HOUSE OF ASSEMBLY

Wednesd y, November 25, 1970

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

QUESTIONS

STUDY LEAVE

Mr. HALL: My question follows that which I asked the Minister of Works last week in the Premier's absence and which dealt with the study leave of Mr. Claessen, who was the Secretary of the Premier when he was Leader of the Opposition. Mr. Claessen will take this leave in Sydney. Can the Premier say whether he is aware that there are many speculative reports in South Australia that Mr. Claessen, after he has finished his course, will be appointed Police Commissioner in South Australia?

Members interjecting:

The SPEAKER: Order! The Leader is asking his question and must be heard in silence.

Mr. HALL: Thank you, Mr. Speaker. In case the Premier could not hear the question because of the spate of interjections from members on his side, ' will repeat it. Is the Premier aware of the number of speculative reports that his former Secretary (when he was Leader of the Opposition) will be appointed Police Commissioner on completing a term of study in Sydney? Is he aware that this afternoon's newspaper carries such a speculative article on its front page? If he is aware of such reports, can he say whether the study leave is being taken along the lines of my question last Wednesday, and will he also comment on the reports to which I have referred?

The Hon. D. A. DUNSTAN: I am aware that from time to time in South Australia the most extraordinary speculative reports emanate from the offices of members opposite. The Leader has asked me to comment on speculative reports. Members opposite had members of their Party canvass in my district from door to door to the effect that I was a Melanesian orphan bastard.

Members interjecting:

The Hon. D. A. DUNSTAN: I was asked to comment on speculative reports, and I will comment. The present report, which originally emanated from the offices of the Leader—

Mr. HALL: Mr. Speaker, I object. That is untrue.

The Hon. D. A. DUNSTAN: You do not know what I was going to say.

Mr. HALL: You said that the present speculative report came from my office. On a point of order, that is not true.

The Hon. D. A. DUNSTAN: I am not referring only to this one.

The SPEAKER: Order! The Premier is responsible for the veracity of the replies. The honourable Premier.

The Hon. D. A. DUNSTAN: There is now widespread in South Australia a report, which I have ample evidence to show emanated from the office of the present Leader of the Opposition, that I am supposed to be subject to psychiatric treatment and constantly going to another State for shock treatment, and other kinds of this sort of nonsense. Every member in this House knows that that is being spread by the Liberal Party in this State.

Mr. Hall: That's untrue.

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I also know where it has emanated from.

Mr. Millhouse: Where has it emanated from, then?

The Hon. D. A. DUNSTAN: Female members of the staff of the Leader of the Opposition told my driver, before anyone else in this State had heard it, that this was the sort of thing I was supposed to be subject to, and I think this indicates that individual members of Parliament, members of the Liberal Party, have spread that rumour throughout this State.

Mr. Millhouse: What's your evidence?

The Hon. D. A. DUNSTAN: If the honourable member would like to know the people to whom members of my Party spoke, I will tell him. There is no truth in that report. I have on one occasion in my life seen a doctor in another State: it was Dr. Max Guymer, in Sydney, and I went to see him because I had a cold.

Mr. Hall: What's your medical history got to do with the question?

The Hon. D. A. DUNSTAN: What it has to do with the question is that there is now a speculative report, which the Leader has asked me to comment on, that my former Secretary is to be appointed Police Commissioner. Sir, there is absolutely no foundation in that report whatever.

The Hon. J. D. Corcoran: That's as baseless as the others.

The Hon. D. A. DUNSTAN: It is completely baseless, like all the other reports which come out because members opposite are not able to fight on policy but choose to fight on personalities. The facts of this matter are these—

Mr. McANANEY: I rise on a point of order, Mr. Speaker.

The SPEAKER: What is your point of order?

Mr. McANANEY: The Premier says that I have been spreading rumours about him, when I have spent half my time defending him around the State. He has told a lie here.

The SPEAKER: Will the honourable member resume his seat when I am on my feet?

Mr. McANANEY: Yes.

The SPEAKER: There is no point of order. I did not hear the honourable member's name mentioned.

Mr. McAnaney: Well, he generally accused—

The SPEAKER: Order!

The Hon G. T. Virgo: You can give it but you can't take it.

Mr. McANANEY: Mr. Speaker—

The SPEAKER: The honourable member will resume his seat.

The Hon. D. A. DUNSTAN: I know what members opposite have been doing about spreading rumours about my medical history.

Mr. Millhouse: Well, what have we done, then?

The Hon. D. A. DUNSTAN: The honourable member knows as well as anybody else does.

Mr. Millhouse: You have made an accusation, and you had better back it up.

The SPEAKER: Order! Order! The honourable Premier has been called upon to reply to a question asked of him by the Leader of the Opposition regarding speculative reports and the position about the appointment of the Premier's former Secretary as Police Commissioner. The honourable Premier must be heard in silence.

The Hon. D. A. DUNSTAN: The honourable member does not like me to refer to other points. Go and ask the Headmaster of St. Peters College what sort of things members of your Party have been saying.

Mr. Goldsworthy: We are talking about a newspaper report, not hearsay.

The Hon. D. A. DUNSTAN: I am talking about what members of your Party have done, house to house, in this State.

Mr. Goldsworthy: You prove it. We are talking about a newspaper report, not hearsay.

The SPEAKER: Order! Order! I will not continually call members to order for interjecting. A question was asked and the Premier is replying, and he shall be heard in silence. I warn honourable members that I will not continually call them to order.

The Hon. D. A. DUNSTAN: I know that honourable members opposite do not like my talking about my health. I will now give the facts concerning Mr. Claessen's application to the Public Service Board.

Mr. Hall: Thank you: that is what I asked for.

The Hon. D. A. DUNSTAN: The Leader asked me to comment on speculative reports but he does not like my reply.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Where did any report whatever come from that speculated—

Mr. Goldsworthy: About your health!

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: All right: I will tell you about that one. It was from the Liberal Party.

Mr. Goldsworthy: Where did you see it in print?

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I had it from the people who were spoken to by members of your Party.

Mr. Goldsworthy: By word of mouth?

The Hon. D. A. DUNSTAN: That is what you go in for, isn't it?

Mr. Goldsworthy: No, it is not.

The SPEAKER: Order!

Mr. Millhouse: This is so laughable.

The Hon. D. A. DUNSTAN: A contemptible campaign waged by members opposite on the basis of speculative reports and rumours is all that has been raised about Mr. Claessen, a very good officer of this State, and a man who has given great service to this State in the Social Welfare Department and as Chief Clerk of the Supreme Court before he became my Secretary.

Mr. Hall: Well, why are you defending him: what accusations have been made?

The Hon. D. A. DUNSTAN: You made the accusation in this place.

Mr. Hall: What accusation?

The Hon. D. A. DUNSTAN: The accusation that the purpose of his study leave was that he would then be appointed Commissioner of Police.

Mr. Hall: I asked you whether that was so; that is not an accusation.

The Hon. D. A. DUNSTAN: The speculative report has emanated from nowhere else but the Liberal Party.

Mr. Hall: That is untrue.

The Hon. D. A. DUNSTAN: I am defending him against his traducers just as I would defend anyone else, including me, against the spleen and malevolence and filthy rumours that members opposite make a part of their normal political activity.

Members interjecting:

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: I am defending him from you.

Mr. Hall: I have not accused him of anything.

The Hon. D. A. DUNSTAN: Yes, you have. If the Leader had repeated that report publicly he would, as his Deputy Leader would have told him, have been guilty of slander.

Mr. Hall: Why? Because of his associating with you?

The Hon. D. A. DUNSTAN: No, you have—

Mr. Hall: I have accused him only of associating with you. What else have I done?

The Hon. D. A. DUNSTAN: You have suggested—

The SPEAKER: Order! There is to be only one question at a time, and I shall not tolerate any more interjections.

The Hon. D. A. DUNSTAN: The Leader has seen fit to suggest that the purpose of Mr. Claessen's study leave is that he is to be appointed Commissioner of Police, but there is not the slightest basis for that speculative rumour to which the Leader gives currency, just as he and members of his Party do with other speculative rumours.

Mr. Hall: You are very insistent that I had a report—

The SPEAKER: Order!

The Hon. D. A. DUNSTAN: Mr. Claessen applied to the Public Service Board for study leave to read for the post-graduate diploma in criminology at the University of Sydney. The course extends from one academic year to no more than four. The Public Service Board recommended that, subject to Mr. Claessen's being accepted by the University of Sydney and his being able to complete the whole course in one academic year, he be granted leave with pay for such period, provided that no other expense of any sort was incurred by the Government. That recommendation was very reluctantly agreed to by the Government. I endeavoured personally to dissuade Mr. Claessen from taking this course, but he believed that it was necessary for him and his advancement in the Public Service. There is absolutely no basis whatever for suggesting that upon the completion of this course Mr. Claessen will be appointed to the position of Commissioner of Police.

Mr. McANANEY: Will you, Mr. Speaker, give your interpretation of Standing Order No. 153, which provides:

No member shall digress from the subject matter of any question under discussion; and all implications of improper motives, and all personal reflections on members—

it does not say "member"—

shall be considered highly disorderly.

When I objected in this connection, you sat me down, Sir.

The SPEAKER: The Speaker does not answer hypothetical questions: he determines points of order as they arise.

PORNOGRAPHY

Mr. SLATER: I wish to ask the Attorney-General a question, which is in three parts. First, is the Attorney-General aware of attempts to develop a trade in pornography in Australia? Secondly, will he say what steps can be taken in relation to the publication or distribution of pornographic material in South Australia? Thirdly, will he say what is the position of an intending publisher of a book who may be uncertain whether the book contravenes South Australian law?

The Hon. L. J. KING: There are indications of the development of a trade in pornography in various parts of Australia. The law of South Australia prohibits the publication of obscene or indecent matter, and any attempt to publish or distribute pornography in this State will be promptly and severely dealt with. As to books having claims to literary merit, it must be emphasized that the Attorney-General has no censorship powers and his function arises only after publication. The Attorney-General must then decide whether to authorize a prosecution and must take into account all the circumstances of the publication and

distribution. It is not my practice to read material in advance of publication for the purpose of censorship. There is no South Australian censorship authority. It is for an intending publisher to take his own legal advice whether a particular publication will offend against the law of South Australia. The only official guide is the National Literature Board of Review. In general, it may be assumed that, if a book is declared to be fit for general distribution by that board, its publication will not offend against the law of South Australia. If it has not been cleared by the board, those publishing, selling and distributing the book must decide for themselves whether to publish, and it is not the Attorney-General's function to give advice prior to publication on whether he would authorize a prosecution.

FESTIVAL OF ARTS

Mr. MILLHOUSE: I intended to ask a question of the Premier, but, as he has got up and walked out, I direct it to the Deputy Premier. As the Premier is now back, I can ask the question of him.

The Hon. J. D. Corcoran: No doubt he heard you asking the question, and he's come running back to answer it.

Mr. MILLHOUSE: I should jolly well hope he had.

The SPEAKER: Order! The honourable member knows that when he rises to ask a question he must ask a question and he must stop taking part in exchanges with members of the front bench. It is entirely out of order.

Mr. MILLHOUSE: Will the Premier discuss, as soon as he conveniently can, with the Chairman of the Board of Governors of the Festival of Arts the matter of Government financial assistance for the festival? I asked the Premier on November 11 about Government financial assistance for the festival, and he gave a long reply to that question, in the course of which he said that the Government had refused to underwrite all the administrative expenses of the festival, a request to do so having been made to the Government. On that occasion the Premier said:

The basis on which this—

that was, the request for greater assistance—

was submitted to the Government was a statement by the Chairman of the festival that those who had founded and supported the festival as a non-governmental organization could not be expected to continue that support.

That was the statement that the Premier attributed to the Chairman of the Board of Governors (Mr. Irwin). In the course of his reply, the Premier also said that the Adelaide City Council support would rise only from $13,000 to $15,000, but since he gave that reply I have been given a copy of the balance sheet of the festival which shows, in fact, that the contribution by the Adelaide City Council for the 1970 festival was $27,000. Therefore, the Premier gave a figure that was somewhat less than half the actual figure, a mistake which, of course, helped his case at the time. I have also been given a copy of the report of the Board of Governors in which Mr. Irwin deals with this matter to the contrary effect to that indicated by the Premier, because he says in the report:

There has recently been considerable discussion on the future financing of the festival, and it would appear that some misunderstandings have arisen. It is not the policy of the board to reduce the role of guarantors and friends. To the contrary, at the present time a plan is being implemented by which it is hoped to increase public support.

In fact, the balance sheet shows that guarantors provided $32,025 and that friends provided $35,275, as against the grant by the South Australian Government of $75,000, which the board desires to have increased. As it is apparent from the answer the Premier gave me the other day that the Government's attitude up to the present has been based on at least two misconceptions (first, as to the board's intention regarding friends and guarantors and, secondly, regarding the support already given by the Adelaide City Council), I ask the Premier whether he will see Mr. Irwin himself to discuss the matter and to clear up the misunderstandings that are in his mind.

The Hon. D. A. DUNSTAN: If Mr. Irwin wants to see me, I shall be perfectly happy to see him. However, having already had discussions with the Director of the festival concerning its financing, I should like to know whether Mr. Irwin requested the honourable member to ask this question. If those discussions are to be by-passed by approaches to the honourable member to raise matters in this House, I should like to know about it.

Mr. Millhouse: I assure the Premier that Mr. Irwin did not request me to ask the question.

The Hon. D. A. DUNSTAN: In that case, the honourable member's information is evidently derived from his reading, so I can only suggest that his reading is defective. The

approach made to me by the Chairman of the festival board for the increase in finance for the festival from $75,000 to $140,000 (an increase that was certainly not granted by the Government of which the honourable member was a Minister) was made on the basis specifically set forth in Mr. Irwin's letter: that private guarantors and supporters of the festival could not be expected to continue their support. Regarding the cash contribution from the Adelaide City Council, I suggest that the honourable member examine the basis of the costing of the figure he gave because many things other than the cash contribution were taken into account in the fixation of that figure. There has been no misunderstanding on my part as to the basis of provision of funds for the festival. Indeed, I took my figures from those supplied to the Government by the festival board.

Mr. Millhouse: So you say that their balance sheet is crooked, do you?

The Hon. D. A. DUNSTAN: No, I do not. However, I point out to the honourable member that the festival receives certain benefits which are costed but which are not in the form of cash contributions. The honourable member should appreciate that this Government has given as good an increase to the festival as did his Government and, in addition, has found substantially extra amounts both for the planning and for the provision of performing arts facilities in South Australia and for grants to continue performing arts and graphic arts activities in this State. For instance, the Government has already provided a 500 per cent increase in the grant for the Art Gallery. In addition, the festival office has been told that, if it will consult with us in detail as to the costs that it foresees will arise in providing services for the coming festival, we will try to see whether we can meet some of those services from existing Government employment. If we can (and we may well be able to do so), it may well be that we can bridge the gap in the festival finances, and the office has been asked to make submissions to us on that basis.

WATERHOLES

Mr. BROWN: Has the Minister of Works obtained from the Minister of Agriculture a reply to my recent question about the poisoning of waterholes in the North and its effect on fauna?

The Hon. J. D. CORCORAN: My colleague has previously expressed his abhorrence at the practice of poisoning waterholes. However, he does not believe that this practice is widespread; and it is not in general favour with pastoralists. The Flora and Fauna Advisory Committee has discussed this matter and, as a result of its recommendations, the Minister has asked the Director, Fisheries and Fauna Conservation, to discuss the problem with the Crown Solicitor with a view to drafting appropriate regulations under the Fauna Conservation Act to protect indigenous fauna. However, the control of issues of poisons is a matter which comes within the jurisdiction of the Police Department.

SHOP ASSISTANTS

Mr. McRAE: Has the Minister of Labour and Industry a reply to the question I asked the former Minister what action could be taken by retail traders to minimize or avoid wage losses to casual employees following the introduction of the shopping hours legislation?

The Hon. D. H. McKEE: My colleague, who is now the Minister for Conservation and Minister assisting the Premier, discussed with the President and other representatives of the Retail Traders' Association of South Australia the situation of casual employees currently employed on Friday nights by members of that association. The President of that association has now written to say that for some months those members of his association who have been trading on Friday evenings have been carefully considering this matter and analysing the effects of closing on Friday nights. The association expects that the alteration of shopping hours will introduce new trading patterns, that initially there will be a considerable increase in Saturday morning trading and additional casual staff will be required to cope with this. Other patterns of trading will no doubt become apparent over a period of time and, when they do, adjustments to the hours and days of casual employees will be made automatically by the shops involved. On behalf of his members, the President of the Retail Traders' Association has assured me that they will take all possible steps to minimize any adverse effect which might be caused by the changes in shopping hours. These steps include preference in employment, both full-time and on a casual basis, to those employees who will be affected by the new trading hours. They expect that initially a significant proportion of the existing Friday night casual staff will be required on Saturday mornings to handle the expected increased trading at that time. I am assured that the association is most anxious to co-operate fully with the Government to ensure as smooth a transition as possible and its members, in the interests of their staffs, will make every endeavour to provide employment for those currently employed.

ROAD SAFETY

Dr. EASTICK: Can the Minister of Roads and Transport say whether any specific group is responsible for investigating road accidents, whether the collation of evidence is handled by a single organization, and whether a qualified engineer is a permanent member of the investigating body or of a review body? With the current interest in road safety matters, such as the cause of accidents and possible remedies to reduce the increasing death toll, it is important to know whether there is one central body that is "competent" in as much as it has on it an engineer and/or people with other skills.

The Hon. G. T. VIRGO: Members of the South Australian Police Force investigate accidents and make out reports. However, the detailed information obtained from these investigations has been collated by the Road Traffic Board. In fact, a report was produced showing the causes of accidents, when they occurred, and who was involved; this extensive exercise was extremely valuable. The honourable member may know that the Road Traffic Board has at its disposal an executive traffic engineer, who, as far as I know, is engaged full-time in the activities associated with the board.

SKELETON WEED

Mr. CURREN: Has the Minister of Local Government a reply to the question I asked last week about skeleton weed?

The Hon. G. T. VIRGO: The control of noxious weeds is the responsibility of the appropriate local government authority. On roads which it maintains, the Highways Department is responsible for the maintenance and protection of the sealed pavement, and this includes the grading of the area of shoulders generally within the line of guide posts. During this process, weed growth in this area of shoulder is kept down, but the departmental responsibility does not extend to the eradication of noxious weeds. It is obvious that noxious weed control must be a concerted effort starting in the adjoining paddocks and covering the whole width of the road reserve. This is the responsibility of local government, although costs can be recovered from landowners.

HAY FEVER

Mr. RODDA: Has the Minister of Local Government a reply to my question of October 20 about ways of minimizing the incidence of hay fever?

The Hon. G. T. VIRGO: Section 667 (23) of the Local Government Act enables councils to make by-laws to control inflammable grass, etc. Model by-laws 18 (for municipalities) and 32 (for district councils) both have a definition of inflammable growth as follows:

"Inflammable growth" means and includes grass, weeds, and other growth which, whilst not then inflammable, if not destroyed, become inflammable in the ordinary course of the season.

