HOUSE OF ASSEMBLY

Thursday, October 29, 1970

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

ASSENT TO BILLS

His Excellency the Governor, by message, intimated his assent to the following Bills:

Branch from Sandergrove to Milang Railway (Discontinuance),

Local Government (City of Woodville West Lakes Loan).

QUESTIONS

THIRD PARTY INSURANCE

Mr. HALL: Will the Minister of Roads and Transport say whether he is aware that the Liberal and Country League policy speech before the last State election contained a proposal to institute at the Motor Vehicles Department a system whereby owners of vehicles could obtain their third party insurance at the same time as they registered their vehicles? Is he also aware that I have asked a question previously during this session on this subject, and will he implement this type of system? If he will implement it, can he assure the House that it will not be compulsory for all of this insurance to be done through the Government Insurance Office?

The Hon. G. T. VIRGO: I shall try to remember all the questions that the Leader has asked. The first is whether I am aware of the L.C.L. proposal, and the reply to that is: Yes, I have a copy of the Leader's speech. The second question is whether I am aware that the former Government proposed to introduce this system, and again the reply is "Yes".

Mr. Hall: Are you going to introduce it?

The Hon. G. T. VIRGO: The Government is actively considering the matter at present.

Mr. Hall: It has been for three months!

The SPEAKER: Order!

The Hon. G. T. VIRGO: I am sorry if I am not giving the—

The SPEAKER: Order! There is far too much audible conversation going on when questions are being asked and when Ministers are replying and, in fairness to the *Hansard* reporters, interjections must cease.

The Hon. G. T. VIRGO: I have told the Leader that the Government is at present actively considering the matter. At this stage I am not satisfied that the details have been determined. Certainly, we have not reached the stage where a considered decision can be made, and I suggest as kindly as I can that, whilst possibly the policy announced by the Leader in his policy speech was intended to assist people, it is quite obvious from the information that I have obtained that much consideration had not been given to it before the announcement was made. As I have said, we are actively pursuing the matter and, at the appropriate time, I will make an announcement in the House, either by introducing amending legislation or in some other way.

HIGH COURT DECISION

Mr. McRAE: Is the Attorney-General aware of the difficulties caused by the recent High Court decision in *Worthing v. Rowell* laying down, as it does, that State law does not apply in respect of Commonwealth-owned property? If he is, will he say what the Government intends to do about this matter? As I understand the decision, it sets down for the first time in the history of Federation that State law in general will not apply on Commonwealth-owned property. As Commonwealth-owned property is widely spread throughout the State, and in the light of the complexity of State regulations in relation to criminal and civil law alike, this decision would seem to have far-reaching consequences. This would apply both to the administration of the criminal law and to the rights of persons involved in seeking remedies under the civil law. I am therefore requesting of the Attorney-General an indication of the measures the Government may have in mind in order to solve these problems.

The Hon. L. J. KING: This is a troublesome problem, which has caused the Government considerable concern. The actual decision in the case to which the honourable member refers was that the Scaffolding Act of New South Wales did not apply on property acquired by the Commonwealth for public purposes. The High Court based its decision on section 52 of the Commonwealth Constitution, part of which provides that the Commonwealth shall have exclusive power to make laws with respect to property acquired by it for public purposes. I think that probably it has been accepted hitherto that that section was confined to laws that actually dealt with the subject matter of the Commonwealth place. However, the decision of the High Court makes it clear that it is much wider than that and that many State laws would be inapplicable to property acquired by the Commonwealth for public purposes. I think that the full extent of this new doctrine remains to be

explored; indeed, at present there are three reserved judgments in the High Court in relation to various points that have been taken as to particular State laws that are said not to apply to Commonwealth property. One of those cases relates to the criminal law of Western Australia: a defendant on a charge, I think of indecent assault, claims that the State law does not apply, the alleged offence having taken place on Commonwealth property. Therefore, obviously there is a considerable area of uncertainty in the law. The Government considers that there is no really satisfactory way of dealing with this problem other than an amendment to the Constitution to make it clear that State law does apply on Commonwealth property. I should think that the appropriate amendment would be to provide that the State, as well as the Commonwealth, has concurrent power to pass laws with respect to events taking place on Commonwealth property.

The whole matter has been discussed at two meetings of the Standing Committee of Attorneys-General. At the last meeting in Perth a little less than a fortnight ago, all of the States agreed to suggest to the Commonwealth that it introduce a constitutional amendment along the lines that I have just suggested. The Commonwealth Attorney-General agreed to take this to his Cabinet, but I have now had a reply from him indicating that the Commonwealth Government will not be able to make any decision on the matter this year and that the whole question of possible constitutional amendment has presumably been deferred into the future. The other possible partial solution discussed by the Attorneys-General was the passing of complementary Commonwealth and State legislation, the idea being that the Commonwealth would pass an Act that would have the effect of applying State law to Commonwealth property as Commonwealth law, the States passing complementary legislation that would enable them to make use of the machinery of the State in the administration and enforcement of that Commonwealth law.

Many difficulties are associated with this and, in answer to a question, I do not want to enumerate them all, although I shall refer to some quickly. Obviously, it cannot have the effect of applying State taxation to transactions taking place on Commonwealth property. Indeed, any State taxation laws would run foul of the provision in the Constitution that the Commonwealth may not discriminate, in respect of taxation, between States or parts of a State, and, by virtue of another provision in the Constitution, the same applies in respect of any State laws dealing with the subject matter of trade and commerce. There are many other difficulties. For instance, the applicability on Commonwealth property of the electoral laws in South Australia raises some quite interesting questions. The net result of it all is that the Government of this State and, I think, of all the other States is satisfied that this scheme of Commonwealth-State complementary legislation is by no means an adequate remedy. A further difficulty is that the High Court has not yet resolved the point, which is certainly open, that, once Commonwealth property is acquired, it remains, within the words of the section of the Commonwealth Constitution, property acquired by the Commonwealth for public purposes, and that even a subsequent disposal of the property by the Commonwealth would not take it out of that section. If that is so, it would mean that an increasing area of the States would be subject to this difficulty, and there would be tremendous uncertainty in determining just what law applied in respect of any piece of property that was concerned in litigation. Apart from that, the mere fact that the States could pass laws under this complementary legislation scheme would not overcome the difficulty that the Commonwealth Government might exercise its undoubted right to pass laws with respect to those places. One would then have a situation in which citizens living within the boundaries of the State, and living virtually side by side, would be subject to different bodies of law. It is impossible, on any view that one might have on Commonwealth-State relations in the Federation, to feel satisfied with such a situation. The Government is therefore convinced that only a constitutional alteration can adequately meet the case.

On the other hand, we are faced with the situation that the Constitution will not be amended, at least in the immediate future, although one hopes that the Commonwealth Government will ultimately take that action. As a result, the South Australian Government has agreed to pass complementary legislation to that which the Commonwealth Government intends to introduce during the next week or so. This Government does not feel satisfied with it, and I am far from convinced that it will solve the problem. However, one cannot refuse co-operation simply because one feels that it is an unsatisfactory solution, as the rights of many people are either uncertain

or in jeopardy as a result of the present situation.

This Government has therefore informed the Commonwealth Government that it is willing to introduce, as soon as is necessary, the legislation which would be complementary to its legislation and which would make available the machinery of this State in the administration and enforcement of the law on Commonwealth property. The net result will be that the Commonwealth Government will pass legislation applying State law as Commonwealth law, and this Parliament will pass legislation enabling the machinery of the State to be used in administering that law.

SITTINGS AND BUSINESS

Mr. MILLHOUSE: In the temporary absence of the Premier, I should like to ask a question of the Minister of Works, as the Deputy Premier, and with your permission, Sir, and the concurrence of the House, briefly to explain it.

The Hon. Hugh Hudson: What's the question?

Mr. MILLHOUSE: My question concerns the length of this session.

The SPEAKER: Will the honourable member ask his question?

Mr. MILLHOUSE: How long does the Government intend that this session should continue? Yesterday the Premier gave notice of the motion which normally foreshadows the completion of a session, that Government business should take precedence of other business except questions, and he said that he intended to move that motion today week. I had understood from earlier announcements that the Government intended that the House should sit until December 3 and then resume some time in the new year (I believe there has been a little indecision in this respect: either in February, March or April), and that that would be a continuation of the present session. I point out that it is a full five weeks to December 3, which is a long time for Government business to take precedence of all other business except questions. If Parliament is also to sit for some weeks in 1971, I suggest that the time for cutting out private members' business (because that is the effect of the motion) is far too early. I therefore ask the Deputy Premier whether it is intended to finish the session on December 3 or thereabouts and to begin again with a new session next year, or whether the Government intends that this session should go on into next year.

The Hon. J. D. CORCORAN: A third break in this session will occur on December 3. The session will continue into next year if and when the Government decides the House will meet. No decision has been taken as to when it will meet or for how long it will meet in the new year, but such sittings will be part of this session. As soon as the Cabinet has decided when the House will meet in the new year this information will be made available to members for their convenience.

DUST NUISANCE

Mr. RYAN: Is the Minister of Works aware of any precautions that are being taken by the West Lakes promoters to overcome the discomfort, as a result of the terrific dust nuisance, of people living near the project? Many residents of the Districts of Semaphore and Price have complained that they are suffering because of the dust coming from the work being done by the West Lakes promoters on their project in Semaphore South. They have asked me to see whether the company could eliminate this nuisance.

The Hon. J. D. CORCORAN: I am aware of the problem the honourable member has outlined. I visited the site of the West Lakes development yesterday and, even though the wind was blowing the dust into an open area, I could understand the problems of nearby residents. Reclamation is going on at the northern end of the project, as well as consolidation of that reclamation, and the work is being done near a settled area. This is creating great discomfort and consequent problems for the people who live near this part of the project and, indeed, farther inland because the dust carries some distance. The West Lakes developers are very much concerned about this and I understand that they have asked the contractor to explain to the people living in the area the difficulties confronting him and the steps he has taken to try and solve the problem. I noticed yesterday two or three water carts working in the area but they were not having much effect because of the very large area involved and the number and type of machines working on the site. I believe there was also a noise nuisance because the contractor is working around the clock and using a limited number of machines. Evidently one of the silencers on a very large truck became ineffective during the night and it was not replaced. This created discomfort for the people in the area, but that problem has now been solved. I assure the honourable member that the management of the West

Lakes project is very much concerned about the problem but, unfortunately, there is not much it can do to solve the dust problem. I am informed that the contractors will be working in this area for another five or six weeks, and then the work will cease and the problem should be solved.

LAKE ALBERT

The Hon. D. N. BROOKMAN: Can the Minister of Works say anything about the future of the lakes at the mouth of the Murray River, particularly Lake Albert? Many comments have been made about the future of the lakes, particularly Lake Albert. Suggestions have been made about running water into Lake Albert and cutting exits for water from it to the Coorong. However, most insistent of all has been the general suggestion, I think from engineering circles, that one day the lake may have to be drained to avoid loss by evaporation. I am asking the Minister this question because I think that the future should be clarified as much as possible and that it should be pointed out that in the past draining has been suggested partly with the idea of irrigating the floor of the lake. It is well known that the floor of the lake is only partly suitable for irrigation and that the promotion of further irrigation is not a practicable proposition, because of the present water supplies that we know of and the limited markets for primary produce. All this adds up to the fact that the lakes are looked on by people at present as both an agricultural area and a recreational area and, although the lakes are not entirely natural (because they are affected by irrigation and by the construction of the barrages), they are still a priceless part of South Australia and I consider that many people in the community who are not concerned about the position now would be stirred up if the proposal to drain one or both of the lakes was given effect to. I know that such action is not imminent, but it would be timely for the Minister to make a statement about what is planned for the future.

The Hon. J. D. CORCORAN: I am aware of the various proposals that the honourable member has referred to, having become aware not in my capacity as Minister of Works but because I have heard them raised from time to time by interested people. Indeed, I think the member for Mallee has often spoken on this subject in the House.

The Hon. Hugh Hudson: The lakes are in the honourable member's district, I think.

The Hon. J. D. CORCORAN: Lake Albert is in the District of Mallee. I consider that the position should be made clear at this stage as far ahead as possible because, although I know of no proposals officially, I do not doubt that engineers in the Engineering and Water Supply Department have discussed the matter. I doubt that they have any proposals at present, but, because of the honourable member's question, I shall be pleased to discuss the matter with the Engineer-in-Chief as soon as possible to find out whether the department has any ideas on the matter. When I have done that, I will bring down a report that should clear the matter up not only for the member for Alexandra and other members of this House, but also for people vitally concerned about the matter.

Mr. NANKIVELL: Can the Minister of Works say whether it is not correct that the future of Lake Albert largely depends on the construction of further Murray River storages? I understand that the estimated evaporation on the lake surface is about 750,000 acre feet of water a year. Presently the entitlement for flushing out the river is about 625,000 acre feet, whereas our full entitlement, if we get it, is 1,250,000 acre feet. I suggest that normally we can expect to meet the requirements of the evaporation of the lake, subject to our getting an assured supply of water down the river. I also suggest that the entitlement that would come to us as a result of the proposed additional storage on the river would provide an additional 100,000 acre feet for evaporation, which could meet the evaporation requirements of the lake and guarantee its future security. Will the Minister take this into account when he replies to the question asked by the member for Alexandra?

The Hon. J. D. CORCORAN: The honourable member suggests that the future of Lake Albert relies on future storages that are built on the Murray River, but all I can say is that I do not believe that the future of Lake Albert relies on that. We know that additional storages will be built in future on the Murray, but surely the future of Lake Albert relies on the decision to be taken whether or not we can afford to allow water to evaporate, and not on what water is coming in. It follows that, with any development of Murray River storages, there will also be increased development in irrigation in this State, but this will be controlled to a far better degree than was the case in the past, when the decision made created the situation in which we find ourselves at present: if anything, we are over-committed.

However, I shall be happy to consider that when examining the honourable member's question.

