

**HOUSE OF ASSEMBLY**

Thursday, October 22, 1970

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

**STATE GOVERNMENT INSURANCE  
COMMISSION BILL**

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

**MOTOR VEHICLES ACT AMENDMENT  
BILL (FEES)**

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

**HIGHWAYS ACT AMENDMENT BILL**

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

**CONSTITUTION ACT AMENDMENT  
BILL (MINISTRY)**

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

**QUESTIONS****STOREMEN'S DISPUTE**

Mr. HALL: Will the Premier use his contacts with the union movement to intercede and try to terminate the strike of the Storemen and Packers Union? He will be aware that this strike has reportedly prevented the continued loading of two ships that are to take wheat from this State and that 40,000 bales of wool are imprisoned (I think that is the term used) and cannot further be moved towards the export destination. He will also be aware that the rural industries in South Australia are not in a good position at present to withstand any further industrial action that will inhibit the sales of rural products.

The Hon. D. A. DUNSTAN: The good offices of the Government are always available in settling disputes, but I point out to the Leader that this dispute does not relate to conditions over which the State Government or the State Industrial Court has any control.

In these circumstances, it is difficult for us to take any administrative action that might achieve some sort of settlement of the dispute, but if we can in any way assist in settling the dispute we will certainly be available to all persons concerned for that purpose.

**WATER RATING COMMITTEE**

Mr. BROWN: Can the Minister of Works say when it is likely that the Committee of Enquiry on Water Rating Systems will visit Whyalla?

The Hon. J. D. CORCORAN: If my memory serves me correctly, the tentative date on which this committee will visit Whyalla is November 9, and the Whyalla City Council will be notified in due course of its intended visit. I think that following that visit the committee will be going to Mount Gambier as well.

**ROAD SAFETY**

Mr. MILLHOUSE: I wish to ask a question of the Minister of Roads and Transport, when I can get his attention.

The SPEAKER: Order! The member for Mitcham is directing a question to the Minister of Roads and Transport.

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

Mr. MILLHOUSE: I thought the Minister might do me the courtesy of at least appearing to be aware that I was directing the question to him.

The Hon. G. T. Virgo: What seems to be the trouble today? Muck on the pluck again?

Mr. MILLHOUSE: You.

The SPEAKER: Order!

Mr. MILLHOUSE: Mr. Speaker, I direct my question to the Minister of Roads and Transport and seek your leave and the concurrence of the House to explain it.

The Hon. J. D. Corcoran: What's the question?

Mr. MILLHOUSE: It concerns the committee of inquiry into aspects of road accidents which was set up by the previous Government.

The Hon. J. D. Corcoran: What's the question?

The SPEAKER: What is the honourable member's question?

Mr. MILLHOUSE: My question is whether the report of this committee of inquiry has yet been received and, if it has, whether the Minister is prepared to make it public. Now, if I may give the explanation to the question, for which I sought leave: I understand that

this committee has received submissions from several people, some of those submissions being in writing, and one at least of those who have made a written submission is, naturally I think, most anxious to know the result. Indeed, because of the appalling road toll, which in South Australia is now a record and of which we should all be deeply ashamed, this is a matter of great public interest and concern.

The Hon. G. T. VIRGO: The answer to both questions is "Yes".

Mr. MILLHOUSE: Can the Minister say when the report will be made public?

The Hon. G. T. VIRGO: The report is in the hands of the printer and as soon as he makes it available to me I will distribute it to members.

### LAMBS

Mr. RODDA: Will the Minister of Works ask the Minister of Agriculture to see that every step is taken to ensure that freezing space is made available for storing fat lambs in this State? The Minister of Works will know that, in our area, the fat lamb season is just coming to fruition. Although quotas have not been imposed, certain areas have been debarred from taking advantage of the Adelaide markets for lambs. It has been reported to me that, despite these arrangements, many lambs come into this area other than those belonging to graziers. Lambs are being sold for the ridiculously low price of \$3 or a little more, so that farmers are going through a hazardous period, but I do not have to tell the Minister this.

The Hon. J. D. CORCORAN: I shall be happy to discuss the matter with my colleague, obtain information for the honourable member, and inform him when it is available.

Mr. McANANEY: Will the Minister of Works ask the Minister of Agriculture what plans the Meat Board has for a campaign in South Australia to promote the sale of lamb? I understood some weeks ago that this would be done. South Australia's lamb season is earlier than that in the other States and, consequently, although our glut period is almost over, no advertising or campaigning in this State has been carried out. I understand that, when the Meat Board was approached a week or two ago, it stated that it could not get the information printed in Sydney because the printers there were too busy. If this is correct, surely local printers could have done the printing and the campaign could have been started

in this State at the right time, rather than when it was too late.

The Hon. J. D. CORCORAN: I will take the matter up with my colleague and bring down a report for the honourable member.

### GATE-CRASHERS

Mr. McANANEY: Can the Attorney-General, representing the Chief Secretary, say whether there is any law that enables police to control gate-crashers at parties? I know from personal experience that this has become a problem in South Australia. I have noticed that the New South Wales Government will introduce legislation to give police officers sufficient powers to handle this problem, which is one of the most serious problems that Adelaide has at present. When young people who live in flats invite a few of their friends to their flat, before long half of Adelaide is there and the party gets completely out of hand.

The Hon. J. D. Corcoran: If the host tells them to leave, they do what they did to Jim Cairns.

Mr. McANANEY: If there is no legislation to cover this, the Government should introduce some.

The Hon. L. J. KING: I should think that people who entered on the property of others without authority and remained there after being told to leave would certainly be guilty of the offence of being unlawfully on the premises and could be charged with that offence; most probably they would also be guilty of the offence of disorderly behaviour. Therefore, I think there is no doubt that, under our existing laws, people who behave in this reprehensible way can be dealt with. I am not aware of any problems with regard to a defect in the law or of any problem of police enforcement in this regard. The trouble arises from the behaviour of the people concerned, the considerable difficulty involved in police officers supervising this sort of situation and, of course, the lapse of time that occurs between the householder's being able to contact the police and the arrival of the police officers. I do not know that any change in the law can really remedy that. However, I shall be happy to take up the matter with the Chief Secretary so that he can raise with the Police Commissioner the question whether the Police Force experiences any legal difficulty in the present circumstances and ascertain the opinion of the force whether it believes any change in the law is necessary.

### FLUORIDATION

Mr. SLATER: Can the Minister of Works supply any information on the fluoridation of the Adelaide water supply and say when it is now scheduled to commence?

The Hon. J. D. CORCORAN: Although I have stated in the House previously that the Adelaide water supply was expected to be fluoridated towards the end of September, it has not been. I also stated previously that ample warning would be given to the residents served by the metropolitan water supply of the introduction of fluoridation so that they could discontinue taking tablets, and I said that ample publicity would be given to the introduction. Now it is not likely that the supply will be fluoridated until early next year, the reason for the delay being that certain measuring devices are being thoroughly tested to ensure that there will be no possibility of malfunction and so that when the water supply is fluoridated there will be no mishap and no danger to the people using the water.

### MURRAY RIVER LEVELS

Mr. WARDLE: Has the Minister of Works any information about the presumed rise in the Murray River level? If he has not, will he give the House the information next Tuesday?

The Hon. J. D. CORCORAN: I shall be pleased to get the information for the honourable member. On Tuesday the member for Heysen also asked me a question about river levels and I am surprised that I have not a reply, because, as I told the member for Heysen on Tuesday, I had been looking at the figures on Monday and a press release was issued, I think yesterday, stating that the levels had fallen below the projected levels. Some will be 3ft. below the projected levels. I shall be pleased to get the information that the member for Murray has asked for and to get a reply for the member for Heysen.

### CADELL TRAINING CENTRE

Mr. CURREN: Will the Attorney-General ask the Chief Secretary what action the Prisons Department has taken to put into effect the suggestions made by Cadell residents at a public meeting held following the recent escape from the Cadell Training Centre?

The Hon. L. J. KING: Following the recent escape of three trainees from the centre and the meeting of townspeople which discussed a number of factors affecting the local community, certain actions have been taken.

First, the free time activities of the trainees have been more clearly defined, in that areas to be used have been emphasized, and on weekends the trainees must check in at more frequent intervals. Further, additional supervision has been instituted, although the department is still trying to preserve as much of the atmosphere of trust as is possible. In addition, a Probation and Parole Officer has been stationed permanently at the centre to aid in solving trainees' personal problems, and to assist the staff with community liaison work. Additionally, the Superintendent has met the Morgan District Council to discuss warning systems. Present investigations include investigation of the provision of warning devices in Cadell township and in the Murbko area, and the feasibility of simultaneous telephone warnings to all persons connected to local exchanges. Approaches are also being made to the Postmaster-General's Department regarding the possibility of an automatic telephone exchange being installed.

### CUSTODY CONDITIONS

Mr. HOPGOOD: Will the Attorney-General ask the Chief Secretary to have his departmental officers investigate the provision of better accommodation for persons being held in custody pending bail or arraignment before a magistrate? I have received the following letter from one of my constituents:

My husband and I wish to protest about the treatment of our son (aged 17), received on the night of September 18, after being arrested for failing to comply with a police direction in the Moratorium demonstration in Adelaide. In company with 10 or 11 (at one stage 13) other boys (all juveniles under 18), he was confined between the hours of 8.30 p.m. and 4 a.m. in a room approximately 18ft. long and 5ft. wide with one long seat on which only two could sleep. Consequently, the rest had to spend the night crouched on the floor as there was no room to lie stretched out! It was a pretty cold night and they received no blanket or other covering. They were given no food from their arrest about 4 o'clock in the afternoon till the following morning.

Now no-one expects a bed of roses for disobeying the law, but surely even a hardened criminal would be entitled to a bench to stretch out on and a blanket to cover him. And remembering that these lads were merely accused of a minor offence and juveniles besides, do you not think we have a right to protest at this sort of thing? We are also sending a similar letter to Council of Civil Liberties in the hope that you or they will be able to do something to prevent such mistreatment in the future.

The Hon. L. J. KING: I will obtain a report on the matter raised by the honourable member and let him have a reply.

### DEEP SEA PORTS

Mr. VENNING: Will the Minister of Marine say what are the terms of reference, in relation to the size of vessels expected to be catered for, of the committee that has been set up to examine the possibility of establishing a deep sea port at either Ardrossan or Wallaroo? Members will be well aware of what has occurred and of the evidence that has been taken on various aspects in relation to these two ports. Because someone is saying that in future ships of 100,000-ton capacity will use such deep sea ports, consternation has been expressed that this may have a detrimental effect on the recommendations of the committee.

The Hon. J. D. CORCORAN: As I cannot specifically recall the exact terms of reference about which the honourable member has asked, I shall be happy to inquire and to inform the honourable member. However, I point out that the terms of reference certainly would not be such as to favour one or other of the ports being investigated because the investigation is being conducted only because the authorities involved and the Government want to be sure that the best site is selected.

### BUSH FIRES ACT

Mr. FERGUSON: Will the Minister of Works, representing the Minister of Agriculture, say whether the Government intends to consider introducing amendments to the Bush Fires Act to provide minimum penalties for offences committed against sections 61 and 65 of that Act? Following convictions in the Yorketown court for offences committed against these sections mentioned, I understand that paltry fines of \$10 and \$25 were imposed. I understand also that the Bushfire Advisory Committee has made certain recommendations to the Minister of Agriculture regarding maximum penalties for breaches of the provisions of the Act.

The Hon. J. D. CORCORAN: I will check the point with my colleague and obtain a report.

### SPEED LIMITS

Mr. MATHWIN: Can the Minister of Roads and Transport say when it is expected that legislation will be introduced to increase the permitted speed limits of commercial vehicles in the metropolitan and country areas? I understand that these speed limits badly need revising at present.

The Hon. G. T. VIRGO: Although this matter is being considered I cannot say whether legislation will be introduced. This and other associated matters are being considered and an announcement will be made in the House in due course.

### ASTHMA CLINIC

Mr. CARNIE: Will the Attorney-General ask the Minister of Health to reconsider the decision of the Health Department not to set up an asthma clinic using the methods of Dr. Alexander James of Wollongong? The Health Department has had a report on Dr. James's method of treatment and its decision was not to set up such a clinic in this State. However, I noticed in the press on Tuesday that the Canberra Community Hospital intends to set up such a clinic, so that its interpretation of the report is obviously different from that of the South Australian Health Department. Will the Attorney-General suggest to the Chief Secretary that, if such a clinic is not to be set up now, the department should keep a close watch on the results of the work of the Canberra clinic?

The Hon. L. J. KING: I shall bring this matter to the attention of my colleague and obtain a reply for the honourable member.

### PORNOGRAPHY

Mr. GUNN: Will the Attorney-General ask the Commonwealth authorities to take action to prevent unscrupulous people sending through the post literature that advertises pornographic material? One of my constituents has received two such advertisements from Mr. Paul Bergmann of 16 Holden Street, Buranda, Queensland, and has taken strong exception to them, because he has several small children. I do not think anyone would want children to look at this literature, let alone acquire the books advertised.

The Hon. L. J. KING: This problem of persons desiring to make money out of peddling their undesirable literature by sending advertisements through the mail to householders who have not solicited the matter is a real one, and it is being encountered throughout the Commonwealth. This matter was discussed at considerable length at the last two meetings of Attorneys-General, and a decision was made to join in an approach to the Postmaster-General to request him to do everything in his power to stamp out the practice and to bring prosecutions against those responsible. I gather that the problem is not

an easy one to solve, because in most instances the only address given is a post office box number, and it is extremely difficult to trace the offender. It seems from the question of the honourable member that in this case the name and address of the sender was disclosed and, if that is so, it distinguishes it from the cases that have come to my knowledge. It is a matter that can be dealt with only by the Postmaster-General for a breach of the Post and Telegraph Act, because the offence is committed in the State in which the sender resides, and in this case he does not reside within the jurisdiction of South Australia. A joint approach has been made to the P.M.G., but in this case, as we have the name and address of the sender, I will ask the P.M.G. to investigate the matter.

#### ADVERTISING

Mr. EVANS: Has the Premier a reply to my recent question about a firm from another State advertising watches in this State? About 15 people have communicated with me, either by telephone or by letter, since I asked my original question, and they have told me that they sent away money and expected to receive a watch. I believe that some Government members have had people contact them saying that they believe they may have been taken for a ride by this firm, so it is important that the Government investigate this matter immediately. Can the Premier say whether action has been taken to find out what legality this firm operates under, and whether it has any watches or is only collecting money?

The Hon. D. A. DUNSTAN: I regret that I do not have a reply for the honourable member yet. The information was forwarded to the Attorney-General who sent it to the Police Department to be investigated. We have not yet received a reply, but when it comes to hand I will tell the honourable member.