As the definition is wide enough to cover undergrowth whilst in its "green" state and the by-law enables a council to require an owner or occupier to destroy all inflammable undergrowth upon the land, it appears that councils have a power to require destruction of undergrowth prior to reaching maturity. However, as this is a local power, uniformity of action by the many councils in the metropolitan area would be difficult to achieve. But this may not be the solution because, although grass pollens are certainly a common cause of hay fever and related allergies and the clearing of grasses before pollen release would be likely to benefit many people in the neighbourhood, there are many other sources of these troubles, especially in the spring season. A widespread effort to eliminate grass pollens within, say, one mile of settled areas might be helpful, but it would certainly be expensive, and in some situations might not be feasible for agricultural or pastoral reasons. I do not believe there is enough knowledge at present of the concentration or distance of travel of pollens and other allergens to justify, for health reasons, extensive cutting or poisoning of grasses before pollen-bearing.

REYNELLA BY-PASS

Mr. HOPGOOD: Will the Minister of Roads and Transport ask the Highways Department to consider providing an extra 12in. to 18in. strip of rough surface bitumen on either side of the Reynella by-pass road? Yesterday in the House, in reply to a question that I had put on notice, the Minister said that 30 accidents had occurred on the Reynella by-pass in the last 12 months and, fortunately, only one fatality has resulted from these accidents. As I traverse this by-pass twice a day, I am surprised and alarmed at the extremely high accident rate on what seems to be a first-class strip of highway and one that has obviously been designed so as to minimize the number of bends, and so on. The only conclusion that my layman's mind can come to is that there is simply not sufficient width of bitumen and drivers get a tyre off the bitumen and into the dirt on one

side and are then in difficulty. This extra strip of rough surface bitumen would give more bitumen to drive on and, also, the noise from driving on the rough surface would warn motorists that their leeway was being reduced to a dangerous degree.

The Hon. G. T. VIRGO: I will certainly discuss the matter with the Highways Department to see whether the suggestion is practicable, but I suggest that it is extremely likely that investigations will show that the cause of the accidents has been other than the road.

SCHOOL MEDICAL EXAMINATIONS

Mr. WARDLE: Has the Minister of Education a reply to my question about school medical examinations?

The Hon. HUGH HUDSON: The Director-General of Public Health has provided a full reply to this question and, as I consider it to be of interest to other honourable members who have asked me about it, I will give a complete reply to the honourable member. School health programmes, both in Australia and overseas, are concentrating their medical manpower on the age group five years to six years (the school beginner) and they provide a total physical, mental, social and psychological assessment of the child at that time. Subsequent checks are made by para-medical personnel and any child suspected or found to have a problem is referred to a centrally located child health centre. Such referrals can also come from parents, teachers, and family doctors. A study of defects found in the various age groups in South Australian schools showed that a regular medical examination (that is, physical examination by a doctor) was not necessary on five occasions as in the past. It was decided that there were three critical periods when a medical examination (physical examination by a doctor) was advisable. These were in grade 1, grade 7, and third year. In addition, it was deemed advisable that a check of vision and hearing should be done at grade 7 and fifth year. This check of vision and hearing, of course, could be done by the school sister. In other words, the child is still seen on five occasions as he has always been, but only three times now by the school medical officer and twice by the sister carrying out the screening of vision and hearing. Some of the saving on medical manpower and finance was passed on by further extending the annual visit programme to include the whole of the Upper Murray. The programme, therefore, which commenced in 1969 is as follows:

(*a*) Annual visit programme: This covers all schools, Education Department and private, within a 60-mile radius of Adelaide and in six country centres (Mount Gambier, the Upper Murray, Port Pirie, Port Augusta, Whyalla and Port Lincoln). These schools are visited first by the screening sister who tests vision and hearing in grade 4 or fifth year, as well as checking up on the action taken by parents regarding defects found at previous examinations, checking for absentees from the previous year, and generally preparing the school for the visit of the medical team. The medical team, consisting of doctor and sister, carries out full medical examination on children in grade 1, grade 7 and third year. The sister tests vision and hearing and the doctor conducts a complete physical examination (it does not include a vaginal examination or rectal examination unless specifically requested by the parents and done in their presence). In addition, the teacher is brought into discussion about the child's general progress and behaviour and a total assessment of the child is made. Based on the attendance figures for 1969, 88 per cent of the State's total primary and secondary schoolchildren are covered by this programme.

(*b*) Three-yearly programme: This programme covers the 12 per cent of the State's primary and secondary school population who attend schools in the remaining areas of South Australia. Because of the considerable travelling time involved in reaching the widely-scattered school population in the remainder of the State, extending the annual visit programme to them would be very expensive and difficult to operate from a central base. Some answer to this problem lies in the establishment of regional medical officers by the Public Health Department who would be able to carry out examinations in these areas on a more satisfactory basis, either as an annual visit programme or at least a two-yearly visit.

There is one further group which must be mentioned. Within the annual visit programme there are some small schools with fewer than 40 students (in many cases 10 or 15 students). To visit these schools each year and examine only three of the 10 children (grade 1 and grade 7 total complement) is quite uneconomical, so all schools within the annual visit area with under 40 total student enrolment are visited every second year and all children examined at each visit.

The school medical programme is under constant review and changes have been made at intervals over the past few years to improve the service offered. The present programme is in line with oversea trends and offers an adequate service to the children in a reasonably economic form.

DENTAL CLINICS

Mr. BURDON: Has the Attorney-General a reply from the Chief Secretary to the question I asked last week regarding the establishment of dental clinics at schools?

The Hon. L. J. KING: My colleague states that static dental clinics have been established in the grounds of 14 Education Department primary schools in country areas throughout the State and a further four clinics will be available in 1971. Officers of the Public Health Department working in these clinics provide dental treatment initially for primary schoolchildren attending these schools and, when the dental treatment of these children is under control, for the treatment of children in other primary schools in the town or surrounding area. To enable the comparatively limited resources of the school dental service to be extended to as many areas as possible, the service has from its inception been limited to primary schoolchildren, except in cases of emergency, and for children of parents in necessitous circumstances. Arrangements have been made for the staff of the school dental service in these clinics, in collaboration with the Dental Department of the Royal Adelaide Hospital, to provide certain services for pensioners in the new year.

RURAL ASSISTANCE

Mr. NANKIVELL: I think I should ask this question of the Minister of Works, who represents the Minister of Lands, although the question could well be directed to the Treasurer, in which case the Minister of Works may refer it to his colleague. The question relates to a report in the *Advertiser* this morning, which states:

The Federal Government will establish rural reconstruction boards in each State to aid farmers.

Can the Minister say whether the Commonwealth Government, so far as he knows, intends to set up independent boards in South Australia, or can he say whether the Commonwealth Government has approached the State Government in any way, suggesting that the State Government might amend existing legislation, notably the Primary Producers Debts Act and the Primary Producers Assistance Act, to make the legislation more functional? If the Commonwealth Government has not done this, will the State Government take this matter up as one of urgency? I have raised the matter previously in the House, and it seems from the statement made by the Commonwealth Minister for Primary Industry that the Commonwealth Government intends to use the States as agents for any rural reconstruction programme that the Commonwealth Government may initiate.

The Hon. J. D. CORCORAN: I saw the article referred to by the honourable member, but that is the only knowledge I have of this matter. I would have imagined that, had an approach been made to the Government, the matter would have been discussed by Cabinet, so I can only assume that no approach has been made to the Government as yet. From that I draw the conclusion that the announcement in this morning's paper is the result of a post-electoral shock, and that something will come of it.

Mr. NANKIVELL: Will the Minister of Works ask the Minister of Lands how many applications have been made for assistance under the Primary Producers Emergency Assistance Act, particularly with reference to applications for assistance as a result of frost damage?

The Hon. J. D. CORCORAN: Yes.

POLICE FORCE

Mrs. BYRNE: Will the Attorney-General ask the Chief Secretary whether the requirements for entry to the Police Force are strictly adhered to, whether sufficient suitable applicants are being recruited under this policy, and whether it is contemplated that the present policy will be altered soon, particularly concerning the age limit?

The Hon. L. J. KING: I shall refer the question to my colleague to ensure that a reply is obtained for the honourable member.

DETERGENTS

The Hon. D. N. BROOKMAN: Has the Minister of Works the final instalment of the reply to my question about detergents that I asked him just before 4 o'clock yesterday?

The Hon. J. D. CORCORAN: I am pleased to be able to provide the final instalment of this reply, and I shall not repeat what I said yesterday. I think I was reading the first paragraph of the report, which stated that, until recently, the commonly used detergent materials

were branched chain alkyl benzene sulphonates, noted for their foaming ability. These so-called "hard" or non-biodegradable detergents are not amenable to biological decomposition and consequently can survive and cause foaming problems in sewage treatment processes, in the resultant effluent and, in many cases, in subsequent receiving waters. These detergents are now being replaced by "soft" or biodegradable straight chain alkylate sulphonates, which have less foaming ability and are more readily decomposed.

The polyphosphates used as building agents in these products are an important part of the cleaning mixture, providing alkalinity as well as dispersing and combining with objectionable elements. These compounds constitute up to 45 per cent of the household detergents, the use of which is such that a significant amount of phosphate is discharged into wastewater disposal systems, and in fact, it has been established that domestic wastewater contains about three times as much phosphorus as this would if synthetic detergents were not used. Together with nitrogen, phosphorus is one of the major mineral nutrients required by all algae, and its absence in water storages can be a limiting factor in the growth of these organisms. The discharge of wastewaters containing phosphate detergent residues into watershed streams can hasten the eutrophication of the water storage served.

The recent introduction into certain household detergents of enzymes, designed to decompose proteinaceous soiling material, could also affect the nutrient level of water supplies. These materials which consist principally of proteases and lipases are prepared from suspensions of bacterial cells and are themselves of protein origin, so that on subsequent degradation their end-products would contribute to the nitrogen level of receiving waters. It is understood that this additive can constitute between 5 per cent and 10 per cent of the product, but that only 1 per cent of this material is the active enzyme ingredient. Such enzymes will not survive conventional sewage treatment.

Investigations have shown that these enzymes can, in concentrated form, give rise to irritant dermatitis and in some cases to a pulmonary condition similar to asthma, and that this may also occur, although to a lesser extent, through the use of a powdered detergent product. At least one major Australian manufacturer is now hesitant to use such materials in his products.

Concerning proposed control measures, the persistence of non-biodegradable detergents and the associated foaming problems have been a matter of great concern for many years, and several oversea countries have introduced legislation requiring a minimum level of biodegradability of these products. In Australia a synthetic detergent subcommittee of the National Health and Medical Research Council is actively considering this matter, and in June, 1969, an assurance was accepted from the Associated Chambers of Manufactures of Australia that:

(1) industry would change from the use of hard to soft detergents on a voluntary basis;
(2) the changeover would be limited during the initial period to household detergents which comprised more than 70 per cent of detergents marketed in Australia;
(3) the changeover would be completed by December 31, 1971; and
(4) a minimum biodegradability of 80 per cent, as estimated by the modified United Kingdom test and the Husmann confirmatory test, would be achieved.

It is understood that no legislative action is planned until Commonwealth and State Governments have reviewed the progress of the voluntary compliance of industry. Inquiries have revealed that the detergent industry is, in fact, proceeding along these lines and that some household detergents at present being marketed in South Australia do contain biodegradable base materials in varying proportions. However, until the Australian industry is able to comply with the requirements of the National Health and Medical Research Council, the major manufacturers have mutually agreed not to comment on the biodegradability of their products as this would then simply become an advertising "gimmick". It is pointed out that these comments do not apply to imported products, the marketing of which may not be bound by such an agreement.

It is also understood that the National Health and Medical Research Council will keep under review the question of whether these changes in the composition of household detergents will produce any significant reduction in the problem of phosphate eutrophication of reservoirs. In at least one oversea country, legislation has been introduced to reduce the permissible concentration of phosphate builder initially to 20 per cent with further reduction in course of time.

With regard to the problem in South Australia, over a period of some years foaming due to detergents has been experienced at the

major pollution control works, namely, Bolivar, Glenelg, and Port Adelaide, but control has been achieved by the application of water or effluent sprays and by the occasional use of a defoaming agent. Detergent levels which have been monitored at Bolivar show an average level of 11 particles a million within a range of six to 13 p.p.m., and this has shown no significant change since this work was commenced in 1967. The departmental laboratory at Bolivar is also currently engaged in the appraisal of detergents with special reference to their biodegradability.

While the greater proportion of detergent residues contained in the wastewater of this State are passed into the sewerage system of metropolitan Adelaide and are ultimately discharged into the gulf waters, their use could contribute to increases in nutrient levels in metropolitan watersheds. This aspect is being closely watched as part of the programme of evaluation of nutrient levels and related biological activity currently being undertaken by the Water Pollution Control Laboratory at Bolivar.

The SPEAKER: Because of the interruption of the question, the length of the reply, and the speed at which it was read, I ask the Minister of Works to make available to *Hansard* a copy of that reply, as this would help the reporters to make a complete report.

NURIOOTPA OFFICE

Mr. GOLDSWORTHY: Has the Minister of Works a reply from the Minister of Agriculture to my recent question about the establishment, at Nuriootpa, of an office of the Agriculture Department?

The Hon. J. D. CORCORAN: The Director of Agriculture reports that the purchase of a suitable building site and registration of the title was completed in May, 1970. A feasibility study and a preliminary lay-out plan have been completed by the Public Buildings Department. A submission to the Public Service Board for endorsement of the proposals is now being prepared, after which the Director, Public Buildings Department, will be asked to prepare an estimate of the cost of the scheme and to obtain the necessary approval to proceed with the building.

COOBER PEDY MAIN STREET

Mr. GUNN: Has the Minister of Roads and Transport a reply to the question I recently asked about sealing the main street in Coober Pedy?

The Hon. G. T. VIRGO: There are always difficulties involved in designing, locating materials and arranging for relatively short lengths of road to be constructed to sealed standards in isolated towns such as Coober Pedy. At the present time, progress is being made in the preparation of the design, and the source of supply of most of the necessary materials has been determined. However, it will still be some months before tenders can be called for the work to be undertaken. The member for Eyre may be assured that investigations are proceeding as expeditiously as possible. It appears that the previous time estimate will be considerably improved. As the honourable member is talking to one of his colleagues, I do not know whether he is interested in the reply.

Mr. Gunn: He certainly is.

The Hon. G. T. VIRGO: On August 18, I informed the honourable member that construction of the Coober Pedy streets would be commenced within 12 months. It now appears likely that this will be considerably improved, although no accurate estimate is yet possible.

ELECTRICITY SUBSTATIONS

Mr. MATHWIN: Will the Minister of Works again examine the matter of erecting fences around Electricity Trust substations? When I previously asked a question on this matter, the Minister took action at the Glenelg North substation, and I thank him for doing so. However, in my original question I referred to Electricity Trust substations generally, and one substation that readily comes to mind is that on Morphett Road. As many substations are involved, I should like the Minister to consider the possibility of providing iron railings, as I suggested originally.

The Hon. J. D. CORCORAN: I shall be happy to refer this suggestion to the trust and to bring down a report for the honourable member.

BEACH EROSION

Mr. BECKER: Can the Minister for Conservation say when the names of the five members of the Government's proposed Foreshore and Beaches Committee will be announced? On Thursday, November 19, the Minister of Marine announced that the Government would appoint a special five-member committee, to be known as the Foreshore and Beaches Committee, which would have the aim of saving Adelaide's beaches, its first task being to examine the foreshore and beaches

extending from Port Gawler to Sellick Beach. I understand that seaside councils are anxious that action to save our beaches be delayed no longer.

The Hon. G. R. BROOMHILL: The question should perhaps have been directed to the Minister of Local Government, who is in charge of the State Planning Authority. The Government is most anxious also to see that something is done urgently, and action will be taken as soon as possible.

SITTINGS AND BUSINESS

Mr. LANGLEY: Can the Premier say when sittings of the House will be resumed after the Christmas adjournment?

The Hon. D. A. DUNSTAN: Provided other events do not supervene, we expect that Parliament will resume on February 23 and sit until Easter.

FOSSILS

Mr. HALL: Will the Minister of Education consult with the Director of the Museum and any other relevant authority within his administration in order to ascertain whether more advantage may be taken in this State, and in Australia generally, of the discovery and exploitation of fossils? I have been approached by a gentleman who, having spent much of his working life in the outback of this State, has developed a keen sense of the value of fossil finds, in which he has personally been involved in his travels in those parts of the State that yield fossils. This gentleman, who has brought to me examples of his finds, has suggested that South Australia is losing out in this matter not only because many of these finds are going to other States and often to other countries but also because, as a result of the disappearance of fossils in this way, no monetary reward is being received. Although I realize that this is a wide question, I shall be happy to refer the gentleman concerned to the Minister, if the Minister believes that anything useful may be gained by pursuing this subject further. However, I assure the Minister that, from my initial contact with this gentleman, I do not have the slightest doubt about his sincerity or about his knowledge of the situation that he has brought to my notice.

The Hon. HUGH HUDSON: The Leader seems to be broadening his interests in life considerably. I must say that yesterday, as he was floating in space between H.M.A.S. *Melbourne* and H.M.A.S. *Brisbane,* I thought for one drastic moment that his name was about to be changed from Steele Hall to Keel Hall.

Mr. Hall: That's when they took your sheath knife away from you!

The Hon. HUGH HUDSON: That is right, but if the Admiral has been prepared to apply a sheath knife to the situation, I think I would have made some sort of protest.

The SPEAKER: Order! The Minister must not converse; he must answer the question.

The Hon. HUGH HUDSON: I thought that, as the question asked was rather broad, it might be necessary to converse. However, I shall be pleased to refer the substance of the Leader's question to the Director of the Museum, to discuss it with him, and to bring back a reply for the Leader. If there be any advantage in discussing the matter further with the person concerned, I should be pleased to do that also.

TRADES AND LABOR COUNCIL

Mr. MILLHOUSE: Will the Minister of Labour and Industry assure the House that during his time in office he will not allow the Trades and Labor Council to meddle in Ministerial matters under his control? Yesterday I asked the Minister whether he would use his undoubted good offices and influence with the trade unions to try to bring peace to the motor car industry and, in the course of a short reply to me, he said that the matter had been answered by his predecessor, the present Minister for Conservation, and he added, "The situation is being handled by the Trades and Labor Council." From that, I take it that the Minister considers that, when a matter is being handled by the Trades and Labor Council, the Government should take no part in it. I want to make clear that I do not agree with that point of view, although it is apparently the Government's policy. I therefore wonder whether it is to be a two-way business because, from what I have heard (and I must admit that this is rumour), there is much meddling the other way.

The SPEAKER: Order! The honourable member is out of order in commenting.

Mr. MILLHOUSE: Will the Minister therefore ensure that, as far as he is concerned as Minister of Labour and Industry, such meddling will not take place?

The Hon. D. H. McKEE: The answer is "No".

BURNING-OFF

Mr. HOPGOOD: Will the Minister of Local Government ensure that Emergency Fire Services units, which burn off blocks under contract to district councils, give adequate notice to local householders that the burning-off is to take place? I have in mind a specific

case, details of which I can give the Minister. I am more concerned, however, with the general situation, as constituents have told me that they are subject to considerable nuisance from smoke from burning-off of which they have been given no prior warning.

