough and sensible enough to take heed of any sensible amendment that is moved, and this amendment is sensible. The Government's attitude appears to be that it is no good our putting up amendments, but such an attitude is sheer arrogance. Government members did not actually say so but they are not going to listen to criticism, and we are wasting our time. There is no room for compromise: the Labor Party is above compromise! This is not the sort of Government the people of South Australia expect in this place.

Government members are saying, in effect, that their way is right and that whatever they do is correct. I suggest that the past could possibly demonstrate otherwise, but they are sure they are right! One of the signs of maturity in an adolescent growing up and reaching adulthood is the ability to recognize that perhaps an individual is not always right and that perhaps ideas, no matter how strongly felt and supported, can be improved on. The Government's attitude at this stage is a complete demonstration of the immaturity it is showing in this and other fields. A vote is the right of an individual: it may be a civic duty, but it is a right and a privilege. Every man has a right to exercise his vote or not to exercise it, as he wishes: this is freedom. It is his duty to exercise his vote thoughtfully. If the Government is sincere in wanting adult franchise for the Upper House (as it says it does), it must be realistic and demonstrate its maturity and, for once, accept an amendment moved by the Opposition as the best possible compromise for the good of the people of this State. I support the amendment.

The Committee divided on the amendment:

Ayes (20)—Messrs. Allen, Becker, Brookman, Carnie, Coumbe, Eastick, Evans, Ferguson, Goldsworthy, Gunn, Hall (teller), Mathwin, McAnaney, Millhouse, Nankivell, and Rodda, Mrs. Steele, Messrs. Tonkin, Venning, and Wardle.

Noes (24)—Messrs. Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Clark, Corcoran, Crimes, Curren, Dunstan, Groth, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McKee, McRae, Payne, Simmons, Slater, Virgo, and Wells.

Majority of 4 for the Noes.

New clause thus negatived.

Title passed.

Bill reported without amendment. Committee's report adopted.

The Hon. L. J. KING (Attorney-General) moved:

That this Bill be now read a third time.

Mr. HALL (Leader of the Opposition): I am sorry that the Bill has not been amended in the way I moved in Committee. My amendment was a practical means of assuring the Legislative Council that the Bill was indeed designed to provide adult franchise for all South Australian electors. The Council will now receive the Bill without that assurance and in

the sure knowledge that the Labor Party in South Australia has as its prime objective (I believe this is one of the major objectives of the Premier) the abolition of the Legislative Council. Of course, this clouds the whole issue. I say again that two of the new sections I suggested—

The Hon. HUGH HUDSON: On a point of order—

The SPEAKER: Order! I was about to call the Leader of the Opposition to order. It is not proper to discuss the amendment when speaking to the third reading. The Leader must confine his remarks to the Bill.

Mr. HALL: The Council will now receive this Bill knowing that one of the objectives of the Labor Party is to abolish the Council.

Mr. McRae: Hear, hear!

Mr. HALL: As the member for Playford says so openly in this House, that is one of the main objectives of the Labor Party in South Australia.

The Hon. HUGH HUDSON: On a further point of order, Mr. Speaker. As there is nothing in the Bill about the abolition of the Legislative Council, I ask you to rule that the Leader is out of order in making these remarks and that he must confine himself to speaking to the contents of the Bill as it has come out of Committee. This is a third reading debate.

The SPEAKER: I uphold the point of order of the Minister of Education. The Leader must confine his remarks to the Bill as it came out of Committee and must not discuss extraneous matters.

Mr. HALL: I bow to your ruling, Sir, although I believe that the Bill in its present form will arouse the fears to which I have alluded. Unless the Government will give a little by way of compromise or unless the Legislative Council will give something in this way, the purpose of this Bill will not be achieved. Unless we can go on a middle course, this Bill will fail. I say that as a result of attention that has been given to this matter previously by both Houses of Parliament. If the Government insists on this Bill in its present form, there can be no progress towards the objective for which I have voted in this House before and for which I voted today.

I will support the Bill on its third reading because I agree with the principle involved in it. However, I do so with much diffidence, because I know it will fail unless the Government can see the issue in an important enough

light to at least compromise to some degree regarding the method in which it obtains full franchise for the Legislative Council. This Bill will now go to the Council, which will consider what it will do and what it will offer back to this House. I know I am not allowed to comment on the things that I tried to put into the Bill. However, I hope that the Council will see fit to not reject the Bill outright but to offer alterations to it which can be put to this House as a compromise from that Chamber. If this is done, it may well be that we can this session in reality achieve full adult franchise for the people of this State.

If the other House offers us the change that is required, perhaps we can then get about the business that most members of this House desire. However, if the Legislative Council rejects the Bill without alteration, there can be no progress towards the desired goal. If the Council takes that step, the Labor Party in this House will bear a very heavy responsibility for the Bill's failure.

The Hon. G. T. Virgo: The Legislative Council will bear a bit of it, too.

The SPEAKER: Order!

Mr. HALL: I will not utter the thought that occurred to me as a result of that interjection. I will watch as a somewhat interested spectator while the Council examines this Labor Party legislation, and I will use any influence I have to get that Chamber to amend the Bill to something that may be agreed to. I will certainly recommend, as I did in this House today, that the Legislative Council do not reject the Bill. I hope that, if the Bill returns to this House in an amended form, the Government will compromise rather than see the situation as a simple ideological clash which, by its attitude so far, it seems to sense. I support the third reading.

The Hon. D. A. DUNSTAN (Premier and Treasurer): The Leader has said that this is Labor Party legislation, but it is not: it is people's legislation. There is no basis for suggesting that the people of this State should have any less right than that which is expressed in the terms of this Bill, which is that every citizen at the election for which he votes for members of each of the Houses of Parliament of this State should have a full and effective say in the election of members of Parliament, and that there should be no detracting whatever from his rights as a citizen to an effective say in his own future and the laws that govern him.