Dr. TONKIN: Will the Attorney-General obtain from the Minister of Health a report on advertisements appearing recently in the *Sunday Mail* offering better eyesight without the use of spectacles and, indeed, intimating that spectacles may be thrown away? I am sure that advertisements inserted by certain organizations or individuals, offering a course of exercises to improve vision without the use of spectacles, are most attractive to many people, including members of this House, but such advertisements are usually poorly based on scientific fact. The current advertisement in question carries an address, I think in Johannesburg, South Africa, and invites residents of

this State to send inquiries, and I have no doubt that the people concerned will be asked to send money in return for details of a course of exercises, this usually being the pattern. While it is possible for some people to do without spectacles when they perhaps do not really depend on them, the whole system is of doubtful help to most people.

The Hon. L. J. KING: I shall have pleasure in asking my colleague to investigate the authenticity and validity of the claims made in the advertisement and, if there is anything in them, it may be suggested to the member for Bragg that a trip to Johannesburg may improve his professional techniques.

#### PROFESSIONAL SALARIES

Dr. EASTICK: Can the Premier say whether the Government has made a positive review of salaries of professional officers employed in the various Government departments? Earlier, when asking a question of the Minister of Works, representing the Minister of Agriculture, I highlighted the difficulties occurring in one area of the Agriculture Department, wherein salaries for professional officers with senior research standing were below the salaries of ordinary officers in other States. Subsequently, in discussing this matter with members of other professions I have found that there has been a considerable drain of professional staff from Government departments in this State, particularly in the fields of engineering, architecture, medicine, and law. I realize that the Public Service Board is involved, but it is imperative for the future of this State, and for the services that are expected to be provided for its people, that this matter be resolved as soon as possible.

The Hon. D. A. DUNSTAN: Some time ago when difficulties were encountered in recruiting officers in certain professional areas, I made several submissions to the Public Service Board on this matter. I have had interim reports from the board, but the matter of recruitment of professional officers and how far the State can go in meeting the general market for professional people in specialized categories is still being negotiated by the Government and the board.

#### MENGLER HILL ROAD

Mr. GOLDSWORTHY: Can the Minister of Roads and Transport say whether progress has been made in sealing the Mengler Hill road from Angaston to Tanunda? A question was asked on this matter last year by the former member for Angas (Hon. B. H.

Teusner), and I believe that some money was to be provided for the work this financial year.

The Hon. G. T. VIRGO: As I have no information on this matter for the honourable member, I will obtain a report and let him know.

### WEEDS

Mr. McANANEY: Will the Minister of Works ask the Minister of Agriculture what plans the Government may have regarding the noxious weeds problem in the Adelaide foothills? There is now a weeds committee actively considering this problem that exists in the Hills which has made approaches to the Minister, although it has not yet received a reply on what is to take place this year in respect of the matter. Already, African daisy is 2ft. or 3ft. high and, as it is reaching the seeding stage, action must be taken. On the other hand, we realize that the Minister in charge of tourism should be advertising the wonderful scenic drive that could be taken by people wishing to see the glorious colours of the salvation jane flowering in the Hills at present. However, the committee to which I have referred is now worried about the effect of weeds in this area if action is not taken soon by the Government to ensure that the provisions of the Act are applied.

The Hon. J. D. CORCORAN: I agree with the honourable member that the salvation jane, or Paterson's curse as it is called in certain places, presents an attractive scene in the Hills at present, as I have witnessed it several times recently. However, appreciating the problems outlined by the honourable member concerning African daisy, I will certainly ask the Minister of Agriculture to look into the matter, bring down a report for the honourable member and, at the same time, reply to the committee that has made representations to the Minister.

### GLENELG TRAM SERVICE

Mr. MATHWIN: Some time ago I asked the Minister of Roads and Transport a question about weekly or monthly passes for passengers on the Glenelg tram, and the Minister said that the matter was being discussed but had not been finalized. Can the Minister now give me any further information on this matter?

The Hon. G. T. VIRGO: I was under the impression that this reply had been supplied to the honourable member but, as he says

it has not, I will examine the matter. The reply has certainly been supplied, if not to the honourable member to other people who have made inquiries. I will obtain the information and bring it down for the honourable member.

### POLITICAL PAMPHLET

Mr. LANGLEY: Has it come to the attention of the Minister of Local Government that shopkeepers and the proprietors of small businesses in areas where they can at present operate outside normal trading hours have been approached by a political Party and asked to provide funds for a pamphlet to be distributed in those areas?

The Hon. G. T. VIRGO: It has come to my notice that this is, in fact, occurring. The information that I have at present is that a political Party called the Liberal and Country League is approaching shopkeepers in the outer metropolitan areas, virtually demanding that they advertise in a paper the L.C.L. intends to produce and to distribute in the area. I am informed that the name of the paper is *Sense*; I am sure that it is spelt this way and not as *Scents*, although it may smell a little. I understand that the advertising rates are far in excess of those of daily newspapers, but the selling tactics of the people peddling this paper are such that funds must be provided to the L.C.L. both for the production of the paper and for the defeat of the Labor Government at the next election in 2½ years' time.

### URANIUM

Mr. GUNN: Can the Premier, as Minister of Development and Mines, inform the House of the nature of the uranium finds north of Ceduna?

The Hon. D. A. DUNSTAN: I am sorry; I certainly cannot do that. I am aware of some uranium finds in South Australia, but north of Ceduna provides a pretty large area, and I am not aware of a uranium find immediately north of Ceduna. However, if the honourable member can give me more details, I shall try to get a report on the matter from the Mines Department.

### EYRE PENINSULA TOURISM

Mr. CARNIE: Can the Premier, as the Minister in charge of tourism, say why no reference to Eyre Peninsula is made in the "main tourist inquiry area" of the proposed new Tourist Bureau building? I point out that reference is made in the second section on page 5 of the Public Works Committee's

report on the Government Tourist Bureau (New Building), as follows:

Main Tourist Inquiry area encompassing—  
Air, rail and road bookings.  
Visitors' information.  
Adelaide accommodation.  
Flinders Ranges and Central Australia.  
River Murray and South-East.  
Kangaroo Island.

As Eyre Peninsula, particularly Port Lincoln, has a large and continually growing tourist business, I ask whether provision could not be made in the project for a section encompassing Eyre Peninsula?

The Hon. D. A. DUNSTAN: I will certainly examine this matter. I am sure that the honourable member will be aware that I was not the Minister concerned at the time that the evidence on this matter was given to the Public Works Committee. In fact, the Public Works Committee's recommendation on the building was not accepted by my Government, anyway. However, if the honourable member has a proposal to provide a specialist tourist information section relating to Eyre Peninsula, I shall certainly take up the matter with the Tourist Bureau.

#### DOMICILIARY CARE

Mr. RODDA: Will the Attorney-General ask the Chief Secretary what progress is being made in regard to setting up domiciliary care units in this State?

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

#### INQUESTS

Mr. VENNING: Has the Attorney-General a reply to the question I asked some time ago about the desirability of inquests into two bad accidents that occurred in the northern part of the State?

The Hon. L. J. KING: The honourable member asked me about two accidents which had occurred and in relation to which the coroner for the district had decided that no inquest should be held. The honourable member drew attention to a letter by, I think, two medical practitioners asking why an inquest had not been held. I have looked at the files in relation to these two accidents. Let me say at the outset that I am sympathetically disposed to the holding of inquests wherever there is an accident involving death and where the holding of the inquest will serve a useful purpose in elucidating the facts or in providing opportunities to people who may have civil rights arising out of the accident,

or in ascertaining the facts in order to enable them to pursue their claims. I looked carefully at the files in these cases to see whether, notwithstanding the coroner's decision, I should exercise my power to direct that an inquest be held. However, I found that in both cases the police had thoroughly investigated the accidents.

All the information obtained by the police was supplied, I think, to interested parties; certainly it was available to any interested parties. The circumstances were such that there were no witnesses of the accidents who could have added anything further at an inquest. It was not a case where there was any witness who had a recollection of events that could have been investigated further on the giving of oral evidence at an inquest. I may add that no request has been made by any interested party to the Attorney-General to direct that an inquest be held. The only requests made have been by these medical practitioners, who, as far as I understand, have no direct interest in the matter. I noted that in the letters from the medical practitioners it was said that the Auburn coroner refused a request by the solicitor acting for the deceased person's relatives, but this does not appear on the file.

Mr. Venning: Did you check right through it?

The Hon. L. J. KING: Yes, but there is no request I can see on the file from any deceased person's relatives. In these circumstances, I do not believe I ought to exercise my power to direct an inquest, which would necessarily involve expense and would be distressing, I think, to relatives, particularly in one case of a young girl who would have to be called as a witness but who, on the facts on the file, was badly injured and has no recollection of the events immediately prior to the accident; so she would be put in the position of suffering some distress without her serving a useful purpose.

Having said that, I believe on the present state of the information I have that I ought not to direct that an inquest be held in either case. However, if it is true that solicitors representing the deceased relatives, or anyone else having a proper interest in the matter, desire an inquest to be held and approach me for that purpose, I will certainly reconsider the matter in the light of that request. I believe that it would be quite wrong to direct an inquest, where I can see no useful purpose to be served, simply because the two doctors

believe that it would serve some purpose. However, if people who have a direct interest in the matter (people who may be interested in possible claims arising out of it) believe that they are in some way prejudiced by there being no inquest, I will certainly look at the whole matter again in the light of such a request. If the honourable member is in communication with any such persons, I invite him to inquire of them whether their legal advisers desire that course.

I refer to one further matter. I notice that, in their letter, the doctors say that they had obtained information from the police that in each accident one of the drivers was found to have a blood alcohol level of more than twice the statutory permissible limit. On the facts in the file that is not accurate, because it was only in the case of one accident that blood samples were taken and analyses made; in the other accident no such samples were taken. I refer to that only to avoid any possible unpleasantness that might be experienced by people who felt that it had been said publicly that there was some suggestion of alcohol in the case of the other accident.

#### HIGHBURY SCHOOL

Mrs. BYRNE: In the absence of the Minister of Education, will the Premier ascertain when the new school that is being constructed at Highbury will be completed and ready for occupation?

The Hon. D. A. DUNSTAN: Yes.

#### MURRAY BRIDGE MAIN

Mr. WARDLE: Can the Minister of Works say when it is expected that work on the new 6in. main to Murray Bridge East will commence and how long that work will take? Because of the extended nature of mains on the east side of the Murray Bridge township, it is now impossible for the 5in. main, which was laid many years ago across the downstream footpath of the road traffic bridge across the Murray River, to meet the requirements of the eastern district development. Some months ago the department agreed to install a 6in. main across the upstream footpath of the bridge in order to supplement the supply of water to the east side of the river.

The Hon. J. D. CORCORAN: I shall be happy to obtain details for the honourable member. Offhand I do not know when the work is likely to commence or how long it will take, but I should be able to get a report by Tuesday next.

#### CRIMINAL LAW REVISION

Mr. MILLHOUSE: My question concerns the announcement that has been made on several occasions by the Attorney-General and others of the appointment of a committee to revise the criminal law. Can the Attorney say whether the committee has been appointed and, if it has, who are its members? If it has not been appointed, can he say when it is likely to be appointed? I remind the Attorney that, on August 20, over two months ago, when I raised this matter with him, in his reply he gave no information at all except to say that he hoped to make an announcement within the next month. Although that was more than two months ago, as far as I know no announcement has been made.

The Hon. L. J. KING: Some difficulty regarding the availability and commitments of a person whom the Government regards as a most desirable member of the committee has delayed the announcement as to the composition of the committee. Although I cannot at present say when that difficulty will be resolved, an announcement will be made at the earliest possible moment.

#### MINING LEASES

Dr. EASTICK: Can the Premier, as Minister of Development and Mines, say what are the minimum requirements regarding the working of mining leases held in South Australia and reporting on the leases? People in the areas surrounding Kapunda and Freeling where leases are held at present consider that insufficient work relative to mining is being done on these leases in terms of the requirements of the Act or the regulations. I should like the Premier to say whether there is any policy about the way work must be done and the way reporting is to be done.

The Hon. D. A. DUNSTAN: The provisions regarding special mining leases require submissions to be made before the leases are granted as to work that will be carried out and the reports that will be made. These requirements are made of applicants for special mining leases and are incorporated in the leases. Of course, the requirements vary from place to place. In some cases, submissions have been made for special mining leases for the purpose of making aerial surveys. In other cases the leases cover ground drilling and testing. The requirements depend on the nature of the work submitted to the department, and the work varies widely, according to the type of lease and investigations sought. In relation to the Kapunda and Freeling areas,



special mining leases are extant and I will obtain for the honourable member details of the requirements contained in them.

#### VETERINARY SERVICES

Mr. GUNN: Will the Minister of Works discuss with the Minister of Agriculture the possible appointment of a veterinary officer on Upper Eyre Peninsula to provide a service that does not exist at present? Only one veterinary officer serves these areas and he is in private practice at Port Lincoln. The stockowners in the areas to which I have referred have no service whatever.

The Hon. J. D. CORCORAN: I shall be pleased to take that matter up with my colleague and see whether we cannot provide a service which, as the honourable member says, does not exist. In the meantime, the honourable member may be able to get his colleague the member for Light to help out.

#### ABATTOIRS

Mr. VENNING: Will the Minister of Works, representing the Minister of Agriculture, say when it is expected that the killing floor at the abattoirs for the export of pig meat will be completed? For some time pig producers have been waiting anxiously for this killing floor to be completed so that they can kill in a large way for the export of pig meat.

The Hon. J. D. CORCORAN: I do not know, but I will find out and inform the honourable member accordingly.

#### JUVENILE CRIME PREVENTION

Mr. MILLHOUSE: My question, to the Minister of Social Welfare, concerns the juvenile crime prevention scheme.

The Hon. J. D. CORCORAN: What is the question?

Mr. MILLHOUSE: When will the Government be able to take action on this matter? This matter flows from a report of the Social Welfare Advisory Council that I requested last December, when I was Minister of Social Welfare. The report was received just before the last State election and was endorsed by the present Minister and by me on behalf of the previous Government. I asked the Minister about the matter on July 15, when he said that Cabinet had approved of the preparation of legislation to give effect to the substance of the report, and he also said that he hoped the matter could be dealt with at a relatively early stage of the session. It is now more than three months since he gave me that reply and expressed that hope. The session is now,

I assume, at what could not, by any stretch of the imagination, be termed a relatively early stage.

The Hon. L. J. KING: Studies are at present in progress with a view to preparing instructions in suitable form for the Parliamentary Draftsman for the drafting of the necessary legislation. Unfortunately, this legislation must compete with many other measures that are part of the Government's extensive legislative programme for both the time of the Parliamentary Draftsman and the time of Parliament, but subject to those considerations the legislation will be introduced at the earliest possible time.

Mr. Millhouse: What's caused the change?

The Hon. L. J. KING: There has been no change. When I previously replied to the honourable member, I said that the legislation would be introduced at a relatively early stage, and I still intend to introduce it at a relatively early stage, but the word "relatively" applies to the relationship that this legislation bears to the other legislation which the House must consider and which also has qualities that make necessary its consideration at an early stage. The emphasis is on the word "relatively". The legislation will be introduced as soon as it is humanly possible to have it prepared and introduced and to have Parliamentary time made available to consider it.