The Hon. G. T. VIRGO: A similar matter was drawn to my attention yesterday, although I do not know whether it concerns the same constituent to whom the honourable member has referred. I have taken up this matter with the council concerned and have asked it to consider the welfare of householders and other residents of the district. As a result, I hope that co-operation will be forthcoming in future. However, I should appreciate being given the details of the specific case referred to by the honourable member so that I can take up the matter.

DRUGS

Dr. TONKIN: Will the Attorney-General, representing the Minister of Health, say whether the Food and Drugs Advisory Committee has considered the use of the drug *diethylpropion* since the Minister said on August 11, in reply to a question, that recommendations could be expected in the next few weeks? Also, how soon will steps be taken to control the unrestricted sale of products containing this drug? I was surprised to find today that the drug in question is still freely on sale in South Australia without prescription and that South Australia is the only State in which it is so available. Urgent action is necessary in this respect.

The Hon. L. J. KING: I will take up the matter with my colleague and obtain an early reply.

CARP

Mr. McANANEY: Has the Minister of Works received from the Minister of Agriculture a reply to my recent question regarding the future commercial use of carp in the Murray lakes?

The Hon. J. D. CORCORAN: I have received the following reply from the Minister of Agriculture:

The Director of Fisheries and Fauna Conservation reports that the few European carp being caught in the Murray lakes would not provide the very large quantities required for the economic production of fish meal. Although a noxious fish under the Fisheries Act, 1917-1969, this species can be taken for sale. No size limit is in operation. The legal restrictions on keeping, consigning, releasing, etc., of this species apply only to live fish. I understand the fish is not readily acceptable to Australian tastes, but many people of European descent eat it. Suitably cooked and spiced, it is a popular eating fish in certain European countries. The Fisheries and Fauna Conservation Department has been encouraging a fisherman at Meningie in his experiments to trawl for the long established golden carp in Lake Alexandrina. A ready market exists for these fish as crayfish bait, and they also have a limited demand in the fresh fish trade.

BUTLER TANKS SCHOOL

Mr. CARNIE: Will the Minister of Education say whether his department plans to construct an area school at Butler Tanks?

The Hon. HUGH HUDSON: According to my information, there is nothing on the design list for the establishment of such a school. However, I will inquire whether planning is at an earlier stage than that and bring down a report for the honourable member.

AUDITING FEES

Dr. EASTICK: Is the Attorney-General aware that, acting under section 19 (5) of the Aged and Infirmed Persons Property Act, 1940, the Public Trustee from time to time has accounts (termed managers' accounts) audited by an outside auditor and the fee therefor is charged against the "protected estate"? The Attorney will appreciate that some persons, through no fault of their own and generally because of a medical history, have their estates managed by a manager who is a member of the family. At no cost to the State or to the estate he is managing, the member of the family undertakes to make available moneys to the person involved, and he is required under the Act to submit accounts to the Public Trustee annually. The Act provides that the Public Trustee or one of his officers may undertake the audit, or that it may be delegated to a private firm. One of my constituents who is managing the estate of his father-in-law has received an account from an independent auditor for $30 a year which, related to the pension the protected person receives, means a loss of almost 60c a week from his pension.

The Hon. L. J. KING: I am aware that the Public Trustee obtains the services of private auditors in the way referred to by the honourable member. As there may be some way of alleviating hardship, particularly in respect of smaller estates, I will confer with the Public Trustee to see whether there is any way of achieving this.

RAIL EXCURSION

Mr. WARDLE: Will the Minister of Roads and Transport discuss with the Railways Commissioner the matter of scheduling a passenger train to carry 900 scouts to Ingleburn in New South Wales on Monday, December 28? Apparently, 900 scouts are to travel to a jamboree in New South Wales in a train that leaves Adelaide at 5.20 p.m. on Sunday, December 27. They will travel for 34 hours in all. They will travel in one train to Albury, arriving there at 4.10 p.m. on the Monday. At that point, they will break into two trains, and they are scheduled to arrive at Ingleburn at 2.10 a.m. on the Tuesday. Through the South Australian Railways Department no better arrangement than that schedule could be made with the New South Wales department. The Minister will appreciate that, for the 900 boys, it will not be the best to arrive at 2.10 a.m., nor will it be appreciated by the parents who are invaded by the 900 boys at that hour. Normal school concession fares will be paid by the 900 scouts. If the Minister will discuss the matter with the New South Wales Minister he will be regarded as a good scout.

The Hon. G. T. VIRGO: I do not think I would be regarded as a good scout if I attempted to alter arrangements that were apparently made at the request of the boy scouts association or by someone who is assuming full and proper control. If the honourable member could assure me that this organization desired me to make such approaches, I would be delighted to do so, but I would not feel competent to make approaches merely on the request of a member of this House.

SUBORDINATE LEGISLATION COMMITTEE

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

That the Hon. D. H. McKee be discharged from attending the Joint Committee on Subordinate Legislation and that Mr. C. J. Wells be appointed in his place.

Mr. MILLHOUSE (Mitcham): I do not oppose the change in the committee. I think it will strengthen the committee to have the member for Florey on it in place of the member for Pirie. I believe that all members will agree that the member for Florey is the outstanding new Government member. We are glad to see that he is being preferred in this matter. He thoroughly deserves this and his appointment will strengthen the committee. However, I want to make a point made by the Opposition when this committee was appointed: that the Opposition still has no voice on the Subordinate Legislation Committee. This would have been an opportunity for the Government to allow the Opposition a representative on the committee. When this was raised, the Premier said that certain discussions were taking place or that he was waiting to hear from the Upper House, or something like that. I do not quite know what he said, but I do know that what he said was not accurate and had no substance. It was one of these speculative rumours of which we have heard this afternoon.

Members interjecting:

The SPEAKER: Order!

Mr. MILLHOUSE: I do not begrudge the member for Florey his place on the committee but I renew the protest against the lack of representation on that committee of the Opposition in this place, and the lack of action by the Government and Premier to put it right, for the Premier had said that he was prepared to do something.

The Hon. D. N. BROOKMAN (Alexandra): I—

The Hon. Hugh Hudson: You couldn't miss the opportunity.

The Hon. D. N. BROOKMAN: It has been said that I could not miss the opportunity to speak on this matter, but that is not quite accurate. However, I will not miss the opportunity, because the Opposition has been dealt with rather ungenerously—

The Hon. Hugh Hudson: By your colleagues in the Upper House.

The Hon. D. N. BROOKMAN: The Minister is so eager to speak that he wants to finish sentences for everyone else. I should have thought the Minister would have at least enough objectivity of mind to find it unnecessary and childish to try to complete sentences for other people. The Opposition in this House has not been represented on the Subordinate Legislation Committee. The Government continually says that our Party has four members (I think it is four) on this committee. Everyone knows that there is no reasonable chance of discussing subordinate legislation matters with a member of another place, because our programme in this House is quite different from that in the other House. The only reasonable way in which we can be kept up to date is by having some member in this place who is prepared to discuss the matter with us. I remind honourable

members that, historically, subordinate legislation has been a matter of considerable credit to this Legislature. This is an advisory committee that does research work and hears evidence in many cases, and private members cannot possibly do these things. Until this recent inequality in representation—

The Hon. G. T. Virgo: How is three-all inequality?

The Hon. Hugh Hudson: Stick to the facts.

Mr. Millhouse: Please stop interjecting.

The SPEAKER: Order! I will warn members on the front benches of both sides of the Chamber that I expect them to conduct themselves in a manner that is a little more dignified and to set an example to members who came into the House this session. I will not tolerate interjections any longer.

The Hon. D. N. BROOKMAN: Until this recent inequality of representation took place, whereby the Opposition in this House was denied any representation, the committee worked with the full confidence of members of the House. Early in the year in speaking to a motion on this matter, the Premier said:

> We endeavoured to get that arrangement (with the other place) in a previous Parliament in 1965, but we could get nowhere. We could get no undertaking of any kind, nor can we now.

I ask the Premier what efforts he had made to substantiate his statement "nor can we now". After asking him several questions about this over a few days, I gave up because it was clear that I would not get an answer. I doubted whether the Premier or anyone else had made any effort up to that time to make an arrangement with the other place. I asked questions to find out whether the Premier would have further talks but, as we all know, nothing has eventuated. I have complained that the situation has recently arisen whereby the Chairman of the Subordinate Legislation Committee has given notice that he will move for the disallowance of a regulation. As we know, as long as a notice of motion for disallowance is given, within, I think, 14 sitting days, the motion can be carried forward. Perhaps the debate may be adjourned but at least members know that the motion is there and that the regulations will not be accepted automatically. Later we have had a situation whereby the Chairman has moved that his own motion of disallowance be read and discharged and, in doing so, he has given no explanation to the House, so that motion, the carriage of which was a formality unless the Opposition happened to be hanging on to every word that the Chairman spoke and asked for the reason, was carried and the regulations took effect. At no time was the Opposition or any member of it told what the Chairman of the committee had in mind. When I complained about that previously I got a shovelful of abuse. A bulldozer could not have done a better job, but I got no logic whatever. That complaint is still valid. If the Chairman of the Subordinate Legislation Committee puts on the Notice Paper a notice of disallowance and later, without further explanation, moves that the motion be read and discharged, the Opposition, which has no members on the committee, has no opportunity to find out what is happening. Private members cannot chase up the details of these by-laws, regulations, and so on. They can read matter, but they cannot take evidence, and the committee is there to represent the whole House, not only one part of it. We have a new Chairman of the Subordinate Legislation Committee, the member for Florey, and I congratulate him on his appointment, but I hope that he takes notice of what I have said.

Mr. Millhouse: Surely he'll be Chairman, won't he?

The Hon. D. N. BROOKMAN: Well, he is a new member, but he will still be the representative of all members in this House and I hope that he takes notice of what I have said and gives Opposition members some opportunity to understand what is in the mind of the committee. If he does that, there will be less complaint from this side. It seems there is no chance of our having our own representative on the committee. Therefore, we depend on the representatives on the committee from our House to inform us. I congratulate the honourable member and hope he does a good job. I consider that he will take us into his confidence, but I make no apology for raising this matter or supporting the member for Mitcham on it, because of what has happened in the past.

The Hon. D. H. McKEE (Minister of Labour and Industry): I make no apology for putting the record straight in regard to the member for Alexandra. Many times the committee corresponded with the honourable member but he did not have the courtesy to reply. He was told of action to be taken by the committee many times when notice of a motion of disallowance was given but, as I have said, he

never had the courtesy to reply. The honourable member knows that that is correct.

Mr. GOLDSWORTHY (Kavel): I should like to put the record straight, for the benefit of the former Chairman of the committee, regarding some of these regulations. I am thinking particularly of those concerned with land subdivision in the water catchment areas. A notice of motion to disallow these regulations was put on the Notice Paper. The member for Alexandra said that we had not had time to consider the regulations and, as we did not know the thinking of the committee, we would like time to consider them. In a fit of pique, the Chairman said that we had had time to consider them. However, subsequently the ruling was that, as the Chairman had spoken, he had closed the debate.

The SPEAKER: The honourable member is out of order in referring to a previous debate. That debate has been disposed of.

Mr. GOLDSWORTHY: I am speaking to the motion and pointing out the position that obtained here not long ago regarding treatment of the Opposition by the former Chairman of this committee. Because of the action of the Chairman of this committee, we were denied effectively an opportunity to debate these regulations. I think I have made that perfectly clear.

The SPEAKER: The honourable member is not speaking to the motion.

Mr. GOLDSWORTHY: I have made the point that I wished to make, and I hope to get co-operation from the Chairman of the committee in future. The Opposition was, by the action of the Chairman of the committee, blocked effectively from putting a point of view regarding these regulations.

Mr. McRAE (Playford): As a member of the committee, I think I ought to make clear that, when the Minister of Labour and Industry was Chairman of the committee, he was extremely scrupulous, as was the whole committee, to see that every member of this House or of the other place who could possibly be affected, or whose district could possibly be affected, by any of the regulations or papers before the committee was informed to that effect. Not only was the member told: many times the Chairman went to great lengths to let the interested member know the significance of the matter so that the member would have an opportunity to bring forward the correct representations to benefit his district. I think that the smear tactics that have been adopted by members opposite concerning this matter are petty and childish.

The Hon. D. A. DUNSTAN (Premier and Treasurer): Mr. Speaker—

Mr. Millhouse: You're in that sort of mood today!

The Hon. D. A. DUNSTAN: The honourable member is his usual self.

The Hon. J. D. Corcoran: He never improves.

The Hon. D. A. DUNSTAN: No, he only deteriorates. The Government is entitled to have, on standing committees constituted under the Constitution of this Parliament, at least parity in membership and to have the chairmanship of the committees. In order to provide for normal constitutional government, that is required by any Government in office, and it was the position imposed by members opposite at all times when they could impose it while they were in office.

The Hon. J. D. Corcoran: That is right.

The Hon. D. A. DUNSTAN: This Government requires the same sort of treatment in being able to provide that the committees of this Parliament are, in fact, constituted of members with at least parity for Government members, and with the chairmanship.

The Hon. Hugh Hudson: Parity wasn't good enough for honourable members opposite: they wanted majority.

The Hon. J. D. Corcoran: They always had it, too.

The Hon. D. A. DUNSTAN: That is true. While we cannot always accept from this side the things honourable members would demand for themselves, there are certain basic features of the democratic process which I think we are entitled to insist on but which members opposite are not, as a minority, prepared to concede to the majority. It has been made clear to members of the Party of which members opposite are all members that, if in the Upper House provision is to be made for the minority voice in that Chamber on this committee, a similar provision will be made on the committee in relation to members in the minority in this House.

Mr. Millhouse: Could that be done constitutionally?

The Hon. D. A. DUNSTAN: Yes, it could be done, but, in fact, at present we have been unable to achieve that. The remedy is in the hands of members opposite. I realize that,

given the events of the past few days, there is a great difficulty for many Opposition members, particularly the Leader and the member for Mitcham, to talk to members of their Party in the Upper House. This is not regarded as a split on their part, because it is a permanent feature of their organization. We had the spectacle here a short time ago of Opposition members protesting violently that, if certain proposals of the Upper House were proceeded with, they would be in great difficulties in this House in choosing their own Leader of the Government if they were in a minority, because members in another place would determine the position as they do at a Liberal Party conference. Members opposite must agree that, on matters affecting the Constitution of the Upper House and its committees, members of the Liberal Party in the Upper House call the tune. It is not the same tune as members opposite sometimes sing, and, although to us their song when they differ from members of the Upper House is more tuneful, it does not seem to fall with any sort of soothing influence upon the savage breasts in another place.

Mr. Hall: What has this got to do with the motion?

The Hon. D. A. DUNSTAN: What this has to do with the motion is that we on this side require that we have parity on this committee and the chairmanship of the committee, and the only way we can achieve the first of those objectives is to have all members of the committee from this House elected from this side of the House. We should be pleased to provide differently if we could achieve a different position in another place. I know that Opposition members say that they meet separately from their Party colleagues in another place and that they talk to them seldom, otherwise they communicate by semaphore or not at all.

The Hon. D. N. Brookman: What communication do you have with the other place?

The Hon. D. A. DUNSTAN: I have told members of another place what the Government's attitude is and what is the position that we would be prepared to accept, as I have told the honourable member, and I hope that on the few times he has been able to talk to his Party colleagues in another place he has been able to pass on that communication.

The Hon. Hugh Hudson: He doesn't have any responsibility to do that: it is all on the Government!

The Hon. D. A. DUNSTAN: That is sad, because I should have thought that the honourable member would have considered he had wider responsibilities. However, since he does not I am afraid that the position still remains and that members on this side will require that, until the minority voice in another place is represented on the committee, we have no ability to provide that the minority voice in this House is represented on the committee. We should be happy to provide for both if we could.

Motion carried.

Questions resumed:

JUVENILE OFFENDERS

Dr. TONKIN: Will the Minister of Social Welfare say what progress has been made in framing legislation regarding the provision of expert investigation and treatment in respect of young offenders, and whether a decision has been made regarding the use of suitable voluntary welfare workers in the Social Welfare Department? I have been disappointed to see no sign of this proposed legislation on the Notice Paper, even though we are reaching the end of the year. I think, too, that my concern has been heightened by seeing a film during the lunch hour concerning the death of a young drug-dependent girl aged 19 years, basically as a result of long-term emotional deprivation since her life basically was a progression from one institution to another. I consider that this matter is of great concern to the community and is responsible for many of our present social ills. I should be grateful if the Attorney-General would give urgent attention to the problem.

The Hon. L. J. KING: In sharing the honourable member's concern about this topic, I agree with him that the overhaul of the machinery for the treatment of juvenile offenders is a matter of great urgency. Also, it is a matter that needs to be treated with great care and thoroughness as the legislative changes involved are of considerable magnitude. At present the department is preparing detailed instructions for the Parliamentary Draftsman about legislation that will be required to give effect to the principles of the report of which the honourable member is aware and, in addition, other persons with wide experience concerning juveniles have been consulted and their comments sought. I hope that the legislation will be ready to be introduced when the House resumes in the new year. Urgent as the legislation is, however, its

urgency is no more important than the thoroughness and efficiency that must be a feature of it when it is introduced. It is being dealt with expeditiously, and will be introduced as soon as possible.

KIMBA MAIN

Mr. GUNN: Will the Minister of Works consider supplying more equipment for work on the Kimba-Polda main in order to provide more efficiency so that workmen will be able to lay more pipes in one day? I am concerned particularly about a mobile crane. During my recent inspection of the main, only one crane was operating and, as it was necessary when a load of pipes arrived for the crane to be taken off laying pipes in the trench, work was delayed considerably.

The Hon. J. D. CORCORAN: I shall be pleased to consider this suggestion to ascertain whether we can do something about it and, after doing so, I will tell the honourable member what is the result.

PORT LINCOLN POLICE BUILDING

Mr. CARNIE: Does the Attorney-General know of any plans for a new police station, constituting divisional headquarters, to be constructed at Port Lincoln? If he does, can he say whether provision has been made in the complex for a district and criminal court? As the intention to set up such a court is a comparatively recent decision and as I understand that plans for a new police station have been considered for some time, I am concerned that planning may reach an advanced stage and then have to be scrapped and started again because of this new concept.

The Hon. L. J. KING: I am aware of the plans for the police station at Port Lincoln, and those plans do not provide for a courtroom. However, I am conscious of the importance of providing better courtroom facilities at Port Lincoln. On a recent visit to that town, I made it my business to refresh my memory regarding the rather ancient courtroom that serves the needs of the people of Port Lincoln and surrounding districts, and during that inspection I particularly considered the necessity of providing suitable accommodation for the local and district criminal court judges. I think that in the immediate future it is unlikely that criminal sessions can be held in Port Lincoln under the existing courtroom arrangements. Obviously, jury trials cannot be held there, because there are no facilities for the jury but, in that respect, Port Lincoln is in the same position as are all other country towns in South Australia, except Port Augusta and Mount Gambier. Nevertheless, I look to the day (I hope it is soon) when jury facilities can be provided at Port Lincoln, because it seems to me that that town should be the next on the list to be provided with jury facilities. Jury facilities at Port Lincoln would enable criminal sessions to be held there to serve the needs of the district to the west. Although I have had some preliminary discussions about the matter, I cannot definitely say what will be done in this regard, except to repeat that the police station plans do not include a new courtroom.