What compromise can there be on that principle? It is suggested that somehow or other something must be done other than what is in this Bill so that members of the Legislative Council do not have to face an election in South Australia at which all people in the State will normally go to the polls. Is that the principle that exists in the neighbouring States of Western Australia and Victoria, where there is adult suffrage for the Upper House? What sort of compromise was demanded by their Legislative Councils? The Legislative Council of South Australia has written into the Constitution far greater protections than the Legislative Council in either of those States. How can it be suggested that the people of the State must compromise with people who do not represent them in another place and demand of the people that they must give up their rights in some measure as a compromise to get their rights in some lesser measure from another place?

Mr. Millhouse: There is no question whatsoever of giving up rights.

The Hon. D. A. DUNSTAN: The honourable member has been a member of a Government that has seen to it time and again that the people of this State do not have their rights and has voted in this House time and again to see that they do not.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: The honourable member has been guilty time and again—

Members interjecting:

The SPEAKER: Order! The Premier is speaking to this Bill. He is entirely in order and will be heard in silence. The honourable Premier.

The Hon. D. A. DUNSTAN: There can be no compromise upon the rights of the people of this State to have an effective say in their own future, and honourable members opposite, who time and again deny the things they have said privately and advocated within their Party organization in order to compromise the people's rights, have no standing now to come out and suggest that there is nothing that the people are giving away in compromising on what is a basic right, admitted in every democratic community. Honourable members opposite have been assiduous in the last week or so in quoting from the Universal Declaration of Human Rights. I hope they will be consistent and will demand for the people of this State in relation to the Legislative Council

the right demanded by the Universal Declaration of Human Rights if they believe what they have been saying.

If this Bill fails, one group of people will cause it to fail—the people who deny to the citizens of this State the right to an effective say in their own future and to be members of a democracy.

Mr. CUMBE (Torrens): I have listened to the fanciful rhetoric of the Premier. He made, of course, a basic mistake in one of his comments when he accused this Party of trying to deny the people of this State the right to vote as they wished. He lived up fully to his old performance and his previous record as a member of Actors Equity. There were some interjections about "rubbish!" and other things, but I do not want to dwell on that. I emphasize that a number of speakers on this side have pointed out clearly and decisively that we believe that for the Legislative Council everybody over 21 years of age who wishes to enrol and who is qualified to vote should be entitled to vote. I remind the Premier that this was not the position of his Party some years ago, as I am sure he will acknowledge. This is the considered opinion of the majority of this Party, as expressed in the vote in the House this afternoon, and for the Premier to accuse this Party of playing politics in this regard is absolutely false, because I tell him clearly, through you, Mr. Speaker, that members of this Party are sincere in their attitude regarding the entitlement of people in this State who are 21 years of age and over. Our attitude is that, if they wish to vote for the Legislative Council, they may do so. The difference between the two Parties is that the Labor Party doctrine states, "You shall do this. You have no choice." We say, "You may do it, if you want to." I tell the Premier that his rhetoric was most fanciful and quite delusory and, as I have said, he was acting to the utmost. Of course, the Opposition knows that the Government has the numbers.

Mr. Langley: You've never used the numbers, have you?

The SPEAKER: Order! Interjections are out of order.

Mr. CUMBE: The member for Unley should be careful about what he says, otherwise he will get caught in slips one day. I greatly resent the allusions and innuendoes by the Premier about the sincerity of members on this side, because we are sincere in trying to get the measure through the House. I cannot refer to what has happened in the Committee

stage, but the decision was regrettable. We offered the Government a way of getting the measure through. We said that that was a test of the Government's sincerity. In the many years that I have been a member, the Premier has been trying to get through this House or the other place measures dealing with the Constitution Act, and he has achieved something little by little and is getting towards his goal. This afternoon he has been offered another opportunity that he has chosen to discard, and he discards it at his peril.

I repeat that the difference between the two Parties in this House is that one believes in compulsory democracy, whatever that might be, and the other believes in voluntary democracy—freedom. Recently we have heard of many moves by the Government in which it tells the people that they shall do something or shall not do something, and the Attorney-General let the cat out of the bag this afternoon when he said that he would introduce a Bill to provide that everything regarding voting would be compulsory.

The SPEAKER: Order! We are not discussing that matter.

Mr. CUMBE: I am trying to keep to the third reading debate, Mr. Speaker. If the Government persists with this compulsion (and in the last few weeks we have seen some disastrous and embarrassing results of compulsory voting), the Government may not be in office for long. I strongly object to the Premier's remarks in regard to Opposition members both personally and collectively.

Mr. MILLHOUSE (Mitcham): I would not have spoken in this third reading debate—I would have been content with what had been said by the Leader of the Opposition—had it not been for the intemperate, absolutely unfair and inaccurate remarks made by the Premier in replying to the Leader. The Leader's amendment would not have affected at all the democratic principle embodied in this Bill, the principle of a full adult franchise for the Legislative Council.

The SPEAKER: Order! The honourable member is not permitted to refer to the amendment.

Mr. MILLHOUSE: I am not referring to the amendment.

The SPEAKER: Order! The honourable member is not permitted to refer to the amendment, and I am ruling that way.

Mr. MILLHOUSE: It ill becomes the Premier to refer to the Universal Declaration of Human Rights, in view of his action last

week in cynically and deliberately ignoring it in defence of his own Minister of Roads and Transport. I make it quite clear—

The SPEAKER: Order! The honourable member must speak to the Bill before the House.

Mr. MILLHOUSE: I make it quite clear that I completely and fully support the principle of full adult franchise and I believe that everyone in this State should have the right to vote for members of both Houses of Parliament. I also support to the full the principle of the bicameral system in South Australia. I want to see that system work, and work properly. It will do that, however, only if there is a difference between the franchises of the two Houses. This is not a question of denying people their democratic rights: it is a question of fulfilling those democratic rights by making certain that our system of Parliamentary democracy really works. If the Government supported that and wanted that to happen, we would not see the Bill passed in the form in which it now is. I can only hope that wiser counsels will prevail both in another place and here and that we will see a workable system of Parliamentary Government in South Australia in due course. That will not come about unless the Government changes the attitude which has been expressed throughout the debate on this Bill and which was expressed, I am sad to say, more clearly than at any other time in the remarks of the Premier.