#### LAKE ALEXANDRINA

Mr. McANANEY: Has the Minister of Works a reply to the question I asked about reported danger to shacks at Milang, the leading watering place in South Australia?

The Hon. J. D. CORCORAN: The expected maximum flow in the Murray River in South Australia is 30,000 cusecs and the peak will probably enter the lakes during the third week in November. This magnitude of flow can be regulated by the barrage system at the Murray River mouth to maintain normal pool level in the lakes and the lower reach of the river at Goolwa. Apart from the normal movement of water due to winds there should be no significant change in the level of Lake Alexandrina during the period from now until Christmas time.

#### TRANSPORTATION STUDY

Mr. HALL: Will the Minister of Roads and Transport say whether he is aware that many weeks have passed since Dr. Breuning left South Australia and, if he is aware of that, will he tell the House when Dr. Breuning's report will be made available to members?

The Hon. G. T. VIRGO: I am aware, as is everyone else in South Australia, that it is several weeks since Dr. Breuning left South Australia. I have not yet received his report but, if honourable members opposite can develop that virtue called patience, I am sure I shall in due course be able to present to the House the report and the Government's recommendations.

Mr. HALL: Will the Minister say whether any money has been paid to Dr. Breuning for the work he has done in South Australia and, if it has not, when he will be paid?

The Hon. G. T. VIRGO: A question similar to this was asked of the Minister of Lands in another place last week, and if the honourable member cares to check *Hansard* he will see the full reply containing the amounts concerned.

#### WOMBATS

Mr. GUNN: Has the Minister of Works a reply to the question I asked some time ago regarding wombats?

The Hon. J. D. CORCORAN: I did have a reply for the honourable member, and I have on four separate occasions informed him accordingly. However, after carrying the reply about for two weeks and informing the honourable member about it on so many occasions, I gave up in disgust. Members of my staff were also tired of typing out notices to the honourable member. I therefore decided to leave the reply in my office, as it appeared that the honourable member was no longer interested in wombats. I know he was prompted to ask this question because his predecessor was most active in relation to this matter. As the honourable member knows, the wombat is our State emblem and is a protected animal. I know the member's colleague the member for Hanson would be disgusted if he thought the honourable member was out to persecute the poor, harmless old wombat. I should point out that the Bank of Adelaide has a replica of the wombat as its money box, one of which my young son proudly possesses. If the honourable member thinks that some of these poor, inoffensive and harmless animals should be destroyed, he or his constituents can apply to the Agriculture Department for permission to destroy them.

#### X-RAY UNIT

Mr. ALLEN: Can the Attorney-General, representing the Minister of Health, say when the chest x-ray unit will visit the Cockburn district? The unit has never visited this area in the past because no power supplies were

available. I understand, however, that power has been connected to this district for over two years now and its residents would appreciate a visit by the unit.

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

#### COMPENSATION

Mr. EVANS: Will the Minister of Roads and Transport speed up the payment of compensation to the Burton family of 35 Winns Road, Coromandel Valley, the property adjoining number 33 Winns Road? I thank the Minister for the reply he gave me previously regarding the neighbouring property to which I have just referred. An article regarding the Burton family appeared in the *Advertiser* of Saturday, September 19, part of which stated that they had recently built a garage costing \$3,000 which they could not use because of the department's activities in the area, that they had spent about \$25,000 on the property, and that a valuer who had valued the property had fixed the compensation payable to them at over \$7,000. Today I received a letter from this family, pointing out other facts about which the Minister should be informed to enable him to reply to my question. The Burton family is making final arrangements with the Canadian Immigration Department and a shipping company to go to Canada, and, after asking whether settlement could be made by December 7, they were told by an officer of the Land Board who visited them that this was not possible.

The letter states that negotiations have been proceeding for three years but that the matter has still not been settled. I am not blaming the present Government for this; the problem has apparently been caused by departmental inactivity. Having been told that they cannot obtain compensation by December 7, and wanting to leave the State, this family has been placed in an embarrassing situation. I will not go through all the matters outlined in the letter because it is so long. However, it appears that about 80 conversations have taken place with representatives of the Highways Department, either by telephone, in person or through the solicitors, and a solicitor has visited the department twice on behalf of the family. In this respect the letter states:

Our lawyer has twice visited the Highways Department. We cannot afford to retain him as we have had no compensation. We were assured that his fees would be paid—

I take it from that that the solicitor's fees have not been paid—

We have had no peace for three years and, frankly, I am now getting frantic. Could you please help me?

Will the Minister therefore inquire into this matter?

The Hon. G. T. VIRGO: If the honourable member gives me the full details of the matter (I imagine some of the facts associated with it were not read and therefore would not appear in *Hansard*), I will certainly have it investigated. This information is needed because all too often it is found that allegations that are made are not always accurate. As the honourable member would appreciate, this applies particularly to the person living next door in relation to whom, in all good faith, the honourable member made certain statements which he believed to be correct but which on investigation were found to be incorrect. I shall be only too delighted to consider this question. I am unable to justify some factors in the question: for instance, I cannot understand why the Land Board would have been there anyhow. I can understand valuers from the Highways Department being there, but certainly the Land Board would have no authority to say that compensation could or could not be effected by any specific date. If the honourable member will give me full details I will certainly look into the matter.

#### SCHOOL ATTENDANCES

Dr. TONKIN: Can the Premier, representing the Minister of Education, who is absent today, say what action is being taken by the department to estimate the total number of children it is expected will attend schools in this State in future years and for how many years ahead predictions are made? Will he make the figures available to members?

The Hon. D. A. DUNSTAN: I will obtain a report for the honourable member.

#### NOTICE PAPER

Mr. MILLHOUSE: I should like to ask a question of you, Mr. Speaker, and with your permission and the concurrence of the House I will briefly explain it. It concerns putting a copy of the Notice Paper outside this building, in the hope that it will stimulate interest in the proceedings of this House.

The Hon. G. R. Broomhill: What is the question?

Mr. MILLHOUSE: I wrote you a letter about it on August 28, and reminded you of it by question last week, and you said then you would expedite the matter. Since then you have been kind enough to send me a

letter dated October 19, in which you state that the proposal is being discussed by the Clerk with officers of the Public Buildings Department. Can you say whether that means you have approved of the idea of placing what I would presume would be a notice board outside this building so that a copy of the Notice Paper could be affixed to it?

The SPEAKER: The honourable member will appreciate that many matters concerning Parliament House require attention, and these are being discussed with officers of the Public Buildings Department in order to consider their practicability. I am not averse to the honourable member's suggestion, but I do not want the honourable member to assume that the board will be erected within a couple of weeks. Many things have to be done, and that matter will be considered in conjunction with other matters, which will be dealt with in order of priority.

#### GAUGE STANDARDIZATION

Mr. VENNING: Has the Minister of Roads and Transport communicated with the Commonwealth Minister for Shipping and Transport (Mr. Sinclair) concerning the standardization of railway gauges in this State? If he has not, why has he not followed up this inquiry in the interests of South Australia? Yesterday, the Deputy Premier said not much could be done by this Government to assist the primary producers of this State to solve their problems. However, if the next stage of gauge standardization were proceeded with, work could be made available to assist those in trouble on their farms.

The Hon. G. T. VIRGO: The answer to the first part of the question is "Yes", and obviously the second question then receives the silent contempt it deserves. When the Premier was in Canberra, I think two weeks ago, attending the Premiers' Conference, he took the opportunity of the situation and atmosphere then prevailing to discuss with the Prime Minister the position in South Australia. If the honourable member is interested enough to ask the Premier for details of this discussion, I think the Premier will be pleased to provide them. Sufficient to say that the Prime Minister indicated that he was far from unimpressed with the case that South Australia was pressing, and the end result of the discussion was a request to the Premier that I should consult with the Commonwealth Minister for Shipping and Transport so that this question could be resolved as soon as possible. Immediately I received this information from the Premier

I wrote to the Minister, and followed it up by making a telephone call to his secretary urging the Minister to nominate a date, time and place, and assuring him that almost without exception I would cancel any standing arrangement and immediately go to Canberra to discuss this matter, as I considered it of the utmost importance. I have received no reply from Mr. Sinclair.

#### DARTMOUTH DAM

Mr. RODDA: Can the Minister of Works say when the meeting in relation to the Dartmouth dam will be held, who will attend it, and what will be the portent of the discussions? When I visited the Eastern States recently, several members of the Parliaments, as private members, expressed concern to me that, although the other three Parliaments had ratified the legislation, time was dragging on, and there was an extra entitlement of water to South Australia of 37½ per cent. In their opinion we had been treated far too generously, and they said that, if nothing further was done, they would take action to see that this generous offer was removed.

The Hon. J. D. CORCORAN: The meeting will be held at 10 a.m. tomorrow in the Commonwealth buildings in Sydney. It will be attended by the Minister for National Development (Mr. Swartz), the Minister for Conservation of New South Wales (Mr. Beale), the Minister of Water Supply in Victoria (Mr. Smith), and me. Concerning the portent of the discussions, I think that is best left to the meeting, but I am quietly confident.

Mr. Millhouse: Haven't you worked out details yet?

The Hon. J. D. CORCORAN: No, I have not! I am not concerned about that until I get there! The honourable member would appreciate that we do not have to think about these things: we just go over on a plane and have a talk! Naturally, the case for South Australia has been prepared for some time, and the honourable member will find out more about that when I return from Sydney tomorrow and after I have reported to the Government next Monday on the outcome of the conference, which I hope will be satisfactory for this State. The member for Victoria said that some of his colleagues from other State Parliaments had expressed—

Mr. Rodda: Some of them were yours.

The Hon. J. D. CORCORAN: Apparently, some members from other States, who were pandering to the honourable member, had

expressed concern that if we did not get the thing off the ground, and as we had been treated far too generously, they would take action. First, if they were members of my Party, I ask the honourable member how they would take these steps to see that the matter did not proceed or how the 37½ per cent increase in water allocation would be taken away by them. Honourable members will appreciate the events that led to this meeting. It was first requested by the Premier of this State that the meeting be held at the level of the Prime Minister and the Premiers of New South Wales, Victoria and South Australia but, because of either a misunderstanding or mismanagement by the Prime Minister, this matter did not get off the ground. It was subsequently decided, particularly by Sir Henry Bolte, that the meeting should be first held at a Ministerial level. This was firmly arranged, and the meeting will be held tomorrow. The honourable member need not worry: I shall be putting the case for South Australia as effectively as I can, and I can tell the member for Mitcham that I know a little about the matter. I have the facts to place before the Ministers, who will be waiting in Sydney to receive them.

#### COROMANDEL VALLEY ROAD

Mr. EVANS: Will the Minister of Roads and Transport ascertain whether the Highways Department intends to provide footpaths on the two narrow bridges on the Coromandel Valley main road? I refer to the bridges that are one-eighth and one-quarter of a mile, respectively, north of the Coromandel Valley Primary School. These two bridges are on a narrow road, and there is really only sufficient room for two vehicles on the carriageway, there being no footpath for the schoolchildren who use the bridges when walking to and from the school. As it is a rapidly developing area, as I think the Minister will realize, most of the families moving into it are young people with young children, who are nearly all in the primary school age group or younger. As a serious safety factor is involved in respect of these narrow bridges, will the Minister ascertain when the Highways Department will be either providing footpaths or widening the carriageway so that there is room for a footpath?

The Hon. G. T. VIRGO: I will seek information on this matter and bring it down to the House.

## MEMBERS' LOUD SPEAKERS

Mr. RODDA: Some weeks ago I asked a question of the Minister of Works about installing loud speakers in House of Assembly members' rooms, although I believe that this question should properly have been addressed to you, Mr. Speaker. Will you say, Sir, whether a decision has been made on this matter? I point out that it would be most convenient if members, when working in their rooms, could keep in contact with the debates taking place in the House.

The SPEAKER: I understand that the honourable member has discussed this matter with the Minister of Works.

Mr. Rodda: I asked him a question.

The SPEAKER: The matter is being examined. As I replied earlier to the member for Mitcham, I do not wish to go into detail at this stage about the many matters relating to the House that are being considered at present, this matter being only one of them. However, I assure the honourable member that we are dealing with the matters in question, but he will realize that everything cannot be done at once.

## EGG CARTONS

Mr. EVANS: Will the Minister of Works ask the Minister of Agriculture whether the procedure decided on by the Egg Board of removing discrepancies in respect of egg cartons is working successfully and whether any of the producer members have a discrepancy in the number of cartons in stock or cartons that are being used? Only July 28, at page 331 of *Hansard*, I asked the Minister about a discrepancy in the number of egg cartons being used and held by the producers. On August 11, at page 602 of *Hansard*, the Minister replying on behalf of the Minister of Agriculture, said that there was a discrepancy, and added:

... over a period of 27 months indications were that approximately 352,000 cartons were involved. This represents a little more than 5 per cent of all cartons purchased over that period.

I said at the time that some producers were concerned about the discrepancy and that perhaps some people were making use of the cartons and selling eggs outside the scope of the board, thereby avoiding the levy being paid by the honest producers. I point out to the Minister that some producers are concerned about the way in which the board is operating, especially in regard to the method of checking on cartons. Will he ask the Minister of Agriculture to have these matters investigated?

The Hon. J. D. CORCORAN: Yes.

## GEPPS CROSS RAILWAY CROSSING

Mr. GUNN: Will the Minister of Roads and Transport have his department take steps to upgrade the Gepps Cross railway crossing, which is narrow and entirely inadequate in respect of the volume of traffic using it?

The Hon. G. T. VIRGO: I do not know whether the crossing is inadequate to carry the volume of traffic; it does carry it. However, I acknowledge the problem referred to. I have had recent discussions on this matter, and the hold-up is caused not by the Highways Department but by the South Australian Railways. If the honourable member cares to take note the next time he uses the crossing, he will see that on both sides of the crossing there is electrical equipment: on the eastern side there is train control telephone equipment and switch gear, and on the western side there is signalling and associated equipment. All of this equipment must be shifted to new locations before the Highways Department can proceed.

Because of the pressure of work in the Railways Department, particularly in providing level crossing protection devices, the staff has been so engaged in this field of activity that it has not been possible for it to devote the time necessary to altering the signalling equipment at Cavan. However, I am aware of the problem that exists, it is my desire to have the crossing improved and made a two-lane crossing as soon as possible, and we will be proceeding with this work. But I must also point out that, even with the widening of the crossing, traffic congestion will not be eliminated: congestion will merely be transferred from one point to another, because, until the bridge over the railway line at Dry Creek is widened, the bottleneck will be merely transferred from near the Cavan hotel to the southern side of the bridge at Dry Creek.

## MANNUM FERRY

Mr. WARDLE: Can the Minister of Roads and Transport say when the last traffic count was taken at the Mannum ferry crossing? Also, will he ascertain whether a traffic count has been taken at this crossing on a holiday weekend and whether the department has any forward planning to relieve the build-up of traffic that occurs here? I have received a letter from the District Council of Mannum, which points out that, although two ferries operate at this point at present, on October 12 a line of cars half a mile long built up at this crossing while the two ferries were in working order, and also, on October 11, there was a one-hour delay at this point.