INDUSTRIAL COMMISSION

Mr. RODDA: Will the Minister of Labour and Industry use his undoubted ability, which few people recognized until late last week, to see whether the new accommodation for the Industrial Commission will be made available as soon as possible? I asked a similar question last Thursday of the Attorney-General, but as we now have a Minister administering this important jurisdiction in his own right I direct the question to him. With the former Attorney-General, I made a great effort to see that this accommodation would be provided quickly, and I appreciate the urgency, of which the Attorney-General spoke when he replied to my question last Thursday, in completing this new accommodation for the Industrial Commission.

The Hon. D. H. McKEE: Although I understand that the Industrial Commission is to be relocated, at this stage I have no detailed information, but I will obtain a full report for the honourable member and do my best to see that the matter is expedited.

TRANSPORTATION STUDY

Mr. HALL: Will the Minister of Roads and Transport bring into the House this week for debate the Breuning report on the Metropolitan Adelaide Transportation Study plan, or does he intend to wait until the last day of the session before doing this and so prevent discussion of the report before the House adjourns for the Christmas break?

The Hon. G. T. VIRGO: The report will not be brought in this week. I told the House a week or so ago that a report had been received from Dr. Breuning and that it was currently being printed because we desired to have copies available, first, for the purposes of full and proper consideration and, secondly, for distribution to those people interested and

anxious to know what Dr. Breuning had recommended. The report is currently before Cabinet, which is discussing and considering the implications of adopting the recommendations contained therein. As soon as these deliberations are completed, the appropriate announcement will be made.

DARTMOUTH DAM

Mr. MILLHOUSE: What political solution has the Premier in mind to end the stalemate over the building of the Dartmouth dam? Yesterday I asked the Premier what the Government intended to do next in its attempt to renegotiate the agreement, and the reply given by the Premier with, I thought, much mock complacency was that the Government was to proceed, as the Hall Government announced it would proceed, with a political solution, but no doubt with better success. I do not know when the Hall Government announced that it would proceed with a political solution or what the Premier has in mind by that phrase. Accordingly, I ask the question because I remind the Premier that this matter is of great interest to all the citizens of the State; it is a matter on which we have been able to get precious little information from the Government, and—

The SPEAKER: The honourable member is making a rather exhaustive explanation.

Mr. MILLHOUSE: —I suspect that the Government does not know what to do.

The Hon. D. A. DUNSTAN: The honourable member's memory seems to be short and defective. After the election of the Hall Government, an announcement was made in this House by the then Premier to the effect that a political solution of the matter would be sought and that the 14 points on Chowilla had been published and circulated, and the House was told that this would achieve a political solution as a result of the necessary representations in Canberra and in other quarters regarding South Australia's needs and rights.

Mr. Millhouse: You are going back to that?

The Hon. D. A. DUNSTAN: I am saying that we will seek a political solution, but with better effect than was then shown. The Government has made representations in certain areas which are affected by the future of water supply in South Australia and which also have some sort of political sway with the Governments of New South Wales, Victoria and the Commonwealth. If the honourable member is willing to support this State, I suggest that he join me at a public meeting at Renmark on December 7, when arrangements will be made for a campaign in other States among irrigation settlers to be undertaken by those in this State who believe, with this Government, that following the Gutteridge report it is clear that, as people at the fag end of an increasingly polluted river system, we need for the protection of this State the eventual protection of the Chowilla dam.

SCHOOL CLOSURES

Dr. EASTICK: Can the Minister of Education say how many teachers who will be affected by the closure of 24 country schools will receive less remuneration because of their reappointment? I refer to the article that appears in the most current issue of the *Teachers' Journal,* copies of which were delivered to all members today and in which it is stated that the representations made by the members of the South Australian Institute of Teachers highlighted this point to the Minister.

The Hon. HUGH HUDSON: It is certainly not true that a deputation from the Institute of Teachers highlighted the point referred to by the honourable member. However, I could not say off the cuff whether the claim is correct. The person at the Wattle Park Teachers College in charge of the course arranged by that college for young teachers going out to small rural schools came to see me, in company with the President of the Teachers Institute. I have no recollection of the matter of salaries of teachers affected in this way having been raised. However, I will look into the matter so far as it concerns teachers in this category, and I will bring down a reply for the honourable member as soon as possible.

BOOL LAGOON

Mr. NANKIVELL: As I understand that the Minister of Works has further details from the Minister of Agriculture regarding the question I asked recently about Bool Lagoon, will he now give them to the House?

The Hon. J. D. CORCORAN: The Minister of Agriculture has furnished me with a comprehensive report on this matter from the Director of Fisheries and Fauna Conservation, and I shall be happy to make it available to the honourable member for his perusal, if he so desires. The Director reports that since Bool Lagoon area was proclaimed a fauna conservation reserve in 1967 the South-Eastern Drainage Board and the Fisheries and Fauna Conservation Department have maintained a close liaison whereby the main outlet

gates for Bool Lagoon are operated by the resident Fisheries and Fauna Conservation Department manager at Bool Lagoon. The rate of rise in water level is used by the South-Eastern Drainage Board to determine the amount of water to be released from the Bool Lagoon regulator gate into Drain M. Regulation of water flows in the lagoon is of considerable importance to landowners and conservation interests, and further studies are necessary on stream flow and weed growth. Future management will depend on the information gained as a result of these studies. As I informed the honourable member previously, close liaison has been established and will be maintained between the Fisheries and Fauna Conservation Department and the South-Eastern Drainage Board on this problem.

SOUTH-EAST ELECTRICITY

Mr. RODDA: Has the Minister of Works a reply to the question I asked last week regarding South-Eastern electricity supplies?

The Hon. J. D. CORCORAN: Progress on rural extensions of electricity supply in the South-East at Naracoorte, Penola and Lucindale is as follows. On Naracoorte rural extension (stage 4), a contract for the construction of this extension has been awarded to Frank Hunt Proprietary Limited. The extension now comprises 27 miles of 11kV lines and 80 miles of single wire earth return lines to be connected to existing networks in the hundreds of Binnum, Hynam, Naracoorte and Robertson. The 11kV lines have been surveyed and pole positions pegged. Pole deliveries started on November 11, 1970, and are in progress. The contractor intends to begin pole erection in December. In the early stages of construction, work will be confined to the 11kV lines, and they will be constructed in the following order: first, the spur line on the Naracoorte-Bordertown road; secondly, the Moyhall Swamp spur line, south-west of Naracoorte; and, thirdly, the Cadgee Road spur line, west of Frances.

During the period of construction of the 11kV lines, the contractor will survey and peg pole positions for the 19kV s.w.e.r. lines which will be constructed in the following order: first, s.w.e.r. lines supplying the area west of Frances on The Gap to Frances Road (construction of this line is expected to begin in about March, 1971); secondly, the Naracoorte-Bordertown Road s.w.e.r. line; thirdly, the s.w.e.r. line to the west of Naracoorte township and, finally, the Bool Lagoon s.w.e.r. line. The Naracoorte stage 4 rural extension should be completed by the end of June, 1971. This will complete electricity reticulation in the six hundreds surrounding Naracoorte.

The construction of Penola rural extension (stage 2), comprising 76 miles of 11kV lines, is in progress. The spur supplying the southern half of the hundred of Monbulla is expected to be completed early in December. A small section near Penola was completed on November 17. The remaining spur line of this extension extends westwards from Penola through Wattle Range into the hundred of Short. This spur is approximately 70 per cent complete and is expected to be completed in about February, 1971. This is the final stage of rural electrification in the Penola district. The extension comprises 110 miles of 11kV lines and 13 miles of s.w.e.r. lines supplying the eastern part of the hundred of Coles, the hundred of Killanoola, and the northern part of the hundred of Comaum. All lines have been surveyed and pole positions pegged. Tenders for the construction of the extension will be called towards the end of November. Construction is planned to begin early in 1971, with completion in the following summer.

On the Lucindale rural extension, the present programme provides for extensions in the Lucindale area after the areas around Naracoorte have been completed. It will first be necessary to build a 33,000-volt transmission line from Naracoorte to Lucindale. A route for the line has been investigated and preliminary plans are being prepared.

At 4.1 *p.m., the bells having been rung:*

The SPEAKER: Call on the business of the day.

SUPREME COURT ACT AMENDMENT BILL (PENSIONS)

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Supreme Court Act, 1935-1967. Read a first time.

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

That this Bill be now read a second time.

Its object is to provide supplements to the pensions of certain retired Supreme Court judges and widows of members or former members of the judiciary. Clauses 1 and 2 are formal.

Clause 3 effects certain clarifying amendments to section 13e of the principal Act to reflect the actual position regarding payments

of supplements provided for by that provision. Clause 4 supplements all pensions that had a determination day, as defined, before July 1, 1967, a supplement of 8¼ per cent being provided in respect of those pensions. Clause 5 effects a correction to the citation of an Act referred to in section 62b of the principal Act.

This is the first of a series of measures designed to provide that existing pensions under various schemes provided under legislation of this Parliament are brought up to the level of real return that would be necessary if cost of living adjustments and changes in the value of money were taken into account. This means a general increase in the amount of existing pensions by about 8¼ per cent in all cases, and the determination day is for those pensions payable before July 1, 1967. We are endeavouring to bring in a uniform provision which will, as an interim measure, provide for adjustment in the real value of pensions presently paid.

Mr. Millhouse: What do you mean by "interim measure"?

The Hon. D. A. DUNSTAN: It is intended that the whole of the pension provisions in South Australia be revised during the period of life of this Government. The present provisions for superannuation pensions for the Public Service have produced a number of anomalies, and an entirely different basis for pension organization is under investigation by the Superannuation Board and by its Chairman, the Government Actuary. It is expected that we shall be able to bring in an entirely new basis of pension within two years, but it will take almost that time for us to provide the legislative work necessary to bring in a new scheme. It is an extremely complicated operation, and we have consulted with the Public Service Association about it as to the aim we have in revising the pension schemes.

Somewhat earlier than that, we shall be able to provide for a revision of the police pension scheme. Some revision has already been provided in relation to the Parliamentary superannuation scheme. However, all the schemes are to come into line. Further proposals will come into effect and be proposed next year in relation to the judges' pension scheme. This series of Bills is simply a first move to provide for the cost of living adjustments largely for existing pensioners under the present statutory schemes.

Mr. MILLHOUSE secured the adjournment of the debate.

SUPERANNUATION ACT AMENDMENT BILL

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

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

That this Bill be now read a second time.

In introducing this Bill, I would inform members that it is one of a series whose principal design is to increase pensions of public employees, judges and members of Parliament, and of their dependants, where those pensions have latterly been eroded by increased living costs. It is more than three years since a similar general review was made for this purpose. Generally the longer a pension has been payable the greater is the supplement provided. In the case of pensions payable under the Superannuation Act, the supplement ranges from 3¼ per cent to 8¼ per cent.

It is unfortunately not practicable for me to bring down at this stage a Bill increasing pensions of police officers and their dependants, because the appropriate increases will in some measure depend upon a review of the whole police pension scheme which is presently being made. I would hope to deal with appropriate supplementation of long-standing police pensions in the February continuation of this session, and if practicable to provide for the appropriate increases from the same day as for the other pensions presently to be considered.

The Government has under serious consideration the eventual implementation of some scheme which will provide for automatic periodical supplementation of pensions as living costs may be shown to have varied. This will involve considerable actuarial investigation and the present Bills may be regarded as a first step in that direction. It is the hope of the Government to bring the increases into effect either on January 1 next or a convenient date near to January 1. In addition, this Bill contains certain other amendments to the Superannuation Act the nature of which will become clear when I indicate the scope of each clause in the Bill.

Clauses 1 to 3 are formal. Clause 4 amends section 8 of the principal Act which deals generally with the powers of the Superannuation Board to invest the moneys standing to the credit of the Superannuation Fund. If the amendment proposed by this clause is agreed to, the entry of the board into the field of "high ratio" housing loans will be facilitated. A "high ratio" loan is a loan where the

amount lent is of the order of 90 per cent of the value of the property as ascertained by a valuer employed by the board. The board could not enter this field unless it was given power to insure such loans against default by the borrower. As honourable members may be aware, steps are being taken to have the board become an approved lender under the Housing Loans Insurance Act of the Commonwealth to facilitate such insurances but progress in this matter must await Commonwealth legislative action. This amendment therefore will enable the board to insure such loans with "approved insurers" and hence enable the board to enter this field immediately to the benefit of the fund and to borrowers generally.

Regarding clause 5, under the principal Act unit entitlement is calculated once each year for a contributor on his entitlement day. If the contributor receives an increase of salary between entitlement days and he has in force an election to contribute for all the units to which he may become entitled on his entitlement day he is regarded, for pension purposes, as contributing for the units calculated on his increased salary. He is, in effect, given a form of "free cover" between his entitlement days. The question has now arisen as to how a retrospective salary increase shall be dealt with, that is, a salary increase that is granted after he enters upon his pension but which is expressed to take effect from a day before he so entered. This amendment will enable the board to recalculate the pension if necessary and treat, in appropriate circumstances, a retrospective increase in salary as if it had effect as an actual payment of salary on the day from which it was expressed to take effect.

Regarding clause 6, honourable members may recall that the 1969 Act gave certain benefits to children between 16 years and 21 years who were in full-time attendance at educational institutions. In the nature of things these benefits were not extended to those children who had attained 16 years before the commencement of the 1969 Act. The amendment proposed by this clause will treat such children on substantially the same basis as children already receiving the benefit. This provision cannot of course be applied in cases where the board has made lump-sum payments on the basis that no further pension was payable in cases where, at the time the payment was made, the total of the pensions paid was less than the total of the contributions paid by the contributor. Necessarily in such cases the board's liability is at an end.

Clause 7 is a drafting amendment. Clause 8 provides supplements for pensions at present being paid. These supplements are calculated on the same basis as supplements provided for other pensioners in other legislation and range from 8¼ per cent to 3¼ per cent depending on the day on which the pension to be supplemented was first payable. In addition, the proportion of all supplementary pensions payable by the Government has been fixed at 70 per cent.

Mr. MILLHOUSE secured the adjournment of the debate.

PARLIAMENTARY SUPERANNUATION ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Parliamentary Superannuation Act, 1948-1969. Read a first time.

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

That this Bill be now read a second time.

This short Bill is intended to provide a supplement to certain pensions payable to retired members of Parliament and their widows. The increase in pension recommended to the Government by the Public Actuary is 8¼ per cent. The pensions affected are (*a*) all pensions payable before the commencement of the Parliamentary Superannuation Act Amendment Act, 1969; and (*b*) pensions of widows or widowers of members who retired before the commencement of the 1969 amending Act and died between that day and the day of commencement of the Act proposed by this Bill; in short, all pensions that vested before the 1969 amending Act and widows or widow pensions contingent on those pensions.

Mr. MILLHOUSE secured the adjournment of the debate.

INDUSTRIAL CODE AMENDMENT BILL (PENSIONS)

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

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

That this Bill be now read a second time.

This short Bill is one of a series of measures designed to supplement certain pensions payable in respect of persons who have held judicial and other offices in this State. In this case the pension involved is that being paid to a former President of the Industrial Court under the Industrial Code, 1920, as amended. This

Code was repealed by the Industrial Code, 1967, but provision was made in the 1967 Code for the continuation of that pension and the contingent widow's pension. In this case a supplement of 8¼ per cent is proposed, this being the figure recommended by the Public Actuary as being appropriate to restore, to some extent, the depleted purchasing power of the pension.

The operative clause of the Bill, clause 3, makes appropriate provision for the supplementation. The reference in proposed new section 17a (2) (*b*) to a pension being first payable after the commencement of this measure is intended to cover the contingent right of a widow of the retired President to her pension. The matter contained in proposed new section 17 (3) is intended to spell out clearly the formal financial arrangements for the payment of these pensions and resolve any doubts as to formal authority for their payment.

Mr. MILLHOUSE secured the adjournment of the debate.

WEST LAKES DEVELOPMENT ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the West Lakes Development Act, 1969. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

It makes provision for various matters, the greater proportion of which were set in motion during the previous Government's term of office. It was realized at the time of the passing of the principal Act last year that there were some finer details yet to be agreed upon by the many parties involved in the West Lakes scheme, and that these would necessitate an amendment at a later date. It was considered at that time (and rightly so) that, as 15 months' delay had already occurred, the urgent need to get the scheme under way was far more important than waiting for the protracted negotiations over some of the matters contained in this Bill to be completed. In addition, as the scheme proceeds and various works progress, several unexpected problems have come to light which this Bill seeks to resolve.

Discussions have been held with the parties affected by the contents of the Bill and mutual agreement has in general been reached. I shall now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 amends the interpretation section of the principal Act by inserting a new subsection (1a), which more clearly spells out the works included in the West Lakes scheme. At present recital (4) of the indenture refers to the scheme only in general terms. Although this new subsection particularizes what works are included in the scheme it is not exhaustive and does not restrict the scheme to those specified works. Clause 3 effects a simple amendment to section 4 of the principal Act, by taking cognizance of the fact that the Compulsory Acquisition of Land Act, 1925-1966, has been repealed and that the Land Acquisition Act, 1969, has been enacted in its place. The effect of the amendment is to incorporate the Land Acquisition Act with the principal Act and to make the present subsection (2) unnecessary.

Clause 4 inserts new sections 12a and 12b in the principal Act. New section 12a amends the provisions of clause 5 (*k*) of the indenture by removing the restriction that the corporation is able to vary only the watercourses, the banks and flow of water which is within the Port reach section of its bounds. The restriction to the Port reach area was based on the erroneous assumption that this was co-extensive with the area of the scheme, but the area within the West Lakes scheme extends beyond the Port reach and it is accordingly desirable to remove the restriction. New section 12b provides clarification of clause 11 of the indenture which deals with the acquisition of land within West Lakes.

Ambiguities exist in clause 11 of the indenture in that it presently reads that land can be acquired which is "reasonably necessary for the construction or operation of works required for the scheme", and it is not made clear what those works are. The passage added by this new section particularizes, without being exhaustive, purposes for which land can be acquired. This should be of benefit both to owners of land within West Lakes and also to the corporation in determining whether a particular parcel of land is liable to be acquired. In effect, the amendment ensures that if land is required for any major work which the corporation sees fit to provide, it can clearly be demonstrated that there is power to acquire.

Clause 5 effects important amendments to section 14 of the principal Act in that it sets out further machinery by which land in the vicinity of West Lakes can, subject to approval by the Minister, be included in West Lakes. Section 14 of the principal Act now provides (*inter alia*) that where the corporation obtains the fee simple of land in the vicinity of West

Lakes the publication in the *Gazette* of a notice of the Minister's approval is deemed to include such land in West Lakes. New subsection (2) ensures that information of any such variation in the boundaries of the land within West Lakes is available to the public on search at the General Registry Office, by obliging the Minister to send a copy of the notice to the Registrar-General and ensuring that the corporation lodge a revised map at the Registry Office including the additional land. The public will thus be able to determine more easily and conveniently that alterations have been made to previous boundaries. New subsection (3) provides that any revised map lodged at the General Registry Office will be in substitution for any previous map on file, and that the Registrar-General must endorse the indenture accordingly. New subsection (4) provides that the revised map and legend now deposited in the General Registry Office, showing the boundaries of West Lakes with a red outline, shall constitute the lands comprised in West Lakes, and shall be deemed to be substituted for the original map annexed to the indenture. In explanation, I point out that the boundary depicted on the revised map includes several parcels of land which have been purchased or acquired since the principal Act came into operation. These are as follows:

(1) A piece of land, containing almost 24 acres, purchased by West Lakes Limited from Mauri Brothers and Thompson (Australasia) Proprietary Limited under a normal sale and purchase agreement. This land abuts section 737 in the hundred of Yatala which is part of the West Lakes scheme.