Dr. TONKIN (Bragg): As I have come to learn in my few weeks in this House and as was brought to my attention many times before my entry into this House, the Premier is indeed a worthy member of Actors Equity. However, I believe his performance tonight was not up to his usual standard. Typically—

The SPEAKER: Order! I ask the honourable member to speak to the Bill and not indulge in such remarks.

Dr. TONKIN: The Premier did not keep to the point in the remarks he made in his third reading speech.

The SPEAKER: Order! The honourable member must take the point at the time it arises.

Dr. TONKIN: Very well, Sir, I bow to your ruling. The Premier said, "What compromise can there be on this matter of adult franchise?" I agree with the member for Mitcham that there is no compromise, not as far as I am concerned, anyway, on this matter of adult franchise. I, too, believe that every person in

this State should have the right to vote for the Upper House.

We heard an emotional performance from the Premier, particularly when he said we wished to take away the rights of the people of this State. We are not denying people an effective say in their future, and we do not intend to deny the basic rights of individuals. The whole point of compromise in this Bill has nothing to do with the principle of adult franchise: it is in the administration and of how the Bill is framed and how it will work. I believe that the Bill has been deliberately introduced in this form, with the sure knowledge that it will be unacceptable to the Upper House. I refute the Premier's statement that if the Bill is not passed it will be the fault of members on this side. I agree that it is people's legislation and it is not A.L.P. legislation, but the blame will lie fairly and squarely with an immature Labor Government that will not bend to any form of change or compromise. I repeat that I would dearly like to support this Bill as far as it relates to universal franchise, but I will not support any measure that will lead to the abolition of a bicameral system.

Mr. EVANS (Fisher): I said earlier that I supported full adult franchise and I repeat that. I have said that I would support this Bill if the principle and intent in the Bill were the same, but that is not the case. To the average person it may seem that the principle of the Bill is to introduce full adult franchise, but the intent (as has been stated by interjection during the third reading debate) is the abolition of the Upper House. I object to that, because I believe it is vital to protect that House so that it can have a second look at legislation from this Chamber. I believe that the rights of the individual would not have been affected if changes had been made to the Bill, and I believe that it is right for an individual to have a voluntary vote. I believe the rights of the community protect a system of Government that is of overall benefit to the State. I believe that if changes had been made to the Bill the people of the State who are of adult age (whether 18 years, 20 years, or 21 years, whatever we make it) would have all been entitled to vote if they wished to enrol, and they could have cast a voluntary vote to decide who would be elected to the other place.

Never has any member on this side said that there should not be a voluntary vote, and most members on this side have shown that they believe in full adult franchise. If the Government was genuine and sincere in its

attitude it would have accepted changes. We knew by the look on the Premier's face when he sat down this evening that he was emotionally upset and was not speaking for what he believed in. If any member opposite doubts me he should know that members sitting on this side could see that the Premier was embarrassed, because he knew that he was not speaking about true democracy when he said that we on this side, in saying that the Bill should be altered, were wrong. He knew that a voluntary vote and the other matters suggested were matters of true democracy, but when he sat down he was an embarrassed and worried man, because he spoke against his own beliefs in democracy.

Mr. Hopgood: Pathetic!

Mr. EVANS: I think it is pathetic, too.

The SPEAKER: Order! Interjections are out of order.

Mr. EVANS: Thank you, Sir; I wish we could stop them before they were made. On the second reading of this Bill, the bare constitutional majority was in favour when 24 members voted for the Bill. That is not an overwhelming majority by any means.

The Hon. L. J. King: The vote on the second reading was 37 to 7.

Mr. EVANS: I was referring to the vote on the Leader's amendment. If ever a Bill is brought into this House that provides for full adult franchise, elections for the Upper House on a different day, separate rolls and voluntary voting, I will support that Bill. I support the principle of the Bill, but as I will not support the intent of the Government (and I object to the filthy accusations that have been made), I oppose the third reading.

The Hon. L. J. KING (Attorney-General): This third reading debate has been an extraordinary performance. We have heard Opposition members complain that the Premier has reflected on the sincerity of their attitude towards this Bill, and they have expressed what the member for Torrens has described as resentment at this. They have said this when referring to a debate in which one Opposition speaker after another has not scrupled to reflect in expressed terms on the sincerity of the Government; indeed, those reflections have been continued into this third reading debate. This is the more remarkable when one considers that the subject matter of the Bill is adult franchise for the Legislative Council and, if there is one principle on which the Labor Party has been consistent, earnest and persistent and which it has striven to obtain over the

years, it has been the ideal of adult franchise for both Houses of Parliament. How Opposition members can have the temerity to suggest that Government members are wanting in sincerity is simply beyond my imagination.

For some reason we had the situation in which the member for Torrens was prepared to say that the Premier was undoubtedly sincere in this matter while the member for Fisher was equally convinced that the Premier was not sincere. Surely what the member for Torrens said was correct: that the Premier, in all the years he has been a member of this House, has striven with unflagging and unfailing energy to bring this provision on to the Statute Book of the State. The Leader suggested that Council members would be right in rejecting the Bill as it did not contain certain provisions that he favoured. Although one might be forgiven for overlooking this fact when one listens to Opposition speeches, the only provision in the Bill is the provision for adult franchise for the Legislative Council. There is nothing else in it. Therefore, if anyone wishes to prove his sincerity on the question of the principle of adult franchise, all he has to do is vote for this Bill.