The Hon. G. T. VIRGO: I will obtain the information for the honourable member.

## EMPIRE TIMES

Mr. MILLHOUSE: My question concerns the matter of the Flinders University publication *Empire Times*.

The Hon. J. D. Corcoran: What's the question?

Mr. MILLHOUSE: Can the Attorney-General say whether he has yet been able to consider the copy of the *Empire Times* that I gave him, and whether he intends to take any action on it? Some time ago I was in touch with his Secretary and, subsequently, on October 13, when I asked the Attorney whether he had come to a conclusion, he said that he had not done so, but that if I gave him a copy of the *Empire Times* he would do so, and I gave him a copy.

The Hon. L. J. KING: On receiving a copy of the *Empire Times* from the honourable member, I caused it to be sent to the Police Department with a request for a report on its distribution, and I am awaiting that report.

## COROMANDEL VALLEY SCHOOL

Mr. EVANS: In the absence of the Minister of Education, will the Premier ascertain whether it is intended to continue to upgrade the present Coromandel Valley Primary School or whether it is intended in future to build a new school at a site which I believe has been purchased and which is one and a half miles south of the present school? Recently the Minister of Education said that the Cherry Gardens and Ironbank Primary Schools would be closed and that, in the case of the Cherry Gardens Primary School, the children would be taken to the Coromandel Valley Primary School. Parents of children attending the Coromandel Valley Primary School have told me (and I have inspected this) that many of the facilities at this school are in a bad way. In particular, one galvanized iron toilet block, which is open to the weather, is in a poor state of repair. Also, parents tell me that the school is at present practically full. When the Minister said that the two schools would be closed, he said that classrooms would be placed at the Coromandel Valley school, but this will not get over the problem of poor toilet, recreation room and playing field facilities, although the school has a new oval that is in good condition.

The Hon. D. A. DUNSTAN: I will get a reply for the honourable member.

## FILM CLASSIFICATION

Mr. MILLHOUSE: My question of the Attorney-General concerns the classification of cinematograph films.

The Hon. G. R. Broomhill: What's the question?

Mr. MILLHOUSE: My question, for the benefit of the Minister of Labour and Industry—

The Hon. J. D. Corcoran: For the benefit of the House and the Speaker, too.

Mr. MILLHOUSE: My question is whether the Attorney-General intends any changes in the present system of classification of these films. A few days ago, a report appeared in the newspaper of discussions (I do not think this was the Standing Committee of Attorneys-General; I think it was a separate conference) in which the Attorney-General and the Commonwealth Minister (Mr. Chipp) participated to the effect that there was a proposal for, if not substantial agreement on, the introduction of another system of classification, the R classification. I therefore ask the Attorney-General whether it is intended to change from the present system to the other system and, if it is, whether the views of those concerned in the industry, and in the distribution of films particularly, will be sought.

The Hon. L. J. KING: The suggested change in classification has been under consideration for some time, ever since the present Government came into office; indeed, it has been under consideration at Commonwealth level for at least that time and, I think, longer. I have consulted the film exhibitors association and received a deputation from that association. I have also had the benefit of the views of individual film exhibitors in this State as well as having the benefit of views that have been supplied to the Ministers in other States and to the Commonwealth Minister. I have had the benefit, too, of representations made by various individuals and organizations in the State on this topic, and all these submissions have been carefully considered. At the meeting to which the honourable member has referred (it was a meeting of the Commonwealth and State Ministers responsible for film matters), all the Ministers agreed to recommend to their respective Cabinets the adoption of the new system, and the South Australian Government has decided to introduce legislation to institute the new system. Broadly speaking, the system will be that there will be an advisory classification of "Not suitable for children" that will be purely advisory; but there will be a further restricted

classification, and in that case it will be an offence for the exhibitors to admit to the theatre a person aged over six years and under 18 years. The classification will be made by the Commonwealth Government but the offence will be created by State law and enforced by the State Government. At present I am communicating with the Commonwealth Minister as to the precise machinery that he intends to set up for the implementation of the new system, but I expect that the legislation will be introduced next year, with the object of the system coming into force somewhere in the middle of next year, although this will depend on the setting up of the appropriate machinery by the Commonwealth Government. There is no problem for the State: it is the Commonwealth that has to set up and operate the machinery of classification.

I may say that there are those amongst the film exhibitors (particularly their association) who have claimed that the creation of a legally enforceable restricted classification will impose on them an undue burden in view of the difficulty of detecting the ages of persons entering theatres, particularly drive-in theatres, and I am not unappreciative of the difficulties they will face: I think they are obvious. There will be problems for them but I think, and it is the Government's view, that the public interest in a matter of this kind must prevail. It is of paramount importance to ensure that, where films are exhibited that deal with adult themes in an adult way, they should not be exhibited to the immature, who might conceivably take harm from them. In these circumstances, I believe that this is a burden that has to be assumed by the film industry in much the same way, I suppose, as publicans or persons engaged in the sale of liquor have to assume responsibilities that are often difficult to discharge. One feels sympathy for people who have this responsibility, but it is a necessary incidence in the nature of the business in which these people engage. I assure the member for Mitcham not only that have the interests been consulted but that the fullest weight has been given to their views and their difficulties. However, the decision has been made that the public interest requires a legally enforceable restricted classification and for that reason the classification will be introduced.

#### HIGHWAY LANES

Mr. RODDA: Will the Minister of Roads and Transport consider having an additional lane constructed on highways, particularly in

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the Adelaide Hills but also on grades that slow down heavily-laden freighters? From what we have heard in the House recently, the Minister knows the position regarding traffic congestion. In the Eastern States an additional lane is brought into operation on the far left-hand side of main highways in hilly areas, thereby allowing the heavily-laden truck or semi-trailer to pull into that lane and allow the flow of traffic to increase. In the Adelaide Hills, frequently two or more heavily-laden semi-trailers travel in line with half a mile of motor cars behind them, and people take risks of driving into oncoming traffic when they try to make headway. I know that my suggestion involves a big job, but I would appreciate the Minister and his department considering the provision of a lane on the extreme left-hand side of the road for heavily-laden vehicles.

The Hon. G. T. VIRGO: I assume that the honourable member is referring particularly to the Mount Barker Road and, as he nods assent, I can tell him that the Highways Department's plans are to extend the present South-Eastern Freeway through the Hills area, and ultimately we will have a dual highway to Murray Bridge, so the additional lane for the heavily-laden vehicles will be unnecessary. I think the honourable member appreciates that, with the work on the freeway as it is, it would not be a brilliant idea to start spending money widening the existing road when we are providing a completely new road. However, in one or two other parts of South Australia the Highways Department has provided this additional lane. Nevertheless, South Australia, unlike Victoria and New South Wales and, in fact, Queensland (where these lanes are commonplace), has not many locations where they are suitable, because these lanes are effective only in undulating country and, as the honourable member knows, most of South Australia is flat, there being only one or two places where his suggestion would be practicable. This matter has been considered by the Highways Department previously and I have discussed the matter with the Commissioner. There are still one or two places where it is considered that it would be desirable in due course to have the new lane and, as and when the roads in those areas are reconstructed, provision will be made for it.

#### MISCELLANEOUS LEASES

Dr. EASTICK: Will the Minister of Works ask the Minister of Lands whether any change in the method of management of miscellaneous

leases is imminent? The Minister will recall that an occupant of Katarapko Island recently lost the lease of this land after having held it for about 36 years. In seeking alternative areas of land, he faces the possibility that, if he takes up a miscellaneous lease, after a period of time (whether it be two years, seven years or 30 years) he may again be denied the use of land he has developed. A brief inquiry of the Lands Department suggests that the further policy regarding miscellaneous leases is being discussed and I should like to know whether we can have a report on those discussions.

The Hon. J. D. CORCORAN: I will obtain the information from my colleague. I point out to the honourable member that, when I was Minister of Lands, I questioned the use of a miscellaneous lease. As the honourable member knows, the period of time for which a miscellaneous lease can be issued varies according to circumstances, but the security of tenure over any such lease is only six months, because the lessee can be notified that the lease will be terminated, and this notice can be as little as six months. Any person who takes a miscellaneous lease would be fully aware of this condition but it seems that, with the effluxion of time, some leaseholders think it should not be enforced. The same position applies to annual licences, for which the security of tenure is, in fact, only one month and the Government can not only give a lessee notice that the lease is to expire but it can ask the lessee to remove, at his expense, any structure erected on that annual licence. The other type of lease is the perpetual lease, which, as the name implies, goes on in perpetuity. I will obtain a report for the honourable member, but sometimes I feel that some people who hold miscellaneous leases ignore what must have been apparent when they took the lease and who then claim that, because they have spent money on development, they should have the lease converted automatically to a perpetual lease when to so convert is not always reasonable.

#### COUNCIL ACCOUNTS

Mr. WARDLE: My question, to the Minister of Local Government, concerns the publishing by councils of their final accounts. My informant has told me that the Government intends to amend the Act to make it unnecessary for local government—

The Hon. G. T. Virgo: What is the question you are asking me?

Mr. WARDLE: This is the question.

The Hon. G. T. Virgo: What is the question?

Mr. Millhouse: Let him get the words out of his mouth.

The ACTING DEPUTY SPEAKER (Mr. Ryan): Order! The honourable member for Murray.

Mr. WARDLE: Will the Minister say whether the Government intends to amend the Act so that in future councils will not be required to print or publish their final statements of receipts and payments and, if the Government intends this, will the Minister explain the Government's thinking on the matter?

The Hon. G. T. VIRGO: This matter is dealt with in the report of the Local Government Act Revision Committee, to which I think the honourable member is referring. The Government has not yet considered this report in detail. When I released the report I stated that it was being circulated to all councils and that they would have an opportunity to consider it over a period of six months, after which they could indicate their attitude to its many varying aspects. At the expiration of that period we will consider the position and the Government will then determine policy on introducing a Bill for a new Local Government Act

#### SCHOOL CLOSURE

Mr. VENNING: My question, which is directed to the Premier in the absence of the Minister of Education, refers to the unsatisfactory method of notifying school committees of the closure of schools. The Minister recently announced in the press that certain schools throughout the State would be closed, which is fair enough. Unfortunately, however, many of the school committees concerned were not informed personally of this decision and did not know about it until they read of it in the press. Although nothing can be done about this now, I should appreciate it if the Minister would in future try to notify school committees beforehand of his intentions in this respect.

The Hon. D. A. DUNSTAN: I will refer the question to my colleague.

#### SICK AGED

Mr. MILLHOUSE: Last Thursday I asked the Premier, in the absence of the Attorney-General, whether the Chief Secretary had read or heard the address by Rev. Erwin Vogt on the sick aged. In reply the Premier said he would take up the matter with his colleague. The Attorney has not notified me



that he has a reply to my question, but I notice in the press that the Chief Secretary has made comments all this week on the topics raised in that address and, therefore, in my question. I therefore ask the Attorney-General whether he has a reply to my question today. On the assumption that he has not a reply (because I am sure he would have notified me if he had), I ask him whether, in view of the statements made by the Chief Secretary, he will make a special effort to give me a full reply on Tuesday.

The Hon. L. J. KING: I will bring this matter to my colleague's attention, and he will undoubtedly bring down a reply as soon as he can.

#### VICTOR HARBOR SEWERAGE SCHEME

The SPEAKER laid on the table the report by the Parliamentary Standing Committee on Public Works, together with minutes of evidence, on Victor Harbor Sewerage Scheme.

Ordered that report be printed.

#### BRANCH FROM SANDERGROVE TO MILANG RAILWAY (DISCONTINUANCE) BILL

Returned from the Legislative Council without amendment.

#### ABSENCE OF CHAIRMAN OF COMMITTEES

The Clerk informed the House that, because of illness, the Chairman of Committees (Mr. S. J. Lawn) would be unable to attend the House for some weeks.

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

That the honourable member for Price (Mr. Ryan) be Acting Chairman of Committees of the whole House during the absence of the Chairman of Committees (Mr. S. J. Lawn), and in the absence of the Speaker he take the chair as Deputy Speaker; and that the Acting Chairman of Committees shall, while acting as Deputy Speaker or as Chairman of Committees, perform the duties and exercise the authority of the Speaker or of the Chairman of Committees, as the case may be, in relation to all proceedings of the House or of any Committee. Provided that, if the House shall adjourn for more than 24 hours, the Acting Chairman shall continue to perform the duties and exercise the authority of the Speaker for 24 hours only after such adjournment.

Motion carried.

Mr. LANGLEY (Unley): I move:

That one month's leave of absence be granted to the honourable member for Ade-

laide (Mr. S. J. Lawn) on account of ill health.

I am sure members on both sides are sorry to hear of the illness of the member for Adelaide. I assure them, however, that his condition is improving slightly. I am sure it is the wish of every member that he make a speedy recovery and return to this House as soon as possible.

Motion carried.

#### UNDERGROUND WATERS PRESERVATION ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Underground Waters Preservation Act, 1969. Read a first time.

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

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

Its purpose is to make an urgent amendment to the Underground Waters Preservation Act. As honourable members are aware, water quotas have had to be imposed under this Act in respect of the underground water reserves of the Northern Adelaide Plains. As a result of these restrictions many appeals were lodged. Under section 51 of the principal Act, the institution of an appeal suspends the operation of the direction subject to appeal. The Underground Waters Appeal Board has unfortunately not been able to dispose of the appeals with any real degree of expedition. In fact, appeals are being determined at the rate of about two a week. The effect is twofold. First, the frustration of the quotas by the institution of appeals has resulted in increasing danger to the underground water supply and, secondly, inequity has been caused between those to whom the directives have been given. It is clear that some of these have been able to obtain extensive respite from the quotas by the mere fact of appealing.

The Bill seeks to remedy this situation by providing that the institution of an appeal does not affect a direction subject to appeal. The Bill is to be retrospective, applying to directions given before and after the amending legislation. Its provisions are as follows: Clause 1 is formal. Clause 2 repeals and re-enacts section 51 of the principal Act, which at present provides that the institution of an appeal suspends a decision or direction subject to appeal. The new section reverses this position. New subsection (1) provides that the institution of an appeal shall not suspend or otherwise affect the operation of a decision

or direction subject to appeal. New subsection (2) provides that the new section is to operate in respect of decisions and directions made before or after the commencement of the amending Act.

Mr. FERGUSON secured the adjournment of the debate.

### AGE OF MAJORITY (REDUCTION) BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to reduce the age of majority; to confer upon persons who have attained the age of 18 years the juristic competence and capacity of full age and to confer and impose the attendant rights, privileges, responsibilities and obligations; to make certain consequential amendments to various Acts; and for other purposes. Read a first time.