Mr. NANKIVELL: Will the Minister of Works say who is responsible for maintaining the flow of water through the channel (or "Narrows", as it is known) linking Lake Albert and Lake Alexandrina? I think those of us associated with this area know that, in the past, when salinity in the lakes was fluctuating, the reed growth in the section that links the two lakes was kept under control by periodic salinity. Since both lakes have become completely fresh, however, the growth of sphagnum (the reed growth) in this area has become prolific to the point where it impedes the free flow of water into Lake Albert and, more particularly, the return of water to Lake Albert after strong southerly winds have forced it out. This question of maintaining levels in Lake Albert has been difficult for some time, and it seems that it could be related to the restriction of flow through this passage. Will the Minister of Works find out whose responsibility it is to keep this channel clear?

The Hon. J. D. CORCORAN: I will find out who is responsible and, if my department is responsible, I shall speak to the officers concerned about keeping the channel clear.

Mr. NANKIVELL: Can the Minister of Works say whether any serious consideration has been given to providing a southern outlet from Lake Albert into the Coorong? At meetings of the Southern Fishermen's Association and of the Lake Water Users' Association, two matters have arisen regarding the quality of the water in Lake Albert and in the nearby Coorong. There is a narrow neck at the southern end of the lake that could be cut in order to provide a channel between the southern end of Lake Albert and the Coorong. Fishermen are concerned about the salinity in the Coorong, and they believe that this channel would provide a means of getting fresh water into the Coorong at a more southern point than is now possible. Irrigators in the area are concerned about the difficulty in removing saline pockets of water in the southern end of the lake that accumulate there as a result of the movement in from the northern end of the lake and of the absence of the flushing resulting from the in and out movement of water, which took place before the channel into Lake Albert from Lake Alexandrina became blocked. Will the Minister say whether this matter has been considered and, if it has not, will he consider it in relation to the overall problem?

The Hon. J. D. CORCORAN: I do not think that this matter has been considered, and I doubt that it will, but I will examine the question.

MATRICULATION CENTRE

Mr. CLARK: Can the Minister of Education give the House details of the fifth-form or Matriculation centre intended to be included in the new wing at Norwood High School? I hope that members do not think I am encroaching on another member's district. I do not intend to do that, as I am asking the question for general interest. This matter was dealt with in evidence before the Public Works Committee this morning, and members of the committee found it most interesting. It is something new: I understand this to be the first time that such a centre has been provided in Australia, and I consider that other members would be interested to hear details of it.

The Hon. HUGH HUDSON: As the honourable member had told me that he would ask this question, I was able to get some information before I came to the House. I do not think it is correct to say that this is the first project of its kind in Australia. Tasmania is building separate schools, or Matriculation centres as they are called, for final-year students in that State. What is proposed in relation to Norwood is a product of the need for an additional wing and the need to provide additional science and library facilities. The building will comprise three storeys and the library will be on the second floor. On the ground floor there will be science laboratories and a science lecture theatre, which will accommodate the entire fifth-year class and is designed to cater for 200 students, and this theatre will also be used for other purposes. The first floor of the building is the effective Matriculation centre and it comprises areas that will enable the Matriculation students to study on their own, with enough individual carrels to cater for about 70 students. It consists of rooms that can be used as tutorial rooms.

There is provision for a students' lounge and additional facilities in relation to that lounge so that the students may make their own cups of tea, and so on. Other rooms on the first floor will enable flexible use to be made of the area for various purposes, depending on the groupings of the students in various subjects. Two rooms will be set aside as mathematics rooms and a larger room will be set aside for the humanities. These are in addition to the various subject rooms I have mentioned.

The idea behind the whole project, particularly as it occurs in a building that will contain science facilities and the Commonwealth-standard library, is to provide a better transition than we have been able to provide in the past for Matriculation students. In the past, it has always been said that one of the problems of Matriculation students who go on to university is the tremendous adjustment they have to make between the way they have been accustomed to learning within the school environment and the way they are left to their own devices and expected to learn for themselves within the university environment. Many authorities have held that this tremendous adjustment is an important reason for the high failure rate in the first year at university and, of course, these first-year failures involve a considerable waste of the resources of the whole community, particularly when we remember that the running cost for a student at a university is probably about $1,400 or $1,500 a year at present, and only a small part of that (less than 20 per cent) is covered by the fees paid by students. Therefore, we must be concerned about this failure rate at our universities and other tertiary institutions. I consider that the proposal regarding the Norwood High School is exciting. At this stage it is experimental, but officers of the Education Department and I are confident that it will work and provide facilities of the kind that will enable Matriculation students to work for themselves and to administer their own affairs more than has been possible in the past. We hope these students will be able to make a more successful transition to universities and to teacher training than has been the case previously.

Mr. Coumbe: When will this come about?

The Hon. HUGH HUDSON: It is currently before the Public Works Committee; we hope that the project will go to tender in June, 1971; and the building should be available for occupation towards the end of 1972. It is relevant to note that the building will be partially separate from the rest of the school and can be left open at night without affecting the use of the rest of the school, so that the existing facilities can be used more than would normally be the case in connection with school facilities.

STOBIE POLES

Mr. EVANS: Will the Minister of Works take up with the appropriate officers the possibility of removing two electricity poles that have been recently erected by the Electricity Trust near Bellevue Drive, Bellevue Heights? A representative of the residents in this area recently met officers of the trust, pointing out that these poles impaired the view of the residents concerned and presenting a petition signed by 32 householders, although many more householders are concerned, at least to some degree. I point out that transmission cables run underground from Panorama, extending along Bellevue Drive to the point where these poles have been erected, and that from this point, extending to Happy Valley, the transmission lines will be overhead. If the underground cables had been extended for only another one-third of a mile, the residents concerned would not have complained, as their view would not have been impaired. However, I am informed that these people have built their houses so that they can enjoy the view of the Sturt Valley, and this area is one of the few developed areas in the hills face zone free from the embarrassment (I might call it the curse) of stobie poles. The residents are disturbed at the fact that the trust in its planning could not have continued the underground section for an extra one-third of a mile. Although the poles have been erected, the cables have not yet been suspended, but once they are suspended it will be more difficult to remove the poles. In addition, once the cables are suspended, it will more adversely affect the scenic beauty of the area. Will the Minister give this matter his serious and urgent attention?

The Hon. J. D. CORCORAN: Yes.

Mr. MILLHOUSE: When, the week before last, I asked the Minister of Works a question about the erection of stobie poles in East Parkway, Colonel Light Gardens, he was kind enough immediately to request the Electricity Trust to cease work, and he undertook to get a report on the whole question. As I understand that he now has a reply, will he give it?

The Hon. J. D. CORCORAN: The trust has prepared a revised scheme to make use of the service lanes. From the trust's point of view, this is a practical alternative, and the trust is at present seeking the concurrence of the Garden Suburb Commissioner on the amended route.

TEA TREE GULLY SCHOOL

Mrs. BYRNE: Will the Minister of Education ask officers of his department or of the Public Buildings Department, whichever is the appropriate department, to consider preserving the existing 100-years-old school building at the Tea Tree Gully Primary School? The Minister will be aware of the building to which I am

referring, because he saw it on October 10, when he visited the school to open the centenary celebrations. Also, he knows that Cabinet has approved the replacement of this school, and it is hoped that the new school will be ready for occupation by the end of 1972.

The Hon. HUGH HUDSON: I was pleased recently to be able to visit the Tea Tree Gully Primary School and to take part in its centenary celebrations. The honourable member spoke to me then about the old school building, which could clearly be preserved without interfering in any way with the new school buildings that will be located on an adjoining property well away from the original school building. Whether or not it will be possible to preserve the old building and to make future use of it remains to be seen because, as I have said, its location is well away from the site of the new school. However, the matter is being investigated by my officers, and I shall certainly be concerned to see that everything is done to preserve this building.

BUNYIP CHILDREN'S THEATRE

Mr. COUMBE: Has the Minister of Education a reply to the question I asked last week about the Bunyip Children's Theatre in South Australia and its operations?

The Hon. HUGH HUDSON: Approval to give performances to children in school time has not been restricted to one company, nor is the granting of such approval a recent innovation. For a number of years, some small performing companies such as the Children's Theatre (Rayner sisters) and the Marionette Theatre have had approval from the Education Department to give performances for schools. The Children's Theatre, which also performs in other States, has, since the early 1950's, taken to country and city schools a variety of oversea and Australian performers of quality. During this year, approval has been given for the following companies to give performances to schools: Australian Marionette Theatre; Children's Theatre; Bunyip Theatre; Elizabeth Dalman's Australian Dance Theatre; South Australian National Ballet Company; John Edmund's Theatre '62 Children's Theatre; and the Children's Arena Theatre. All of the above are reputable companies, some having the backing of the Arts Council of Australia. However, before any company can give performances to children in school time, it must first obtain the approval of the Deputy Director-General of Education. Once this has been obtained, the company negotiates directly with the head of the school, who has the right to decide whether the performance will or will not be given in a school or whether children will be allowed to attend a performance given outside the school in school time. He has had this prerogative for many years. The Children's Arena Theatre is a Victorian company which has the support of the Arts Council of Australia and which established a high reputation for its performances in Victorian schools. It also has the support of the South Australian Division of the Arts Council of Australia. Its application to give performances to schools in this State was approved in accordance with the Education Department's policy.

In a similar manner, the Bunyip Theatre was granted permission to give performances for schools. Thus the Arena Theatre did not supersede the Bunyip Theatre. It was another quality performance added to those from which heads of schools could make a selection. On August 20, 1970, written approval was given to the Bunyip Children's Theatre to give performances in Port Pirie, Port Augusta, Whyalla and other major centres. Moreover, approval to give performances to schools would include any school in the State, provided the head of the school wanted the performance. In August this year, the policy on dramatic performances was consolidated, with the result that the head of any school may now use his discretion whether a performance will be given in school premises or outside them. The Bunyip Theatre was notified of the changes.

McNALLY TRAINING CENTRE

Dr. TONKIN: Will the Minister of Social Welfare inform members of the degree of security found necessary at McNally Training Centre and say whether there is any basis for a remark attributed in the press to a magistrate in the Juvenile Court, implying that the ease with which absconders leave the training centre is "getting to be a big joke"? Of course, it is always the case that at least one or two people in any situation will not conform to the general rule, and I believe that has been the case at McNally, where difficulty has always been experienced in keeping one or two people there because of the very nature of the institution. Therefore, I believe that the sweeping statement made by the magistrate may not be in the best interests of the department or of the public.

The Hon. L. J. KING: The honourable member is well aware, as he has indicated, that an institution whose object it is to rehabilitate and refashion the lives of young people

who have got into trouble with the law cannot be conducted on maximum security prison lines, and we just cannot have high walls manned by prison guards in such a situation. As the honourable member has recognized, that carries with it the occasional problem of a boy who will seek to abscond. As I have said more than once, I think that this is the price the community must pay if it is earnest in its desire to rehabilitate young people who have got into trouble with the law. I recognize that, where a boy has demonstrated that he is unwilling to remain in the institution and absconds and commits other offences, it is incumbent on the authorities to take appropriate measures. I do not know anything of the case referred to by the honourable member other than what I have read in the press, but I have asked for a report on the circumstances. Although I do not make it a practice to comment publicly on specific cases, if the report I receive indicates that any further action is necessary at McNally, I will certainly let the honourable member know.

VETERINARY SERVICES

Mr. GUNN: Has the Minister of Works a reply to my recent question about veterinary services in my district?

The Hon. J. D. CORCORAN: My colleague states that the present position is that there are private practitioners at Port Lincoln and Whyalla. Animal health advisers are located at Port Lincoln, Cleve and Ceduna, and these officers assisted by the veterinarian staff in Adelaide provide a service to stockowners for herd problems. The Agriculture Department is unable to recruit sufficient veterinary staff to attend to the urgent disease investigation and control problems now awaiting attention and there is little possibility at present that the department could station a veterinary officer anywhere on Eyre Peninsula.

ADELAIDE PROMOTIONS

Mr. BECKER: Will the Attorney-General investigate the method of operation of a firm called Adelaide Promotions? I have only brief details, but I understand that this firm, which recently commenced operations in Adelaide, offers its members the opportunity to purchase at retail prices $300 worth of goods such as household furniture, clothing, motor vehicle spare parts, and so on. For a person to qualify under this scheme, he must lodge $300 cash with the firm before ordering the goods he wants. The firm also offers its existing members a $50 cash benefit for every new member they introduce.

The Hon. L. J. KING: I shall have the facts referred to by the honourable member investigated.

STATE'S FINANCES

Mr. McANANEY: Can the Treasurer say whether he has ever obtained a report from officers of the Treasury on how the State's finances can be set out more suitably so that they can be more enlightening to members of Parliament? Other countries use an accrued system rather than work on a cash-book basis. Such a method would be of great assistance in many cases. For instance, in reply to a question asked in July this year, about railway revenue, it was pointed out that collections fell short of actual earnings by about $700,000 partly because the June, 1970, carry-over was lower than normal and partly because the July, 1970, temporarily unpaid accounts were rather higher than normal. In some other States, the finances relating to the railways and similar services are dealt with in a different section of the Budget and are not combined with other items, as they are in this State. Our method makes it difficult to know where the money of the State goes. I should like to know whether any investigation is being made with a view to bringing our accounting methods up to modern standards.

The Hon. D. A. DUNSTAN: There have been various examinations of the accounts of the department. However, although recommendations have been made from time to time by the Treasury, there is an overall problem that I do not think will be altered merely by changing our accounting methods. However, I will take up the honourable member's remarks with the Under Treasurer and the Railways Commissioner to see whether we cannot do some of the things he has suggested.

CHARLESTON PRIMARY SCHOOL

Mr. GOLDSWORTHY: Can the Minister of Education say whether the decision with regard to the removal of some large pine trees at the Charleston Primary School can be expedited? I wrote to the Minister on August 25 and received a reply from his Secretary's assistant saying that the Minister was looking into the matter and would communicate with me as soon as possible. As the school committee is waiting on this decision, I shall be pleased if the Minister can look into the matter.

The Hon. HUGH HUDSON: As I am still waiting for a report on this matter, I will inquire about it and expedite the reply.