So, far from dealing with the Legislative Council on the basis that it would be justified in rejecting the Bill, anybody who is sincere in supporting the principle of this Bill will do everything in his power to persuade the members of the Legislative Council to pass it into law. All other subjects that have been referred to in this debate can be dealt with when the appropriate Bills come before the House. They can then be dealt with by members of this House and by the members of the Legislative Council. There is no basis for drawing red herrings across the trail of this Bill, which embodies a very simple principle; it has only one provision, which is that all adult persons who are entitled to vote for the House of Assembly should have an equal right to vote at an election for members of the Legislative Council. There is nothing in the Bill about the bicameral system or about any of the other subjects that have been dragged across the trail by Opposition members.

The test of sincerity is perfectly simple. Much has been said about it on the Opposition side, and much has been said about who is sincere and who is not. The test (and the crunch) will come shortly when I cease speaking. The Bill contains only one provision. A member is either for it or against it, and he has the opportunity to prove it now.

The SPEAKER: The question before the Chair is that this Bill be now read a third time. Those in favour say "Aye", those against "No". There being a dissentient voice, it will be necessary to divide the House.

The House divided on the third reading:

Ayes (32)—Messrs. Becker, Broomhill, Brown, and Burdon, Mrs. Byrne, Messrs. Carnie, Clark, Corcoran, Coumbe, Crimes, Curren, Dunstan, Groth, Hall, Harrison, Hopgood, Hudson, Jennings, Keneally, King (teller), Langley, McAnaney, McKee, McRae, Millhouse, Payne, Ryan, Simmons, and Slater, Mrs. Steele, Messrs. Virgo and Wells.

Noes (13)—Messrs. Allen, Brookman (teller), Eastick, Evans, Ferguson, Goldsworthy, Gunn, Mathwin, Nankivell, Rodda, Tonkin, Venning, and Wardle.

Majority of 19 for the Ayes.

The SPEAKER: There are 32 Ayes and 13 Noes, a majority of 19 for the Ayes. I declare the third reading carried in the affirmative and, therefore, declare the Bill passed with the requisite statutory majority.

INDUSTRIAL CODE AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 14. Page 1772.)

Mr. HALL (Leader of the Opposition): I address myself, regretfully, to this late late closing Bill or, as it is called, the Industrial Code Amendment Bill.

The Hon. G. R. Broomhill: You should have read it before you got up to speak.

Mr. HALL: The junior Minister is at it even before I read the title of the Bill. I suggest he leave his tatty interjections until we at least get the title read. The Minister would do well if he listened a little more in the present situation, as his colleagues had to listen last night at a meeting, rather than tell the people what they have to do, in his usual compulsory manner. We can leave the Minister for a little while, I hope, while I say something about his obnoxious Bill.

One would think that the Government would have busied itself with more constructive attempts to manage the State's affairs in its first session than this one, where we see, clothed of course in other material concerning the Industrial Code and many other virtues, the clauses which are of extreme importance to many people in this State and which will take away from them many of the shopping

privileges and freedoms they now have. It is a situation I very much regret we have arrived at. We have needlessly arrived at it by simple carelessness on the part of the Government, by the bullying it is subjected to from outside sources and by the pigheadedness of its members. This began back at the time of the election when the Government said it had, as it so often calls it, a mandate. One would think by the number of times it refers to its mandate in debate in this House it would not do anything for which it did not have a mandate. Yet, in this case this claim has no basis of mandate whatever. On this issue the Government said at the beginning that there would be no extension of late shopping beyond those places that now enjoyed it.

The Hon. G. R. Broomhill: What did you say in your policy speech?

Mr. HALL: We said nothing on that issue. As I said last evening, we had not made a threat of any sort. When the Government said that there would be no extension of shopping hours, the matter got into the newspapers and the general news media and questions were asked in this House. The Premier, in reply to a question I asked him on August 5 about further restriction of shopping hours, said:

If there are any rumours floating around at present of the kind that the Leader has mentioned, he has contributed to them in marked degree. The only statement the Government has made concerning alterations to trading hours relates to butchery and baking. In both of these trades the specific proposals that we had for altering trading hours were set out in detail in the policy speech and outlined at the time of the State election, namely, that there would be a 5½-day week for butchering over the whole State and a 5-day week for baking. This was the only way we could see of achieving satisfactory rationalization of both these industries. As for the rest, we said we believed the present position should be held.

I remind the House that, as late as August 5, following the famous pronouncement and the famous policy speech, the Government's policy was that the present position should be held. The Government has made a statement threatening a further restriction of trading hours, and I remind the junior Minister that the Premier could not have said it in the policy speech if, as late as August 5, he said the Government had imposed no restriction. The Minister may not be adept at sorting out these matters in chronological order, but surely he can work that out. The Premier also said:

The Government has made no statement threatening a further restriction of trading hours. We have had submissions from traders

who are concerned about the difficulty they face in trading because of anomalies in trading hours between one area and another.

Therefore, by August 5 the statement had not been made and the people had not been told by the present Government or any other Government or Party that they would lose their Friday night or weekend shopping. Since then events have moved swiftly and for some reason unknown to the public or to this Parliament the Government decided to hold a referendum to ask the people not whether they approved of the ensuing Government action but whether they approved a portion of the promised Government action. By that time the Government had said, "We will take away your Saturday afternoon and Sunday shopping and we will not ask you whether you want us to do that. We will also take away your Friday night shopping unless you tell us at a referendum that you want us to retain it."

Mr. Payne: Are you in favour of Sunday shopping?

Mr. HALL: The member for Mitchell should not try to divert me from the argument. He will serve his electors and this House much better if he keeps to the argument. I do not mind how much he tries to destroy my argument, but let him keep to it.

Mr. Payne: It's easy to destroy your argument.

Mr. HALL: As the honourable member knows, the Government had said, "We will take away your Saturday afternoon and Sunday shopping."

The Hon. G. R. Broomhill: Was that a correct move, or not?