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

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

The purpose of this Bill, as its long title suggests, is to reduce the age of majority, and to confer upon persons who have attained the age of 18 years the juristic competence and capacity of full age and to confer and impose the attendant rights, privileges, responsibilities and obligations. The proposition that the age of majority should be reduced to 18 years is now supported by an overwhelming body of sociological evidence and informed opinion. Honourable members will remember that in 1968 I introduced a similar Bill into this House. I then referred to the detailed report of the Committee on the Age of Majority appointed by the British Labour Government. The committee made many observations and recommendations that are pertinent to the present Bill, and I would again recommend to honourable members that attention be given to this document in their consideration of the measure.

I should again draw particular attention to some salient points. The first point to which I referred was that the present age of majority was fixed in an entirely arbitrary manner and was unrelated to sociological realities and the rights and obligations appropriate to free and democratic societal organization. The age of majority, in fact, operates as an arbitrary restriction upon the freedom of young people. The law of majority, as Holdsworth points out in his *History of English Law*, "has been constructed from the piecing together of a mass of exceptions to an archaic principle". The age of majority has not even proved a con-

sistent restriction upon juristic freedom. As the Committee on the Age of Majority states:

There is more than one "full age". The young burgess is of full age when he can count money and measure cloth; the young sokeman when he is 15, the tenant by knight's service when he is 21 years old. In past times boys and girls had soon attained full age; life was rude and there was not much to learn. That prolongation of the disabilities and privileges of infancy, which must have taken place sooner or later, has been hastened by the introduction of heavy armour. But here again we have a good instance of the manner in which the law for the gentry becomes English common law. The military tenant is kept in ward until he is 21 years old; the tenant in socage is out of ward six or seven years earlier. Gradually, however, the knightly majority is becoming the majority of the common law. . . . In later days our law drew various lines at various stages in a child's life; Coke (in 1628) tells us of the seven ages of a woman; but the only line of general importance is drawn at the age of one and twenty; and infant—the one technical word that we have as a contrast for the person of full age—stands equally well for the new-born babe and the youth who is in his twenty-first year.

In an article in the *Law Journal* of April 26, 1872, concerning the introduction of the Loans to Infants Bill and shortly before the Infants Relief Act, 1874, it was stated:

But a time comes when the infants of the rich need legal protection. When golden-spooned infants are well advanced in their teens they are prone to horse-flesh, dog-flesh, cigars, sparkling drinks, swell attire, betting and making presents to ladies who are sometimes fair and often fragile. These habits are expensive and the paternal allowance is inadequate. Then comes the money-lender. He lends to the infants of the rich on the promise of payment when they come of age. The money-lender's rate of interest is high.

None of this, however, was any real excuse for the Infants Relief Act, 1874, which was short, sententious and badly drafted; the legal wrangles about what it did and did not mean have been going on ever since. Although the Bill was later amended, its original intention was plainly to stop the rich undergraduate being dunned for his debts simply because "a jury of tradesmen" might conveniently decide that whatever he had consumed, whether duck or silverware, was a "necessary" under the old common law. We received views of every shade of opinion on this and every other subject, but all our witnesses were united in their dislike of this Act, and in their demand for reform.

Grotesque as it may seem that the weight of armour in the eleventh century should govern the age at which a couple can get a mortgage or marry today, the historical background of a subject does not, of course, necessarily tell us anything one way or the other about its present usefulness. The gradual collapse of the primeval forests into coal may be interesting, but has no relevance to the

question of the suitability of coal for today's fireplaces. What the history does show is that there is nothing particularly God-given about the age of 21 as such, and that things do change in the light of changing circumstances. Some written evidence from the Church of England Board for Social Responsibility puts the matter forcefully:

... Historically the concept is one of property rights in and power over children, as much as of a duty to protect them.

We agree with the board's conclusion that:

The time has now come when it is in the interest of society generally as well as the individual young people concerned to eradicate from our legal system any residual traces there may be of a legal age of majority imposed for the sole purpose of furthering the interest or serving the convenience of any persons or bodies of persons other than the child himself. The law should now be examined and where necessary amended to ensure that:

(1) no child or young person is in any way restricted in his or her capacity or independence as a citizen solely for the benefit of any other person or persons;

and

(2) young persons should be protected, by legal incapacity to act independently, from having attributed to them legal responsibility likely to be unduly burdensome to a person of that age.

This is strongly supported by the weight of the evidence and does, in our opinion, accurately state what should be the law's objectives. The importance of looking closely at the historical picture seems to us to be this. Even this very brief survey does suggest that there may be doubt as to how accurately the ages of 21, 15, or 25 ever really reflected the needs and maturity of young people. And if this is the case, it puts into a new perspective all the arguments about whether the young have radically changed since the existing law was formed. We shall be examining at some length the question whether the young mature earlier than they used to do, and coming up with the not very startling conclusion that some do and some do not. But our case for reconsidering the age of majority does not rest only on this. If the law has never matched the needs of the young very exactly, we do not feel that we need necessarily prove that the young have changed before we recommend a change in the law.

The point is not whether the law fits young people better or worse than it once did, but whether it fits them as well as it should. Much more important than comparing today with yesterday is the straightforward task of observing the young as they actually are now. There is at the moment an unfortunate tendency in some quarters to denigrate young people. This results in social divisiveness and frustrates, or even perverts into anti-social hostility, the idealism by which many of our youth are

motivated. In this connection I should like to repeat the remarks made by the United Kingdom committee:

It is easy for those not closely in touch with young people to get an entirely wrong idea of what they are like. The very word "teenager" conjures up horror images of pop fans screaming at airports, gangs roaming the streets, and long-haired rebels being rude to their headmasters; and some of the older generation react to them with an automatic shudder.

We think this is the result of two things, First, the press. "Dog bites man" is not news, "Man bites dog" is. Five hundred thugs vandalize a seaside town and the public gets front page headlines on it; scores of thousands lead normal, decent lives and little is written about it, if only for the simple reason that, when it is, nobody takes any notice.

We found this impression cropping up again and again in the evidence. One quotation will perhaps suffice to stand for the rest:

I look to the contemporary scene for signs of increased responsibility among the young and I see the hooliganism of "mods" and "rockers", the hysterical behaviour of pop fans, the growing number of unmarried mothers and the high proportion of pregnant brides under 21, the increase of drug taking, purple hearts and pep-pills, and the increase of venereal disease among the young, and I do not feel that this suggests any grounds for assuming that "they mature so much earlier nowadays".

It is a point of view, and those who hold it are, like this witness, inclined consistently to be against any lowering in the age of majority. They say, as she does, that hire-purchase and mortgage agreements are a "rock on which many adults come to grief. Youthful optimism at the mercy of high-pressure salesmanship can only end in disaster." She regards very young marriages as peculiarly likely to turn into a brake on a young man's career and an end to a young girl's dream. She points out that the school-leaving age is being raised and that, with every year it goes up, the number of years in which the young can gain outside experience of the world before assuming full adult status goes down. In short, she takes a pessimistic view of the young and, therefore, feels they need all the adult protection they can get. We quote her as a representative of a widely-held set of views. We have some sympathy for those who hold them, but we think they fundamentally ignore two things of vital importance to our inquiry.

The first is the very great weight of evidence on the other side. Adults indeed come to grief on mortgages and hire-purchase agreements. Yet we have had a most impressive amount of evidence, not only from the finance and hire-purchase companies with an axe to grind—and the Government, I believe, only today had some evidence from just that source—but from such solid, objective, and unemotional bodies as the Association of Municipal Corporations and the National Federation of Housing Societies, that the young are often a great deal more sensible and level-headed in their dealings than many of the older

generation. The raising of the school leaving age may well leave the young with less direct experience of the world; but, on the other hand, they get more instruction in the schools in the practical business of living, and we hope (and express the view more fully later) that even more such education will be built into the curriculum as time goes on. Physical maturity may or may not be a vital factor in assessing emotional maturity; but the British Medical Association, a body not exactly known for the wild and revolutionary nature of its views generally, is of the opinion that, although there is little scientific evidence of casual connection, the two are in fact going together with the young today.

And the other vital question, on which we have perhaps been forced to ponder more deeply than many of our witnesses, is whether this connection between a poor opinion of the young and a high opinion of the law's effectiveness as it stands is in fact valid. In other words, the question is not only whether the young should or should not be restrained—from marrying, mortgaging and buying electric guitars on the H.P.—but whether the law does in fact restrain them. And if it does not, could it perhaps actually be doing harm in its ineffectual attempts to do so?

Again, in the field of contract we have had impressive evidence that the young are usually quite capable of conducting their own affairs with sense and honesty. And we also have evidence to suggest that the handicap of being unable to buy, say, a washing machine on the H.P. does no good to the young and inexperienced bride; that being unable to get a mortgage hardly helps the responsible young to keep house securely and independently from the start of their marriages; and that life is in many cases made harder for the young by the very measures designed to protect them. With the law about contract in its present state of confusion, many traders find it simpler not to have credit dealings with the young at all, and others only do so by dragging in some unsuspecting parent. We live, however, in a credit-angled society and by imposing these restrictions on the young we are stopping them from taking their proper place in it—stopping them, as we feel, to their detriment. For we feel extremely strongly that to keep responsibility from those who are ready and able to take it on is much more likely to make them irresponsible than to help them.

The committee assembled evidence of high judicial authority in favour of a reduction in the age of majority. It found the reasons for a reduction in the age of majority for the purposes of making contracts and holding property very cogent. The committee said:

On property and contracts we find it particularly difficult to assemble the evidence for leaving the operative age at 21, since it has been swept so completely out to sea by the contrary arguments for bringing it down. However, the main case rested on two points: the dangers of credit dealing generally, and the dangers to an estate of the immature handling of its assets. We would be the last to assert that the young have any particular immunity to

the snake-like charms of door-to-door salesmen or to the temptations of three-piece suites on the H.P., and we think they might even feel a special attraction for courses, offering to teach them to play the ocherina in 100 easy lessons at a guinea a time. We have had many witnesses who are worried about this point, the National Union of Teachers in particular. But we think the evidence suggests that the young are at least as sophisticated as many of their elders (even some of those who say the young are not mature say scornfully that they are sophisticated); and we feel we cannot advise a form of consumer protection exclusively for the young if our only grounds for wanting to do so are that we would like to see it there for everybody else as well.

The committee considered that the arguments against extending full contractual capacity to those who had attained the age of 18 years were arguments that were not really properly referable to age at all. Instead, they were arguments that proceeded from inadequacies and inequities in the law of consumer protection. In this connection the committee said:

These remarks highlight a problem that has concerned us greatly. If we regard the majority of young people as responsible citizens, some of whom are unduly hampered by their inability to obtain credit or to enter into hire-purchase transactions, so that we recommend a reduction in the age of majority to 18, how do we ensure that advantage is not taken of their inexperience? But on reflection we came to the conclusion that we were just as worried about the effect of the high-pressure salesman on people of 22 or older as we were about their effect on the 18-year-olds. We should like to see increasing emphasis on the protection of the consumer. One of the disadvantages of freedom to contract is obviously freedom to contract unwisely. Setting this in the balance against the arguments in favour of lowering the age of majority to 18, our conclusion is that the reduction is justified. We take some comfort from the fact that if 18-year-olds make mistakes they are less likely to make the same mistakes later, and we hope their mistakes will be smaller at that age.

The committee based its arguments for lowering the age of majority to 18 years upon grounds which it summarized as follows:

(1) There is undeniably a great increase in maturity towards that age.

(2) The vast majority of young people are in fact running their own lives, making their own decisions and behaving as responsible adults by the time they are 18.

(3) Those of our witnesses who seemed most closely in touch with the young favoured 18 as the age at which it was not only safe to give responsibility, but undesirable if not indeed dangerous to withhold it.

(4) This was the age at which on the whole the young themselves seemed to reckon themselves of age. Some of their arguments may not be sound; and we have already said that popular preconception was not influencing us

more than we could help. Nevertheless this was a point which weighed with us. We felt that an important factor in coming of age is the conviction that you are now on your own, ready to stand on your own feet and take your weight off the aching corns of your parents, fully responsible for the consequences of your own actions. If, as we are convinced, the young on the whole react badly to the feeling that they are being "protected" past the age at which they think they can look after themselves, then lowering the age to a point which still seemed to them too high would not have the desired effect of putting them on their mettle as adults. The resentments and irritations of feeling that responsibility was denied to them would remain. We think that, given responsibility at 18, they would rise to the occasion; but, as with a *souffle*, the results of waiting too long might be as disastrous as acting too soon.

(5) Eighteen is already an important watershed in life.

I should like also to commend to the attention of honourable members the Report of the New South Wales Law Reform Commission on Infancy in Relation to Contracts and Property. The Law Reform Commission independently reaches the same conclusions as those of the United Kingdom Committee. The Bill will confer full juristic capacity upon persons of or above the age of 18 years, in so far as the South Australian Parliament is competent to legislate. There are some spheres of Commonwealth competence, most importantly that of marriage, with which we cannot deal. However, under the provisions of the Bill, persons of or above the age of 18 years will be able to make binding contracts, to act as executors or administrators of estates, to serve on juries, to drink on licensed premises and to engage in lawful wagering and gambling.

The age of 21 will no longer be a statutory bar to admission to various professions and specialized callings. Guardianship of infants will end at 18 years. Persons over 18 years will not normally be eligible for adoption (although there are some exceptions to this) and will themselves be able to adopt children. A consequential effect of the Bill will be that the parents of a son or daughter between 18 and 21 years who has been killed in circumstances that would formerly have entitled them to recover solatium under the Wrongs Act will no longer be able to recover solatium in respect of the death of an infant child. Industrial conditions are unaffected by the Bill. The perpetuity rules by which the validity of dispositions and accumulations of property are tested are also to remain unaffected by the Bill.

The provisions of the Bill are as follows: Clause 1 sets out the title to the Bill. Clause 2 provides that the new Act shall come into operation on a day to be fixed by proclamation. Clause 3 is the major operative provision. It provides that a person of or above the age of 18 years shall be *sui juris* and that no deficiency of juristic competence or capacity shall attach to such a person. Subclause (2), however, provides that this provision shall not affect any deficiency of juristic capacity that arises from insanity or mental infirmity or any other factor distinct from age. Subclause (3) provides that the new provisions shall not affect the assessment or imposition of succession duty or any other rate, tax or impost. This is principally designed to prevent any alteration in the present operation of the succession duty tables. Subclause (4) provides that the new provisions are not to affect industrial conditions. Subclause (5) provides that the provisions are not to invalidate or render defective any settlement or disposition of property. The intention of this subclause is to preserve the present operation of the rules against perpetuities. These rules do not impose any disabilities on beneficiaries under wills or property settlements, and there does not therefore seem to be any justification, at this juncture, for interfering with the operation of the present rules.