(2) A piece of Government road adjoining the land described above and linking that land with other parts of the West Lakes scheme on the other side of this road. This piece of road will be of no use to the public, being in effect a dead-end surrounded on both sides and at the extremity by land within West Lakes.

(3) A piece of land containing almost two acres, bounded by the West Lakes scheme on the south and east, and with a frontage to Bower Road. The "David Bower" cottages are erected on this land. West Lakes Limited is negotiating with the trustees of these cottages for the purchase of the land, and to overcome any technical legal difficulties in considering whether the trustees of the cottages have power to sell the land, the trustees have agreed to the Minister of Marine acquiring the land if it can be brought within West Lakes.

(4) Two sections of Crown land formerly occupied by the Engineering and Water Supply Department as part of the Port Adelaide Sewage Treatment Works but which are now superfluous to the needs of the department. West Lakes Limited has agreed to purchase this land from the Crown, and to sell to the Minister of Works other adjacent land for use within the Port Adelaide Sewage Treatment Works.

(5) Four adjacent pieces of land which were formerly owned by the Grange Golf Club Incorporated. The club and West Lakes Limited agreed to rationalize their common boundary, which was in fact part of the Old Port reach, by having a straight line, and these pieces formed part of the land to be transferred to West Lakes Limited. Other land is to be transferred from West Lakes Limited to the golf club.

(6) A small piece of land shown as a road on the Government plans, but which is of no practical use. The Woodville council has agreed with West Lakes Limited to close this road and transfer it to the corporation in exchange for other land which the corporation has agreed to transfer to the council.

New subsection (5) obliges the Registrar-General to endorse the indenture in such a way that attention is drawn to the fact that amendments have been made to the indenture by this Bill and that a revised map and legend have been substituted for the previous map and legend. These provisions made in consultation with the Registrar-General ensure that alterations are noted at the General Registry Office in such a form that they are drawn to the attention of persons who search the indenture.

Clause 6 amends section 15 of the principal Act which deals with the fourth schedule of the indenture. New subsection (3a) corrects an obvious grammatical error in paragraph 4 of the fourth schedule to the indenture. New subsection (3b) deals with the question of the engineering standards of works to be carried out on subdivision of land within West Lakes. The alterations made to paragraph 6 of the fourth schedule provide that when a dispute arises between a council and the corporation on the matter of council standards or requirements either party may refer the matter to arbitration. New subsection (3c) varies paragraph 13 of the fourth schedule by providing that the waters in the basin will comply with the standard which has now been determined by the committee set up for the purpose.

At the time paragraph 13 was drawn up such standard had still to be determined. The provision relating to the committee being unable to agree on the criteria of quality has been

deleted, as this is now unnecessary. New subsection (4a) amends paragraph 16 of the fourth schedule of the indenture by striking out all reference to horsepower of marine craft, and providing instead that the speed of power-driven craft on any waters within West Lakes be restricted to 5 knots except in areas and at times prescribed by the council, in place of 8 knots as presently provided. New subsection (7a) is designed to extend the roads and thoroughfares to which the corporation is to have access whilst the works are in the process of construction. This matter is dealt with in paragraph 18 of the fourth schedule, and at present the corporation is restricted to the roads specifically named in that paragraph.

As it stands the paragraph is too restrictive, and this amendment provides for all contingencies, including access to roads yet to be constructed. New subsection (11a) effects some alterations to the requirements of the major works of the scheme. These major works are detailed in paragraph 25 of the fourth schedule to the indenture. At present subparagraph (*a*) includes a provision that the average width of the basin will be 800ft. This provision is deleted as it is now intended that the basin will have an island with narrow strips of water on each side. Subparagraph (*d*) which deals with reclaimed land is varied by substituting "50 feet" for "20 feet". This provision allows a substantially wider margin of land to be available for the construction of beaches on the edge of the basin. A strip of 20ft. would render this impracticable. There is also an alteration to the requirements regarding bridges to be built across the basin. The present requirement is that sufficient bridges, when and where required, will be provided.

The amendment will enable the determination of the requirement for bridges to be included in the general arrangement design and drawings so that specific provision can be made for the construction of bridges. New subsection (12a) provides clarification of the expression "the requirements" contained in paragraph 26 (3) in relation to stormwater and effluent drainage and provides that the criteria of recognized engineering design practice, efficiency and economy are basic to the requirements. The corporation is added as a party to the agreement regarding these requirements, which agreement at the present time is made only between the relevant municipality and the Commissioner of Highways. Any of the parties involved will be enabled to object if a design obviously is in excess of any reasonable requirements, and if agreement cannot be reached within six weeks then the dispute shall be settled by the decision of the Commissioner of Highways.

New subsection (12a) further deletes the reference to the Corporation of the City of Port Adelaide from subparagraph (9) as that council is no longer required to contribute to the cost of external drainage works. Further provision is made that the Corporation of the City of Henley and Grange shall not have to contribute more than $17,000 to the external drainage works. New subsection (14a) deletes from paragraph 29 of the fourth schedule the passage "Reduced Level Datum as at May 21, 1969, or used" and replaces it with the passage "Port Adelaide Datum defined". This will provide a uniform datum for the corporation and the authorities concerned.

Clause 7 inserts two new sections in the principal Act. New section 15a deals with the standards of roads to be constructed by the corporation within West Lakes. The corporation will not have to build a road exceeding 32ft. in width nor need it be constructed to any higher standard than is appropriate according to normal engineering practice for the traffic which it will bear. Provision is made for any dispute between a council and the corporation on the requisite standard of a road to be referred to arbitration. It is envisaged that a council which requires a wider road will bear the cost of the difference between 32ft. and that width.

New section 15b provides for the appointment by the Minister of "authorized persons" as defined, who may inquire into the activities of persons whose entry or egress into West Lakes has been regulated or prohibited or whose activities within West Lakes have been regulated, by resolution made under section 15 of the principal Act, pending the final completion of the major works. Such "authorized persons" are empowered to ask the name and address of a suspected offender and, if such person fails to do so, to apprehend such person and deliver him into the custody of a police officer. Provision is made that a person convicted of failing to give his name and address, or convicted of escaping from the custody of an authorized person, shall be liable to a penalty not exceeding $100.

Clause 8 has reference to the provisions of the fifth schedule to the indenture which provides a complete planning scheme for West Lakes along the same lines as the Planning and Development Act, 1966-1967. The clause inserts new section 16a in the principal Act

which provides that an applicant for consent, who is aggrieved by a decision of the State Planning Authority or a council, may appeal to the Planning Appeal Board. It also provides that such appeal be conducted in the same manner as an appeal under section 26 of the Planning and Development Act and that sections 26 and 27 of that Act shall apply to such an appeal. This Bill is in the nature of a hybrid Bill and is therefore required to be referred to a Select Committee.

Mr. EVANS (Fisher): I support the Bill. The Minister has intimated that he would like the Bill to be read a second time so that a Select Committee could be appointed and the matter investigated as quickly as possible. As the Minister has said that certain delays have arisen in undertaking negotiations with the various authorities concerned in this matter, I will not debate the Bill any further, because, if necessary, matters can be raised later in Committee.

Bill read a second time and referred to a Select Committee consisting of the Hon. J. D. Corcoran and Messrs. Becker, Evans, Harrison, and Ryan; the committee to have power to send for persons, papers and records, and to adjourn from place to place; the committee to report on December 2.

HARBORS ACT AMENDMENT BILL

The Hon. J. D. CORCORAN (Minister of Marine) obtained leave and introduced a Bill for an Act to amend the Harbors Act, 1936-1969. Read a first time.

The Hon. J. D. CORCORAN: I move:

That this Bill be now read a second time.

Its purpose is to provide for certain problems that have arisen in the administration of the Harbors Act. The Bill includes within the definition of "vessel" hovercraft and other air-cushion vehicles that are used in the course of navigation. This amendment corresponds with a similar amendment to be inserted in the Marine Act. The inclusion of these craft within the meaning of "vessel" will mean that, when they utilize harbour facilities within the State, they will be subject to the general regulatory provisions of the principal Act. Considerable problems have been experienced in relation to parking of vehicles on or in the vicinity of wharves under the control of the Minister. Indeed, at present there are no effective provisions controlling the parking of vehicles in these areas. The Bill remedies this deficiency by enabling the Governor to make regulations controlling parking. The owner-onus provisions of the Local Government Act which enable a court to presume, in the absence of contrary evidence, that an unlawfully parked vehicle has been parked by the registered owner are applied to offences under the proposed parking regulations. Provision is also made for the Minister to permit the expiation of an offence upon payment of a fee of $2.

The Bill also inserts amendments of a technical nature relating to the signals to be used when the master of a ship requires the services of a pilot. The master is, under the amendment, also empowered to request the services of a pilot by radio communication. A further amendment is inserted requiring the master, when within 10 miles of a pilot-boarding station, and intending to enter port, to maintain an efficient system of radio communication or visual watch in order to receive instructions that may be given by the person managing the operations of the port. An amendment is made to clarify the operation of section 124 of the principal Act. This section has always been interpreted as imposing strict liability on the owner or agent of a ship to make good damage done by the ship to property of the Minister, except where the Minister is himself responsible for the injury. However, a recent decision of the High Court has placed a little doubt on the interpretation of the section. Consequently, an amendment is made to make it clear that tortious liability for damage done to property of the Minister is to be absolute except in the instances allowed under the section.

The provisions of the Bill are as follows: Clause 1 is formal. Clause 2 inserts the new definition of "vessel" in the principal Act. The new definition brings hovercraft and other air-cushion vehicles that are used in navigation within the ambit of the principal Act. Clause 3 amends section 89 of the principal Act. This section deals with vessels subject to compulsory pilotage. It provides that a ship of greater than a prescribed tonnage shall be required upon entering port to utilize the services of a pilot. The amendment merely makes it clear that the references in the section to tonnage are references to gross tonnage and not to net tonnage. Clause 4 amends section 90 of the principal Act. The amendment inserts a new subsection requiring the master of a ship, when within 10 miles of a pilot-boarding station, and intending to enter port, to maintain an efficient system of radio communication or vessel watch in order to receive instructions from the port. Clause 5 amends section 91 of the principal

Act. This section relates to the manner in which the services of a pilot are to be requested. The section is amended to provide that the appropriate signals prescribed under the international code are to be employed. A further provision is inserted enabling the master to request the services of a pilot by radio communication.

Clause 6 makes a drafting amendment to section 112 of the principal Act. Clause 7 amends section 124 of the principal Act. This section deals with the liability of the owner or agent of a ship for damage done by the ship to property of the Minister. The amendment makes it clear that tortious liability for such damage is to be absolute unless the injury resulted from negligence attributable to the Minister. Clause 8 enacts new section 146a of the principal Act. This new section enables the Governor to make regulations controlling the parking of vehicles upon or in the vicinity of a wharf. Subsection (2) provides that in any proceedings for an offence against a regulation it shall be presumed that a motor vehicle illegally parked was so parked by the registered owner unless the contrary is proved. Subsection (3) provides that the Minister may cause to be given to a person by whom a parking offence has been alleged to have been committed a notice to the effect that the offence may be expiated by the payment to the Minister of the sum of $2 within a time specified in the notice. If the offence is so expiated, no proceedings are to be instituted in respect of the offence.

Mr. RODDA secured the adjournment of the debate.

PRICES ACT AMENDMENT BILL

Returned from the Legislative Council without amendment.

DANGEROUS DRUGS ACT AMENDMENT BILL

Returned from the Legislative Council with amendments.

CAPITAL AND CORPORAL PUNISHMENT ABOLITION BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act to abolish capital and corporal punishment by courts in South Australia and in connection therewith to amend the Children's Protection Act, 1936-1969, the Criminal Law Consolidation Act, 1935-1969, the Juries Act, 1927-1969, the Justices Act, 1921-1969, the Kidnapping Act, 1960, the Local and District Criminal Courts Act, 1926-1969, the Poor Persons Legal Assistance Act, 1925-1969, and the Prisons Act, 1936-1969, and for other purposes. Read a first time.

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

That this Bill be now read a second time.

Its purpose is to abolish the death penalty and various forms of corporal punishment, which are still capable of being imposed by the courts in this State. The punishment of death is probably as old as organized society itself; it is certainly as old as the oldest of known legal systems. For most of human history it has been accepted as the appropriate punishment for certain serious crimes. It has its foundation in deeply felt, although often irrational, beliefs as to retribution and vengeance. In the last 300 years, however, men have gradually come to question the validity of the arguments in support of the retention of this form of punishment. A realization has developed that traditional beliefs as to the intrinsic value of the human person have important consequences with respect to criminal punishment. These developing ideas were greatly stimulated by the rise of the Labor movement and its vivid consciousness of the human dignity of the common man. The Australian Labor Movement from quite early in its history set its face against capital punishment. The Australian Labor Party's legal and prison reform platform has for many decades been headed by a plank requiring the abolition of capital punishment. Labor Governments have consistently reprieved prisoners under sentence of death, and the death penalty has been abolished by legislation initiated by Labor Governments in New South Wales and Queensland. Capital punishment has been abolished in most of the countries of Western Europe, in the United Kingdom, and in 14 of the States of the American Union. There has been a steady trend in democratic States towards the abolition of the death penalty.

The case against capital punishment rests primarily and basically upon the intrinsic value of the human person. It is not too much to say that the degree of civilization of a community is determined by its price of the worth of the human person. A profound reverence for human life is the mark of truly civilized societies. Carelessness of human life and disregard of its value are the marks of barbarism. When the State carries out the death penalty, it deliberately and with premeditation destroys a human life. This

necessarily has the effect of depreciating the community's sense of the value of human life. When the State, as a deliberate act of policy, lays aside its power to punish by inflicting death, it demonstrates in a practical and striking way its conviction of the value of all human life. If the State refrains from inflicting death on those guilty of the gravest crimes because of its awareness of the value of human life, it contributes greatly by its example to the civilized condition of society. A very practical if less fundamental reason for desiring to abolish the death penalty is that it is by its nature irreversible. A mistake cannot be rectified. Two examples may illustrate this point.

In 1947, Frederick Lincoln McDermott was sentenced to death for a murder in the outback of New South Wales. The then Labor Government of that State commuted the sentence to imprisonment for life. In January, 1952, a Royal Commission reported that McDermott had been wrongly convicted, and he was released and compensated. Had McDermott been convicted in South Australia, it is probable that the discovery of the error would have been too late. A mistake would have been irreversible. A very striking and tragic case is that of Timothy Evans. Evans was an illiterate mentally-backward lorry driver who was charged with the murder of his child in London. At the trial, Evans's counsel sought to show that a boarder in the house by the name of Christie had murdered Evans's wife and child. Evans was convicted and executed. Subsequently, Christie was arrested and charged with the murder of eight women, some of the murders having striking similarities to the murder of Mrs. Evans. Christie confessed to the murder of Mrs. Evans. Evans was posthumously pardoned. The only compensation the State could offer was to re-bury him in consecrated ground, 17 years after his execution.

The loathsome ritual of execution affects the whole community and, particularly, the officials who must directly participate in it. It would be tolerable in a civilized community only if it could be shown that it was a unique deterrent to serious crime and that its abolition would result in the increased loss of innocent life. The evidence is overwhelming that the abolition of the death penalty has no effect on the incidence of the crime of murder. In South Australia in 1970 we have the advantage of the experience of a great many jurisdictions in which the death penalty has long been abolished. Statistics from those countries show that disappearance of the death penalty has not resulted in an increase in the crime of murder. The British Royal Commission on Capital Punishment, after considering exhaustively the experience of countries where the death penalty has been discontinued, reported as follows:

> The general conclusion which we have reached is that there is no clear evidence in any of the figures we have examined that the abolition of capital punishment has led to an increase in the homicide rate or that its reintroduction led to a fall.

This was also borne out by a detailed study of the incidence of murder in Great Britain published by the Home Office last year just before the United Kingdom Parliament carried the Bill for the permanent abolition of capital punishment.

The same conclusion has been reached by one of the world's foremost criminologists, Professor Norval Morris, formerly Bonython Professor of Law at the University of Adelaide. In a recent book, he referred to studies made on the consequences of abolition. He said:

> The conclusion which emerges from such studies and from all the literature and research reports on the death penalty is, to the point of monotony: the existence or non-existence of capital punishment is irrelevant to the murder, or attempted murder, rate.

The greatest single factor that has led to the progressive abolition of the death penalty in countries with a democratic tradition is the failure of those who favour retention of capital punishment to prove that it is a unique deterrent and that its abolition affects the murder rate. In the 1965 debate in the House of Lords, the Archbishop of Canterbury (Dr. Ramsay) put the matter as follows:

> It just is not shown that the death penalty is a uniquely powerful deterrent . . .. A sentence of life imprisonment is a terrible sentence, deterrent in effect, and capable of issuing in a wise, stern and human penology, and I believe that to abolish the death penalty in this country will set us in the way of progress . . . and rid us from the wrong of a system which punishes killing by a penalty which helps to devalue human life.

But when all arguments have been weighed and considered, we must return to the basic consideration that the death penalty, like torture, is unacceptable to a civilized community because it is an affront to the dignity of human nature.

Perhaps the last word on the controversy is to be found in the words of Sir Ernest Gowers, who was Chairman of the British Royal Commission on Capital Punishment.

He said that he started the inquiry in favour of the death penalty, though without having given much thought to it. He said:

In the end I became convinced that the abolitionists were right in their conclusions, though I could not agree with all their arguments and that, so far from the sentimental approach leading one into their camp and the rational one into the supporters, it was the other way about.

The final question to be answered is whether the effort to abolish capital punishment is worth while. True, few murderers are executed in South Australia. The last execution took place in 1964. There have been only 19 executions in this State in this century and only six of them since the end of the Second World War. The question may be asked: why bother? I think that the answer to this contention was well expressed by the leading British abolitionist, Sydney Silverman, M.P., when he spoke during the debate on the Abolition Bill in the House of Commons in 1965:

I can well understand people saying that in the face of all our anxieties it may not matter whether we execute or do not execute two or three wretched murderers every year. It is impossible to argue that the execution of two people in England every year can make a very great contribution to improving a dark and menaced world. Yet we could light this small candle and see how far the tiny glimmer can penetrate the gloom.

The formal abolition of capital punishment may not save many lives. But it will be an affirmation by the Parliament of South Australia of its belief in the worth and dignity of human beings. It will be a renunciation of the power to destroy life and an emphatic assertion of the values of a humane and civilized society.

The penalty of corporal punishment is deemed by the Government to be archaic and quite inconsistent with modern ideas on the treatment of law breakers. By corporal punishment is meant whipping, solitary confinement, chaining in leg irons and bread and water diets. Such punishments are relics of a past age and have rarely been used in this State for many years. There is no justification for retaining these penalties as part of our penal law when they should not be, and are not, imposed by the courts in this State. In order to achieve the above purposes, the Bill contains consequential amendments to the Children's Protection Act, the Criminal Law Consolidation Act, the Juries Act, the Justices Act, the Local and District Criminal Courts Act, the Kidnapping Act, the Poor Persons Legal Assistance Act and the Prisons Act.