Mr. HALL: Let us forget the junior Minister's constant interjections and deal with the member for Mitchell. He is out of order.

Members interjecting:

The SPEAKER: Order! The Leader of the Opposition.

Mr. HALL: The Government then put through this House a Bill for a referendum to ask the people whether they approved a small portion of its actions. The Government rather cleverly and deliberately restricted the scope of the question. It simply asked people whether they favoured Friday night shopping—not, of course, whether they approved shopping on seven days a week or whether it should apply in any specific area or whether they had any views on Saturday morning shopping. The people could express an opinion only on Friday night shopping. Most people who study the political

scene and the reactions of people to political questions know that many people in this State desired to vote for the existing situation, whether it was right or wrong. They wanted to vote for keeping what existed, but there was no way they could do so. Proof of that is in the remarkably high number of people who voted informally and the remarkable number who did not vote at all, over whose heads at present is hanging the threat of prosecution.

Mr. Gunn: In a compulsory vote.

Mr. HALL: Yes. So, the famous compulsory vote that my opponents opposite continuously support meant that 50,749 people did not turn up to vote: either they did not believe the question was worth voting for and decided to risk a fine, or they did not believe the Government would fine them. It will be interesting to find out whether the Government is game to prosecute them. In the next few months it will be interesting to see how many people in this State are fined any sum at all for their failure to vote at the referendum. A total of 176,000 voted "Yes", 190,000 voted "No", and 96,000 did not vote at all or voted informally. So, a minority of the number of voters on the roll voted "No". As a result, the Government, which had carelessly worked out that there would be a "Yes" vote, was caught in its own disorganization: it was confronted, as it should have realized during the referendum campaign, with a well organized "No" vote campaign which cleverly and deceitfully turned the argument on to the question of whether we would retain Saturday morning shopping. This was the main argument advanced as the campaign very cleverly went on, and everyone in this House knows very well that that was the aim of the campaign, and it was successful. As a result the Government was immediately put into a panic spin: absolute panic reigned among Government members.

Those Government members who represented areas that had Friday night shopping said immediately that they had wished that the result was different and they even went as far as saying that it could mean that they would be defeated at the next election. This showed the panic in Government circles. I believe, from replies given in this House (although I have no proof of this) that the Government was preparing its policy to give a different sort of *status quo*. I believe the Government was heading towards allowing Friday night shopping in those areas that voted for it. Of course, the general confusion in administration

that has resulted from the Government's operations in its first five months of office brought in the masters. This was despite the junior Minister's assertion continually over a couple of weeks that the Government had already made up its mind about what it would do about the shopping hours issue following the referendum. A secret meeting was held, and I think the famous photograph of the Premier and the member for Tea Tree Gully walking through the grass to the secret rendezvous with the executive officers of the Labor Party tells the story, because it is interesting to see when the Bill was printed. The Bill was not printed when the Minister said that the Government had made up its mind: the Bill was printed the day it was introduced into this House, and that was the first working day following the secret meeting—the day this Government got its orders from its outside masters, the same as Mr. Calwell and Mr. Whitlam received their orders a few years ago in Canberra. The result is that today what the public wants does not matter: it is what the executive of the A.L.P. wants; these 24 people, eight of whom are members of Parliament. One-third is the weight that members of Parliament can bring to bear on the main policy-making body of the Australian Labor Party in South Australia, and not all of those are State members of Parliament.

Mr. McKEE: On a point of order, Mr. Speaker. I cannot see what the A.L.P. executive has to do with the Bill.

The SPEAKER: There is no point of order. The honourable Leader of the Opposition.

Mr. HALL: I have led my remarks this way because the Premier and other members in this House, who are members of the A.L.P. executive, had met with the general section of the executive at a secret meeting, and I say that that is where they received their orders, because that is the traditional chain of authority exerted by the Labor Party. The junior Minister would know that last evening his colleagues sitting behind him acknowledged the supreme authority of the A.L.P., when they told their electors at Elizabeth that they could not, dare not, vote against a majority decision of their Party, as they had signed a pledge.

Mr. Jennings: They did not say they dare not: they said they would not.

Mr. HALL: They said that they could not and would not, because they had signed a pledge, and that they were bound by the majority.

Mr. McRAE: On a point of order, Mr. Speaker. I strongly object to the use of the words "could not" or "dare not". The words used were "would not", and the Leader well knows that. As I accept him as an honest and genuine man, I ask him to retract that statement.

Mr. HALL: I am pleased to correct those words, and if I made any mistake it is because at least two members (possibly three members) of the Labor Party referred to that pledge last evening. It could well be that the member who has raised the point of order used those words. I do not want to stretch it further, because the point is well made by using the word "would", and it will do for all of them. The public meeting at Elizabeth last evening was an expression which members opposite who were there faced fearlessly, and they stood by their Party in the face of a clamour by at least three-quarters of the people present. That is a matter of conjecture, but an overwhelming majority of people present last evening demanded that their members do something other than their members will do, whereas their members said they would not do otherwise, because they had signed the Party pledge.

The Hon. G. R. Broomhill: Doesn't the same thing apply to your members?

Mr. HALL: The meeting at Elizabeth last evening was the outcome of the state of almost disbelief of people who live in those areas affected by the Government's action. I believe that right up until this Bill was introduced about a week ago, electors in those areas were still saying, "We voted for the Government; it will not do this to us." Remarks such as these have been passed back to me. Last evening at that meeting I heard a statement by a member of the Labor Party that was one of the most hypocritical statements in a political context that I believe I have heard. The member for Elizabeth said that he would not vote against the Government Bill and that he would vote for closing the shops on Friday nights. He then said that he regretted that Legislative Councillors were not present, because they were the key to the question, or he used some words such as those. I will not hold him exactly to those words.

Mr. Clark: It doesn't matter; I agree with that interpretation.

Mr. HALL: The honourable member can say later what words he used.