GOVERNMENT MOTOR VEHICLES

Mr. VENNING: Will the Minister of Works try to have the *status quo* retained in respect of the Supply and Tender Board when and where possible in the matter of the board's distribution of motor vehicles to Government departments, particularly in country areas? In the past country distributors have been able to deliver new motor vehicles to Government departments. As an example, I cite Crystal Brook, where branches of the Engineering and Water Supply Department and the Highways Department are situated. I understand that a move is afoot to have this distribution effected from the metropolitan area in future. Such a move will deprive the country agents of the small commission they have received in the past as well as of the opportunity of servicing these vehicles before delivery. As it is not necessary for me to remind the Minister of the problems that exist in country areas at present, will he examine this matter and see what can be done to retain the *status quo* when and where possible in respect of the supply of Government vehicles to country areas?

The Hon. J. D. CORCORAN: I am not aware of the move that the honourable member has suggested may be afoot, but I will have the matter investigated and bring down a report.

BOLIVAR EFFLUENT

Mr. FERGUSON: Can the Premier say when the report from the Health Department on the use of Bolivar effluent will be available? When I asked the Premier a similar question on September 1, he said that availability of the report depended on three things. I attended a meeting at Salisbury at which the Premier was also present and, in reply to questions put to him by many water users of the district, the Premier said he thought the report would be available. Can he now say when the report will be available, as many of my constituents have asked about it?

The Hon. D. A. DUNSTAN: The report reached my desk this week and, although it is still being examined, I hope to be able to release it soon.

MISCELLANEOUS LEASES

Dr. EASTICK: Has the Minister of Works received from the Minister of Lands a reply to my recent question regarding miscellaneous leases?

The Hon. J. D. CORCORAN: Miscellaneous leases are granted for terms up to but not exceeding 21 years. These leases contain a resumption clause which requires six months' notice from the Minister. The Minister may approve compensation for approved improvements, provided that the improvements would be of value to an incoming lessee. Miscellaneous leases are granted under two different sets of circumstances: first, when the Government does not intend the land to be alienated, that is, it is being held against known or expected Government requirements; secondly, in the past it has been a practice to make undeveloped land available to persons who are prepared to develop it for agricultural purposes on the understanding that, when a reasonable amount of development had been completed, they could apply for permanent tenure, permanent tenure being granted in those cases where alienation is permissible. The lease over Katarapko Island came within the first category, that is, it was not intended that the land be alienated. Recently, it has been the policy, where alienation has been permissible, to allot land suitable for agricultural purposes under perpetual lease.

SCHOOL MEDICAL EXAMINATIONS

Mr. WARDLE: Will the Minister of Education explain the Education Department's policy regarding the medical examination of primary school students? A medical officer has visited a small country school of about 100 students in my district, and a family with many children attending the school has found that only some of its children have been examined because they are in various grades. I believe it is the department's policy for that school to be visited every so many years in rotation, thereby enabling all the children to be examined once or twice during their primary school careers.

The Hon. HUGH HUDSON: This matter has been raised previously by the member for Hanson. The information given by the member for Murray is substantially correct: the medical officer visits a school on the basis that only certain grades are covered in specific areas, although over a period of two or three years the whole school is covered. During a student's primary school life he would receive two or three visits from the doctor for a general medical and health check-up. I have requested that this whole matter be reviewed with a view to determining whether the present coverage is adequate. I am happy to have the whole matter thoroughly examined in this way and, when further information is available, I will pass it on to the honourable member.

ART GALLERY

Mr. MATHWIN: Can the Minister of Education say whether the Government will encourage the Art Gallery of South Australia to open two nights a week? I refer to a report in the *News* of October 26, in which Mr. B. A. Pearce (Senior Education Officer at the Art Gallery) was reported as having said that insufficient Government finance prevented the Art Gallery from opening during the evenings, but that in the future it might be possible for the gallery to close one day and to open two evenings a week. This would be most desirable, as many people can visit the Art Gallery only in the evenings.

The Hon. HUGH HUDSON: The Art Gallery is certainly not restricted in respect of funds. Indeed, the increased funds made available to it this year will enable it to achieve a healthy rate of expansion compared with its past achievements. Indeed, as a result of the Government grant, the gallery has been able, apart from purchasing additional objects of art, to employ four extra attendants to help staff the new wing. Certainly, it is within the prerogative of the gallery to use its existing resources so that it can open partly at night and be closed for one day, as the honourable member has suggested. I shall certainly be happy to take up his suggestion with the Art Gallery, although I point out that the gallery's day-to-day running is not my responsibility but that of its board, and I do not regard it as part of my function to interfere with the way the board determines the allocation of its financial resources.

Mr. Mathwin: I did say "encourage".

The Hon. HUGH HUDSON: I shall be happy to ask the board to examine the question raised by the honourable member. However, I refute any suggestion that the Government has been parsimonious in relation to the gallery, as the financial provision made for it this year has been most generous.

DIRTY WATER

Mr. CLARK: Has the Minister of Works a reply to the question I asked on Tuesday of this week concerning dirty water in Saxon Street, Smithfield Plains?

The Hon. J. D. CORCORAN: Inquiries from the regional office at Elizabeth reveal that only two complaints of discoloured water have been received in the last two weeks from consumers in Saxon Street, Smithfield. These were both investigated and, when the departmental officer visited the homes of these people, it was found that the water was then quite normal and not discoloured. Complaints of discoloured water are, however, being received in a number of areas at present. These are sporadic and due to the sudden increase in demand for water at this time of the year when we have an occasional hot day and some people are commencing to use their hoses, or where for some other reason the demand for water is suddenly being increased. This sudden increase in demand leads to an increase in the velocity of water in the mains which may cause turbulence and the disturbance of sediments that may have settled in the mains during the winter months. This is a seasonal condition which may cause localized or, in some cases, widespread areas of discoloured water which may be of short duration or may last for a day or so. Consumers who experience these difficulties should report them to the local Engineering and Water Supply Department office, and action will be taken wherever possible to flush mains in that locality.

ELECTORAL ACT

Mr. ALLEN: Will the Attorney-General consider amending secion 110a of the Electoral Act to enable a voter who is voting under this section to obtain an absent vote? Section 110a covers voters who are wrongly enrolled or whose name has been omitted from, or struck out of, the certified list of voters for that subdivision. At present, a voter voting under this section must vote in his own subdivision. At the last State election about 30 voters living north of Carrieton and about 15 voters living at Canowie Belt were enrolled for the Rocky River subdivision, whereas they should have been enrolled for the Frome subdivision. When they went to the polling booth they discovered the mistake and they decided to vote under section 110a, but they were rightly told that they would have to go to their own district to vote and, as that would have meant a 25-mile journey to the closest polling booth, they decided to vote for a Rocky River candidate and so overcame their difficulty that way. Another person, who knew previously that his name had been omitted from the roll and who was in the city on polling day, had to travel 110 miles home in order to cast his vote in his own district. After discussing this matter with the Electoral Department, I believe that it would not create much difficulty if the Act were amended to give those people the opportunity to cast an absent vote under section 110a.

The Hon. L. J. KING: I will have the matter investigated to see whether the honourable member's suggestion is practicable.

KANGAROO ISLAND FERRY

The Hon. D. N. BROOKMAN: Has the Minister of Roads and Transport any further information to give the House following my recent question concerning the ferry to Kangaroo Island?

The Hon. G. T. Virgo: What's the question?

The Hon. D. N. BROOKMAN: What programme has the Minister for the establishment of the Kangaroo Island ferry? When will the work to be done in connection with the project be referred to the Public Works Committee, and how will the organization to run the ferry be controlled? As it is now some months since the Minister announced that the ferry service would be established, it would be appropriate if he could now give further details so that the people involved could know more about the project.

The Hon. G. T. VIRGO: I am not sure how far I can accommodate the honourable member in replying to his question. I can understand and appreciate his obvious concern about the matter, but I think he will also understand and appreciate that the Government is actively concerned with and working towards the achievement of the objectives laid down in the report and to provide a ferry service to commence operating in July, 1972. The honourable member will appreciate that much, shall I say, backroom work, which has no spectacular significance, is necessary in a venture of this kind, and that is proceeding at present. All kinds of test are taking place. The Mines Department is searching for suitable material for breakwater building, and the planning of the ferry, which is a fairly big task, is proceeding. We have had discussions with the Commonwealth Government to pave the way to enable us to participate in a subsidy that we hope will be made available for this venture. Such a subsidy would be in accordance with the terms of similar subsidies. At this stage, I cannot say when the matter will be referred to the Public Works Committee. More work must be done before it is referred, and I cannot say how the organization to run the ferry will be controlled. All these matters will be dealt with as the plan proceeds. I think some preliminary steps must still be taken and resolved before we can go any further with the matter. I do not think there is any further information I can give the honourable member, other than to say that the Government shares his concern about the need to provide an adequate service for the people of Kangaroo Island, and we are doing all we can to meet the deadline, which is July, 1972.

PROSPECT REDEVELOPMENT

Mr. COUMBE: Will the Minister of Education get for me a report on what progress has been made in negotiations between the Prospect council and the Prospect Demonstration School regarding redevelopment of the area near the school?

The Hon. HUGH HUDSON: I shall be pleased to do that for the honourable member.

ABATTOIRS

Mr. VENNING: Has the Minister of Works a reply from the Minister of Agriculture to my question regarding the Gepps Cross abattoir?

The Hon. J. D. CORCORAN: My colleague states that the contract work for the new pig slaughter floor at the Gepps Cross abattoir is scheduled for completion by the end of this week, and it is expected that a trial kill will take place during next week.

Mr. McANANEY: As I understand that the Minister of Agriculture has received the report of the committee appointed to inquire into abattoirs, will the Minister of Works ask his colleague whether that report can be made available for members to study?

The Hon. J. D. CORCORAN: I will check with my colleague and let the honourable member know.

HOSPITAL INSURANCE

Mr. McANANEY: Will the Treasurer obtain a report on the estimated gain to the revenue of South Australia in connection with the subsidized medical service for public ward hospital cover introduced by the Commonwealth Government? This decision affects the group of people on extremely low incomes, and the extent of the payment of this cover by the Commonwealth Government should assist the State Treasury. I should like to know the amount involved.

The Hon. D. A. DUNSTAN: I will get a report on the matter.

HOUSING TRUST POLICY

Mr. BECKER: Will the Premier, as the Minister of Development and Mines, investigate the possibility of the South Australian Housing Trust's providing emergency housing accommodation for large families? In reply to my question yesterday regarding a constituent's

application to the Housing Trust, the Premier said:

While it is recommended for housing, there is still a number of local applicants with large families who have already waited much longer. The trust will make an offer of housing just as soon as is possible, but it cannot promise early assistance, because of the uncertainty of larger rental houses becoming available for re-allocation and the fact that it cannot, without being most unfair, overlook other applicants.

I understand that the trust has many applications for rental housing from large families and that some years ago it provided such housing for applicants being threatened with eviction, but during the past years this service has no longer been provided.

The Hon. D. A. DUNSTAN: I will get a report for the honourable member. It must be appreciated that, whilst for many years the trust has tried to provide houses for large families, those provided can be only a proportion of the total number of houses that the trust builds. We try to keep the proportion as high as possible, but it is not more likely that we can meet the demand in a large family area than that we can in the area of the family of average size. We try to keep the porportion as balanced as possible. I will get a report for the honourable member.

BLACKWOOD PATHWAY

Mr. EVANS: Has the Minister of Works a reply to my question about the provision of a pathway for schoolchildren at Blackwood?

The Hon. J. D. CORCORAN: The Minister of Lands states that during the past few weeks the Board of Governors of the Botanic Garden has been approached by interested parties to incorporate into the planning of Wittunga Botanic Garden a public pathway. This pathway is stated to be necessary for children attending the Blackwood High School and presumably also the primary school. It would act as a short cut from Blackwood to the schools. Because several factors are involved, the suggestion has been made that a meeting be arranged of all interested parties so that matters may be fully discussed. This suggestion will be followed up, as it is considered that if such a meeting can be held much time will be saved and a solution more quickly obtained.

SCHOOL FLYSCREENS

Mr. GUNN: Will the Minister of Education ask his department to have flyscreens fitted at schools in my district? Over the last few months numerous complaints have been made to me about the failure to have these screens fitted to schools. Part of a letter that I recently received in connection with this matter states:

We applied for these screens over three years ago. As this time is the worst time of the year for flies, the children get conjunctivitis, which has been a big problem in this area, and it spreads rapidly. The teachers cannot use fly spray, as there are a few very bad asthma sufferers.

The Hon. HUGH HUDSON: The policy relating to the installation of flyscreens is known to the honourable member. If an installation has been approved for a certain school but has not been carried out by the Public Buildings Department over a three-year period, I shall be pleased to have the information on the school involved, if the honourable member has not already written to me, and I will certainly take up the matter with the Minister of Works to see that the work is carried out as soon as possible.

SICK AGED

Mr. MILLHOUSE: I wish to ask a question of the Attorney-General, representing the Chief Secretary, and, with your permission and the concurrence of the House, briefly to explain the question. A full fortnight ago—

The Hon. Hugh Hudson: Question!

The SPEAKER: Order! The honourable member must state his question.

Mr. MILLHOUSE: Has the Attorney-General a reply to a question I asked a full fortnight ago? If I may now get on with the explanation to the question: A fortnight ago, when the Attorney-General was absent in another State, I asked the Premier whether he would obtain a report from the Chief Secretary on an address made by Rev. Erwin Vogt on the problems of the sick aged, and I asked for the reply as a matter of some urgency. Although I have since followed up that question on two occasions, it is only now that the Attorney-General has informed me that he has a reply, and I ask him whether he will give it.

The Hon. L. J. KING: The honourable member has asked two questions: the first question is whether I have a reply, and he went on to explain it. He then, at the end, asked what was in the reply. Which question he wishes me to answer, I do not know, because his explanation related entirely to the first question.

Mr. Venning: Be serious!

The Hon. L. J. KING: I am more than serious. Notwithstanding that the honourable

member did not ask for it, I will now give the reply.

The SPEAKER: Order! The Minister is replying to a question; the reply must be given, and it must be heard in silence.

The Hon. L. J. KING: The Chief Secretary states that, of the wards at Morris Hospital, one is occupied as a spinal injuries ward and another is being converted for this and other purposes. The other two wards have recently been redecorated with the object of using them to accommodate patients to be transferred from substandard accommodation at Northfield wards. The major problem with aged people is the availability of nursing home accommodation at a reasonable cost and the provision of domiciliary services for those who can be maintained in their own homes. Northfield wards are to be rebuilt as an urgent measure. It is understood that the Commonwealth Government may review benefits paid to patients of nursing homes. This is vital to assist aged persons who are in ill health, and if the Commonwealth Government takes this course of action it will encourage the expansion of nursing home accommodation. Without dealing with the individual matters raised by Rev. Mr. Vogt, it is true that there is a problem with aged sick people. Combined Commonwealth-State action is needed.