I will now deal with the clauses of the Bill. Clause 1 is formal. Clause 2 is the key provision of the Bill and provides for the abolition of the sentence of death and the sentences of whipping, solitary confinement and all other forms of corporal punishment, notwithstanding any provision in any other Act or law. Part II of the Bill deals with the consequential amendments to the Children's Protection Act, 1936-1969, as follows: Clause 3 is formal. Clause 4 repeals sections 15, 16, 17 and 18 of that Act which provide for the whipping of males under 16 years of age in the case of certain offences.

Part III deals with the consequential amendments to the Criminal Law Consolidation Act, 1935-1969, as follows: Clause 5 is formal. Clause 6 amends section 3 of that Act, which sets out the arrangement of the Act, by deleting a reference to execution. Clause 7 enacts a new section 10a providing that the penalty on conviction of treason is imprisonment for life. This clause fills a gap left by the general abolition of capital punishment, because, at common law, the only penalty applicable to treason is the death penalty. Clause 8 amends section 11, which provides for the penalty for murder, by changing the penalty from death to life imprisonment.

Clause 9 amends 18 sections of the Act, which cover various offences, by deleting all references to whipping as an additional punishment to imprisonment. Clause 10 repeals section 52a of the Act which provides for the whipping of persons convicted of carnal knowledge as an additional punishment. Clause 11 amends section 70 of the Act, which provides the penalty for indecent assault on males, by deleting reference to whipping as an additional punishment. Clause 12 amends section 101 of the Act, which provides the penalty for damaging trees, by deleting reference to whipping as an additional punishment. Clause 13 amends section 207 of the Act, which provides the penalty for attempted murder in the course of piracy, by changing the penalty from death to life imprisonment.

Clause 14 amends section 238 of the Act, which provides the penalty for rescuing murderers, by deleting reference to rescuing a murderer on his way to execution. Clause 15 amends section 296 of the Act, which provides that certain convictions disqualify a public servant from office, by deleting reference to the death sentence. Clause 16 repeals sections 301-308 inclusive of the Act, and schedules 8 and 9, all of which deal with the

carrying out of a sentence of death. Clause 17 repeals section 312 of the Act, which provides for the solitary confinement of a prisoner.

Clause 18 amends section 314 of the Act, which provides the penalty on successive convictions for felony, by deleting reference to the death penalty. Clause 19 amends section 357 of the Act, which provides for the time for appealing from a conviction, by deleting reference to the death penalty and by striking out the whole of subsection (2) which provides certain procedures in an appeal from a conviction involving the death penalty or corporal punishment. Clause 20 amends section 369 of the Act, which deals with references by the Chief Secretary on petitions for mercy, by deleting reference to the death penalty.

Part IV of the Bill deals with the consequential amendments to the Juries Act, 1927-1969, as follows: Clause 21 is formal. Clause 22 amends sections 55 and 56 of the Act by deleting reference to capital offences and substituting therefor the description of such offences as those of murder and treason. Clause 23 repeals section 87 of the Act, which provides for a medical examination to determine the pregnancy or otherwise of a woman who has been sentenced to death. Part V of the Bill deals with the consequential amendments to the Justices Act, 1921-1969, as follows: Clause 24 is formal. Clause 25 amends section 109 of that Act which deals with certain procedures at trials, by changing the description of capital offence to that of murder or treason.

Clause 26 amends section 134 of the Act, which deals with a defendant's plea, by changing the description of capital offence to that of murder or treason. Part VI of the Bill deals with the consequential amendments to the Kidnapping Act, 1960, as follows: Clause 27 is formal. Clause 28 amends sections 2 and 3 of that Act by deleting any reference to whipping as an additional punishment for the offences of kidnapping and demanding money with threat. Part VII of the Bill deals with the consequential amendments to the Local and District Criminal Courts Act, 1926-1969, as follows: Clause 29 is formal. Clause 30 amends section 4 of that Act, which deals with interpretation, by deleting the reference to a capital offence.

Part VIII of the Bill deals with the consequential amendments to the Poor Persons Legal Assistance Act, 1925-1969, as follows: Clause 31 is formal. Clause 32 amends section 3 of that Act, which provides for legal aid to persons accused of indictable offences, by deleting reference to a capital offence. Part IX of the Bill deals with the consequential amendments to the Prisons Act, 1936-1969, as follows: Clause 33 is formal. Clause 34 amends section 6 of that Act, which is a saving provision, by striking out subsection (3), which relates only to the sentence of death. Clause 35 amends section 14 of the Act, which gives the Governor power to make regulations for labour prisons, by deleting paragraphs (*c*), (*d*) and (*e*), which provide for wearing of irons, whipping and solitary confinement.

Clause 36 amends section 29 of the Act, which deals with the escape of prisoners, by deleting the reference to wearing irons as a punishment. Clause 37 amends section 47 of the Act, which deals with punishment of prisoners, by striking out paragraphs (*a*) and (*b*) of subsection (1), which provide for solitary confinement and bread and water diets. Clause 38 amends section 48 of the Act, which deals with repeated offences by prisoners, by deleting the reference to wearing irons, and by striking out paragraphs (*b*), (*c*) and (*d*) of subsection (3), which provide for solitary confinement, dietary punishments and corporal punishment. Clause 39 repeals section 51 of the Act, which deals solely with corporal punishment of prisoners. Clause 40 amends section 57 of the Act, which deals with prisoners assaulting officers, by deleting reference to corporal punishment as an additional punishment. Clause 41 amends section 58 of the Act, which deals with prisoners attempting to escape, by deleting reference to wearing irons and to solitary confinement.

Mr. HALL secured the adjournment of the debate.

AIRCRAFT OFFENCES BILL

The Hon. L. J. KING (Attorney-General) obtained leave and introduced a Bill for an Act with respect to certain offences relating to certain aircraft and for other purposes. Read a first time.

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

That this Bill be now read a second time.

Members will be aware that recently there has been an increase in the number of offences involving aircraft. Not infrequently the commission of these offences has placed the lives of entirely innocent persons at risk. In 1963 the Commonwealth Parliament enacted an Act, the Crimes (Aircraft) Act, to deal with the situation in so far as it is within the constitutional power of the Commonwealth so

to do. For constitutional reasons the power of the Commonwealth to legislate with respect to aircraft engaged on flights within the State is limited, so this Bill covers much the same ground in relation to those flights as the Commonwealth measure does in relation to matters within its constitutional competence.

Clauses 1 and 2 are formal. Clause 3 sets out certain necessary definitions and other matters necessary for the interpretation of the measure. Clauses 4 and 5 provide, in effect, that in relation to the criminal law an aircraft in the course of an intrastate flight will be regarded as part of the State, and as a corollary any offence committed on board such an aircraft will be deemed to have been committed in the State. Clause 6, which deals with the application of the principal operative part of the measure, provides that it will apply to (*a*) aircraft physically within the State; and (*b*) aircraft engaged in an intrastate flight, this application reflecting the limits of the legislative power of this State.

Clause 7 deals with the practice of "hijacking" and provides substantial penalties therefor. Clauses 8 and 9 deal with the destruction of aircraft and again provides substantial penalties. Clauses 10 and 11 prescribe acts which prejudice the safe operation of aircraft. Clause 12 deals with intimidation of crew members of aircraft. Clause 13 prohibits the doing of acts which are likely to endanger the safety of an aircraft. Clause 14 deals with the placing of dangerous goods, as defined for the purposes of this clause, on aircraft.

Clause 15 deals with threats to destroy aircraft and subclause (2) makes it an offence to falsely pretend that such a threat exists. Clause 16 provides for alternative verdicts in proceedings for certain of the offences set out in the measure. Clause 17 empowers the commander of an aircraft to arrest or restrain persons whom he finds committing or reasonably suspects of committing an offence. Clause 18 confers appropriate power of search on commanders of aircraft and other authorized persons. Clause 19 makes clear that this Act does not limit or exclude the operation of any law of the State. Clause 20 is intended to ensure that a person cannot be convicted twice for the same offence where his act or omission constitutes an offence under both State and Commonwealth law.

Mr. CARNIE secured the adjournment of the debate.

STOCK EXCHANGE PLAZA (SPECIAL PROVISIONS) BILL

The Hon. G. T. VIRGO (Minister of Local Government) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

In Committee.

Clause 1—"Short title."

The Hon. G. T. VIRGO (Minister of Local Government): I hope that by now a report has been circulated to members, dealing with the considerations of this Select Committee. The committee recommends one or two amendments, principally to ensure that effect is given to the spirit of the Bill. Unfortunately, there is a degree of urgency about the passage of this Bill because of certain negotiations taking place between the Adelaide City Council and certain developers and, accordingly, I intend to seek the concurrence of the Committee to have the measure dealt with expeditiously. However, as members should know the contents of the Select Committee's report I ask that progress be reported and the matter dealt with later.

Progress reported; Committee to sit again.

Later:

In Committee.

Clauses 1 and 2 passed.

Clause 3—"Definitions."

The Hon. G. T. VIRGO: I move to insert the following new definition:

"ground level" in relation to the plaza, means the projection on a horizontal plane of a point determined by the council of the Corporation of the City of Adelaide such a point being not more than five feet above the level of the mid-point of the street alignment of the northern boundary of the plaza.

The purpose of the amendment is to give effect to the submission made that the Bill as drafted could conceivably be so interpreted that the purpose of the city of Adelaide could be circumvented. Members will recall that when the Bill was introduced it was stated that it related to a rather unique venture, as it provided for an increased height limit conditionally on the buildings in question being so erected that there was an index of eight, this being the relationship between the floor area and the open space. It is necessary, in the first instance, to include this definition, and its effect will be seen when a subsequent amendment is moved.

Mr. MILLHOUSE: I support the amendment. I thought the Minister would have taken the opportunity to explain to the Committee the purport of all the amendments.

The Hon. G. T. Virgo: Only this one is before it.

Mr. MILLHOUSE: This is the first of several amendments to the Bill which are being made as a result of the points raised by the Director of Planning and which were then discussed by him and by the representatives of the Adelaide City Council. I am pleased to see in the gallery a distinguished member—

The ACTING CHAIRMAN (Mr. Ryan): Order! The honourable member cannot in any circumstances refer to the gallery. He is out of order in making that remark.

Mr. MILLHOUSE: I am sorry, Sir, I have already made it.

The ACTING CHAIRMAN: Order! I have ruled that that remark is out of order. The honourable member for Mitcham!

Mr. MILLHOUSE: I take your point, Sir. The council and the Director of Planning have agreed that, that being so, there is no reason to delay the measure. The effect of this amendment is to provide that the street level can be, I think, from the level of the present pavement to 5ft. above it, in case the ground level has to be raised.

Amendment carried; clause as amended passed.

Clause 4—"Special provision relating to building of the plaza."

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

To strike out clause 4 and insert the following new clauses:

4. Notwithstanding anything in any Act, regulation, by-law or instrument of any description regulating building or having effect in relation to building—

(*a*) it shall be lawful for a building, having a height not exceeding 300ft., to be erected on the plaza and no approval with respect to that building or the erection thereof shall be withheld on the ground that the height of the building exceeds the height of a building permitted under the Building Act, 1923, as amended;

(*b*) it shall not be lawful for, and no approval shall be given with respect to, a building to be erected on the plaza if upon that building being erected the plaza would have a floor area index greater than eight; and

(*c*) it shall not be lawful for, and no approval shall be given with respect to, a building to be erected on the plaza if upon that building being erected more than two-thirds of the area of the plaza at ground level would be occupied by a building or buildings.

5. The Governor may by proclamation amend the Building Act, 1923, in its application to or in relation to a building to be erected on the plaza that has a height exceeding 200ft. by revoking, altering or adding to any of the provisions thereof and that Act as so amended shall in its application to or in relation to such a building apply and have effect accordingly.

6. Except as specifically provided in this Act nothing in this Act shall affect or limit the application of any Act, regulation, by-law or instrument of any description regulating building or having effect in relation to building, to or in relation to a building erected or to be erected on the plaza.

Although I do not think it is necessary for me to go into the details, I point out that these new clauses are to be inserted to give effect to the point I was making previously. If the member for Mitcham desires to go into detail, I have no objection; he may have a better reason for doing so than I have. However, I think members have had the opportunity to read the report and, if they have read it, they will understand exactly what is desired. I think it is sufficient to say that the amendments have been moved as a result of discussions that took place among the Town Clerk, the solicitors for the Corporation of the City of Adelaide, the Director of Planning (Mr. Hart) and the Parliamentary Draftsman to give effect to the purpose for which the Bill was originally introduced.

Mr. MILLHOUSE: As the only parties that could conceivably be affected have agreed to those amendments, I do not think we have to look any further, because we presume that they look after their own interests, but I must say that, had it not been for the explicit expression of agreement by the Town Clerk on behalf of the City Council, I should have been unwilling to agree to the new clause that imports an alteration of an Act of Parliament by proclamation. This means that those whose interests can be affected by a change in an Act of Parliament are entirely at the mercy of the Government of the day.

The Hon. J. D. Corcoran: What a shocking thing!

Mr. MILLHOUSE: It is a shocking thing, especially at present. As the City Council is prepared to accept this and thus put itself in the position of facing changes in the Building Act by proclamation, I can see no reason why we should not agree to it.

The Hon. G. T. VIRGO: There is a most unusual provision in new clause 5, which permits the Governor, by proclamation, to amend the Building Act in its application to the

various factors associated with the scheme. At present a Bill enacting a new Building Act is before the Legislative Council, having passed this place. When it is passed, regulations will be drafted, displayed and, on proclamation, come into operation. It is desired that the provisions of the new building legislation and the regulations under it apply to this scheme.

Amendment carried; new clauses thus inserted.

Schedule passed.

Title passed.

Bill read a third time and passed.

SOUTH-WESTERN SUBURBS DRAINAGE ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Local Government) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and ordered to be printed.

In Committee.

Clause 1—"Short titles."

The Hon. G. T. VIRGO (Minister of Local Government): The Select Committee has considered this matter and has recommended that certain amendments should be made. However, I think that members should have the chance to study the contents of the report.

Progress reported; Committee to sit again.

Later:

In Committee.

Clauses 1 to 7 passed.

Clause 8—"Councils liable for prescribed amount."

Mr. EVANS: I wish to refer to the contribution to be made, under this provision, by the Stirling council, which has made representations to the Select Committee and which, in the past, made other representations objecting to its having to make the contribution it is being asked to make. I will raise these matters so that the Minister will be fully aware why this council objects. In its report, the Public Works Committee states that the council said that about 2,900 acres of its area was within the Sturt River catchment area and that this was almost 11 per cent of the total catchment area. The committee stated that this could hardly be termed minute, as the council had suggested. However, the council makes the point that the map shows that only one-ninth of the total area is within the catchment area and that this is not a large proportion when it is considered that most of it is still in a natural state. There is no great run-off from it, and the south-western suburbs drainage scheme is designed to catch waters from immediate flooding after heavy rains. However, in this area, because of the natural terrain and the virgin scrub and timber, there is no flash flooding.

Much of the Stirling council area has been affected by subdivisional laws by which the council has not benefited. It has also lost through Government action in that ratable property has been acquired to be used for reservoirs and national parks, and more land in the catchment area is to be looked at by the authorities. In relation to road grants, the council has been hit again by the Government. The council must contribute for something that does not benefit it. This council has suffered restrictions on subdivisions and has had land acquired to preserve the purity of the water and for national parks and reserves. Road grants in 1969-70 for this council were $68,750, whereas this year they will be cut to $27,000. The council believes it has been hit on all sides by the Government and that this .53 per cent contribution should not apply. I have mentioned in this Chamber on several occasions that councils in the catchment areas are not paid rates on land acquired to preserve the purity of water. Now this council must pay a percentage of the cost of the drainage scheme when much of its land is not developed.

The other councils that are to be charged a percentage have land that is either fully developed or on the way to being developed. Therefore, it is only fair that they should contribute, as they cause much of the drainage problem in the south-western districts. I admit that the Stirling council has contributed the smallest amount of any council and far less than that contributed by larger councils, such as Brighton council, which pays 11.57 per cent. I am merely saying that the action taken by Liberal and Labor Governments has an adverse effect in regard to the excessive rate that people who own land in the Stirling council area must pay. I am trying to make the present Minister aware of the situation, as I have tried to make previous Ministers aware.

The Public Works Committee report does not recommend any variation in the Stirling council's payment towards the second stage of the drainage scheme, but I ask the Committee to consider seriously whether we are

treating these near hills areas fairly. Not only the Stirling council is involved, but that is the one I am concerned about at present, because it is adversely affected. I understand that the West Torrens council is also adversely affected. Most of the land in the catchment area feeding the tributaries to the Sturt River and Brownhill Creek is still in its natural state. I ask the Minister to consider the predicament that the Stirling council is in, not only because of the action being taken in this case but also because of other action. For the reasons I have stated, I cannot support this clause.

Mr. BECKER: The contribution of the Marion council is reduced by 3.73 per cent, that of the Mitcham council is increased by 2.2 per cent, that of the West Torrens council is increased by .99 per cent, that of Unley council remains the same, that of the Brighton council is reduced by 1.93 per cent, and that of the Glenelg council is increased by 2.65 per cent. The Garden Suburb Commissioner's contribution is reduced by .09 per cent, the Meadows council contribution remains the same, and the Stirling council's contribution is reduced by .09 per cent. Can the Minister explain these variations? Doubtless, the committee received complaints from some councils, and part of a letter that I have received from the West Torrens council states:

My council is seriously disturbed at the very steep increase in the percentage of the total contribution to be paid by it, such percentage having risen from .58 per cent to 1.57 per cent, an increase of 270 per cent.

I assume that the council used that information in evidence. I know that the Glenelg council is satisfied about its contribution, but I am wondering why the contribution by the Marion council, in particular, is reduced by 3.73 per cent.

The Hon. G. T. VIRGO: The answer is fairly simple. Section 7 of the amending Act assented to on March 17, 1966, levies a charge of 43 per cent on the Marion council and 57 per cent on the Brighton council. The Bill repeals that Act, and the charges from what is commonly called the Drain 10 Bill are being incorporated in one Act. It is obvious that the absorption of these two proportions of 100 per cent will cause a downturn in the overall percentage in the schedule.

Perhaps what I say now will also answer the question asked by the member for Fisher as well as that asked by the member for Hanson. Both the West Torrens council and the Stirling council stated their cases to the Public Works Committee. The member for Elizabeth or you, Mr. Acting Chairman, would be able to tell honourable members that the Public Works Committee went to much trouble and spent much time considering the submissions made by all councils. I told the council representatives who gave evidence before the Select Committee that the committee would consider their evidence to the Public Works Committee. However, the councils again stated their cases, although much more briefly than they had stated in evidence to the Public Works Committee.