Mr. McKee: You'd like to do him wrong, but you can't.

Mr. HALL: I would certainly defeat any member opposite politically if I had the chance, so I think the member for Pirie had better grow up a little in the political sense and understand the political pressures existing on this question. The member for Elizabeth said that he would not vote against the Bill, that he would vote for the restriction of shopping hours, but that the key rested with the Legislative Council. Has the honourable member analysed that statement? For year after year in my 11½ years as a member of this place, the Labor Party has criticized the Legislative Council for altering Government legislation. In fact, only 20 minutes ago Government members in this House were interjecting that the Council must be abolished. Yet the member for Elizabeth wants it before it is abolished to fiddle up the legislation the Government has introduced.

The Hon. G. R. Broomhill: Did he say that?

Mr. HALL: That is the absolute meaning that he gave to his remarks, and it is not politically proper.

Mr. Clark: In the light of past events, I expect the Council to upset the Bill, the same as it normally does. You know that, and you're a liar if you say anything else.

Mr. HALL: I hope that the Council puts the matter right and protects the people, but I hope it does not take members opposite out of the hot seats they now sit on. I remember the road transport legislation introduced by the previous Labor Government. At that time, the Labor Government rejected what the Council put up, yet at the next election the Labor Party advocated the policy followed by the Legislative Council in its amendments.

Mr. Keneally: That's the fourth time in a week that you've got that in *Hansard*.

Mr. HALL: Then I hope it has sunk into the mind of the new member for Stuart because he needs to know this. I suppose that history could repeat itself and that members opposite could go to the next State election and say, "We believe there should be shopping on a Friday night." Perhaps members opposite want to be able to do this. I consider it a dereliction of duty that members of this House can vote for something and then rely on the Upper House to get them out of trouble.

The Hon. G. R. Broomhill: I hoped that you could give me the assurance that they would let the Bill through.

Mr. Clark: You know I didn't suggest what you've said.

Mr. HALL: People who attended the meeting last evening have told me that that is the inference they drew from the honourable member's remarks. He is free to speak on the Bill.

Mr. Clark: It's still not nice to hear lies said about you.

Mr. HALL: When the Minister introduced his Bill for a referendum on shopping hours he said that the Government, during the present session, "would conduct a complete revision of the present laws which restrict shopping hours". That is one of the most puzzling sentences the Minister has ever uttered in the context in which he now stands. He said he would conduct a complete revision of the present laws that restrict shopping hours. Why, therefore, did he give his attention to those laws which give extended shopping hours?

The Hon. G. R. Broomhill: I don't follow your point.

Mr. HALL: No, obviously the Minister does not follow it. Although introducing the Bill and allowing people to believe that he is going to give something, he in fact takes away Saturday afternoon, Sunday, and Friday night shopping.

The Hon. G. R. Broomhill: And you object to it!

Mr. HALL: Yes, I do. I do not believe there need be any restriction on shopping hours at all. The way shopping hours have developed north and south of the city proves that they will develop sensibly, tailored to public demand and to a retailing capacity to meet that demand. But here we are facing a determined Government controlled by an outside influence, at the pain of great disciplinary action, to continue with a result it did not want. This means that the Opposition in this House can only voice the opinion of those people who want to retain the freedom they have. I suppose we can only again plead with the Government at least to allow the amendments that we will move on behalf of the people who now have some freedom in this matter.

In foreshadowing those amendments, I want to say that I will not embarrass members opposite in asking them to vote against the decision of the referendum to the extent that it would reverse the decision to retain the existing hours

in those areas which now have 5.30 p.m. closing on Fridays. I shall be putting to the House proposals that will be aimed at retaining the *status quo* for the time being, knowing full well, as I said last night, that there can be only one eventual solution to this dilemma, namely, 9 o'clock closing throughout the metropolitan area. This can be the only solution to achieve the uniformity that everyone seems to need and still to retain the freedoms that people now enjoy.

May I say that Governments are elected to serve people: they are not elected for people to serve them. The sooner this Administration learns that truth, the sooner it will engage in a programme that might (I stress the word "might") again lead to its being elected to Government. If it does not do that, it will certainly be rejected on this type of issue and on the many other types of issue concerning compulsion with which it has got itself involved. I oppose the clause containing the obnoxious restrictions to which I have referred. However, I will vote for the other parts of the Bill to which other members from this side will address themselves during the debate. I have confined my remarks to the issue that is uppermost in the minds of the tens of thousands of people who are concerned with this measure.

Mr. JENNINGS (Ross Smith): I support the Bill without any reservation whatsoever. However, like the Leader of the Opposition, I shall confine my remarks to the shopping hours question, although it is fairly obvious that my arguments will be diametrically opposed to those of the Leader. It is interesting to find the Leader of the Opposition on this occasion trying to embarrass the Government because he erroneously thinks that it is in a little bit of a spot in this regard. Nothing could be further from the truth. If anybody in this House should be embarrassed at the result of this referendum, it is the Leader of the Opposition himself, who intruded into the campaign and worked hard for a "Yes" vote, which, of course, is the principal reason why there was not a majority "Yes" vote. I am sure many people voted "No" merely because the Leader of the Opposition was (as he thought, anyway) leading the "Yes" vote.

The Hon. G. R. Broomhill: You are not suggesting he carried the gerrymander into the referendum?

Mr. JENNINGS: No; he gerrymandered everything else, but not the referendum. It was only the fact that many people in South

Australia, rightly or wrongly, would always go against anything that the Leader of the Opposition did.

The Hon. G. R. Broomhill: That was not the case with the referendum, though.