CONSUMER PROTECTION

Mr. BECKER: Will the Attorney-General say what action will be taken to offer the community greater consumer protection? In 1965 the Victorian Government set up a consumer protection council. As at June 30, 1969, it had received 6,146 complaints from customers, the vast majority concerning television and radio repairs, household improvements, faulty merchandise, shop sales and washing machine repairs.

Members interjecting:

The SPEAKER: Order!

Mr. BECKER: Last May, uniform packaging legislation came into force throughout Australia: such terms as "big gallon" and "full pound" are not allowed and there are restrictions on the use of the terms "giant" and "jumbo" in referring to sizes. In addition, weights and prices must be shown on packets. I understand that about four swimming-pool construction companies have been declared bankrupt during the past 12 months, leaving several house owners with unfinished swimming pools, and during the past week a travel agency with interstate affiliations has disappeared overnight. In the last two instances, citizens stand to lose several thousand dollars.

The Hon. L. J. KING: In the next two or three weeks the honourable member will have the opportunity to vote for legislation that will be much more effective and efficient than the machinery in Victoria to which he has referred. I hope that, when the honourable member sees this legislation and sees how effective it will be, he will not weaken in his resolve to vote for it, and I hope that he will encourage all of his colleagues, particularly the members of his Party in another place, to do likewise.

The Hon. G. R. Broomhill: Particularly the member for Rocky River.

The SPEAKER: Order! The Attorney-General is replying to a question, and I insist that he be heard in silence. There are too many interjections.

The Hon. L. J. KING: Among the measures that the honourable member will have the opportunity to support will be a measure that will confer on the Prices Commissioner the widest powers of research and advice to consumers. Concerning goods, he will have the widest powers to receive complaints from consumers, to investigate those complaints and, on satisfying himself that the complaints are well founded, to negotiate a settlement of the complaints with the commercial organizations concerned. In addition, the honourable member will have an opportunity to support a measure to the effect that, if infringement of the rights of consumers is complained about, and if the Prices Commissioner is satisfied that it is a well-founded complaint and is unable to obtain satisfaction by means of negotiation, he will have the authority to institute proceedings in the name of the Prices Commissioner and at public expense for the purpose of vindicating those rights.

DEEP SEA PORTS

Mr. VENNING: Has the Minister of Marine a reply to the question I asked some time ago about the terms of reference of the committee appointed to inquire into deep sea ports?

The Hon. J. D. CORCORAN: The honourable member said that he asked his question some time ago. I am not certain how long ago that is supposed to be, but I think he asked this question last week. It concerns the terms of reference of the committee appointed to investigate the best location for new grain terminal facilities to serve the central grain producing areas of the State. Those terms are as follows:

To investigate and recommend the best location for a bulk grain loading berth for large grain vessels to serve the central grain producing area of the State, taking into account all the economic factors associated with the proposals.

DAVENPORT RESERVE

Mr. MILLHOUSE: I ask a question of the Minister of Aboriginal Affairs and I seek your leave, Mr. Speaker, and the permission of the House to explain the question.

The Hon. J. D. Corcoran: What is it?

Mr. MILLHOUSE: The question is whether the Minister will give any information—

The Hon. J. D. Corcoran: About what?

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

Mr. MILLHOUSE: The Minister of Works jumps in. I was stating my question and he interjected.

The SPEAKER: Order!

Mr. MILLHOUSE: Well, this is too much of a habit of his.

The SPEAKER: Order! I have called on the member for Mitcham, and if he would state his question—

Mr. MILLHOUSE: Thank you; I was halfway through stating it.

The SPEAKER: Order! We are not debating this.

Mr. MILLHOUSE: The question I desire to ask the Minister of Aboriginal Affairs is as follows: will he give information to the House now regarding the Superintendent of the Davenport Reserve? If I may get on with the explanation of the question now that I have, I hope, framed it in an acceptable form—

Mr. Jennings: You didn't ask leave.

Mr. MILLHOUSE: I started by seeking leave. I had sought leave—

Mr. Jennings: You didn't.

Mr. MILLHOUSE: Before I framed the question, I sought leave.

The SPEAKER: Order! It is impossible to hear what members are saying, because there is so much conversation. I ask that members observe decorum. I ask the honourable member whether he will seek leave of the House, because I did not hear him seek it previously.

Mr. MILLHOUSE: Very well, Sir, but I think *Hansard* will show that I have already asked for leave. However, I will ask for it again. I seek your leave, Mr. Speaker, and the permission of the House to explain the question. On October 20, I asked the Minister about certain newspaper reports which had appeared regarding the Superintendent of the Davenport Reserve, near Port Augusta. The Minister said then that the Director (Mr. Cox) was going there to report to him and that he expected that the report would be in his hands by the end of the week (that was last week). On his own estimate of time, the Minister should have had the report now for about a week. I ask him whether he will let the House know what action it is proposed to take.

The Hon. L. J. KING: The question that the honourable member asked was whether I would give information regarding the Superintendent of the Davenport Reserve. The answer to that is that I do not at this stage intend to give any information regarding the Superintendent of the Davenport Reserve. As I explained to the honourable member on an earlier occasion, certain investigations have been conducted by the Director in relation to certain newspaper reports. I have had discussions with the Director. He had intended to have a report in my hands by the end of last week. We have had certain further discussions concerning the matter. I expect that the report will be in my hands within a week or so. I will furnish information to the House regarding the Superintendent of the Davenport Reserve when that report comes to hand.

NIGHT WATCHMEN

Mr. BECKER: Will the Minister of Education consider engaging night watchmen to protect large school properties? In view of the two recent fires at metropolitan schools and the subsequent loss of property and so on, and in view of the inconvenience caused to teaching staff and students, possibly the Government should consider employing night watchmen to protect large metropolitan schools, as the Government covers its own insurance.

The Hon. HUGH HUDSON: I think that the losses last financial year as a consequence of thefts of various kinds amounted to about $11,500. The provision of a night-watching service would be most expensive, as the honourable member can imagine, in view of the tremendous amount of school property that exists throughout the metropolitan area and the whole State. However, in view of the question, we will have another look at the economics of the matter and see whether or not, in order to avoid the problems of teachers, we can employ night watchmen or a night-watching service.

PINNAROO ROAD

Mr. NANKIVELL: Will the Minister of Roads and Transport obtain for me a report on what work is intended to be carried out this financial year on upgrading and sealing the Bordertown-Pinnaroo road?

The Hon. G. T. VIRGO: Yes.

FLINDERS HIGHWAY

Mr. GUNN: Can the Minister of Roads and Transport say why the Highways Department has slowed down work on the construction of the Flinders Highway (Main Road No. 9)? Last year it was expected that the Highways Department would spend $160,000 on the Talia to Colton section of this road, but nothing was spent. However, this year the sealing of this section is not referred to in the proposed expenditure by the department. As the Elliston council has reached the stage where it has nearly completed the construction of this section of the road, this development could cause it difficulty in employing its gang and in making use of the large quantity of plant it has in the area.

The Hon. G. T. VIRGO: If my memory serves me correctly, I provided the honourable member with the programme of this year's operations, and it would appear from his information that the programme has been completed. However, I can have that matter examined. The other point raised by the honourable member concerns the Elliston council engaging more staff and buying more equipment than it needs. However, I am afraid the council, not the Highways Department, is responsible in that respect: the latter could not rightly or properly be expected to carry that burden. About $10,000,000 a year is provided from the public purse to local government to assist it in its various projects, and local government is indeed a valuable adjunct to the completion of the Highways Department's programme. By the same token, local government should not think that, when it finds the going a little tough, the Highways Department will spend money in a specific area, with complete disregard for priorities, merely to keep that area going. I will again examine the programme to see what is the situation and, if there is anything further to add, I will bring down a report.

TEACHERS' REGULATIONS

Dr. EASTICK: Will the Minister of Education say by what means it is intended to inform teachers of the effects of the proposed certified and classified teachers' regulations, the time for motions for disallowance of which closes today? Can the Minister say how many teachers may be affected by this new classification?

The Hon. HUGH HUDSON: From memory, the number affected is about 280, and the total cost to the Government of the proposal is about $86,000 a year. The proposal will involve the writing-out of unclassified assistants. As I understand the position, the regulations have the force of law immediately they are approved by Executive Council, so the fact that today is the last day to move disallowance is not relevant in this respect: the 14 sitting days to move disallowance is specified merely to provide a time limit for that process. I have not checked whether or how the teachers directly affected by salary changes as a result of the regulation have been informed. In view of the honourable member's question, I will take up the matter and provide him with a reply as soon as possible.

SOCIAL WELFARE

Mr. VENNING: Will the Attorney-General say what short-term assistance the Government expects to give through the Social Welfare Department to primary producers who may soon need immediate assistance? I realize that it is the function of this department to provide relief to persons in necessitous circumstances, and it is most unfortunate that, in order to qualify for assistance, primary producers must first walk off their properties. Although I realize that the State Government has not a large amount of finance to enable it to provide such assistance, will the Minister of Social Welfare see what can be done to help these people without their having first of all to walk off their properties?

The Hon. L. J. KING: I do not know what facts the honourable member has in mind when he suggests assistance being given by the Social Welfare Department. Generally, the provision of social service benefits to persons who fall within the various categories is the responsibility of the Commonwealth Government. True, the Social Welfare Department in this State provides relief for persons who are without means of subsistence and who are not, for one reason or another, receiving Commonwealth assistance. Generally, this is only on a temporary basis until an application to the Commonwealth Government is successful, although there are other cases. It is not normal practice for the State Social Welfare Department to help persons who own valuable

assets and, if the honourable member is contemplating a case where the applicant for assistance possesses a property, such a person would not fall within the ambit of social welfare assistance. If, however, the honourable member would like to submit further details of a specific problem he has in mind, I will certainly take up the matter with the Director of the Social Welfare Department to see whether it falls within any of the categories in respect of which assistance is provided.

FILM CLASSIFICATION

Mr. MILLHOUSE: I should like to ask the Attorney-General a question and with your permission, Sir, and the concurrence of the House, briefly to explain it.

The Hon. Hugh Hudson: What's the question?

Mr. MILLHOUSE: Has the Attorney-General considered the circular sent out by the Motion Picture Exhibitors Association and, in particular, has he considered the point made in it concerning the difficulty of policing the age of those who go to cinemas, particularly to drive-in theatres? Last Thursday I asked the Attorney a question about the reported intention of this Government and other Governments throughout Australia to introduce a new form of classification for cinematographic films, in reply to which the Attorney confirmed that he intended to ask the Government to introduce legislation next year. He went on to canvass the difficulty of policing the age of those who go to films and philosophized on this aspect, although he ended by concluding that, if one is in that game, one has to accept the difficulties imposed on one, even if they were not imposed at the time one entered the field. He did not, however, suggest any way the difficulties could be coped with. Since then, this circular distributed by the Motion Picture Exhibitors Association has reached me and, I presume, other members. It makes the point to which I have referred, as well as several other points, in objection to the new method of classification of films.

The Hon. L. J. KING: I have considered the circular sent out by the Motion Picture Exhibitors Association. It puts again matters that were put to me with considerable force by representatives of that organization when they called me prior to the decision taken by the Government, and it repeats submissions that were made in the same way to the appropriate Commonwealth and State Ministers. I repeat what I said in reply to the honourable member last week: I realize that there are difficulties in any situation in which a person is required by law to exclude persons of a certain age. The problem of determining age is always difficult: it is a problem confronting persons who are licensed to sell liquor, persons engaged in the business of bookmaking, and others who are required by law to abstain from doing business with persons under a certain age.

The honourable member asks whether I have devised some way by which the motion picture proprietors can cope with this in the drive-in theatres. I think the answer is simply this: the motion picture exhibitors can provide staff in order to inspect the occupants of cars entering a drive-in theatre and thereby determine the age of the occupants in precisely the same way as a publican has to inspect a person purchasing liquor from a drive-in bottle department. There is no difficulty about that. As I explained to the honourable member, the law proposed by the Government would permit parents to take children under the age of six years: the restricted ages would be between the years of six and 18.

Mr. Millhouse: You didn't make that qualification before.

The Hon. L. J. KING: I do not know whether I did at the time, but the honourable member will get details of the legislation when it is introduced. I assure him that the agreement with the Ministers of the other States and the Commonwealth Minister is that the legislation will provide that the exclusion will be of children between the ages of six years and 18 years.

Mr. Millhouse: Not with their parents?

The Hon. L. J. KING: It is a straight-out exclusion of children between six years and 18 years. If they are between the ages of six years and 18 years it will not be lawful to admit them to the theatre when a restricted film is being shown, whether they are with parents or not. This is inevitable because one onus that could not be put on the motion picture proprietors is the onus of determining whether an adult accompanying a young person is that person's parent. The only practicable way of ensuring that motion picture proprietors who choose freely and voluntarily to show restricted films do not admit persons between the ages of six years and 18 years is to have a blanket prohibition on the admission of children between those ages.

The honourable member asks me how such a provision can be enforced. I have told him once that I can see no difficulty in exhibitors

employing staff for this purpose. The determining of age always presents difficulties but the honourable member must realize (and I have put this to the motion picture exhibitors) that, if a person chooses freely to exhibit films bearing a restricted classification, it is not too much to ask him to assume the responsibility for excluding the immature. If he does not have the resources to exclude the immature, he should not show the film. No matter what difficulties might be involved for the industry (and there are undoubtedly some) the public interest that is involved here must be paramount and the introduction of a legally enforceable restricted classification is, as the other Governments recognize, amply justified.

PROHIBITION OF DISCRIMINATION ACT AMENDMENT BILL

Returned from the Legislative Council with an amendment.

KINGSWOOD RECREATION GROUND (VESTING) BILL

Returned from the Legislative Council with an amendment.

CATTLE COMPENSATION ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

PUBLIC SERVICE ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Public Service Act, 1967-1970. Read a first time.

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

That this Bill be now read a second time.