Subclause (6) deals with the operation of the rule in *Saunders v. Vautier*. This rule provides that, where a beneficiary, or the beneficiaries under a trust, is, or are, *sui juris* and entitled or collectively entitled to the total equity in the trust property, he or they may require that the trust be discharged and the property distributed even though the trust instrument itself may provide for the distribution of the property only at a later date. It is believed that this principle of law may conceivably cause some embarrassment to a trustee who has already invested trust moneys for a fixed term on the assumption that the beneficiary will not be entitled to call for disposition of the trust property until he attains the age of 21 years. The subclause covers this situation by providing that, where a beneficiary who is *sui juris* is by law entitled to call for the disposition of trust property before the time fixed under the provisions of the trust, that right shall be exercisable by a person who has not attained the age of 21 years only in respect of a will or instrument of trust that becomes operative after the commencement of the new Act. Subclause (7) provides that the majority of a person who

is between the age of 18 years and 21 years at the commencement of the Act shall date from the commencement of the Act.

Clause 4 provides for various amendments consequential upon the reduction in the age of majority. Subclause (1) provides that the Acts referred to in the schedule to the new Act are to be amended as shown in the schedule. Subclause (2) provides that the provisions of any United Kingdom Act applying in this State are to be construed as if they were so far modified as is necessary to give effect to the provisions of the new Act. Subclause (3) provides that the provisions of any proclamation, regulation, by-law, rule or statutory instrument shall be construed as if they were so far modified as is necessary to give effect to the provisions of the new Act. Subclause (4) provides that expressions relating to majority and minority are to be construed in accordance with the provisions of the new Act. Subclause (5) provides that the construction of any industrial award, order, determination or agreement or any statutory instrument that prescribes wages and other conditions affecting apprenticeship is not interfered with. This accords with the intention that industrial relations and conditions should not be affected by the Bill. The schedule makes specific amendments to various Acts containing references to the age of 21 years as the age of majority.

Part I amends the Administration and Probate Act. The first amendment is to section 79, which empowers the Supreme Court to order that administration be granted to the Public Trustee where there is an intestacy, or no executor resident in the State, and no next-of-kin, or person entitled to obtain administration of the will, resident in the State and of or above the age of 21 years. This age for potential executors or administrators is lowered by the Bill to 18 years. The amendment to section 80 is broadly consequential on the amendment to section 79. Section 80 provides for application to be made for an order that administration be granted to the Public Trustee under section 79 by the guardian or relative of a person interested in the estate who is under 21 years of age. This age is reduced to 18 years. The final amendment to the Administration and Probate Act is to section 105. This empowers a judge to order trust property held by the Public Trustee to be appropriated to a marriage settlement on the marriage of a female infant. The reference to 21 years in this section is altered to 18 years.

Part II of the schedule amends the Adoption of Children Act. The definition of a child is amended to refer to a person who has not attained the age of 18 years. It should be mentioned, however, that it will still be possible in certain circumstances for orders to be made in respect of persons of or above that age. Section 10 of the Act, which deals with eligibility for adoption under the Act, is amended to provide that persons who had not attained the age of 18 years (instead of 21 years) on the date on which the adoption application was filed are to constitute one of the categories of persons eligible for adoption. Section 12 of the principal Act is amended. This section provides that an adoption order shall not be made (except in exceptional circumstances) where the adopting parent is under the age of 21 years. This age is amended to 18 years. A consequential amendment is made to section 13 (2) which deals with the adoption of a person who is over the normal age limit, which is now fixed at 18 years. A further consequential amendment is made to section 20 which empowers the Supreme Court to discharge an adoption order that has been obtained by fraud, duress or other improper means. Section 21, which sets out the consents that are required for the purposes of an adoption, is also amended consequentially.

Part III amends the Agricultural Graduates Land Settlement Act. The age at which a graduate in agriculture may be given a grant under the Act is reduced from 21 years to 18 years. Part IV amends the Alcohol and Drug Addicts (Treatment) Act. The definition of "relative" is amended by striking out a reference to 21 years and inserting in lieu thereof a reference to 18 years. The definition is of relevance because under section 13 a person may be detained in a treatment centre upon application by a relative. Part V amends the Architects Act. An obsolete provision is removed and the age qualification for registration is reduced to 18 years. Part VI amends the Ballot Act. This Act appears to have been marcescent for some time and to have fallen perhaps into complete desuetude. It is amended provisionally in conformity with the Government's present legislative policy. It may be, however, that, on the introduction of the Government's revision of local government electoral provisions, this Act can be dispensed with altogether.

Part VII amends the Builders Licensing Act. The age qualification for holding a licence is reduced from 21 years to 18 years. Part VIII

amends the Criminal Law Consolidation Act. Section 64 provides:

Any person who . . . induces a female under the age of 21 years, not being a common prostitute or of known immoral character, with intent that she shall have unlawful carnal connection with any male to enter a brothel, she not knowing the same to be a brothel, nor being party to the intent . . . shall be guilty of a misdemeanour, and liable to be imprisoned for any term not exceeding seven years.

The phrase "under the age of 21 years" does not appear to be a necessary or very relevant limitation upon the operation of the provision, and the phrase is accordingly removed. Part IX amends the Crown Lands Act. Section 252 of this Act provides that leases shall be binding on minors over 18 years of age. This provision is no longer necessary and is repealed. Part X amends the Education Act. This section, *inter alia*, provides for the commitment of mentally defective children to institutions. The section provides that, if no period of commitment is stated by the court, there shall be a presumption that the child has been committed until he reaches 21 years of age. As mental defectiveness in the section relates only to educative aptitude and response, it is considered proper to relate this particular provision to the age of 18 years. Of course, powers exist under the Mental Health Act for the proper care of those whose mental deficiency is such as to prevent them from undertaking normal social obligations.

Part XI amends the Emergency Treatment of Children Act. The Act permits emergency treatment of children without parental consent. The question of parental consent will now arise only in the case of patients under the age of 18 years, and the definition of "child" is amended accordingly. Part XII amends the Fisheries Act. The Act provides that a licence granted to a fisherman shall be sufficient for the fisherman and one member of his family under 21 years of age. This age limit is reduced to 18 years. Part XIII amends the Friendly Societies Act. The Act provides that persons under the age of 21 years may become members of friendly societies. For the sake of consistency, this age reference is altered to 18 years. Part XIV amends the Health Act. Section 145 deals with the recovery of expenses for maintaining in hospital persons suffering from infectious diseases. Parents are liable to contribute for the maintenance of children under 21 years of age, and persons over 21 years of age are liable to contribute towards the maintenance of their parents. The amend-

ment lowers these ages to 18 years in both cases.

Part XV amends the Homestead Act. This Act provides for the registration of homesteads the effect of which is to provide a secure method of settling the homestead for the benefit of the settlor and his family. The Act provides that the children, following the death of the settlor, shall be entitled to the homestead when they all attain the age of 21 years. This is reduced to 18 years by the Bill. Part XVI amends the Hospitals Act. The provision affected provides for the recovery of contributions for hospitalization from or in respect of persons under the age of 21 years. The amendment, as in the case of the Health Act, reduces this age level to 18 years. Part XVII amends the Housing Improvement Act. Section 74 provides for the service of notices by leaving them with a person over the age of 21 years. This is reduced to 18 years.

Part XVIII amends the Industrial and Provident Societies Act. Section 29 provides for the membership of minors in these societies, and accordingly a reference to "21 years" is changed to "18 years". Part XIX amends the Juries Act. Section 11 at present grants the right to serve on a jury to electors who are of or above the age of 25 years. The reference to age is deleted so that any person on the Assembly roll will be entitled to serve on a jury. Part XX amends Part VI of the Law of Property Act. This Part deals with the validity of perpetuities and accumulations. As it is not intended to affect the rules by which the legal validity of a property disposition is tested, the amendment makes it clear that references in this Part to minority and full age are unaffected by the new provisions.

Part XXI amends the Licensing Act. The age at which persons may be served in pursuance of a licence or permit is lowered to 18 years. A licensee or permit holder is given a defence to a charge of supplying an under-age customer if he has reasonable cause to believe that he is of or above the age of 18 years and he is actually of the age of 17 years. Part XXII amends the Lottery and Gaming Act. The present prohibitions relating to betting by persons under the age of 21 years are altered to prohibitions relating to betting by persons under the age of 18 years. Part XXIII amends the Masters and Servants Act. This is an ancient piece of legislation with little present-day application. However, it is amended in accordance with Government policy pending a more complete amendment of the industrial law. Part XXIV amends the

Money-lenders Act. The right to hold a money-lender's licence is conferred upon a person of or above the age of 18 years. Power to carry on a money-lending business on the death of the licensee is similarly extended to persons of or above the age of 18 years.

Part XXV amends the Motor Vehicles Act. The right to hold a tow-truck licence or a driving instructor's licence is extended to persons of or above the age of 18 years. Part XXVI amends the Nurses Registration Act. Section 22 prescribes a minimum age of 20 years for registration of nurses, psychiatric nurses, and mental deficiency nurses, and 21 years for registration of midwives. The amendment prescribes a uniform minimum age of 18 years. Part XXVII amends the Opticians Act. The age for registration is reduced to 18 years. Part XXVIII amends the Pharmacy Act. The age for registration is again reduced to 18 years.

Part XXIX amends the Pistol Licence Act. The qualifying age for holding a pistol licence is reduced to 18 years. A corresponding amendment is made to section 16 of the Act, which makes the parent of a person under 21 years who unlawfully possesses a pistol liable to a fine. Part XXX amends the Renmark Irrigation Trust Act. The age at which a person may become a member of the trust is lowered to 18 years. Part XXXI amends the Social Welfare Act. Section 134 provides for moneys earned by a State child in the course of apprenticeship or other employment to be held in trust until he reaches 21 years. The amendment reduces this age to 18 years.

Part XXXII amends the Surveyors Act. The qualifying age for holding a licence is reduced to 18 years. Part XXXIII amends the Veterinary Surgeons Act. Obviously, a person could not in the normal course of events qualify as a veterinary surgeon before attaining the age of 21 years, and accordingly the reference to age is removed. Part XXXIV amends the Workmen's Compensation Act. Section 57 provides that a person under 21 years of age may give a valid receipt for money paid under the Act. The section is amended to read "eighteen years", since a person of 18 years or over will be able to give a valid receipt under the general provisions of the new Act.

Mr. MILLHOUSE secured the adjournment of the debate.

#### BILLS OF SALE ACT AMENDMENT BILL

His Excellency the Governor, by message, recommended to the House of Assembly the

appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Bills of Sale Act, 1886-1940. Read a first time.

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

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

Its main object is to enable the fees payable to the Crown under the Bills of Sale Act, 1886-1940, to be prescribed by regulation. The fees currently charged are prescribed in the sixth schedule to the principal Act and have not been altered for nearly 30 years. It is obvious that, having regard to the rise in administrative expenses during that period, an increase is long overdue. This Bill will repeal the sixth schedule and make the necessary amendment providing for those fees to be prescribed by regulation by the Governor.

The Registrar-General proposes that, immediately upon this Act coming into effect, the existing rate of all registration fees be doubled and search fees be eliminated, except where he directs otherwise. The latter have not been charged in the Lands Titles Office since 1962, as they are considered to be uneconomical. Clause 1 is formal and provides for the Bill to be brought into operation on a day to be fixed by proclamation. This will enable the necessary regulations prescribing a new scale of fees to be made before the Bill becomes law.

Clause 2 brings the definitions of "Registrar" and "registry" up to date. Clause 3 makes a consequential amendment. Clause 4 amends the reference to the Registrar-General and the Real Property Act contained in section 33 of the principal Act. Clause 5 repeals section 34 of the principal Act and enacts a new section which contains no reference to the sixth schedule and empowers the Registrar-General to collect the fees prescribed by regulation. Clause 6 repeals the sixth schedule to the principal Act, which prescribes the present fees.

Mr. MILLHOUSE secured the adjournment of the debate.

#### D. & J. FOWLER (TRANSFER OF INCORPORATION) BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to provide that conditionally upon D. & J. Fowler Limited and D. & J. Fowler (Australia) Limited, companies incorporated in the United Kingdom, being authorized under the law of



the United Kingdom to become companies incorporated under the law of this State, they may become companies so incorporated; and for purposes incidental and ancillary thereto. Read a first time.

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

*That this Bill be now read a second time.* The present company of D. & J. Fowler Limited had its origins in a partnership that was formed in Adelaide in 1854. The company has been through many vicissitudes in the 116 years since then, and today, with interests throughout Australia and a subsidiary in the United Kingdom, it bears little resemblance to the retail store that opened in King William Street on November 30, 1854. Today it ranks as one of the few century-old South Australian enterprises that is still surviving as a healthy and progressive company.

Its early growth led to the establishment of its own buying office in London in 1864. When it was necessary to become a public company in 1899, it was incorporated in the United Kingdom, as was usual in those days for a company with interests in both London and Australia. This arrangement proved satisfactory until the Australian business outgrew that of the United Kingdom, and, as company and taxation legislation became more and more involved, it was found difficult and time consuming to comply with both Australian and United Kingdom laws.

The situation was eased somewhat when in 1959 D. & J. Fowler (Australia) Limited was incorporated in the United Kingdom as a wholly-owned subsidiary. This decision was made to take advantage of the provisions of the United Kingdom Finance Act, 1957, which provided that companies such as D. & J. Fowler Limited could form overseas trading corporations as subsidiary companies and be taxed only in the country in which they operated. The new company took over all manufacturing and trading in Australia and became the main operating subsidiary. The original company, D. & J. Fowler Limited, was thus left as the parent or holding company of the group. In 1968 the parent company was able to obtain consent of the United Kingdom Treasury to transfer the residence of both itself and D. & J. Fowler (Australia) Limited to South Australia. This brought them both, for taxation purposes only, under the jurisdiction of the Australian authorities.

The position now is that the head office of both companies is in Adelaide, they are controlled in Australia, taxed in Australia, and all directors are resident in Australia, the majority

being in Adelaide. Whilst these moves have gone part way towards making the companies completely Australian, in that it transferred their legal residence to Australia, it still left them as legally domiciled (that is, incorporated) in the United Kingdom. The purpose of this Bill is therefore to make the companies completely Australian. The food industry in Australia is characterized by the presence of a number of large international operators and, in order to compete with these massive companies, neither D. & J. Fowler Limited nor its subsidiary company D. & J. Fowler (Australia) Limited should be under any avoidable disadvantage.

The parent company owns all the fixed assets and investments of the group, of which over 90 per cent are situated in Australia. It is interesting to note that, although 90 per cent of the preference shares in the parent company are on its United Kingdom share register, 72½ per cent of the ordinary shares are on the South Australian register. It is this risk capital that has provided, and will continue to provide, growth and development for the future. Through its subsidiary and associate companies, the group's influence now extends throughout Australia, and also back into the United Kingdom, where it has a wholly-owned subsidiary company. The Directors of the companies believe that they will continue to grow and to take an active part in the development of the State only if the companies can be made completely Australian. Although managerial control is now exercised throughout the group from its head office in Adelaide, this control is still unnecessarily complicated. A typical disadvantage of being incorporated in the United Kingdom is that the companies are prevented from qualifying for Commonwealth research and development grants, despite the fact that all factories and laboratories are in Australia and none are in England.