The Select Committee considered that there was not a sufficient case to warrant changing the decisions of the Public Works Committee, and the Select Committee has agreed to the provisions in the Bill. I direct the attention of members to clause 7 of the report of the Select Committee, in which we have made a specific point, although not for the Stirling council or for the West Torrens council in particular. In that paragraph the committee states that there ought to be a continuing review of the payments required, and I assure members that I, as Minister of Local Government and the Minister responsible for the South-Western Suburbs Drainage Act, will give effect to the recommedation in that paragraph.

Some councils have misgivings about being levied at certain percentages. It is important to note that the Stirling council is at present paying .62 per cent, whereas under the Bill its contribution will fall to only .53 per cent. It is, therefore, one of the more fortunate councils. Representatives of the council told the Select Committee, although not in the same fashion that the member for Fisher has told the House tonight, that only 2,900 acres falls within the Sturt River catchment area. Its representatives claimed that this was not 11 per cent of its area as had been suggested. Indeed, they suggested, as did the member for Fisher tonight, that it would be nearer one-ninth of the area. I have tried to work out what they meant by that, as I have also tried to work out what the member for Fisher meant.

When these percentages were worked out, it was borne in mind that this scheme would operate for 53 years. Therefore, in determining the percentages, the authority must consider not only the present use being made of the land (as the member for Fisher has tended to do) but it must also examine the development plan of the metropolitan area and, from the information contained therein, determine to

what use that land will be put in future. On this basis the percentages contained in the table in clause 8 were arrived at. I suppose that, if one was an aggrieved party, one could argue that the percentages are wrong. Indeed, I know that some of the councils think the whole of this cost should be borne by the Government; that would be an easy way out of it. Conversely, the Government could also hold the view that the cost ought to be borne completely by the councils, as has happened in relation to certain schemes in the past. The complete cost of the Enfield drainage scheme, the first large scheme undertaken, was borne by the councils concerned. I therefore consider that the table is fair and that some councils have taken a rather parochial attitude instead of examining the complete situation. Although one can talk about areas lost to reservoirs or areas set aside for national parks, I do not think these are of tremendous importance; nor do I think that the amounts of road grants being received by councils are relevant to this section of the Bill.

Clause passed.

Clause 9—"Payment by councils."

The Hon. G. T. VIRGO: I move in paragraph (*f*) to insert the following new subsection:

(3) Upon the application of a council the Treasurer may defer payment, upon such terms and coonditions as he specifies, of such part of any payment required to be made by that council pursuant to this section on the first day of May, next following the day of commencement of the South-Western Suburbs Drainage Act Amendment Bill, 1970, as is equal to the difference between the amount of the payment that the council would have been required to make pursuant to this section together with the amount of the payment, if any, that the council would have been required to make pursuant to section 8 of the South-Western Suburbs (Supplementary) Drainage Act, 1966, had the South-Western Suburbs Drainage Act Amendment Act, 1970, not been enacted and the amount of the payment that the council is required to make pursuant to this section.

The purpose of this amendment is to permit councils to apply to the Treasurer to defer the payment of the altered rates payable with the passage of the Bill in accordance with the formula discussed previously in relation to clause 8. It became clear to the Select Committee during its deliberations that, unknown to at least some councils, with the passage of the Bill a reappraisal of the outstanding amounts had to be made. When the percentage repayments were applied, it was found that the contribution of, say, the Marion council would have increased this financial year from about $75,000 to about $135,000. This would have happened because the council had no prior knowledge of the effect of this Bill. Indeed, it had certainly made no provision in its estimates for an increased payment of that proportion. I think the charge for the Mitcham council would have increased by about $25,000. Increased charges amounting to about $144,000 have been levied on about nine or 10 councils.

The increase in the payment by the Stirling council would have been the smallest of any: its payments would have risen by only about $500; the contribution to be made by the Meadows council would have risen by $1,750; the contribution by the Garden Suburb would have risen by $1,000; the Glenelg council's contribution would have risen by $13,000; the Brighton council's contribution would have risen by $6,000; the contributions of the Unley and West Torrens councils would have increased by $3,000 each; and Mitcham council's contribution would have increased by $26,000. The new clause will permit the councils to apply to the Treasurer to defer the application of the new rate, so that for this financial year they will be able to pay the rate they would have paid had the Bill not passed.

Mr. Coumbe: That is for this one year only.

The Hon. G. T. VIRGO: Yes. As the payments are due on May 1 each year, in effect we are deferring the increase only. The normal payment will still be made on May 1, 1971, as though the Bill had not been passed, but as from May 1, 1972, the increase will then be payable, subject to a review of these payments revealing any difficulty, in which case I would expect that the Government would introduce amending legislation.

Amendment carried; clause as amended passed.

Clause 10 passed.

Clause 11—"Obligation on Municipal Council of Glenelg."

Mr. BECKER: The Select Committee report states, in part:

In its submission to the committee the Glenelg council expressed concern that it may be required under the Bill to meet the cost of any large and expensive replacements or other works required at the Patawalonga basin and requested that if this were the position, then consideration be given, if need be, to amending legislation to provide that the Glenelg council be not liable for major works at the

basin. The committee considers that this is a reasonable request and recommends that, without the passage of the Bill being delayed, this matter be further considered.

I should have hoped that there would be a definite guarantee in this regard. It seems to me, as a local ratepayer, that three problems will arise in future. One problem has already arisen, namely, silting of the Patawalonga lake and of the mouth of the channel, and dredging will have to take place in future. At present, the council hires a large crane and removes some of the sand by a bucket operation. I think the present situation is partly responsible for beach erosion, because we know that sand is created from silt that flows from the river into the sea. This may be one of the main reasons why at Glenelg North and West Beach the areas are being starved for sand. As the cost of dredging the basin will be considerable, I do not believe that the ratepayers should be responsible for the sum involved. The council will also be responsible for maintaining the locks, three of which, under the Bill, will be erected at the mouth of the Patawalonga. The boat ramp will have to be relocated, and I hope that a ramp twice as large will be provided, because the present ramp is inadequate, particularly on Saturdays when it is used so frequently. However, seawater will cause maintenance problems regarding the locks. Finally, I am concerned at the pollution of the Sturt River in the nature of rubbish, including dead animals, etc., which, although much of it may enter the river upstream, is evident in my area. As I should have appreciated a more definite guarantee that the Government would assist the council regarding maintenance, etc., would the Minister comment on this matter?

The Hon. G. T. VIRGO: I cannot give an assurance on what a future Government may do, although I do not expect a change of Government, for I believe that we shall be here for a long time. I am satisfied with the present position as far as it is outlined in the Select Committee report. I indicated previously that I intended to give effect to the recommendation contained in paragraph 8 of the report, and the same applies to paragraph 9. I accept that the committee's recommendations should be implemented, and they can be implemented if I sponsor the project, as I intend to do. As a result of the work that has been undertaken, much less debris is flowing down the Sturt River than was previously the case, when many property owners had direct access to the river, some of them pumping from the river and putting material back into it. Indeed, the river was a convenient place among the willows and other trees to dump hard rubbish and other material (dead animals, etc.), but today it is a wide, open, clean-looking concrete channel.

Mr. Coumbe: There is a greater flow.

The Hon. G. T. VIRGO: Yes. I suggest that the bulk of the undesirable material enters the river nearer the Hills but, eventually, this will be eliminated when the whole river is lined. As the member for Torrens has said, the flow is much greater, and it reduces many of the problems that existed previously. I am not unmindful of the problem of the cost of the locks to the Glenelg council. I should think that silting could be overcome much more simply than could the difficulty concerning the locks. However, as the replacement of the locks would place a great strain on the finances of the Glenelg council, I hope some avenue can be found that will be acceptable to the Government and the council; I will certainly look in that direction.

Clause passed.

Clauses 12 and 13 passed.

Clause 14—"Enactment of schedule to principal Act."

The Hon. G. T. VIRGO: I wish members to know that I appreciate the expeditious manner in which they have enabled the Bill to pass, and I also appreciate the attitude of the councils involved. I realize that some councils hold strong views and would like to have discussed the matter for some time, particularly in an endeavour to make their position in relation to the scheme a little better. All in all there has been a general acceptance that, if the Bill is not passed through both Chambers before we adjourn tomorrow week, the whole scheme will be delayed for 12 months.

Clause passed.

Title passed.

Bill read a third time and passed.

HOLIDAYS ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 19. Page 2887.)

Mr. HALL (Leader of the Opposition): This Bill deals with a subject that was discussed throughout the State earlier this year when my Government was considering whether there should be a special holiday to celebrate the centenary of the Adelaide Cup. Much discussion took place and public interest was

centred on the approach to my Government, and finally we decided that there should be a special holiday for this event. We made that decision on the basis that holidays cost the community much money when taken on a normal working day. Unfortunately, there is no point in saying that such a holiday would cost particular people so much because, in fact, it costs the whole community much money as a result of lost production. I am the first to acknowledge that most other States have more holidays than we have in South Australia, but it is not easy to compare holidays applying from State to State.

However, those who have studied the situation know that special holidays apply to one city or one part of a State, for example, in Melbourne in addition to the nine general holidays a holiday is available for the Melbourne Cup and for the Melbourne Show, bringing the number of holidays enjoyed by people in the metropolitan area to 11. Also, in Victoria the State Public Service, semi-government and financial institutions are granted a holiday on Easter Tuesday. Tasmania enjoys various holidays and, from memory, I think different holidays apply in Launceston and Hobart, in which special holidays are granted for these areas of the State. Generally, it is the practice in other States to proclaim additional days for holidays from those in South Australia and in some cases the States enjoy more holidays than are enjoyed by people in this State.

On the issue of whether we have the right to enjoy these holidays when comparing social conditions between States, one could say that there is a good case for increasing the number of holidays in this State. This was the basic reason for the previous Government's agreeing to the additional holiday this year for the Adelaide Cup. On the other hand, we must consider South Australia's progress in the Australian community and its ability to provide a proper and attractive venue in which citizens may earn their living. In this regard we must consider whether we should provide another holiday. Whilst it could be a matter of conjecture and controversy as to how much an additional holiday actually costs the community, it cannot be denied that it costs a considerable sum. Whether it is $1,500,000 or $3,000,000 in loss of production, I cannot say. We were supplied with information by the Employers' Federation when we considered the special Adelaide Cup holiday, because that federation opposed the granting of a special holiday. At that time Mr. G. E. Pryke of the Employers Federation stated:

The holiday will make serious inroads into productivity and embarrass many areas of trade and commerce. The federation is not in favour of *ad hoc* public holidays, unless they are for some event of outstanding importance—such as a visit by Royalty. But it is noted that the Cup Day holiday is restricted to 1970. Employers have claimed the holiday would cause a loss of productivity of $3,000,000 in the State. They have said a holiday would mean paying 340,000 South Australian employees for no work, or double rates if they did work, which would make a total wage payout of almost $2,000,000.

Without making a close mathematical assessment of the productive capacity of the State, one cannot come up with an accurate figure, but I do not think it will be denied that it will amount to several million dollars, perhaps $1,500,000 at the least and $3,000,000 at the most. By granting this holiday, the productive effort will be removed to that extent from the State or it will be in some measure replaced by overtime work, and goods will cost considerably more if they are produced in the normal volume. This will represent to all citizens of South Australia a loss in their buying capacity and bargaining power; it will be no use certain members opposite claiming that the figure will come off the balance sheets of the companies employing the people concerned, because it will not: the economic capacity of all South Australians will be reduced.

This factor must be weighed against any advantage derived from having an additional holiday. We shall be removing from South Australia's economic, industrial and commercial activities one of the operational factors attractive to operators in other States. Although removing, say, $2,000,000 worth of our capacity may not be significant when compared with the total productive capacity of South Australia, I point out that, if we add this factor to the other factors that we must consider as a result of this Government's actions, it merely reduces the attractiveness of South Australia's operational capacity, thereby reducing also the incentive for other operators to establish here. It is no use saying later that we have brought everything into line with the Eastern States but that for some reason people will not come here: as I said yesterday, we tend to forget the huge competitive capacity that exists in the great metropolitan areas of Melbourne and Sydney.

The rapidly increasing market being presented in those areas to the manufacturing and commercial community of Australia poses a greater threat to us than it has ever posed previously, despite the pollution and organizational problems that are associated with the great concentration of people in those communities. Had I still been a Leader of Government, I would have resisted this move, because I was concerned, first, with the ability of people in this State to secure a good living standard here. At this stage, I believe that we are not ready, in the light of our present industrial development, to assume equality in this regard with the Eastern States.

The Hon. G. R. Broomhill: When do you think we will be ready?

Mr. HALL: I hope that if this State is wisely managed in future it will reach an economic and commercial size which will be extremely attractive to people elsewhere but which will not involve the problems associated with the huge conglomerates existing in Melbourne and Sydney. However, at this stage those cities have the advantage. If the present Government continues to manage the State's affairs, I believe it will be many years before we can compete with our larger neighbours, who are not subjected to the type of industrial compulsion that is being introduced in South Australia by this Government. As a result of an additional holiday, there will be a real cost to the community. This holiday is not given to us: we buy it. I do not intend to oppose the Bill, which represents this Government's policy, and I admit the force of the argument of those who say, "Why should the citizen who is employed in industry not get a holiday that his counterparts get in any other State?"

However, I personally believe that the economic argument at this stage is far more important and, on my assessment of the public's need today, the matter is one of meeting rapidly rising costs that will not be helped by this Government. I am sorry that the Adelaide Cup holiday which was provided as a "oncer", if I may use that term, is now, so soon afterwards, to become an annual holiday. However, as this provision is to be implemented, disregarding the implications of the holiday itself, I approve of its being provided at this time of the year. I see little merit in providing an additional day at the end of the year, when many people take their annual holidays in any case, coupling them with the holidays occurring over the Christmas break. There is no doubt that a long week-end provides a valuable break in people's normal activities. To this end, I urge the Government to continue the negotiations that I led previously to ensure that Proclamation day was so provided as to create a longer period over the Christmas break for those people who were not taking their annual holidays. I hope that this matter will be considered for the convenience of the hundreds of thousands of people who can benefit in this regard. As I have said, I am not greatly attracted to this measure: the additional holiday will be bought by the community at a price, and it will be for the community later to decide whether it wishes to pay that price.

Mr. BECKER (Hanson): I support the Bill. Explaining the measure the Minister said:

> Several representations have been made to the Government for an additional public holiday to be granted each year; also requests have been received that Boxing day, instead of Proclamation day, should be observed as a public holiday.

I support the Bill, for the simple reason that Proclamation day has been preserved, and I would strongly oppose any move to eliminate that public holiday in South Australia—the only State in the Commonwealth that celebrates its Proclamation day with a holiday on the day it falls. The other States celebrate it on the Monday following the actual date. There is a long-standing arrangement in my district (particularly in relation to the Corporation of the City of Glenelg) that we should do all in our power to observe Proclamation day. The history of the efforts that have been made to obtain additional public holidays in South Australia goes back several years to the time when, as President of the Bank Officials Association, I led my first deputation to the then Premier (Hon. Sir Thomas Playford) seeking a bank holiday at Christmas. However, I was politely told that, although the Government might consider granting a public holiday, it would not grant a bank holiday. However, our request was eventually declined. The then Government having been defeated, the first Labor Government for many years entered office. I then led another deputation to the then Premier (Hon. Frank Walsh). We really worked hard on him, as a result of which he gave us a public holiday.

Mr. Ryan: And you really kicked him to death afterwards!

Mr. BECKER: We did not, although we exerted pressure on him to obtain a public holiday. I know there was much trouble within

Caucus and the Labor Party because Mr. Walsh stood solidly behind our cause. Credit should also be given to the present Leader of the Opposition, who helped us obtain that public holiday. Indeed, he helped me tremendously in this respect, and it was because of his efforts that I joined the Liberal and Country League.

In his second reading explanation, the Minister referred to the public holidays celebrated in the other States. However, I find it hard to follow what he said because I understand that the bank holidays and public holidays in the other States vary considerably. Indeed, Tasmania has 14½ holidays a year. One must remember that Launceston and Hobart celebrate the odd half-day for regattas and show days; Victoria and Western Australia each have 12 public holidays; New South Wales has 10; and South Australia and Queensland each have nine. If this Bill is passed, Queensland will have the fewest public holidays. I believe an additional public holiday in South Australia can be justified, as this State will eventually become the technological State of the Commonwealth. Indeed, if this State is to attract the top workers, our working conditions must be more than comparable with those of the other States.

Irrespective of what it is called, or what it will cost industry, the latter will absorb the cost of an extra public holiday. When I asked once for an additional public holiday at Christmas, the present Premier said that a holiday at that time would cost Rundle Street traders about $300,000, and that it would cost the Municipal Tramways Trust and the Electricity Trust each about $200,000; he also said that Government employees would lose about $125,000 in penalty rates, and so on. Irrespective of what date is selected for a public holiday, the cost will have to be considered. Any additional holiday granted in South Australia will increase this State's tourist potential.

Next year Victoria will again have a public holiday in the metropolitan area for the Melbourne Cup, which will be worth about $100,000. Tremendous interest is taken throughout Australia in this race, and we can achieve similar results in South Australia. I do not mean that within the next 25 years the stake money for the Adelaide Cup will exceed $100,000, but the race will increase in popularity, and increased attendances will help to boost the stake money. Also the race horse breeding industry in South Australia, which is worth several millions of dollars, will be helped. Therefore, I believe that the cost of this holiday will be offset in other areas. The Minister had some courage in naming Adelaide Cup day to be the holiday. I could have justified Easter Tuesday, Royal Show day, and, I think, Boxing Day. However, the Minister showed some wisdom in selecting this day. I support the Bill.

The ACTING DEPUTY SPEAKER (Mr. Ryan): The honourable member for Fisher.

The Hon. G. R. Broomhill: He'll oppose it.

Mr. EVANS (Fisher): I am glad to know that, even before I am on my feet, the Minister for Conservation knows that I oppose anything that is likely to be detrimental to the State. He knows that I am conscious of the problems of the State and that, as a result of his Government's actions, we have the problems that we have.

Members interjecting:

Mr. EVANS: If Government members are prepared to listen, I will put my point of view in relation to increasing the number of public holidays in this State. I agree with the Leader that this move will tend to break down the cost advantage that this State has over other States. By interjection, the Minister for Conservation asked the Leader when he believed we would be able to afford this extra holiday. I believe that we will be ready when we are satisfied that we have sufficient money for our education, hospital and road needs—when we can say that we have a perfect State in all those respects.

Mr. Langley: When will that happen?

Mr. EVANS: It will happen much more slowly under the Labor Government than it would happen under a Liberal-Country Party Government. The Government's old saying is that it has a mandate for various things because of what was in its policy speech. However, as this is one thing that was not in its policy speech, it cannot argue that it has a mandate. As the Leader has said, the Government is not giving the workers anything by granting this extra holiday. All it is giving them is the opportunity to have a day off from work, but they will have to pay more for their goods.

Mr. Harrison: You begrudge them this?

Mr. EVANS: I do not begrudge people the opportunity to pay more for goods, but I think it is wrong that they should have to pay more. The Minister of Roads and Transport has referred to taking money from kids;

the price of cool drinks has increased in the last fortnight, so money has been taken from the poor kids under a Labor Government.

Mr. Jennings: Is that relevant?

Mr. EVANS: I think it is, because the State's cost structure has increased under the Labor Government, and this measure is another move in that direction.

Mr. Langley: It went down while you were in Government, I take it!