It contains amendments to the principal Act, the need for which has emerged during the period that the Public Service Act, 1967, has been operating. Clauses 1 and 2 are formal. Clause 3 makes it clear that what is commonly called a "higher duties allowance" will be payable whether or not the officer actually assumes the function of another office in the performance of the duties in respect of which the payment may be made.

Clauses 4 to 7 provide that appointments to the Public Service may be made by the board. Previously, in terms of section 68 of the Constitution Act all appointments have been made by the Governor in Council. The powers of the board in this matter will be exercised within the limits of the proviso to section 68 of the Constitution Act, that is, the board will make appointments at the base grade level, and the effect of this amendment will be to enable such appointments to be made with greater expedition. Opposition members who were members of Cabinet previously will be aware that some time is taken up with appointments in Executive Council of people who otherwise could be appointed administratively, and there is no point in Executive Council making these appointments.

The Hon. D. N. Brookman: This will take away from Cabinet the supervision of these appointments?

The Hon. D. A. DUNSTAN: Yes. The fact is that Ministers have to agree to this. The original creation of the position has to be agreed to by Cabinet, and the Public Service Board will proceed to make these appointments at the base grade level, approved by a Minister. This seems to be a much more sensible procedure than the present one.

Clause 8 will extend the right of appeal on promotion to an office in the Public Service to all salaried persons who are in the full-time employ of the Government of the State, whether or not those persons are "officers" within the meaning of the Act. As a consequence, the provision of section 47, which gave this right of appeal to certain permanent Parliamentary officers, is no longer necessary and has been, by clause 10, repealed.

Clause 9 proposes an amendment to section 46 of the principal Act that will permit a single form of advertisement calling for application for appointment as permanent head. Since, in the terms of the Act, these appointments are not appealable, the different procedures for calling for applications from inside and outside the service does appear warranted. Clause 11 provides that a decision of the majority of the Appointments Appeal Committee shall be a decision of the committee. Clause 12 re-enacts section 55 of the principal Act and provides a more effective method of ensuring that so soon as it is clear that an officer will be unable to continue to perform the duties of his office, whether or not that officer has formally vacated his office, an effective appointment can be made to the office.

Clause 13 enlarges the range of penalties that may be recommended by the board to be imposed on persons guilty of a Public Service offence. The board may recommend that the officer's salary be reduced by a stated amount for a stated period. This punishment, like all other punishments, may be appealed against to the tribunal. Clauses 14 and 16 provide

that the recommendation for dismissal or transfer, made by the board when an officer has been convicted of a criminal offence, is not appealable. However, provision is made for the substance of such a recommendation to be communicated to the officer concerned before it is made to the Governor, thus affording the officer an opportunity to make any representations he may care to make in the matter.

The purpose of these amendments is to make it clear that the recommendation for dismissal is not by way of additional punishment for the offence, since this would usurp the court's function in the matter. It is merely an assertion of the right of the Government not to continue with the employment, either generally or in a particular capacity, of a person when, by reason of a conviction, that employment would not be in the public interest. Clause 15 provides that a decision of the majority of the members of an appeal tribunal shall be the decision of the tribunal.

Clause 17 provides for an increase of annual leave from three weeks to four weeks, and clause 19 provides, in effect, that the so-called "grace days" granted between Christmas and new year will be absorbed by that leave unless the board directs otherwise. Since the increased grant of leave has been expressed to apply in respect of leave granted after July 1, 1971, it may be expected that the board will exercise its discretion to ensure that, should the grace days be granted this year, they will not be deducted from the three weeks' annual leave entitlement that will still be applicable at that time. Clause 18 repeals section 85 of the principal Act in anticipation of the enactment of a single comprehensive provision relating to leave without pay.

Clause 20 deals with sick leave. It was found that the application of section 87 in its original form in relation to accumulation of sick leave would have:

(*a*) deprived all officers of the accumulation of sick leave in respect of one year's service;
and

(*b*) deprived certain officers (who were, at the time the principal Act came into force, between their seventh and tenth year of service) of an entitlement they could have expected upon the expiration of their tenth year of service, had the principal Act not been enacted.

In fact this situation had only practical effect in the comparatively few cases of officers who had exhausted or not acquired any accumulation of sick leave, and by administrative action the board has ensured that these officers have not been disadvantaged. Accordingly, this provision ensures that officers will not, in fact, suffer the deprivations adverted to above and that the original intention of section 87 will be given effect to.

Clause 21 repeals section 89 of the principal Act in anticipation of single comprehensive leave without pay provision. This provision is enacted by clause 24. Clause 22 amends section 90, which deals with the grant of long service leave. It proposes the removal of certain restrictions on the grant of the leave that are thought to be no longer necessary. The only conditions that may now be imposed are conditions as to the time that the leave may be granted and the minimum amount of leave that may be granted at any one time. The clause also provides that, where a grant of leave on half-pay is made, the first half of the grant shall be deemed to be leave with pay and the second half leave without pay. The clause also makes it clear that payment for leave not taken before retirement is by way of a lump sum payment on retirement. The amendment proposed by new subsection (6) is perhaps the most significant of this series. It will enable a lump sum payment to be made in respect of accumulated long service leave when an officer is dismissed when the circumstances of his dismissal are not related to his conduct during his employment.

Members opposite will appreciate that this is the result of a policy laid down by the Government when previously in office and again now. If an event occurs which inevitably leads to the dismissal of an officer from the service but which does not relate to his service, previously an *ex gratia* payment has been made to make certain that the officer receives his long service leave, because it has nothing to do with his service. We want to make certain that this is quite clear.

Clause 23 repeals section 96 of the principal Act, which dealt with long service leave rights of certain part-time officers. The provision proposed to be inserted is intended to deal with rights to every kind of leave of all part-time officers, and has been drafted so as to give the board power to deal with the many and varied types of part-time employment. Clause 24 is generally self-explanatory and merely consolidates the provisions of the Act relating to special leave and leave without pay. It also preserves previous determinations of the board in relation to grants of leave without

pay. Clause 25 deals with the rights of officers transferred from other Public Services, and gives the board specific power to impose conditions on the transfer of those rights. Clause 26 converts an inappropriate reference in section 123 to "this Act" to read "this section".

The Hon. D. N. BROOKMAN secured the adjournment of the debate.

FESTIVAL HALL (CITY OF ADELAIDE) ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave an introduced a Bill for an Act to amend the Festival Hall (City of Adelaide) Act, 1964. Read a first time.

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

That this Bill be now read a second time.

It gives effect to an agreement arrived at between the Government and the Corporation of the City of Adelaide relating to the construction by the corporation of a festival theatre. It proposes certain amendments to the principal Act, the Festival Hall (City of Adelaide) Act, 1964. It deals with the financial aspects of the agreement and with the divesting and vesting of certain lands and with certain consequential matters.

Clause 1 provides for a somewhat more convenient short title to the principal Act, as amended. The proposed short title, the Adelaide Festival Theatre Act, 1964-1970, reflects more accurately the nature of the building proposed to be erected, it being a theatre rather than a hall. This entails a number of consequential amendments to the principal Act, the nature of which will be self-evident. Clause 2 amends the long title to the principal Act to reflect the change in the nature of the building proposed. Clause 3 is formal. Clause 4 provides for the division of the Act into Parts. Clause 5 effects certain consequential and drafting amendments to the definition section of the principal Act. Clause 6 is formal.

Clause 7 amends section 3 of the principal Act (*a*) by altering the description of the building from hall to theatre; (*b*) by substituting "Minister" for "Treasurer" in the provisions of section 3 dealing with the approval of the designs involved, since it is thought that this function is not an appropriate function for the Treasurer *qua* Treasurer to discharge; and (*c*) by increasing the total amount the council may borrow for the purposes of the Act by $600,000 and by providing appropriate security for that borrowing.

Clause 8 amends section 4 of the principal Act (*a*) by altering the description of the building; and (*b*) by formally granting to the council such additional powers as it may need to discharge fully its functions under section 4. Clause 9 is formal. Clause 10 inserts a number of new sections in the principal Act and they will be dealt with *seriatim*. Section 6 winds up financial aspects of the Carclew development by providing for the sale or other disposition of Carclew and for the net proceeds to be distributed between the Government and the council in the proportion they contributed to the expenditure on Carclew. For convenience, the amount of $7,640 paid to the New York consultants has been recognized as part of the Carclew expenditure, although strictly it does not directly relate to the Carclew development. For the information of the member for Torrens, I point out that the city council does not propose that Carclew be disposed of for some period until a satisfactory arrangement can be obtained for development of that site. The Government is agreeable to this course. The council and the Government have agreed that the Carclew building be made available for the remainder of its life to the Bunyip Children's Theatre as a children's theatre centre in South Australia, and the Bunyip Children's Theatre has been invited to undertake negotiations with the Government and the council for a licence of the building to proceed to make this a children's theatre centre.

Section 7 sets out the proposed new financial arrangements, which may be summarized as follows: The cost of the undertaking is assumed to be $5,750,000 and if the final cost equals this amount the Government will contribute $3,950,000; that is, almost 70 per cent of the assumed cost. If the final cost is less than the assumed cost, the Government's contribution will be abated by two-thirds of the difference between the final cost and the assumed cost. However, if the final cost is greater than the assumed cost by reason of increased costs due to increases in wages and prices above the level prevailing on September 1, 1970, the Government will bear two-thirds of any increase arising from those causes.

Section 8 provides for the Government to reimburse to the council the loss to the council arising from the operation of the festival theatre by the council during the first 10 years of the life of the festival theatre provided that the amount of reimbursement, when averaged out, does not exceed $40,000 a financial year. Subsections (3) and (4) reflect certain arrangements as to a notional annual value of the festival theatre for rating purposes.

Section 9 is a formal financial provision. Section 10 provides for recourse to arbitration in the event of a dispute between the Treasurer and the council. Proposed Part IV deals with the vesting of the site of the festival theatre and ancillary matters. The area concerned is delineated on the plan in the schedule proposed to be inserted in the Act and lies to the north of the present Government Printing Office running in a generally east-west direction. It comprises the following three sections—section 654, on which it is proposed that the theatre and portion of its surrounding plaza will be built; at the moment this area comprises the bulk of the old City Baths site, a portion of park lands and certain land vested in the South Australian Railways Commissioner by virtue of a land grant from the Crown: section 655, which is contained wholly within the land grant to the Railways Commissioner: and section 656, which is generally within the land grant but which also comprises some railway land as defined in the Bill.

In broad terms these pre-existing interests have been shorn away and the site of the festival theatre, that is, section 654, has been vested in the council for an estate in fee simple. Sections 655 and 656, which are at present in one form or another vested in the Railways Commissioner, are revested in the Crown. The objects of this revesting are (*a*) to ensure that the land to the west of the festival theatre is developed in such a manner as to do justice to the site and generally to enhance its setting; and (*b*) to facilitate the provision of a performing arts centre in the vicinity of section 655 should such a project be undertaken in the future.

Since both these sections are at present in the use of the Commissioner, appropriate arrangements will be made for this use to continue consistent with the objects of the revesting. When the design studies of the southern portion of the festival theatre plaza (that is, the portion of the plaza which will be a southerly extension of the plaza constructed by the council and which will extend towards Parliament House) is completed, it will be necessary to present to this House some further enabling legislation relating to this construction.

Section 11 sets out certain necessary definitions for the purposes of this Part. Sections 12 and 13 clear away the pre-existing interests. The land revested in the Crown pursuant to section 13 is a narrow strip between the road to the south of section 654 and the boundary of that section. Section 14 vests section 654 in the council. Section 15 revests sections 655 and 656 in the Crown and subsection (3) of this section provides that the area so revested will not, by virtue of this Act, become part of the park lands. Section 16 is a formal provision to enable the Registrar-General to ensure that the vestings are reflected in his records.

Section 17 in proposed new Part V is self-explanatory and reflects the arrangements reached between the Government and the council in relation to the Adelaide Festival Theatre Fund. It provides that $100,000 from the fund shall be applied for the construction and provision of the festival theatre and the balance shall be used for the purchase of works of art for the embellishment of the theatre. This Bill is a hybrid Bill within the terms of the relevant Joint Standing Orders and will, accordingly, have to be referred to a Select Committee after its second reading. Clause 11 provides for the insertion of the plan, referred to in proposed section 11, as a schedule to the principal Act.

Mr. COUMBE secured the adjournment of the debate.

LOTTERY AND GAMING ACT AMENDMENT BILL (BETTING)

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to amend the Lottery and Gaming Act, 1936, as amended. Read a first time.

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

That this Bill be now read a second time.

It makes a number of important amendments to the Lottery and Gaming Act. The principal amendments deal with:

(*a*) betting on dog races;
(*b*) provision for jackpot totalizators;
(*c*) provision for six extra mid-week horse-racing days a year on metropolitan racecourses;
(*d*) redistribution of totalizator deductions;
(*e*) the term of office of a member of the Totalizator Agency Board appointed to fill a casual vacancy;
(*f*) commission on "pre-post" bets;
(*g*) the repeal of sections dealing with the winning bets tax that are now obsolete;
(*h*) provisions for bookmakers to sue and be sued;
(*i*) provision enabling bookmakers to issue doubles charts;
(*j*) power of the court to confiscate any instrument of gaming upon conviction;
(*k*) the repeal or amendment of obsolete provisions of the Act; and
(*l*) provisions consequential upon the foregoing matters.

An important provision of the Bill legalizes betting by totalizator and bookmakers at greyhound-racing meetings conducted under the control of the National Coursing Association. Greyhound-racing differs considerably from greyhound coursing and plumpton racing which has operated in country areas in South Australia for many years. Coursing meetings are conducted with live hares in the open, and plumpton coursing is also conducted with live hares that are released from races or boxes. Greyhound-racing is the running of dogs in competition against the other or others, whether in pursuit of a running object or as a test of speed, but using a mechanical hare or other device instead of a live hare.