Mr. JENNINGS: I know very well, because I have been interested in this proposition for a long time and have suffered from the procrastinations and prevarications on this matter of members opposite when they were in Government. Before the referendum was held, I had a meeting of one of my district committees. I was asked by one member of the committee how he should vote and whether I could give the members at that meeting any advice on how to vote. I said, "The Party, as such, is not taking any part in this referendum; you can vote any way you like." I even refused to tell him how I intended to vote because, if I had told him, it might have influenced him—as I have a tremendous influence in my committees! This member then said, "Well, all right. If that sanguinary bloke Hall is going to vote 'Yes', that is good enough for me to vote 'No'." Then everyone else at the meeting cheered him, "and even the ranks of Tuscany could scarce forbear to cheer."

Let us now look at the action taken since the referendum and the introduction of this Bill. The first thing we heard was a statement from the Mayor of Elizabeth, Mr. Duffield, who was reported in the *Advertiser* as saying that it was a dirty trick that the Government should honour the result of the referendum. Mr. Duffield is a prominent member of the Liberal Party. He stood for Parliament at the last election, and got done properly.

The Hon. G. R. Broomhill: Did he think that was a dirty trick?

Mr. JENNINGS: I have no doubt he did. After that, he stood for preselection for the Liberal Party for the Midland by-election in the Upper House, and was dumped by his own Party members.

The Hon. G. R. Broomhill: Did he think that was a dirty trick?

Mr. JENNINGS: Again, I have no doubt he did. He may have been right there, too. Of course, who but a Liberal could think that honouring a promise to obey the result of a referendum would be a dirty trick? Only a Liberal would think of that. Mr. Duffield went on in the same report to state:

Nothing short of the production of a medical certificate would be acceptable to their electors for their failure to attend the meeting.

Here he is talking about his "invitation" to members for the fringe districts, as we may call them! I suggest that Mr. Duffield, in that statement, is getting extremely close to a contempt of Parliament and a breach of Parliamentary privilege.

Mr. Coumbe: Was it said outside Parliament?

Mr. JENNINGS: Of course it was. Where does the honourable member think that Browne and Fitzgerald were when they were put in gaol? They were outside Parliament when they were called to the Bar of the Commonwealth Parliament.

Mr. Gunn: What's that got to do with it?

Mr. JENNINGS: I am not interested in the cretin from the West Coast. Mr. Duffield was elected Mayor of Elizabeth. I do not know how many people there are in the municipality of Elizabeth.

Mr. Mathwin: It's a city.

Mr. JENNINGS: Yes, it is, and that means that it must have a big population. I am grateful for the interjection, because Mr. Duffield was elected Mayor of Elizabeth with 1,315 votes and he beat his opponent by only 101 votes, so this man can apparently talk to and lead the electors of the District of Playford, comprising about 15,000 people, and the electors of the District of Elizabeth, also comprising about 15,000 people, when he got only 1,315 votes and his opponent got 1,214 votes!

The Hon. G. R. Broomhill: He probably got the total Liberal vote in that area.

Mr. JENNINGS: Yes. By the way, when the Town Clerk of Elizabeth was asked by telephone to disclose those figures he would not disclose them, stating that he preferred not to do so. Obviously, the figures can be got in other places but I do not blame the Town Clerk, if he is loyal to his Mayor, for being ashamed to disclose those figures. Another thing about this is also interesting. The Mayor of Elizabeth is inciting all these business people in Elizabeth to break the law. As he is a florist, he has an exempted shop and he may open for the 24 hours of the day on the seven days of the week, if he wants to do that. He is in the coward's castle, inciting other people to break the law.

Mr. Coumbe: I think your Premier did something similar.

Mr. JENNINGS: The honourable member knows well that the situations are entirely different. The Premier said that, if he was guilty of breaching the law, he would be willing to take the consequences, and he also told everyone else the position. The Mayor of Elizabeth called this meeting as a non-political meeting, yet the Leader of the Opposition turned up, whilst the Premier was not invited. The Premier was willing and indeed anxious to go but he was not invited. However, the members concerned went to this "non-political" meeting because they were invited, but the Leader of the Opposition turned up and made a speech—and made a mess of it, as he always does.

Dr. Eastick: What were you doing there?

Mr. JENNINGS: I went to jeer the Leader of the Opposition, and I have never had a happier time. The Deputy Leader of the Opposition cannot realize that he is on the left-hand side of the Chair.

The Hon. L. J. King: No worries! He will vote according to the wishes of his electors!

Mr. JENNINGS: He would like to see a position where the Leader of the Opposition, if he was a Liberal, was on the platform making speeches whilst the Premier, if he was a member of the Labor Party, was sitting in the body of the audience. Undoubtedly a few people in the fringe areas overwhelmingly voted "Yes", but the majority of the people in the referendum area voted "No". Are we to believe that we should then make one law for the people who voted "Yes" and a different law for those who voted "No"? As the member for Elizabeth said last night at the meeting, the Midland by-election held recently resulted in the fringe areas of Midland District casting a very big majority in favour of Mr. Hughes, the Labor candidate. Mr. Russack, the Liberal candidate, got his majority in the areas beyond the Elizabeth and Playford Districts. It is just as logical to suggest that Mr. Hughes, who got such a good vote in the Elizabeth and Playford parts of the Midland District, should be the member of the Midland District for that portion which takes in Elizabeth and Playford.

Mr. Millhouse: It is not just as logical.

Mr. JENNINGS: It is exactly as logical. At the last Commonwealth election South Australians returned an overwhelming vote for the Labor Party. The great majority of the members we returned to the Commonwealth Parliament were Labor Party members—it was two to one.

Mr. Venning: Can you be sure of that?

Mr. JENNINGS: I would certainly not trust anything the member for Rocky River told me, even if he swore it on a stack of Bibles 100ft. high. Would we be unreasonable in suggesting that we were not a part of the Commonwealth Government, misled by Mr. Gorton, because the electors in this State voted overwhelmingly for the Labor candidates? This is what they want in Elizabeth with respect to shopping hours. The Leader's foreshadowed amendments are absolutely ridiculous, and I do not think they will receive any support from this side. They are not acceptable to me and I do not think they will be acceptable to any of my colleagues.