Mr. EVANS: Do we need to place the same burden on workers in this State as is placed on them in the other States? Do members opposite suggest that the workers should have to pay more to live? Earlier this year, the L.C.P. Government decided to allow a holiday to celebrate the centenary Adelaide Cup. It was said then that this would be one holiday for one occasion, and most people in the State accepted that. But what has happened? Pressure has been brought to bear. We have passed legislation granting an additional six mid-week race meetings, there is to be gambling on dog-racing, and now we are providing for an extra holiday for the Adelaide Cup meeting. Perhaps this is fair payment for money given towards some campaign. This does the Government little credit at a time when it claims to be promoting the State with regard to industry. We must remember that we cannot have our cake and eat it too.

Mr. Jennings: What an original statement!

Mr. EVANS: It is an old statement that is apt in this connection. If we cut down the productivity of the State by one day so that we can have a little enjoyment, we will lose benefits in some other areas.

Mr. Keneally: That's not right.

Mr. EVANS: Regardless of what the member for Stuart says, we know that this will be the case.

Mr. Keneally: Did this happen when we reduced the working week from 48 hours to 44 hours or from 44 hours to 40 hours?

Mr. EVANS: As the honourable member was not here when I said this before, I will repeat that if the time ever comes when, except for leap years, we can afford to have 364 days a year on holidays, go to work on only one day and still have the State able to compete on an equal basis with the other States, I will accept that. However, we are struggling to compete. We are not able to compete on a basis that enables us to encourage industry to the State.

Members interjecting:

Mr. EVANS: I know that it hurts the feelings of members opposite that I oppose this type of legislation, but my attitude is that I am here to represent the people of the State and to see that the State benefits to the best advantage in the long term. The member for Hanson says that this Bill will benefit the State in the long term. If he, as an ex-bank manager, believes this he has been misled too, because he knows that the more effort that is put in a State to produce the greater is the opportunity for that State to compete with the other States.

Mr. Payne: You'd like a 50-hour week.

Mr. EVANS: I think the member for Hanson realizes that what I have said is true, as does the member for Mitchell. The Government will increase the costs in this State by giving public servants almost an extra week's leave, although grace days have been eliminated. Within six months of coming to office the Government has placed this extra burden on industry in this State. Further, press secretaries have been appointed for Ministers and an additional Minister has been appointed. I do not object to the appointment of the additional Minister: I think that was necessary. I do not say that that should not have been done, although I dispute—

The ACTING DEPUTY SPEAKER: Order! I do not think reference to that matter is relevant to the Bill.

Mr. EVANS: I am referring back to the increased cost to the State of the extra holiday, and the Government's policy results in such increased costs. This is shown in the Bills introduced relating to the appointment of an additional Minister and, in addition, the Government has appointed secretaries to Ministers, as well as other officers in Ministers' departments. I do not support the Bill. I object to it strongly and ask honourable members to consider seriously what benefit it will give, except a benefit mainly to race clubs and members of the Bookmakers Association.

The Hon. D. H. McKEE (Minister of Labour and Industry): First, I thank honourable members opposite (except, of course, the member for Fisher) who have spoken in support of the Bill. Of course, it is not difficult to realize why these members support it. The former Minister of Labour and Industry has explained fully that the purpose of the measure is to give an extra holiday. This holiday is

being given because several representations have been made to the Government for the granting of an additional public holiday each year.

Honourable members opposite should realize that three other States enjoy 11 public holidays a year and that two States, because they have various special days set aside, are brought into line. I think the Leader was trying to gain some political capital from this Bill, but he was shrewd enough to realize that there was not much political mileage in opposing it, because of the representations to the Government to which I have referred. The Leader also said that the granting of an additional holiday would prevent industry from coming here, but at the same time he said that most other States enjoyed a similar holiday. It would be interesting to know how he arrived at the conclusion that the granting of the holiday would prevent industries coming here, when other States have a similar holiday.

Mr. Jennings: He has a grasshopper's mind.

The Hon. D. H. McKEE: Yes, he hops from one lot of grass to the other. I see no reason why the people of South Australia should not enjoy the privileges enjoyed by persons in other States. I do not intend to delay the House but I should like to refer to the member for Fisher, who made the normal anti-worker type of speech to which we are continually subjected in this House.

Mr. Clark: He's anti-everything.

The Hon. D. H. McKEE: Yes, he opposes merely for the purpose of opposing. He has opposed the increasing of Parliamentary salaries, the granting of increased superannuation benefits, and granting of other privileges to members, but I have never known him to say afterwards that he does not want to accept those benefits. He opposes an issue here to gain some capital that he thinks may do him some good outside the House, such as in his district. These tactics are bad and I do not think he will gain any benefit from adopting them. I thank honourable members who have supported this Bill and aided its passage.

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

INDUSTRIAL CODE AMENDMENT BILL (SHOPPING HOURS)

A message was received from the Legislative Council agreeing to a conference to be held in the Legislative Council conference room at 7.30 p.m.

[*Sitting suspended from* 5.59 *to* 7.30 *p.m.*]

At 7.30 p.m. the managers proceeded to the conference, the sitting of the House being suspended. They returned at 10.20 p.m. The recommendations were as follows:

As to amendment No. 1:

That the Legislative Council do not further insist on its amendment but make alternative amendments as follows:

Clause 46.

Page 16, line 27—Leave out "This" and insert "Subject to this section, this".

Page 17, after line 22—Insert new subsection as follows:

"(5) Sections 221, 222, and 223 of this Act shall come into operation on the thirteenth day of April, 1971, in respect of the following areas:

(*a*) the municipalities of Elizabeth, Gawler, Salisbury and Tea Tree Gully;

(*b*) the district council districts of Munno Para, East Torrens, and Noarlunga;

(*c*) the wards known as the Happy Valley, Coromandel, Clarendon and Kangarilla wards of the district council of Meadows;

and

(*d*) the portion of the hundred of Willunga that lies within the district council of Willunga."

and that the House of Assembly agree thereto.

As to amendment No. 7:

That the Legislative Council do further insist on its amendment and the House of Assembly do not further insist on its amendment thereto.

Later:

The Legislative Council intimated that it had agreed to the recommendations of the conference.

Consideration in Committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

The House of Assembly had decided that the new trading hours provisions should apply as from January 1 next, whereas the Legislative Council had amended the Bill so as to provide that they should apply as from July 1, 1971. In relation to this matter, I report that the proposals agreed to as a compromise are that the restricted hours shall apply in the fringe areas as from April 13 next year, which is the day after the Easter weekend. Although this is not as satisfactory from the Government's point of view as January 1, it does not take the operation of the new provisions as far into the future as the Legislative Council had suggested. The other provisions of the Act shall apply as from January 1 with the exception that the sections restricting trading hours within the fringe areas shall not apply until April 13.

In relation to the other matter, this Chamber had suggested that, where the Minister believed that a poll of constituents within a particular country area should be undertaken where there was obviously doubt whether or not people wanted to create or abolish a country shopping district, a compulsory poll of the people in those areas should be held. However, the Legislative Council proposed that any poll conducted should be on a voluntary vote. The managers from this Chamber at the conference did not insist on the provision that we had earlier insisted on.

Mr. HALL (Leader of the Opposition): We now come to the end of a long road in discussing the privileges of the shopping public in South Australia. It grieves me that we have decided on a course that will take away many of the privileges now enjoyed by a large group of South Australians. Not only are we taking these privileges away but we are also shutting the door to an alteration of these hours and many more people will want later shopping hours in a few years time than want them now. Obviously there is no point in any member on this side putting forward any further argument for the rights of the people of the State.

Members interjecting:

Mr. HALL: Members opposite have the numbers and they use them not only against members on this side but also against the interests of the people of the State.

The Hon. G. T. Virgo: What would you have done—

Mr. HALL: The Minister of Roads and Transport tries to shout down any sensible arguments put forward by members on this side. I regret very much that Government policy is to prevail. It will be necessary for this policy to prevail so that people can understand what the Government will do to them over the years it will govern, however short that period may be. As the people total up some of their lost freedoms, they will realize that they are victims of one of the greatest public relations campaigns ever seen in politics. If it takes six or even nine years for the people to get rid of the mismanagement that has overtaken the State, members opposite may be sure of this: that they are actively causing their own defeat as these lost freedoms aggregate as a result of their actions.

Motion carried.

APPRENTICES ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from November 19. Page 2886.)

Mr. COUMBE (Torrens): It is with much pleasure that I support the Bill, the handling of which is possibly unique in the recent history of Parlament. It was introduced last week by one Minister of Labour and Industry; it is now in charge of a second Minister of Labour and Industry; it is based largely on the work of a previous Minister of Labour and Industry; and it is now being spoken to by someone who served his apprenticeship under the system that operated some years ago. That is a fair bit of history in respect of the handling of legislation.

I support the Bill because I believe it is a step forward and provides improvements in respect of one or two defects that have been found since the Act was amended a few years ago. I thank the previous Minister of Labour and Industry for his courtesy in referring to the work I had done in this connection when I was Minister. The matters that he referred to in his explanation were considered by the United Trades and Labor Council, the Chamber of Manufactures and the South Australian Employers Federation, their views being put to me at their request.

The Bill is largely as I would have introduced it had I still been Minister, although it has one or two variations about which I will speak. I do not need to refer to the machinery clauses at length, but I will make one or two suggestions that I think may tend to improve the working of the Bill, the main purpose of which is to up-date the working of the Act. In this connection, the main feature is the reduction in the term of apprenticeship in South Australia from five years to four years, and this has my complete support. It is the practice in other States in Australia and in most of the civilized countries of the world for apprenticeship systems to be on a four-year basis.

Mr. Slater: Even less in some places.

Mr. COUMBE: Yes. It has been the practice for some time for remissions to be given in South Australia where certain additional academic qualifications have been held by an apprentice. The reason why the four-year term is being advocated is that today apprentices are no longer being indentured at the age of 14 years as was the practice for so many years when children left school at that age. Apprentices who now come into indentures have been exposed to at least one

year of secondary education, some of them having had two or three years at secondary school. Some apprentices have the Intermediate certificate, some the Leaving certificate, and it is not unusual for some to have matriculated. This is good because it means that apprentices are better qualified academically when they commence their indentures, having a background in science and mathematics that was completely lacking in the case of apprentices in former years.

When I was first indentured, I had the advantage of having had several years of secondary education. However, some boys who went to technical school at the same time as I did (and it was in the evening in those days) and who were in the engineering trade had left school at 14 years of age, not having gone past grade 7. They found great difficulty in coping with the mathematics, science and drawing subjects required of them. Apprentices today not only have learnt basic arithmetic but have also studied trigonometry, algebra and allied mathematical subjects, besides going further in the science subjects. True, requirements in these fields vary from trade to trade. I am not being disrespectful to any particular trade, but some trades need apprentices to be more highly qualified academically than do others. For example, apprentices in radio or electronics are highly qualified compared to an apprentice to a men's hairdresser, and we might also compare an apprentice bricklayer to a lad who will become a master electrician, a master journeyman fitter and turner, or a toolmaker. I have been careful not to be disparaging about any trade, because all trades are important.

I think the present period of five years for apprenticeship is out of date. Why a lad must serve five years as an apprentice men's hairdresser is beyond me. Of course, different considerations may apply to ladies' hairdressing but today long hair is worn by both sexes. There may be need today for more curling work, although the hair of those whose sex we have difficulty in determining seems to be self-curling. Many highly developed industrial countries overseas and many Australian States have four-year apprenticeships.

The major work done in apprenticeship in recent years has been done by Mr. Justice Beattie, President of the New South Wales Industrial Commission. Possibly, the new Minister has not had the opportunity to read the voluminous report submitted by Beattie J., and I do not wish the reading of the report on him. Although it is so voluminous and difficult to absorb, it is an extremely worthwhile document. This work took a couple of years to complete. At several conferences of Labour and Industry Ministers that I attended, parts of the report were discussed. This document deals with the four-year apprenticeship system, and that system is the nub of the Bill, the other matters in it being incidental and machinery provisions. The Minister, in his explanation, gave interesting percentages regarding students leaving school in recent years. For instance, he states:

Of the apprentices who attended technical college or technical correspondence school in this State for the first time this year, 80 per cent had completed the Intermediate year at secondary school and 38 per cent had completed the Leaving or Matriculation years. This latter percentage is double what it was in 1966.

About 18 months ago, to try to increase the number of apprentices in this State, I issued, as Minister of Labour and Industry, a brochure entitled *Mr. Employer,* and I sent copies to all members of the last Parliament. This brochure appealed to all employers to engage more apprentices, and the objective of the exercise was to increase the number of indentured apprentices in this State. The response was heartening, although I have forgotten the actual figure that the former Minister of Labour and Industry gave me about a month ago. I hope that this improvement will continue and I also hope that the reduction to four years will encourage more boys and girls to undertake apprenticeships.

Unless we get more and more apprentices, we will not get the trained and skilled tradesmen or journeymen that we so urgently need in our various industries to develop South Australia in future years. We cannot forever rely on skilled migrant tradesmen or on the number of apprentices we are now training here. We must increase the number of apprentices year by year and as quickly as we can, giving them the best possible training. To this end the Education Department, under the administration of the member for Davenport and the present Minister, as well as when I administered the department, with the valuable assistance of the Commonwealth Department, erected several technical colleges in South Australia, most of them being completely supported financially by the Commonwealth Government. This was an extremely good move.

The member for Whyalla, the member for Stuart, and other members have wonderful facilities in their districts. Some country members have new technical colleges in their districts, and the area around Salisbury and Elizabeth will be well catered for by new technical colleges being erected there. Further, colleges are being erected at Panorama, Kilkenny, Croydon, and other places. If we can attract youths and girls to the trades, we will have a bright future.

Too many parents make the mistake of trying to get their children into white-collar jobs so that they will have security. I consider that more and more parents should be encouraged to have their children indentured as apprentices, because the advantages in later life are far greater than those obtained by being in many of the white-collar dead-end jobs into which some parents tend to sidetrack their children. The Bill has my general blessing. I will suggest one or two alterations for the Minister's consideration, and I do this constructively, thinking that these may improve the Bill. Clause 3 (*b*) (6) provides:

The Commission may in the instrument of delegation provide for an appeal to the Commission, against any decision made in the exercise of any delegated powers and functions by the Chairman.

It has been suggested many times that this provision is similar to an appeal from Caesar to Caesar, that this is bad, and that instead we should use the provisions of section 26 of the Industrial Code. As honourable members know, that section provides for an appeal to a Presidential member of the Industrial Commission. I consider that this procedure would be too cumbersome and that the Industrial Commission should not hear these cases. I pay a tribute to Mr. Hayes for the work he is doing and has done since his appointment. He is an excellent officer, who has helped the apprentices, their parents and employers over difficulties that have arisen. He has used much common sense and has made this Act work in the way in which this House desired it to work when it was last amended.

Mr. Harrison: He is known as the father of apprentices.

Mr. COUMBE: That is so. I do not believe the House wants to take away the power to which I have referred. Many of the clauses of the Bill are consequential, bestowing extra powers on the Commissioner, who has told me since the Act was introduced in 1966 that some of these powers are necessary. Clause 10 relates to the country apprentice who, together with his master, has some peculiar problems to overcome. Correspondence courses, and crash courses for practical work, have been provided for apprentices for years. Many difficulties in this respect have been overcome because more technical schools have been provided in country areas. If we are going to decentralize, a principle that all members espouse, we should try to help the employer who wishes to employ apprentices in country towns, especially when they may be many miles away from a technical college. Clause 10 (*b*) (1b) provides that where it is necessary for an apprentice to obtain accommodation away from his normal place of residence for the purpose of attending a technical school or instruction class, the employer shall, unless he provides the accommodation at his own expense, reimburse the apprentice for that accommodation. Country employers should be encouraged to engage apprentices. Why should not these apprentices be reimbursed the cost of their accommodation by the Education Department, in the same way as students who go to the city to do their Matriculation studies are now reimbursed? Why should we differentiate between the academic student and the technical student, the latter of whom is now in a tertiary category? As I am unable under Standing Orders to move an amendment in this respect because it would involve a payment to be made by the Crown, I am willing to give the Minister an amendment I have prepared so that he can move it.

The Bill also deals with the terms of indenture. In Queensland and New South Wales there is a changeover period slightly different from that provided in the Bill. Clause 12 provides for a 4½-year term of indenture, which will cover the changeover period next year between the four-year and five-year indenture. I remind the Minister that Commissioner Taylor, in a vehicle industry case some time ago, decided that existing five-year term indentures, involving the employers, the parents or guardian of the employee, and the employee himself, should remain in force. After all, employers choose their apprentices on a five-year basis, which period is now to be altered to four years, and the apprentice and his parent or guardian enter the contract on that basis.

The Hon. D. H. McKee: There has to be a starting point.

Mr. COUMBE: Yes, and I will support the alteration of the term of indenture to 4½ years.

This will happen only once and, if this amendment is not effected, dissension could arise between apprentices, some of whom are receiving different wages and are indentured for different periods. In his report, at pages 332-3, Mr. Justice Beattie deals with the matter of discipline in some detail, and he recommended to the New South Wales Minister of Labour and Industry that provisions be included in the legislation in that State dealing with disobedience, laziness, general misconduct, insolence, wilful damage to property, and so on, including the neglect of safety precautions that could result in injury to employees.

Some time ago, legislation was introduced in Queensland, which State had a Labor Government for many years, dealing with discipline in regard to apprentices, it being provided that an apprentice could be suspended if he was wilfully disobedient, disobeyed orders, was dishonest or grossly misbehaved. At present under the Industrial Code an employee may be subject to immediate dismissal if, say, he punches his boss on the nose. Although I am not suggesting that an apprentice can be dismissed (he can only be suspended), I suggest that if this sort of thing occurred it might be worth while if he were suspended on the condition that the Commissioner concerned was immediately informed by the employer that that apprentice had been suspended and why he had been suspended. The commission should then hear the case and uphold or quash the suspension or vary the terms of suspension. In addition, if it found that the employer was in the wrong, the commission should order that any lost pay be immediately made up.

Mr. BROWN secured the adjournment of the debate.

LAND TAX ACT AMENDMENT BILL

Returned from the Legislative Council with a suggested amendment.

PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT BILL

Returned from the Legislative Council with the following amendment:

Page 2, line 7 (clause 3)—After "municipality" insert "or within the limits of any portion of a municipality that is by proclamation declared to be a prescribed area for the purposes of this Act".

Consideration in Committee.

Mr. JENNINGS (Ross Smith): I move:

That the Legislative Council's amendment be agreed to.

Members can see that members of the Legislative Council have not really altered the Bill greatly but have made only a marginal alteration. Although I think that the amendment is completely unnecessary, it does not affect the principle of the Bill.

Motion carried.

MEADOWS BY-LAW: STREET TRADERS

Order of the Day, Other Business, No. 3: The Hon. D. H. McKee to move:

That by-law No. 28 of the District Council of Meadows in respect of non-resident and street traders, made on July 11, 1969, and laid on the Table of this House on August 25, 1970, be disallowed.

The Hon. D. H. McKEE (Minister of Labour and Industry) moved:

That this Order of the Day be read and discharged.

Order of the Day read and discharged.

ADJOURNMENT

At 12.3 a.m. the House adjourned until Thursday, November 26, at 2 p.m.