The training of greyhounds for greyhound-racing is carried out with a mechanical lure and does not involve live hares, thereby eliminating any suggestion of cruelty to animals. Community standards and attitudes have changed in the past 30 years and it appears anomalous that plumpton racing is permitted with betting but that betting on mechanical lure racing is illegal. Greyhound-racing clubs have expended considerable sums on preparing tracks and amenities for the conduct of greyhound-racing and are anxious to have the totalizator introduced as soon as possible so that some revenue may be derived from this source. This would also provide additional revenue for the Treasury. Five greyhound-racing clubs have built, or have started to build, race tracks. Details of these are as follows:

(1) The Adelaide Greyhound Racing Club has built a sportsground at Bolivar at a cost of $45,000. More finance is needed to make this sportsground what it should be and this can be acquired only when betting is made legal for greyhound-racing. Races on Sunday afternoons average 400 people, and there were 3,000 people at the Adelaide Cup in August. The club is planning for Thursday night racing.

(2) The Southern Greyhound Raceway has built a track on the Strathalbyn trotting track. Saturday afternoons average at least 200 people. The raceway would race on Monday nights if betting facilities were available.

(3) The S.A. Greyhound Racing Club has finance in hand to provide racing facilities at the Gawler showgrounds when betting is permitted.

(4) The Port Pirie Racing, Trotting and Greyhound Racing Club has built a track on the trotting track at Phoenix Park, Port Pirie.

(5) The Whyalla Greyhound Racing Club has built a race track at great expense, but does not intend racing until betting is permitted.

Each week racing is conducted at Ryan's sports ground, Bolivar, by the Adelaide Greyhound Racing Club. Officials take all steps and precautions to stop any illegal betting and wagering on greyhound-racing at their meetings but, as the meetings are patronized by average Australians, it is very difficult to ensure that there is no wagering and betting on the dogs. Greyhound-racing in Victoria and New South Wales has had betting associated with it for 30 years on the racecourse and has been included in the T.A.B. programme since the inception of the T.A.B. in New South Wales and since 1965 in Victoria.

It is understood that the board of the T.A.B. has considered the possibility of greyhound-racing and has agreed that, if enabling legislation is passed, it would have no objection to conducting betting on suitable meetings. Betting and wagering has also been permitted in Tasmania and Queensland for over 30 years and has this year started in Darwin. It is claimed that greyhound-racing will provide a new, or at least a growing, industry for the State and will employ a large number of people part and/or full-time in the promotion of the sport and in the care and training of greyhounds. It will develop a new spectator sport and entertainment, will encourage a new following and, with betting, will earn additional revenue for the State.

The control exercised over greyhound-racing is of an extremely high standard, which cannot be bettered by that exercised by galloping or trotting authorities. In the Eastern States the controlling body of the Greyhound Racing Control Board appoints a chief steward whose duty it is to enforce all the rules set out by the Dog Racing Control Board of Victoria, New South Wales, Tasmania and Queensland. The interests of punters and investors are so well protected in Victoria and New South Wales that T.A.B. operates on meetings of greyhound-racing clubs in both of those States. This indicates the confidence these Governments have in the administration of greyhound-racing.

There are now enough experienced officials in South Australia to conduct greyhound-racing on the same high standard as that which has been set in the Eastern States. The South Australian clubs are very fortunate to have the benefit of the experience gained in the Eastern States. All training tracks in South Australia must be registered, and they are kept under

constant supervision to see that no malpractice or cruelty occurs at any time. Indications in the Eastern States are that betting on greyhounds has had no adverse effect on the community, and there are no indications of people suffering hardship because of this.

A motion was carried in the House of Assembly on August 24, 1966, relating to one moved on August 3, 1966, that in the opinion of this House a Bill should be introduced to provide for:

(*a*) the repeal of the Coursing Restriction Act, 1927;
(*b*) the amendment of the Lottery and Gaming Act, 1936-1966, to allow the licensing of the totalizator at greyhound race meetings; and
(*c*) the control of greyhound-racing in South Australia (*Hansard* 830-1304).

Subsequently a Bill was passed allowing the use of the mechanical lure at greyhound race meetings, and it is felt that steps should now be taken to permit betting on greyhound-racing. The Bill includes provision for betting by bookmakers as well as by totalizator. There can be no doubt about the public demand for this type of betting. It meets a public demand in horse-racing and trotting, and bookmakers have operated for years at coursing meetings. There is no reason to distinguish between greyhound-racing meetings and horse-racing and trotting meetings in this regard.

I pass to the further provisions of the Bill relating to the jackpot totalizator. Racing clubs are considering the establishment of jackpot totalizator fixtures. The ordinary jackpot totalizator involves the selection of the winner of each of a number of nominated races, say, six. If there is no successful ticket the pool is carried forward. Another proposal under consideration is the triella totalizator. Here the bettor is required to select the successful quinella combination in each of three nominated races. If there is no successful bettor, the pool is again carried forward. The legal impediment to jackpot totalizator betting, including the triella, is that the present Act does not permit the carrying over of the pool from one meeting to another nor the transfer of the pool from one club to another. The Bill enables this to be done.

The Bill provides for six extra mid-week racing dates on metropolitan racecourses. The pattern of racing has changed in recent years and, if racing is to prosper and remain a viable industry, it is necessary to adjust to these changes. Nowadays most horses competing at country meetings are trained in the metropolitan area and, with the high purchase price, training costs and travelling costs, owners and trainers are reluctant to continue to take horses to the country to compete for limited prize money. It is apparent that country racing relies very heavily on the city racegoer and it is evident that country clubs are not receiving worthwhile local support. It must, I think, be accepted that the success and buoyancy of country meetings is closely allied to the success of city meetings and to the welfare of racing in general.

The object of this provision is not to foster city clubs at the expense of country clubs but to provide a facility for the city racegoer who is interested in attending mid-week meetings and also to give mid-week racing a much needed boost, thereby increasing the flow of money throughout the industry. With a greater availability of money, more owners may be attracted to racing as they see an economic return on their investment. This in time may mean a greater pool of horses upon which both city and country clubs can draw for their race day fields. In the long term, it is hoped, country racing will benefit from the general strengthening of racing. The success of the meeting at Morphettville on August 27, 1969, and the ready acceptance of the Globe Derby Park trotting meetings indicate that there is a demand for city mid-week racing and that such meetings are appreciated and patronized by the public.

I turn to the provisions of the Bill relating to the distribution of totalizator deductions. Upon the introduction of T.A.B., the deduction from the "on course" totalizator pools was increased from 12½ per cent to 14 per cent, the additional 1½ per cent being retained by the clubs for a period of three years from March 29, 1967. In 1969, the clubs approached the then Government and sought to retain the 1½ per cent in future. The then Government refused this request and the Act was amended in December, 1969, to provide for the clubs to retain .75 per cent, the remaining .5 per cent being paid to the Hospitals Fund. The clubs must meet the operating costs out of their share and must finance capital improvements and expansion. They are faced with rising costs. It is important to Government revenue as well as to the clubs themselves that increased turnover be achieved by expenditure on modern totalizator equipment and facilities. The Government is satisfied that it is necessary and just to allow the clubs to retain the 1½ per cent.

The Bill deals with casual vacancies on the Totalizator Agency Board. Section 31 (*c*) (6) of the Act refers to a person being "appointed to fill the vacancy". The Crown Solicitor has advised that a person so appointed is appointed for the balance of the term of the person being replaced. The board's solicitors have taken a contrary view. The Bill clears up the doubt by providing that a person appointed to fill a casual vacancy shall hold office only for the balance of the term of the person replaced. The other matters dealt with in this Bill can be explained as I deal with the individual clauses.

Hitherto, throughout the Act, a distinction has been drawn between a horse race and a trotting race although, in fact, a trotting race is a horse race. Clause 2 (*a*) of the Bill accordingly defines a "horse race" to include a trotting race. The Act has never before catered for dog-racing, but this Bill is designed to make provision for betting on dog races and, accordingly, the defiinition of "racecourse" has to be revised to include a racecourse for dog races. Clause 2 (*b*) enacts the new defiinition of "racecourse" and also new definitions of "race meeting" and "racing club". These three definitions are interconnected. Clause 2(*c*) clarifies paragraph (*a*) of the definition of "unlawful gaming" by substituting for the expression "licensed totalizator" (which is meaningless) the expression "totalizator conducted by the Totalizator Agency Board or in respect of which a licence granted under this Act is in force".

There are a number of weaknesses in section 15 of the principal Act in its present form. The second schedule to the Act contains regulations made under section 26 and, in effect, the Act can be amended by regulation—in the sense, of course, and only in the sense, that, if a regulation is amended, it has the effect of altering the second schedule to the Act. This means that, when the Act is amended by regulations (if that expression can properly be used) which are subject to disallowance by Parliament, the Act cannot be consolidated with its amendments until the period of disallowance has elapsed, and this could inhibit the consolidation programme. It is intended, therefore, that the second schedule be repealed and that provision be made for the regulations to be made in the normal way. Subsections (4), (5) and (6) of the section also now serve no purpose.

Clause 3 of the Bill accordingly repeals section 15 and enacts new sections 15 and 15a in its place. New section 15 provides for the issue of totalizator licences and other matters provided for in subsections (1), (2) and (3) of the present section. However, the present section does not provide a sanction for the unauthorized use of a totalizator. This is remedied by subsection (2) of the new section 15, which provides a penalty of $500 or six months' imprisonment, or both. New section 15*a* enables a racing club to carry over its totalizator dividend pool from one day to another and to transfer its totalizator dividend pool to another club, subject to the regulations. This would enable a club to conduct a jackpot totalizator with power to carry over the jackpot.

Clause 4 restricts section 16 to racecourses at which horse races other than trotting races are conducted. This is the intention of the present section. Clause 5 and paragraphs (*a*) to (*d*) of clause 6 make consequential amendments, while clause 6 (*e*) allows the issue of totalizator licences to each of the three metropoltian racing clubs for two extra mid-week race meetings a year. Clause 6 (*f*) strikes out subsection (5) of section 19 as that subsection is now obsolete. Clause 7 amends section 20 of the principal Act by enacting two new subsections (1a) and (1b). Subsection (1a), which is to come into operation on a day to be fixed by proclamation, has much the same effect as the existing subsection (1) except that it relates to the extra mid-week meetings for which the totalizator licence is not to be issued to a club unless the Commissioner of Police is satisfied that the club will provide totalizator facilities at the grandstand and flat. This will permit clubs to close the derby section of the racecourse to the public on those weekdays if and whenever necessary. New subsection (1b) brings subsection (1a) into operation on a day to be fixed by proclamation.

Clause 8 amends section 20a to confine its application to racing clubs that normally conduct horse races other than trotting races, as is the intention of the section. Clause 9 repeals section 22b, which is now obsolete. Clause 10 amends section 23 by extending the application of the sections referred to therein to dog race meetings. Clause 11 makes a number of consequential amendments to section 23*a*. Clause 12 substitutes for the reference to an inspector or sub-inspector of police in section 25 the reference to a member of the Police Force of or above the rank of inspector. Clause 13 amends section 26 by re-enacting in a new paragraph (*a*) the contents of the existing paragraphs (*a*) and (*b*), omitting the reference to the second schedule, which is being repealed, so that new regulations may be made independently of the Act to take the

place of that schedule. The clause also increases the penalty for a breach of a regulation from $20 to $50 and keeps alive the regulations presently contained in the second schedule until they are specifically revoked and replaced.

Clause 14 re-enacts the provisions of section 28 in a simpified form after omitting obsolete provisions, making consequential amendments and providing for a club to pay into the Hospitals Fund, until December 31, 1970, out of the 14 per cent deducted from moneys invested on the totalizator, ½ per cent of those moneys invested and thereafter for the club to retain the balance of the amount deducted after paying the stamp duty, thus making the commission to the clubs equivalent to 8¾ per cent of the on-course investments. Clause 15 makes a number of consequential amendments to section 29. Clause 16 enacts new sections 30a and 30b, which deal with totalizators at dog race meetings. New section 30a provides that no licence is to be issued for the use of the totalizator at dog races without the approval of the National Coursing Association.

New section 30b imposes certain restrictions on the issue of totalizator licences in respect of dog-racing. Subclause (1) restricts the use of the totalizator at dog races within a radius of 15 miles from the General Post Office to a maximum of 52 meetings a year. Subclause (2) provides for not more than two charity dog race meetings in addition to those provided for in subclause (1) to be held by the Adelaide Greyhound Racing Club at Bolivar. Subclause (3) provides that outside a radius of 15 miles from the General Post Office there shall be not more than 150 dog race meetings a year, of which (*a*) not more than 100 shall be conducted at Gawler or Strathalbyn; and (*b*) not more than 50 shall be conducted at Port Pirie or Whyalla. Subclause (4) provides for charity dog race meetings to be held by country clubs, and subclause (5) provides for an increase in the number of days in any year on which the use of the totalizator by a club is authorized, on condition that there is a corresponding decrease in the number of days in that year on which the use of the totalizator by some other club is authorized.

Clause 17 amends section 31a by rewording the definition of "double event bet" to catch up dog races and by making other consequential amendments to that section. Clause 18 up-dates the reference to the Public Service Act. Clause 19 amends section 31c by providing that a person appointed to fill a casual vacancy on the Totalizator Agency Board is to be appointed only for the balance of the term of office of the member in whose place he is appointed. Clause 20 makes a consequential amendment to section 31ha. Clause 21 makes consequential amendments to section 31j.

Clause 22 extends the application of section 31ka (3) to dog-racing. Clauses 23 to 26 make consequential and clarifying amendments to sections 31n, 31na, 31p and 31q. Clause 27 deletes from section 31s the reference to section 44c, which is being repealed by clause 40. Clause 28 simplifies the definitions of "country racing club" and "metropolitan racing club" and strikes out certain other definitions that are no longer required. Clause 29 repeals section 32a, which will no longer be required in view of the new definitions of "country racing club" and "metropolitan racing club".

Clause 30 clarifies section 33 (1) (*a*). Clause 31 substitutes "the Chief Secretary" for the reference to "the Treasurer" and up-dates the reference to the Public Service Act in section 34. Clause 32 substitutes "the Chief Secretary" for the reference to "the Treasurer" in section 34a, as the Chief Secretary is the Minister responsible for the administration of the Act. Clause 33 makes a consequential amendment to section 38. Clause 34 (*a*) makes a consequential amendment to section 39 (1).