The companies' solicitors, acting in consultation with solicitors and parliamentary agents in London, have reached the conclusion that the best method of making them completely South Australian companies, and thereby removing these constraints, is to bring down Bills in the House of Commons and in the South Australian House of Assembly that will have the effect of changing their place of legal incorporation from the United Kingdom to South Australia. The Companies Act of this State does not provide any machinery for such a move. There are, however, precedents for this procedure. The Zinc Corporation Limited in 1961 and the Shell

Company of Australia Limited in 1963 moved from the United Kingdom to Victoria, and also in 1963 B.P. Refinery (Kwinana) Limited moved to Western Australia. In each case the English Parliament and the appropriate State Parliament passed special Acts to permit the change.

In New South Wales the Companies (Transfer of Domicile) Act, 1968, permits a company, provided it is so authorized by the laws of the place of its incorporation, to become incorporated in New South Wales upon complying with the provisions of the Act. The two Fowler companies could register in New South Wales under that Act, subject to the passing of an enabling Act in the United Kingdom, but they have strong historical and other ties with South Australia and would much prefer to become South Australian incorporated companies.

The provisions of the Bill are as follows: Clause 1 sets out the title to the new Act. Clause 2 contains two definitions that are self-explanatory. Clause 3 is the operative provision of the principal Act. Subclause (1) provides that, when either of the companies has been authorized by the law of the United Kingdom to become a company incorporated under the law of this State, it may lodge a copy of its memorandum and articles and various other formal documents with the Registrar of Companies with a view to becoming incorporated pursuant to the South Australian Companies Act. Subclause (2) requires that these documents be verified by statutory declaration. Subclause (3) requires the Registrar, upon receiving the documents lodged under subsection (1), to issue certificates of incorporation, whereupon the companies shall become companies duly incorporated under our Companies Act.

Subclause (4) provides that the certificate of incorporation is to be conclusive evidence of the due incorporation of the companies. Subclause (5) provides that the incorporation of the companies pursuant to the law of this State shall not affect the identity or juristic capacity of either company. Subclause (6) provides that a fee of \$800 shall be payable in respect of the incorporation of D. & J. Fowler Limited, and a fee of \$300 shall be payable in respect of the incorporation of D. & J. Fowler (Australia) Limited. These fees are in line with those normally charged under the Companies Act. Subclause (7) provides that the provisions of the Companies Act shall apply to the companies with such modifications as are necessary in view of the pre-existing incorporated character of the companies and the pro-

visions of the new Act. This is a hybrid Bill and, accordingly, must in compliance with the Standing Orders of this House be referred to a Select Committee.

Mr. MILLHOUSE (Mitcham): I support the Bill.

Bill read a second time and referred to a Select Committee consisting of the Hon. L. J. King, Messrs. Crimes, Hopgood, Mathwin, and Venning; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on November 17.

#### INDUSTRIAL CODE AMENDMENT BILL

Adjourned debate on second reading.

(Continued from October 21. Page 1975.)

Mr. GROTH (Salisbury): This Bill will bring about a situation where shopping hours within the greater metropolitan area will be uniform. Like members of the trading hours committee, members on this side believe that the most satisfactory way to solve the problem is to limit the closing time of shops to 5.30 p.m. Monday to Friday. This problem is fast reaching a crisis, because there is evidence (and there has been for many years) of unfair trading. Alternatives to this Bill are unsatisfactory and unacceptable.

Maintaining the present position, in which some shops open and others in adjoining areas close, would not solve the problem. It would only mean that no solution would be reached to correct an out-dated Act. Also, 9 p.m. closing on Friday evening would be unsatisfactory, as it would be a direct contradiction of the overall result of the referendum. On the day the Minister of Labour and Industry introduced the referendum Bill, he made it clear that the Government intended to abide by the result of the referendum, and this statement appeared on the front page of the *Advertiser* the next morning. Opposition members know this: they read it and so did thousands of constituents in the greater metropolitan area, so there is no excuse.

Mr. Rodda: That won't make them love you any more.

Mr. GROTH: If the member for Victoria wishes to put his big head into this issue, he can.

The Hon. G. R. Broomhill: He would not know what to say.

Mr. GROTH: Of course not. I wonder what would happen if he was called on to address a meeting of hostile waterside workers at Port Adelaide. I know where he would

finish: he would probably find it convenient to crutch some of his filthy, greasy big hoggets on the banks of the Struan Creek, and, if anyone does not know where that is, it is about 15 miles the other side of Naracoorte. Has that tidied up the honourable member? If the decision of the referendum was not observed, most South Australian shops would be forced to open, which is something that the present metropolitan traders, their staff and most people do not want.

People in open trading areas were not granted a privilege, but shops have been able to remain open because of the limits of the Early Closing Act. Shops in those areas have not been content to open on Friday evenings, but have opened on week-ends and also on week nights. Other investors came into the fringe areas and set up retail outlets to take advantage of a loophole in the Act. Any traders who disagreed with the trading hours committee's views did so because they knew that they enjoyed a particular advantage. They, like the two Liberals seeking political capital—Duffield of Elizabeth and Bowey of Salisbury—have known that the time would soon run out on this out-dated Act, and that it would only be a matter of time before moves would be made to achieve uniformity.

The closing of banks and other trading groups on Saturday mornings has not caused any hardship to the community. The exempt range of goods have been extended to allow shops to sell them after hours. This will make available to the community all the essentials needed and, apart from this, shoppers will have a full five and a half days in which to shop. After reading yesterday's *News* report I am proud of the seven councillors of the Elizabeth council who slated the two dingo mayors, Duffield and Bowey, and I commend them for their action in dissociating themselves from the stand taken by these two, who are trying to make political capital. I invite Bowey or his puppet to contest the seat for the Liberals: this I do not expect, as neither of them would have guts enough to suffer defeat, and defeat it would be.

Mr. Rodda: Why don't you resign?

Mr. GROTH: If one of them contests the election he will receive the greatest bath in political history, as befitting a dingo of his class. I support the Bill.

Mrs. BYRNE (Tea Tree Gully): There are several new provisions in this Bill, but I particularly wish to refer to the repeal of the Early Closing Act and the insertion in the Industrial Code of a new section relating to

trading hours. The question of trading hours has been a vexed one for Governments over the last 70 years. The first Early Closing Act came into force in 1900; its enactment followed agitation by shop assistants for regular working hours. Their stand was supported by many shopkeepers, who wanted regular hours for themselves, too. Voluntary closing did not work, because some greedy shopkeepers from time to time wanted to open their shops for long periods and thereby gain extra business when other shops were closed. So, the only solution to the problem was the enactment of the Early Closing Act.

Under the 1900 Act, shop assistants were guaranteed a half holiday on one day every week. Shops in the metropolitan area had to close at 1 p.m. on either Wednesday or Saturday, and they could open after 6 p.m. on only one day a week (Friday or Saturday, according to their choice), when they were not forced to close until 9 p.m. Country districts could apply to be declared shopping districts with uniform closing hours, as long as they closed no earlier than 6 p.m. on five days a week. In 1911 Saturday afternoon became the compulsory half holiday for the metropolitan district. In 1923 shops were first required to be registered and to pay a fee for the privilege. Licensed sellers of petrol and oil could open after hours.

In 1924 butchers began closing at 6 p.m. on Fridays instead of 9 p.m. Wartime National Security Regulations brought the next big changes—first, weekday closing at 5.30 p.m. and Saturday closing at 12.30 p.m., and then the end of Friday night shopping in 1941. Despite changes to the list of exempt shops and later of exempt goods, despite variations in the boundaries of the metropolitan shopping district, and despite the multitude of technicalities and provisions for petitioning, counter-petitioning and holding polls that were added, the basic form of the legislation has survived. In the past 10 years the metropolitan area has been growing rapidly, while the metropolitan shopping district, with its uniform trading hours, has not.

Districts have developed on the fringe of the metropolitan area as defined in the Early Closing Act; such districts are Salisbury, Elizabeth, Christies Beach, Noarlunga, and Tea Tree Gully. Small shopkeepers served these districts but, with the increase in population, some investors set up retail outlets in these districts simply to capitalize on an out-dated Act. Some of the small shopkeepers have already gone out of business and some

have even gone bankrupt because these investors have set up these big shopping complexes. Of course, we still have some small shopkeepers, in addition to the large shopping centres.

The stage has now been reached where some shops have been opening every night as well as at weekends. This situation has been to the advantage of my constituents (retailers and shoppers alike). Although the maintenance of such a position would be to the advantage of my constituents, it has been obvious to any observer over the last three years that the present position (with some shops open and others in adjoining areas closed) could not continue indefinitely. Agitation for uniform trading has been evident for several years, and there have been threats by some retailers who have not enjoyed such a trading advantage that they would defy the law and remain open. If they did that, the Government would be faced with a situation of applying the process of the law, and no Government wants to be faced with that situation. The previous Government, of course, did nothing to close the loopholes in the Act, simply because it knew that this was a very difficult problem to solve and could lead to unpopularity. On July 31, under the heading "Retail traders seek end to late shopping", the following article appeared in the press:

Most of the major retailing organizations in South Australia have agreed on a policy which would virtually spell the end of late trading in areas immediately north and south of Adelaide. The organizations are the Retail Traders' Association of S.A., Retail Storekeepers' Association of S.A., S.A. Mixed Business Association, S.A. Automobile Chamber of Commerce, Retail Furniture Association of S.A., Adelaide Central Traders' Association, Master Hairdressers' Association, Meat and Allied Trades Federation, Rundle-Hindley Streets Ratepayers' Association, O'Connell Street Traders' Association and Port Adelaide and Districts Retail Traders' Association.

A spokesman for these organizations said:

Trading hours should be uniform with the closing time fixed at 5.30 p.m. Monday to Friday and no later than 12.30 p.m. on Saturday.

The Early Closing Act should be revised to provide a newly defined metropolitan area from just north of Gawler to Sellick Beach, abolition of the present provisions for petitioning for specified areas to be exempted from the Act, and adoption of a revised list of exempt goods which could be sold by declared shops outside of the normal hours. These proposals are the culmination of two years discussion by our organizations.

That article was dated July 31, and I remind members that during most of the two years prior to that date the Liberal Govern-

ment was in office. The Secretary of the Shop Assistants Union was quoted as saying that the union would allow its members to work on Friday nights if they were given Saturdays off, but it would not agree to shops opening on both Friday night and Saturday morning. The article to which I have referred showed that both the Retail Traders Association (the employers) and the employees had agreed on a common policy but this was at variance with the policy of the Australian Labor Party as enunciated prior to the last election. Consequently, the Government rightly decided to consult the public. As a result, the Government introduced into this House the Referendum (Metropolitan Area Shop Trading Hours) Bill on August 13. In his second reading explanation the Minister of Labour and Industry said that he wanted no delay in ascertaining the views of the public. He continued:

It is proposed that a further Bill will be introduced immediately after the referendum to give effect to the decision of the people as expressed in the referendum.

We are all aware of the result of the referendum: 190,460 people voted "No" and 176,917 voted "Yes". Although I realize that the Government must act in accordance with its original undertaking, I regret that the overall result of the referendum was not in accordance with the result recorded in the Tea Tree Gully District, which I represent. This Bill provides for uniform trading hours, as the Government believes that this is the only way of solving what is an extremely difficult problem. Indeed, this difficulty has been admitted in this debate by some members opposite—that the only way to solve the problem is to have uniform shopping hours. In order to compensate for the limited shopping hours to be introduced, the Government has in this Bill extended the list of goods to be exempted from the trading hours provisions, 74 new items being added to the list in the fourth schedule. As I do not wish to read all of the list, I seek to have it incorporated in *Hansard* without my reading it.

Leave granted.

#### Exempted Goods

- Adhesive tape
- Antiseptics
- Aquariums and accessories for aquariums
- Artifacts
- Ash-trays
- Bacon
- Batteries, dry cell
- Biscuits
- Books
- Bread (including bread rolls)
- Breakfast cereals
- Brushes, tooth, hair and skin

Exempted Goods—*continued*

Butter  
 Cake (including pastry)  
 Candles  
 Cards  
 Cheese  
 Chocolate, drinking  
 Cigar and cigarette holders and cases  
 Cigarette lighters, lighting fluid, flints and rollers  
 Cigarette papers  
 Cigarettes  
 Cigars  
 Cocoa  
 Coffee (including coffee beans)  
 Confectionery  
 Cooked food  
 Cooking oils  
 Cosmetic and toilet bags  
 Cosmetics  
 Cream  
 Deodorants  
 Drawings  
 Drinks non-alcoholic (including cordials and cordial extracts)  
 Drugs  
 Eggs  
 Electric light globes  
 Envelopes  
 Erasers  
 Etchings  
 Eyebrow pencils and pluckers  
 Face creams and lotions  
 Face powder  
 Fertilizers  
 Films for cameras  
 First-aid requisites  
 Fish  
 Fish food  
 Flash bulbs for cameras  
 Flour  
 Flowers  
 Frozen food  
 Fruit  
 Gloves, rubber and plastic  
 Hair clips, combs, curlers, nets, oils, pins, sprays and washes  
 Honey  
 Hot water bags  
 Ice  
 Ice cream  
 Infants' comforters, pilchers, toilet and feeding requisites  
 Infants' foods  
 Ink  
 Insect repellants  
 Instant puddings  
 Jam  
 Jellies  
 Journals  
 Lipstick  
 Lunch-wraps  
 Magazines  
 Manicure sets  
 Margarine  
 Matches  
 Mayonnaise  
 Meat extracts  
 Medical and surgical instruments and appliances, including veterinary instruments and appliances

Exempted Goods—*continued*

Medicines, including veterinary medicines  
 Milk  
 Mustard  
 Nail files, polishes and removers  
 Newspapers  
 Nuts  
 Oysters  
 Packaged foods kept under refrigeration (except uncooked meat)  
 Paintings (including reproductions)  
 Panty hose  
 Paper  
 Pasta  
 Pastes, meat and fish  
 Pens and pencils (including refills)  
 Pepper  
 Perfumery  
 Pesticides  
 Pet foods  
 Pickles  
 Pies and pasties  
 Plants, living  
 Pocket knives  
 Pots, flower and shrub  
 Pottery, handmade  
 Poultry  
 Powder puffs  
 Rabbits  
 Razors and razor blades  
 Rulers  
 Salt  
 Sanitary napkins  
 Sauces  
 Sausages  
 Sculpture  
 Seeds  
 Shaving creams  
 Soap (including soap powders)  
 Soup  
 Souvenirs (identified by inscription, stamping or marking)  
 Spaghetti  
 Sponges  
 Stockings  
 Sugar  
 Sunglasses  
 Suntan creams and lotions  
 Talcum powder  
 Tea  
 Tobacco  
 Tobacco jars and pouches  
 Tobacco pipes and cleaners for tobacco pipes  
 Toilet paper  
 Toilet tissues  
 Toothpaste  
 Vegetable extracts  
 Vegetables  
 Vinegar  
 Wreaths  
 Writing pads

Mrs. BYRNE: Also, additions have been made to the list of exempted shops in the third schedule, and I seek leave to have the list of these additions incorporated in *Hansard* without my reading it.

Leave granted.