The ACTING DEPUTY SPEAKER (Mr. Ryan): The honourable member should not refer to amendments at this stage.

Mr. JENNINGS: I am not referring to them; I am giving them a passing reference. The Leader of the Opposition spoke about the large number of informal votes. A scrutiny has been made of these votes, and it has revealed that there are just about 50/50 between attempted "Yes" votes and attempted "No" votes. In the "Yes" column there are about the same number as in the "No" column who put a cross or a tick, indicating that they wanted to vote "Yes" or "No", but they used a cross or a tick instead of a number.

Mr. Millhouse: Can you tell us who carried this scrutiny out?

Mr. JENNINGS: A scrutiny of all informal votes has been done by scrutineers.

Mr. Millhouse: Who are they?

Mr. JENNINGS: Scrutineers usually scrutinize, or does the honourable member not realize that? In the *Advertiser* of October 17, under the heading "Free voting on Shopping Bill", an article by the political reporter, our esteemed friend Mr. Eric Franklin, states:

The 16 Opposition members in the Legislative Council would vote on the Government's shopping hours Bill individually and according to conscience, the Leader of the Opposition in the Council (Mr. DeGaris) said yesterday.

Yet we are told that Opposition members in this House always vote in a way they want to and that, if possible, members of the Liberal Party in the Upper House are even freer. Why is it necessary or significant (I think it is significant in a different way) that Mr. DeGaris has to say that, in regard to this Bill, there will be free voting in the Legislative Council?

I read a recent article in the *Advertiser*, I think (but I might be doing the *Advertiser* a slight disservice), about the general situation on shopping hours that stated what children would do, what someone else would do, and what this or that group would do. The article finished by stating that the shops would go broke. This is an absolutely absurd statement. People in Elizabeth will have just as much money to spend as they have now: they will have to buy the same commodities each week or each day to satisfy their needs. They will spend all they have to spare; of course, they cannot spend any more than that.

Mr. Venning: Did you support 10 o'clock closing for hotels?

Mr. JENNINGS: I did at the time.

Mr. Becker: Don't you now? What's the difference?

Mr. JENNINGS: I am not interested in interjections of that type. The shops will not go broke, though it is true that many of the shops in these fringe areas have been getting the benefit of custom from other areas in the metropolitan area, at very great disadvantage to the shops in the present metropolitan shopping districts. The shops in Elizabeth and the fringe areas will not go broke. I am more concerned about the shops that have been going broke slowly over the last four to five years in the present metropolitan shopping area.

The Hon. G. R. Broomhill: And rapidly over the last six months or so.

Mr. JENNINGS: Yes, the shops around Northfield and Windsor Gardens, areas in my former district, have been; I received complaints from these people about the fact that they were in the business but were being used just as a convenience by many people who went to them to buy a pound of butter when they ran out but who, on the Thursday or Friday evening (whenever the husband got his pay cheque), took the whole family in the car and drove a couple of miles north to do their week's shopping.

Mr. Becker: Very good.

Mr. JENNINGS: That is the sort of economic justice the honourable member would believe in; that is violently unfair competition and could not possibly be justified in any circumstances. Although that has been going on for years, it will not continue after this Bill has been passed, as it will be passed. Of course, it is true that the shops in the Elizabeth area and other fringe areas will not have

quite as much money spent in them when people can do their shopping in their own shopping districts. It would have been exactly the same if the "Yes" vote had been carried, because then all shops could have opened. Then on Friday night people could have done their shopping in Enfield, Northfield, Prospect or Adelaide.

Mr. Becker: Rundle Street.

Mr. JENNINGS: Yes, anywhere. In addition we have a large increase in exempted shops and exempted goods. In fact, there are 134 items on the exempted list now. On that list are the kinds of thing that would permit any household to buy what it needed during the night or weekend to keep it going.

Mr. Slater: Even florists' shops are open.

Mr. JENNINGS: Yes. Even eyebrow pencils and such things can be bought as exempted goods; even etchings can be bought by a person who wants to take someone to see his etchings and does not have any. These things are urgently needed. I am very proud of the fact that the Government is honouring the promise given to the people of South Australia when this referendum was carried. Naturally, it is the proper thing for the Government to do to honour the decision of the people in a referendum.

The Leader of the Opposition referred briefly—and I was astonished at his gall—to the meeting that was held last night. I was there, and I can say that the Leader was booed from the time he walked in until the time he walked out, and all the time he was speaking.

Mr. Coumbe: Who else was booed?

Mr. JENNINGS: Everyone was, and I am not denying that for one moment. Many people told me after the meeting was over that they

turned up to see the fun. They were not interested in the meeting or the supposedly serious things that were being discussed: they were there to see this Roman holiday, and I do not think they were in the least disappointed, because they had a good night's fun. In addition to saying that, many people told me that they thought it was a put-up political stunt. There was a motion talked about at this meeting. This motion was moved by a rather dithering person from the body of the hall who was seeped in conservatism and arrogance, which, of course, usually go together. In fact, one could see both conservatism and arrogance coming from his ears.

The Hon. G. R. Broomhill: Did he look like the member for Victoria?

Mr. JENNINGS: No, he was not even that good looking. However, I think he was more intelligent. This person proposed a motion, although it was never actually put to the meeting. If it had been put to the meeting by Mr. Duffield, that gentleman certainly would have been called to the Bar of the House, because it was violently in contempt of Parliament. When it was suggested by some of our speakers that members of the Legislative Council for the district should be incorporated in that motion, this dithering gentleman said, "But we are talking to our members who represent us, not the Legislative Councillors." He did not even know that the Legislative Councillors (who, incidentally, were not there) represented that part of the district. I support the Bill.

Mr. MILLHOUSE secured the adjournment of the debate.

ADJOURNMENT

At 10.30 p.m. the House adjourned until Wednesday, October 21, at 2 p.m.