Clause 34 (*b*) replaces subsections (2) and (3) of section 39 with new subsections as follows: subsection (2) provides that a committee of a club may grant permits to licensed bookmakers subject to such conditions as the committee thinks fit. Subsection (3) requires a bookmaker, before he carries on business as such at a coursing meeting or dog-race meeting, to obtain a permit from the National Coursing Association of South Australia. Subsection (4) requires the Betting Control Board to consent to the issue of a permit in respect of a coursing meeting or dog-race meeting. Subsection (5) provides for a limit of 65 coursing meetings in any year, of which not more than 15 are to be enclosed meetings and 50 are to be open coursing meetings. Subsection (6) provides that bookmakers must not carry on business at a dog-race meeting unless a licence has been issued to use the totalizator at that meeting.

Clause 35 re-enacts section 40 (1), which deals with the payment of commission on bets made with bookmakers, but the commission is to be calculated on bets made on events decided during the previous week. Paragraph (*b*) of the clause makes a consequential amendment. Clause 36 replaces section 41

(2), which deals with the application of the commission on bets made with bookmakers. The new subsection makes a slight alteration to the application of the commission on "pre-post" bets (that is, bets made prior to the day an event is decided). Pre-post bets on a few of the more important races (particularly doubles bets) are laid at various places for several weeks before those races are run. At present the commission on those bets is shared between the clubs at whose meetings the bets are made and the Government in stated proportions. Thus, a very small amount of the commission is sometimes divided amongst several clubs.

So far as pre-post bets on South Australian races are concerned, the proposed subsection provides that the clubs and the Government should continue to receive the same proportions of the commission but, instead of the clubs' share being divided between the clubs at whose meetings the various bets are made, it is provided that the commission should be paid to the club that conducts the events upon which the bets are made. Thus, the South Australian Jockey Club would receive twenty-five thirty-sixths of the commission on all pre-post bets on the Goodwood Handicap and the Adelaide Cup, instead of perhaps 10 clubs sharing the same amount. In this regard, the clubs at whose meetings the bets are made would have little to lose, and in any case it seems doubtful whether they should have a better right to the commission than the club which conducts the races in question. So far as pre-post bets on events in other States are concerned, it is proposed that all of the commission on such bets should be payable to the Government.

The proposals I have made will simplify: (*a*) the lodging of returns by bookmakers; (*b*) the keeping of records by the Betting Control Board; and (*c*) the distribution of commission. The revised draft would have the added advantage of tidying up the subsection by omitting obsolete provisions and making the distribution of local commission consistent. Paragraph (*b*) of the clause provides that payments under the section are to be made monthly or by arrangement. Clause 37 up-dates the definition of "the metropolitan area" and strikes out subsection (4), which is now obsolete. Clause 38 makes a consequential amendment to section 42a.

Clause 39 strikes out an obsolete paragraph of section 44 (1a) and makes a consequential amendment to paragraph (*b*) of that subsection. Clause 40 repeals sections 44a, 44b and 44c, which dealt with the winnings bets tax and are now obsolete. Clause 41 makes an amendment to section 50 that is consequential on new section 50a enacted by clause 42. Clause 42 enables licensed bookmakers to sue and be sued for recovery of moneys payable under a betting contract but limits the amount recoverable by a bookmaker to $5,000 and limits the period within which a bookmaker may bring an action under the section to six months after the event on which the bet was made is decided.

Clause 43 makes a consequential amendment to section 54a. Clause 44 amends section 60 to make it consistent with the rest of the Act. Clause 45 (paragraph (*a*)) amends section 64 with the specific intention of enabling bookmakers, with the written authority of the board granted under section 67, to issue doubles charts, a right that bookmakers in other States already have. Paragraph (*b*) of the clause makes a consequential amendment. Clauses 46 and 47 make consequential amendments to sections 65 and 66.

Clause 48 clarifies subsections (1) and (2) of section 67 by re-enacting them in a clearer form. Clauses 49, 50 and 51 make a number of consequential amendments to sections 67a, 69 and 70. Clause 52 up-dates a reference in section 73 to "sub-inspector" (which is no longer a rank in the Police Force) by substituting for it a reference to "inspector". Clause 53 up-dates a reference in section 78 to the register book kept pursuant to the Real Property Act. Clauses 54, 55 and 56 up-date references in sections 80, 81 and 83 to various ranks in the Police Force.

Clause 57 makes a consequential amendment to section 99. Clause 58 corrects a drafting reference to the principal Act. Clause 59 re-enacts section 106 to clarify its provisions. Clause 60 enacts a new section 110a, which confers on a court a power, upon conviction of a person, to confiscate any instrument of gaming used by him in connection with any matter giving rise to or arising out of the commission of the offence. The only provision in the Act vesting power in a court to order the confiscation of money, articles, etc., used in connection with gaming offences is contained in section 71. The provision is restricted to those situations where the property has been seized pursuant to a warrant issued under that section.

It frequently happens that members of the Police Force who are not armed with warrants under section 71 have occasion to seize, as evidence in court proceedings, money and other

property that have been used in connection with offences against the Act. One such example is where an illegal bookmaker is detained and large sums of money and other betting paraphernalia are found in his possession. After completion of the court proceedings, and notwithstanding the conviction of the offender, the court has no power to order confiscation of the property, unless the case comes within the ambit of section 71. In consequence, the police are obliged to return the property to the defendant, thus providing him with a fresh opportunity to continue his illegal enterprises. The Government considers that this state of affairs is wrong and that a court should be provided with authority to order forfeiture in appropriate cases where a conviction has been recorded, and new section 110a contains the necessary authority.

Clause 61 re-enacts section 113 to clarify its provisions. Clause 62 re-enacts section 114 to clarify its provisions, except that the use of premises by a body corporate for unlawful gaming is made an offence punishable with a penalty of $500. It would not be practicable to cancel the registration of a company (as the present section provides) without serious loss to creditors of the company. Clause 63 repeals the second schedule to the Act. In this connection I would draw attention to my explanation of clause 13 and to the new subsection (2) of section 26 inserted by that clause.

Mr. McANANEY secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Land Tax Act, 1936-1969. Read a first time.

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

That this Bill be now read a second time.

Its main purposes are to provide for the rates of land tax to apply after June 30, 1971, to provide for reduced rates to apply to land used for primary production, and to enact a surcharge on land within the metropolitan area averaging about $2 an allotment in accord with an election undertaking to provide funds to assist in the provision of parks and open-space areas and the development of facilities for such areas. At the same time, a number of machinery and other minor amendments are proposed, including a revised definition of unimproved value, the provision for fines for late payment of tax rather than interest, and an amendment to the period that must elapse before proceedings may be taken against the land itself for recovery of tax. A new valuation of all land subject to tax will apply after June 30 next and, since it will be five years since the present levels of value were determined, it is to be anticipated that these will be generally higher than at present, possibly by about 30 per cent on average. In the earlier stages of the revaluation it had appeared that the increase in value of rural lands would have been appreciably greater than this, but the Government, on assuming office, called for a revision in the light of the recent fall in prices of primary products and the consequent fall of rural land prices. As a consequence of this revision, the rural land revaluations have been reduced below the preliminary figures by about one-third on average.

The Government is aware that the present tax rates on metropolitan and town land are rather higher than those levied in most other States. On the other hand, the valuations of such lands generally remain lower than in all States except Tasmania. Moreover, as many other Government taxes and charges in South Australia remain below those of other States, it is considered reasonable that the present rates of land tax on such lands should continue, subject to the proposed surcharge on metropolitan land for parks and open areas. For primary-producing land, the Government proposes to maintain the special statutory exemption of $5,000 and to reduce the existing rates by two-fifths for such land with an unimproved value of not more than $40,000, with a rebate at the rate of 2c in each $10 of unimproved vale for lands valued beyond $40,000. These reductions are proposed in the light of existing problems affecting primary producers generally, particularly the difficulties in marketing primary produce and consequent diminution in returns. Unfortunately, there does seem a prospect that these difficulties are rather more than temporary. It must be pointed out, however, that the impact upon the State Budget of measures designed to assist rural development and promote rural land values is much greater than in other States.

These measures include provision of rural water supplies, irrigation and drainage works, and low-rated rail transportation, all of which operate at very heavy losses. Some recovery by way of land tax to prevent an excessive imbalance in the economy is accordingly reasonable and desirable. As this State is now under the Grants Commission, the impact on

our total budgetary situation of the measures already taken to assist the rural area will result in some adverse adjustments to us and, in consequence, while we should like to do as much as we can in this area, it will be obvious to honourable members that the Budget simply cannot stand further adverse adjustments in large measure to our Grants Commission amounts.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 provides that the new Act shall come into operation on a day to be fixed by proclamation. Clause 3 makes a formal amendment to the principal Act. Clause 4 amends the definition section of the principal Act. The definition of the "Commissioner" is amended to make it clear that references to the Commissioner are wide enough to embrace any person to whom the functions of the Commissioner of Land Tax have been lawfully delegated. It includes within the definition of "tax" any fine imposed in pursuance of the Act. This amendment to the definition is necessary because later provisions of the Bill impose a fine for late payment. A definition of "the metropolitan area" is inserted in the principal Act. It is defined as meaning the metropolitan planning area and, in addition, the municipality of Gawler. This definition is required in view of the differential rate to be levied on metropolitan property. The definition of "taxpayer in a representative capacity" is re-enacted merely for reasons relating to the formal arrangement of the section.

A new definition of "unimproved value" is inserted in the principal Act. This definition is necessary in view of the recent decision by a magistrate interpreting the present definition in the principal Act. The magistrate held that even where reclamation work has been carried out on land many years ago an allowance for that kind of work should be made in the assessment of unimproved value. This in many instances must necessarily cast an impossible burden upon a valuer who is, after the passage of many years, in no position to ascertain what, if any, work has been carried out in connection with the reclamation, excavation, grading or levelling of land or other like improvements. In consequence, the definition of "unimproved value" is amended to exclude (except in the case of land used for primary production) site improvement of this nature to land. Under new subsection (2), the new definition is deemed to have been in force since the commencement of the principal Act so as to preserve the effect of existing valuations.

Clause 5 amends section 11 of the principal Act. This section provides that, where the land in respect of which a taxpayer is liable to pay tax consists of, or includes, land used for primary production, there shall be a statutory exemption of a given amount in reduction of the amount upon which tax is calculated. Land tax is calculated on the aggregate value of all land owned by the taxpayer. Hitherto, it has not been necessary that this statutory exemption should be specifically related to the land used for primary production as a reduction in the taxable value of that particular land. However, in view of the computations that will be required under new subsections (4) and (5) of section 12, it will be necessary for the taxable value of any separate parcel of land to be ascertainable. The new subsection to be inserted by this clause provides that any statutory exemption arising under section 11 shall be specifically referable to land used for primary production and, where the taxpayer owns more than one parcel of such land, the statutory exemption shall be apportioned between the various parcels of land in the same proportion that the unimproved value of each bears to the aggregate unimproved value of all such land liable to tax.

Clause 6 provides, first, for the rebate on present rates upon primary producing land that I have already described and, secondly, for the surcharge applicable to metropolitan land. The purpose of the surcharge is, as indicated in the policy statement issued prior to the election, to raise an amount equal to an average of about $2 an allotment. There are about 300,000 allotments in the metropolitan area, which has been defined to include the metropolitan planning area within the meaning of the Planning and Development Act plus the municipality of Gawler. To raise $600,000 a year on the basis of the estimated aggregate valuations within the area requires an additional rate of 1c for each $20 of unimproved value. This means that a housing allotment valued at $4,000, which would pay an ordinary tax of $8 a year, would pay a surcharge of $2 a year; a more modest one valued at $1,000, which would pay an ordinary tax of $2 a year, would be called upon for a further 50c; whilst a $10,000 allotment, which would pay an ordinary tax of $20 a year, would pay a surcharge of $5 a year.

I have tables showing the effect of both the proposed reductions for rural land and surcharges for metropolitan land, and I ask leave to have them incorporated in *Hansard* without my reading them.

Leave granted.

PROPOSED LAND TAX REDUCTIONS ON RURAL LAND

(40 per cent rebate on present rates with a maximum of 2c per $10)

Value of rural land $	Tax if no other land held			Tax if equal value of other land		
	Present $	Proposed $	Reduction per cent	Present $	Proposed $	Reduction per cent
10,000	17	10	40	30	18	40
20,000	60	36	40	100	60	40
30,000	120	72	40	210	150	29
40,000	200	120	40	360	280	22
50,000	300	200	33	550	450	18
100,000	1,100	900	18	2,090	1,890	10
200,000	4,180	3,780	10	5,890	5,490	7

PROPOSED LAND TAX SURCHARGES ON METROPOLITAN LAND

Value of land $	Present tax $	Proposed surcharge $	Proposed total $
Under 1,000	—	—	—
1,000	2	0.50	2.50
2,000	4	1.00	5
4,000	8	2.00	10
10,000	20	5.00	25
50,000	300	25.00	325
100,000	1,100	50.00	1,150

The Hon. D. A. DUNSTAN: Clause 7 amends section 12c of the principal Act. This section makes special provision for declared rural land. Under subsection (4), if the Commissioner is satisfied that any declared rural land has ceased to be used for primary production, or if it is transferred by the taxpayer to certain other persons, or if a taxpayer applies for a revocation of a declaration under the section, the Commissioner may revoke a declaration in respect of land used for primary production. There is, however, no provision for revoking such a declaration where land is compulsorily acquired under the provisions of the Land Acquisition Act, 1969. The amendment repairs that deficiency.

Clause 8 provides that tax which is calculated at less than $2.50 shall not be payable instead of a $2 limit as at present. This means that a metropolitan allotment valued at less than $1,000 will remain free from tax notwithstanding the surcharge imposed. It also means that a township allotment valued at less than $1,250 will be free from tax in lieu of $1,000 at present. It has not been thought appropriate to have differing amounts of tax exemption in city and country notwithstanding the difference in rates.

Clause 9 repeals section 58 of the principal Act and inserts a new provision in its place. At the moment the principal Act provides for the payment of interest on unpaid land tax at the rate of 10 per cent a year. This provision is administratively burdensome. It requires in many cases the calculation of almost infinitesimal amounts of interest. The new section accordingly provides that on and after July 1, 1971, there shall be a fine upon overdue tax of 5 per cent of the due amount. This brings the penalty procedure into line with that existing under the Local Government Act.