**Exempted Shops**

Aquarium shops  
 Art shops  
 Bakers shops  
 Book and card shops  
 Chemists and druggists shops  
 Confectionery shops  
 Delicatessens  
 Fish shops  
 Florists  
 Fruit and/or vegetable shops  
 Newsagents shops  
 Non-alcoholic drink shops  
 Restaurants and eating houses (including hotels, motels and roadhouses)  
 Souvenir shops  
 Tobacconists shops

Mrs. BYRNE: Finally, I am concerned that, should this Bill become law, hardship may be suffered by certain small traders in my district. However, I have been approached by only one small trader about this matter. Naturally, I should be concerned if anyone were to suffer hardship through the loss of casual employment as a result of this measure but, to date, I have not been approached on this matter by anyone.

Mr. GUNN (Eyre): I should like, first, to make one or two remarks about the contribution of the member for Pirie last evening. He did not in any way address his remarks to the Bill but tried once again to insult the constituents of my district, and I take strong exception to this. His was a disgraceful contribution. If the member for Pirie had to face up to the same kind of preselection that members on this side experience, he would not have a chance, but he is protected. It is obvious that certain gentlemen sitting near him would also have similar difficulty in this regard.

Mr. Curren: What about the way you—

Mr. GUNN: I think the member for Chaffey will be dealt with appropriately by the people of Renmark when his Party fails to build the Chowilla dam.

*Members interjecting:*

Mr. GUNN: If members opposite remain quiet, I shall try to continue. I will at the appropriate stage support the amendments foreshadowed by my Leader. I am rather amazed to think that the Government would deliberately take away from people in the areas concerned a right that has existed for many years. It is obvious, however, from the way this Government has carried on over the last few months that, being Socialists, Government members do not believe in people's rights. Being compulsionists, they intend to compel shops to close and not allow people to enjoy Friday night shopping, Friday night representing the only opportunity that many people have to shop.

It was interesting to read some of the letters to the Editor in this morning's paper.

Mr. McKee: Who read them to you?

Mr. GUNN: The member for Pirie apparently judges everyone by himself.

Mr. Rodda: You're talking about the Minister of Sport, I presume.

Mr. GUNN: Yes, he is obviously trying to be the additional Minister.

Mr. Jennings: Is St. Vitus your patron saint?

Mr. GUNN: Listening to the member for Ross Smith in this debate, one would have thought he had attended another meeting, because the member for Florey contradicted everything he had to say. The member for Florey was fair, and, as we have come to expect from him, he tried to debate the matter before the Chair. However, the member for Ross Smith always engages in personal attacks on people.

Mr. Langley: When are you going to start debating the Bill?

Mr. GUNN: If the member for Unley gives me an opportunity, I shall conclude my remarks. I am confident that the people in the areas concerned will deal appropriately with their members' failure to carry out their wishes.

Mr. CLARK (Elizabeth): I hope that the practice of trying to shout me down will not become a habit in this place, for I deplore that practice. I will not keep the House long; in fact, I rise with little or no eagerness to speak to this Bill, and this may be well understood.

Mr. Millhouse: Did you say you had no wish to speak to it?

Mr. CLARK: I said that I had little or no eagerness to speak to the Bill. I recall many years ago, probably back in about 1950, attending a friendly gathering with the late Mr. Les Duncan, M.P., from Gawler, who was my predecessor in this place. Les was good enough to drive me home after the meeting, and we sat in his car talking for some time. I could see that something was upsetting him at the time, and eventually he said, "Jack, politics is a dirty game." Although I was too young in those days to realize the importance of what he was telling me, I have been finding out during the last few days that politics is, indeed, a dirty game. I thank my friends in this place who, during the last few days, have been kind enough to say things about me that they believe to be true, and I thank also the many people who have written to me and telephoned me protesting not about this issue but about the treatment received by certain members last Monday evening.

I was first elected to Parliament in 1952, not as the member for the district that I now represent but as the member for a district which in those days was different from the district that it is today. It was the District of Gawler, comprising a number of country towns and villages surrounding the township of Gawler, and it was a fine district to represent. I recall the country hospitality received when one went to functions at that time, and I rather missed that hospitality later on. I am not claiming for one moment that, in the years following my first being elected, I have been elected as Jack Clark: I have been elected because I have run under the banner of the Australian Labor Party. I like to think that I get a few votes because I am the person I am—but, of course, I cannot prove that, and shall not try to do so. I want to be modest about this but, according to my friends who have telephoned me during the last few days (some of them were friends I did not know I had; they were strangers to me), I can honestly say, without trying to boast, that in the period from 1952 up to the present I have tried to do my best for my constituents. I do not say I have always succeeded—no honourable member can say that he always succeeds—but I think I can safely say that, when anyone has brought anything to me, I have done whatever I could for him. Sometimes, like other honourable members, I have had my failures.

I think the member for Light was kind enough, when he made his maiden speech, to ascribe to me the nickname "Jack Sewerage Clark". I do not think he did it with the intention of insulting me and, even if he did it for that reason, I accepted it as a compliment. I suppose it is peculiar to have a sewerage system as one's monument, but I am happy to have that. It was a climax to much work over a long period. I like to think that constant pressure in Elizabeth over the years is leading to the erection of the magnificent Elizabeth Technical College, which will be built not far from the main shopping centre and which will, I am sure, be an enormous boon to the young people in that area and their parents because it will save much travelling and money.

In the years that I have been here—and I would not be talking in this strain if honourable members did not know that I announced my intention some months ago not to run again for the House of Assembly—I know that sometimes, because I thought they were right, I have supported things that were not always

popular. One example of this was as recently as last session, when I steadfastly opposed what came to be known as the Abortion Bill, because I did not like the sound of it at all. That action was not very well received on my side of the House, except for a few other voices crying in the wilderness then. I have not always adopted the popular view, but I have tried to adopt the view that I thought was right.

Mr. Rodda: Are you adopting that view on this Bill?

Mr. CLARK: My own conscience is clear. Possibly, that is the best reply I can make to that question. I was unhappy last Tuesday evening when the Leader of the Opposition spoke, because he said something about me that I do not believe is true: he accused me of being hypocritical in a certain statement I made at a meeting at Elizabeth last Monday. I do not for one minute claim to be perfect but I think that normally, when I have had something to say, I have got up and said it without being hypocritical about it. I think, with great respect to him (and I am polite enough to say that), that the Leader, putting it politely, made an error of judgment. Partly, I can understand that, because we who sat at the table at the Octagon Theatre on Monday night, with people speaking from the microphone in front of us, found it difficult to hear what was being said. Apart from that, there were other reasons that made it difficult to hear what the speaker was saying. When I made the statement that the Leader refers to, it was at a time when I was getting some cheers. This was a most peculiar meeting. Probably I received as good a go as anyone, but that does not mean it was good.

Mr. Jennings: It may have been because you spoke first.

Mr. CLARK: That may be so. As I say, it was a peculiar meeting because there were some boos, some jeers and some clapping. Watching, it appeared to me that those who were opposed to what was being said did not always seem to boo or jeer at the right time and, occasionally, some surprising claps came in. It was hard to follow, and I can excuse the Leader of the Opposition if he made a mistake—although I do not think he did. What I said then was that I regretted that the Leader had been invited, because I believed this opened the meeting to being classed as a political meeting. I had been assured by the Mayor of Elizabeth on Thursday evening when I telephoned him that he would be in the chair and would do his best to see that it was not

a political meeting. He did not tell me that he was asking the Leader of the Opposition to attend—which of course he had a perfect right to do. However, inviting the Leader was inviting politics into the meeting.

I said this at the meeting, and I also said that I did not blame the Leader of the Opposition for one minute for coming to the meeting. That was his prerogative as the Leader of a big Party. In fact, to put it bluntly, I think he would have been a big mug if he had not accepted the opportunity, because it must be remembered that the Leader's opportunity of addressing large meetings in Elizabeth over the years has been very limited. I have been privileged on a number of occasions to address very large meetings at Elizabeth—and enthusiastic ones, too. I remember a few days before the last State election I had the pleasure of appearing on the platform at the Shedley Theatre at Elizabeth with the present Premier, the present member for Playford and the present member for Salisbury. I think it was the best election meeting I have ever seen outside of the city; and it was wildly enthusiastic. Compare that with a meeting that was held by a then Minister of the Crown on the same evening in a hall nearby, where a handful (or perhaps two handfuls) of people were present—and, if I am exaggerating, I am sure the member for Mitcham will correct me. The only reason I am bringing this up now is that I think the Leader would have been making a grave mistake if he had not grasped the opportunity to go to Elizabeth and speak to a ready-made audience. Let me be fair about this, because I like to be fair if I can: in my opinion, the Leader did his best not to make his remarks obviously political. That is a concession from me, but it happens to be true. However, I thought the remarks of the Leader the other evening in this place when he accused me of being hypocritical were definitely unfair. I have been insulted by experts over the years and I can take unfairness, but in this matter I have reached the stage where I am not very happy about some of the things that have been said.

Mr. Jennings: He didn't complain when you called him a liar.

Mr. CLARK: I am not hypocritical normally, and it got under my skin, as is the case with most people who are accused of doing something and who know they would not do it. I said that because I am not normally hypocritical and it got under my skin to have this said about me, as it gets under the skin of most people when they are

accused of doing something they had no intention of doing. I have checked with the *Salisbury-Elizabeth Review* report of what I said, and it is as follows:

The key to this particular issue will be the Legislative Council.

I said that because, in my opinion, Legislative Council members for the Midland District should have been invited, as members for the district, to this meeting; they should have been invited rather than the Leader. I do not think anyone could have inferred political motives had His Worship the Mayor of Elizabeth invited Legislative Council members for the district to this meeting. After all, even though I deplore the method by which these members have been elected over the years, they are in fact members for the district, yet they were not asked to attend the meeting. The Assembly members who were invited gave their opinions and said how they would vote.

The evening before the meeting, the press attacked Labor members for the area, stating that we were letting people down and doing all sorts of things, yet at that time we had not expressed any opinion about how we would vote. As it happened, the Mayor quite rightly assumed how we would vote, because he knew our politics. He knew what my politics had been over the years, so he naturally expected me (and I am very glad to say that he expected this) to vote according to the promises I had made, and that is what I will do. When I said that, as I believed this issue would be decided in the Legislative Council and that therefore Council members should have been at the meeting, not for one second was I suggesting that I wanted members of that Chamber to pull any chestnut out of the fire for me. I never thought that; I never meant it; and I never suggested it. I am sorry that the Leader perhaps did not hear very well what I said, because of the noise in the hall. While the Leader was speaking in this debate, the member for Pirie interjected as follows:

You'd like to do him wrong, but you can't. The honourable member was referring to me, and he was right. The Leader then said:

I would certainly defeat any member opposite politically if I had the chance.

And so would I; I am not condemning the Leader for what he said. However, I question his wisdom in accusing me in this place of being hypocritical, when I meant exactly what I said, and I still think that is the position. My forecast is that the Bill will be passed by this House without amendment; if any alteration is to be made to the Bill it will have to



be made in the Council. Last evening the member for Light made a remark that I am certain he will realize, on mature consideration, was not very sensible. He said that Legislative Council members were not invited to the meeting, as the Bill was not before that Chamber. I never suggested that it was, but as sure as the day follows the night it will be in front of members of that place and they will have to consider it. In fairness to those members, I think they should have had the opportunity to attend the Elizabeth meeting. Over the years I have heard the Council rubbished a good deal. In the first few years that I was a member of this House few people in my district would have known who were their representatives in the other place. However in the last eight years I do not think this would be so.

Mr. Rodda: Why do you people insist—

Mr. CLARK: The honourable member is talking nonsense.

Mr. Rodda: That is not true.

Mr. CLARK: I do not know what the honourable member is talking about, and as usual he does not know, either. I am trying to say something complimentary, which I have never been guilty of saying to the member for Victoria, because he has not earned the compliment. In the last eight years my relations with members of another place in my district (apart from in our politics, on which we do not agree) regarding several projects and problems in the district have been most harmonious and mostly we have co-operated to obtain results.

I think particularly of the Gawler Adult Education Centre, which for many years I worked to establish. I freely admit that the Hon. Boyd Dawkins, from another place, was of great assistance and also worked hard on this project, because he, too, was interested in the Adult Education Centre. These are the reasons why I consider that these men were entitled to be asked to go to the meeting and state their intentions. If they did not want to state their intentions at that stage because the Bill was not before their Chamber, that would be fair enough and they would not be expected to do so.

There is no need for me to repeat the history of the shopping hours controversy. It seemed to me that, if we were to introduce the uniform closure of shops in the metropolitan planning area, all shops should shut

at 9 o'clock on Friday night and at 12.30 p.m. on Saturday. If the "Yes" vote had been carried in the referendum (and I freely admit that I desired that it should be), it would have meant that every shop would be open until 9 p.m., and I do not think many people would have been happy with that either. Probably, I speak with hindsight, because I freely admit that in the press and in my advice to people whenever I had the opportunity, I openly urged them to vote "Yes" on this issue, and I voted that way.

Our family was not like that of the member for Mitcham: my wife and I voted the same way. If I had had a family of 14 able to vote, I think they would have all voted that way too. Frankly, I am not keen on the referendum result, but I think we would have been faced with serious problems if the "Yes" vote had been carried. I know the Salisbury and Elizabeth areas, having represented the area from Gawler to the Parafield railway crossing for many years, and I have been associated with people settling into new houses and even into a new land. I consider that most of them like the opportunity to shop on Friday night but I also think that, if everyone was allowed to shop on Friday night, contrary to what some people have said the loss of business by shops in the Salisbury and Elizabeth area and adjacent areas would have been extremely great. When travelling home by car from the city on Friday evenings I have often seen many people going from the northern areas of Adelaide to shop at Elizabeth and Salisbury, and I think that, if every shop in the metropolitan area opened until 9 o'clock, the amount of business done would not compare with what has been done in recent years. I am sure that any decision made as a result of the referendum would have made some people unhappy but uniformity was necessary. However, I would have preferred a different result.

Mr. Gunn: I think the Government would have, too.

Mr. CLARK: I think that is an unfair assumption, but I am not ashamed of what I would have liked to happen. The Government has promised to abide by the results. I toyed with the idea of a compromise and made strong efforts to obtain one, but I realized that what I was trying to do would not be honourable on my part, because my Government had made a plain promise that it would respect the results of the referendum. As I lived in the district where the feeling was strong for a "Yes" vote, I was deluded into thinking

that there would be a large majority for that vote. On the evening of the referendum I presented trophies at a football club dinner and did not hear the results until I arrived home, and then I was astounded and astonished. I know that many of my constituents are unhappy about the result, but I have found that some, who do not agree with me, have told me that they think I have taken an honour-

able stand. I like to think that I am an honourable man: the only thing I can do (and I intend to do it) is to support the Bill.

Mr. RODDA secured the adjournment of the debate.

#### ADJOURNMENT

At 5.45 p.m. the House adjourned until Tuesday, October 27, at 2 p.m.