Clause 10 follows from the election promise that persons who would suffer hardship through the imposition of the metropolitan surcharge may apply to have the surcharge remitted. The present Act makes a provision for postponing land tax in cases of hardship but not for remission. The existing section 58a is accordingly restated to continue the postponement provision and to add a remission provision applicable to the surcharge. It it proposed that the remission be limited to $2, which is equal to the surcharge on an allotment valued at $4,000. If a pensioner or other person suffering hardship has a property of greater unimproved value than this, he could still be granted postponement but the remission would be limited to $2.

Clauses 11 and 12 reduce the period for which application may be made to the Supreme Court to sell land upon which land tax is outstanding. The Commissioner has experienced difficulty with some companies that carry on business as land subdividers. These companies subdivide the land and allow land tax debts to accrue pending disposal of the land. The debts become charges upon the land and have to be paid eventually by the purchasers. This kind of malpractice is possible because of the unduly lengthy period before which effective action can be taken to recover tax under

the principal Act. Under section 62 the Commissioner must publish for three consecutive weeks a notice specifying the land and the land tax due in respect thereof. At the moment this notice is not to be published until the tax has been in arrears for two years. This is an unrealistically long period and is reduced by the amendment to six months. Under section 63, the Commissioner may after one year from the first publication of the notice let the land or apply by petition to the Supreme Court for an order for sale. This period of one year is also unrealistically long and is reduced to three months commencing from the last publication of the notice.

Clause 13 amends section 66 of the principal Act by striking out subsection (2). This subsection provides for the apportionment of tax between different properties where the taxpayer is liable to pay tax in respect of more than one property. This provision is incorporated by the present Bill in an amended form as subsection (3) of section 12 of the principal Act. It is necessary for the purpose of the computations under subsections (4) and (5) of section 12 and is included in that section for this reason.

Mr. HALL secured the adjournment of the debate.

DANGEROUS DRUGS ACT AMENDMENT BILL (GENERAL)

Adjourned debate on second reading.

(Continued from October 28. Page 2157.)

Dr. TONKIN (Bragg): I wholeheartedly welcome the introduction of this Bill, and this is understandable, because I can go further and say that some parts of it look remarkably familiar; that is to the good.

Mr. Rodda: Do you think you inspired this Bill's introduction?

Mr. Clark: It was the other way around.

The SPEAKER: Order!

Dr. TONKIN: Apart from its references to pipes and the smoking of opium, the Bill does much to modernize the present situation. The Act as it has operated has been much behind the times in recent years. The Bill follows the recommendations of the National Standing Committee on drugs of dependence very well, and is more in keeping with the present situation. The position today is extremely disturbing. Statistics in regard to this matter are hard to obtain. One can be alternatively optimistic, when one hears that drugs are not really a problem in the community, and very pessimistic, when one hears that they are a tremendous problem in the community, because these views vary as they are stated in television programmes, in newspaper articles and in other ways through the mass media. As I have said, reliable statistics are extremely difficult to obtain. The patterns that apply in the development of drug dependence overseas are very much beginning to be followed in Australia and South Australia, and this is most disturbing.

From the early stages, when young adolescents begin experimenting with tablets that they obtain from the family medicine chest, to the time when large criminal organizations move in as they have done in North America, takes only a few years. I think the whole situation is even more disturbing in that we now find that this pattern is being steadily worked through in South Australia. Young people in this State are currently experimenting with tablets that they have obtained from their family medicine chests. Not only that, but we are now seeing a pattern where pharmacy breakings are taking place; I understand that there have been five major pharmacy breakings in South Australia this year. The drugs that have been taken are the drugs of dependence, the drugs that it is hoped will be controlled entirely under the provisions of the Bill. In understanding what dependence involves and why it is so necessary to reframe this legislation and to bring in restrictions, it is necessary to understand the basis of drug dependence. Many people believe that this is just a whim that people exercise when they feel like having a particular drug each day because they are in the mood for it. That is far from being the case.

People who are physically dependent on a drug eventually are in a position where they are no longer able to live without that drug. Physical dependence is the major factor in this and it involves the adaptation of the body's physiological functions to a stage where it is no longer able to function normally without having a requisite amount of drug circulating in its bloodstream. Therefore, physical dependence does not mean, "I feel like having some drug today"; the drug dependant will say, "I have to have my dose of drug today, because if I do not I cannot get through the day." I must emphasize that one of the difficulties in deciding on casual acquaintance whether or not someone is a drug dependant is the fact that most drug dependants, provided they are getting their daily intake of drug, will behave relatively normally; indeed, they can hold down responsible positions and perform complicated

jobs without anyone being aware that they are dependent on a drug.

Physical dependence can best be illustrated by chronic alcoholism (of course, alcoholism is a form of drug dependence). Here the withdrawal symptoms of delerium tremens that result when alcohol is no longer ingested are familiar to members, by hearsay naturally. I imagine that withdrawal symptoms from some drugs have been experienced by several members in this House. Any member who has perhaps stopped smoking or tried to stop smoking will well recognize that there is a period where withdrawal symptoms apply. Not enough of these people are about. I wish, with all my heart, that more members had tried to stop smoking and had experienced withdrawal symptoms. Withdrawal symptoms from drugs can be very severe and, once again, they can be demonstrated by the chronic alcoholic who wakes up in the morning when the first thing he does is to reach out his hand for a drink from the bottle that he carefully left by the bed the night before.

That is the man who goes through the day with regular doses of alcohol, because without it he is not able to perform. He becomes unco-ordinated, he shakes, his head aches, and he has abdominal pains and cannot maintain his normal occupation. But with the drug he can. The second thing that drug dependence involves is tolerance. It is a wellknown fact that, where it is necessary for the same effect to be obtained from a particular drug, increasing doses of that drug have to be used. It is not unknown for people to inject a lethal dose of a drug in order to get the same effect that they enjoyed from it when they first took it.

This, I hasten to add, is not the most common cause of death from drug dependence. The most common causes are septicaemia, or blood poisoning, and hepatitis from infection. Tolerance is a feature of the drugs and the drug dependant will take greater and greater doses or move on to other drugs of dependence, all the time looking for a new experience or perhaps to repeat the initial experience. Physical dependence means that once the dependant has had his drug and has had pleasurable experience from it he sobers up and then has only a certain time in which to go out and find enough money to buy more or to get to a source of the drug so that he will be able to get his next dose. This is one reason why the crime rate in the United States of America and in the Eastern States of Australia is beginning to rise, particularly among juveniles.

Speaking of young people brings me to the third factor of drug dependence, that is, psychological dependence. This can be illustrated by referring to alcohol. The person who is psychologically dependent an any drug is a person who cannot face either his responsibilities or the problems of his day and, instead of thinking about and solving his problems, he prefers to forget about them. It is easier to forget about them by drinking himself blind drunk with alcohol or getting high on marihuana or by taking any of the other drugs of dependence. He will do it and do it to such an extent that he cannot bear to face reality any longer, and at this stage he is psychologically dependent on the drug. He cannot live in the world unless he regularly uses that drug.

Psychological dependence leads into the reasons for the present concern about drug dependence. Two major reasons have caused us to become most concerned about the present problems of drug dependence in the western world, in our civilization and society as we know it. The first is that although we have had alcohol with us for many centuries (and this is one of the biggest if not the biggest cause of misery in our society) we have not had the drugs that are appearing on the Australian scene now. They have not been accepted as part of our society as alcohol has been accepted. One thing about alcohol is that we have learned to accept it and deal with it. These other drugs are basically drugs that are not part of our way of life, and we cannot handle them.

To become a chronic alcoholic one would have to work at it pretty solidly with good steady regular drinking for up to 18 months, two years, or possibly longer. To kill oneself from chronic alcoholism might take 10 years, 15 years, or 20 years, and one would be probably working at it pretty steadily to do this. Presumably, in that time someone would take an interest in the alcoholic, and someone does. Many organizations are able to bring people back from chronic alcoholism because these organizations have time to work on the alcoholic. However, drugs of dependence, as referred to in this Bill (heroin and morphine derivatives, narcotics and amphetamines, and particularly heroin) will induce drug dependence after using the drug for a week, 10 days or 14 days.

That is a matter for extreme concern, because physical dependence is thus induced in a very short time. In North America it is said that the average time between a person's beginning

to take drugs and the knowledge that the person's parents have of his taking it is five or six months, and this I believe. A person can become completely physically dependent on these drugs within a very short time. Thus, it is a matter of some urgency that we control these drugs. I emphasize that there is no way back, and this is the important thing to remember about physical dependence. Once a person has become physically dependent on a drug there is no cure. This applies to alcohol or to any drug: there is no cure, because no matter how well a person dries out and stops using the drug he will always be susceptible to going straight back to physical dependence as soon as he has another dose. In other words, the chronic alcoholic who dries out and may not touch alcohol for five years will be back to square 1 if he has one social drink.

If a heroin addict, who has dried out, is involved in a motor car accident and receives an injection of morphine in a local casualty hospital, he will be right back to square 1 again with that one dose. These are the reasons why this is a matter of extreme public concern in the community, and possibly members will understand the concern I have expressed in the last two or three weeks. The other most cogent reason for the concern in our community is the fact that it is the young people who are being involved with the problem of drug dependence. These people are at a stage where they are particularly susceptible to influence, to alienation, and even (if I dare say it) to some anti-social activities and can be used and exploited by criminal concerns.

These people go through adolescence not very easily. I hesitate to remind members of their adolescence, but I suggest that these days were not, generally, easy, because they were days when one was too young to do some things and too old to do something else, and should know better. Today, young people tend to rebel against authority because they want to be individuals, but when the young person gets into the world as an individual he wants then to go back to the family for support, and he oscillates from one field to another and is susceptible to persuasion. He will, if persuaded, move on to drugs of dependence, and he does this if he has let down the standards that his parents or his society have set for him: if he does not get his Matriculation, or just misses out or if he does not get a place in a tertiary institution. If any of those matters apply, he will tend to move on and become alienated. I have given two reasons and, when I speak of young people, I speak not of 16-year-olds, 17-year-olds and 18-year-olds (to whom many people consider that this problem applies) but to persons in the age group of 12 years, 13 years and 14 years, who will become involved in this problem unless we do something about the position.

I consider that the Bill contains ample provision to deal with the criminals who actively peddle drugs and push and supply them. I consider that these people are guilty of murder, because their activities lead to the death of young people. The destruction of the minds of young people is as criminal an offence as murder is. I am not in favour of capital punishment but, if anything makes me feel that perhaps it could be retained, this is the circumstance in which people without any conscience or scruple impose on the susceptibilities of our young people.

I must touch briefly on marihuana, because that subject is brought up almost every day. Marihuana is spoken about often and its use is advocated by many people, although not as widely as is commonly supposed, or as widely as it is hoped we will suppose. I understand that a Gallup poll (although we cannot always rely on them) recently showed that only 13 per cent or 14 per cent of our population in Australia favoured the legalization of marihuana. The arguments used in favour of its legalization are that it is no more addictive or dangerous than alcohol and that, if we remove the restrictions on the sale of marihuana, we will remove the contact with criminals that young people have had. Therefore, perhaps the young people will not be pushed on to hard drugs. I cannot accept either of those arguments.

Marihuana may not be more physically dangerous than alcohol: it may be no worse than alcohol, but it is as bad as alcohol. I do not see why we should allow a third social problem of massive proportions to arise in our society. It is just as dangerous to drive a car when one is under the influence of marihuana as it is to drive when one is under the influence of alcohol. As for contact with criminals, if any Parliament legalized marihuana, for whom would Parliament legalize it? Would the Legislature cut off supply at 21 years or (and we are considering this age now) would it cut off supply at 18 years? Further, would it throw it open for everyone in the community?

I emphasize again that we are talking not about 18-year-olds but about 14-year-olds, and they would still have to get their supply

illegally. I do not think these multi-million criminal concerns (which, thank God, we have not here yet, but easily could have) would say, "Tut, tut, they have legalized marihuana. We may as well pack up and go home." I think all members would agree with me in this. The other reason why I am against the legalization of marihuana, certainly at this stage, is that too little is known about its effects. Surprisingly enough, although marihuana has been used for many years in the East, no statistics are available and no research work has been done that can throw light on its long-term effects. Although it is said that many drugs at present tend to produce adverse genetic effects and that we tend to be scared of these, some work that has been done shows that marihuana may induce long-term genetic effects. I do not know whether it will, but until we know one way or the other, we cannot countenance legalizing the use of marihuana.

I think the other important thing about marihuana is that it leads to progression from the so-called soft marihuana to hard drugs. This progression may be deliberate or inadvertent. The person who tries marihuana may find after a time that its effect is not giving him what he wants and he becomes inclined to move on, with a little assistance from an interested drug peddler, to hard drugs. The hard drug may be heroin or amphetamine. The constant danger is that marihuana will be adulterated (if that is the word: I suppose "spiked" is a better word) with heroin and the product peddled around until a person inadvertently becomes physically dependent on the drug. I repeat that this is a state where the victim cannot then exist without that drug.

That sums up my belief in why we should not legalize marihuana, and certainly not in the foreseeable future. I consider that the penalties laid down are adequate. On the other hand, the provision for drug dependence perhaps is not as good as it might be in every respect. I emphasize again that I thoroughly support this Bill. I will move amendments, but they will be designed only to improve the Bill. In my opinion, it is more important (and this view is held by many authorities on the problems of drug dependence) to treat a drug dependant than it is to punish him, because of the factors of physical dependence. We remember the old melodrama where the master criminal hypnotized his victims and sent them out to commit his crimes for him. That has now come to pass, except that physical dependence on a drug, not hypnotism, is used.

Because a person depends for his life on that drug, he can be pursuaded to commit crimes and, indeed, he is pushed into committing crimes by the threatened active withholding of his sources of supply. Therefore, consideration should be given to the drug dependant who commits offences under this Act. He is acting, not in his right mind, but in a dependent frame of mind and in a state of physical dependence in which he cannot help himself. For that reason, this Bill should provide for the treatment, rather than punishment, of drug dependants. I have great pleasure in supporting this Bill in every other respect.

Mr. CARNIE secured the adjournment of the debate.

ADJOURNMENT

At 5.30 p.m. the House adjourned until Tuesday, November 3, at 2 p.m.