

HOUSE OF ASSEMBLY

Tuesday, March 16, 1971

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

**MINISTERIAL STATEMENT:
PENSIONERS' FARES**

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

Leave granted.

The Hon. D. A. DUNSTAN: When increases in Municipal Tramways Trust bus and tram fares were announced, it was made clear that the increases would not be charged to pensioners who had concession fares on M.T.T. buses and trams. However, because of the non-payment of further subsidy by the State Government, the increases did apply in relation to the eighth and ninth sections on private bus operations. The question of the increased charges then made by private bus operators, but not by the M.T.T., to pensioners has been examined by the Government, which is satisfied that it can meet the extra charge in subsidy to private bus operators to ensure that this charge is not made to pensioners, and the former fares for the eighth and ninth sections will apply. Consequently, new schedules will be issued to private bus operators, and an additional subsidy will be paid. The recent fare increases in relation to private bus operators for pensioners will be withdrawn and the former fares will be charged. I expect this schedule to operate from this week.

QUESTIONS**PROFESSOR MEDLIN**

Mr. HALL: Will the Premier say whether any persons have been convicted of offences connected with the moratorium in Adelaide last year, and, if they have, whether any of them have paid the fines? If they have paid their fines, will the Premier say what action will be taken against Professor Medlin for his reported failure to pay his fine by the due date? I refer to a press report that states:

A warrant has not yet been issued for the arrest of Professor B. H. Medlin after his failure to pay a fine arising from the September 18 Moratorium. Professor Medlin, professor of philosophy at Flinders University, was ordered to pay the \$40 fine by midnight on Thursday, in default 21 days' gaol.

I ask the question on the basis of whether the professor is being given special consideration.

The Hon. D. A. DUNSTAN: So far as I am aware, no special consideration is being given to him. The Government has not had from the courts any report in relation to this matter. I am sure that the Leader, if he consults the Deputy Leader, will be told that normally warrants are not issued the moment a default arises: some time is taken in the process. No action has been taken by the Government on this matter, and it would proceed in the normal way. As to the other information requested by the Leader, I shall ask for a report.

RAILWAY HOUSES

Mr. JENNINGS: Has the Minister of Roads and Transport a reply to my recent question about railway cottages in the metropolitan area?

The Hon. G. T. VIRGO: Some fluidity exists in the position in respect of empty railway cottages in the suburban area. However, at present 13 cottages are vacant, of which three are under offer of sale to the Housing Trust, while seven of the remaining 10 have been allocated to employees and will be occupied as soon as repairs are complete and the necessary transfers arranged. At present, only one railway cottage at Kilburn comes within the category referred to by the honourable member. This cottage has been inspected and, although the grounds were cleared of high grass in November last, some regrowth has taken place on parts of the block, and attention will be given to this. This cottage has been vacant since October 14, 1970, and is being repaired at present. Two other cottages in the area have been occupied only within the last few days.

DARTMOUTH DAM

Mr. MILLHOUSE: Can the Premier say what action, if any, the Government has taken in negotiations over the building of the Dartmouth dam since Parliament passed the Bill last week? I think that it is agreed by members on both sides that this is a matter of great urgency, and that everything should be done to ensure that the Dartmouth dam project is begun as soon as possible. I have seen reports in newspapers since last Thursday that the Commonwealth Minister for National Development has been awaiting official notification from the South Australian Government of the passing of the Bill and, no doubt, he would like to see the Bill that was actually introduced into this House, and not the draft which was sent to the Prime Minister some time before and which was altered before being introduced

into this House. Has the Premier been able to take any action on these lines and has he communicated with Victoria and New South Wales and had any reaction from those Governments and the Commonwealth Government? If he has not communicated with them, what does he intend to do?

The Hon. D. A. DUNSTAN: I am grateful to the honourable member for his interest and support in this matter. The Prime Minister and the Premiers of New South Wales and Victoria were written to in the terms of the letter I tabled, and I enclosed the then draft Bill which, with some amendments, was introduced here. I do not think the amendments alter the total substance of the matter. Letters have been prepared to be sent to them with the material indicating the matters that have actually passed this Parliament. They are waiting on the passing today, I expect, of the financial measure by the Upper House. As soon as both Acts are available to us they will be despatched to the other States and, as soon as they have them in their possession, I will ask the Premiers of both States and the Commonwealth Minister for National Development to have further discussions.

ELIZABETH WEST HIGH SCHOOL

Mr. CLARK: Has the Minister of Education a reply to the question I asked last week about the assembly room at the Elizabeth West High School?

The Hon. HUGH HUDSON: Following the school council's acceptance of the sketch plan provided by the Public Buildings Department, funds for the assembly hall project were sought and have now been approved. As soon as specifications and working drawings are completed, tenders will be called, and a contract will then be let.

SCHOOL OF ART

Mr. CUMBE: Can the Minister of Education say what is the present position regarding notices under the Compulsory Acquisition of Land Act that have been served on certain residents in Stanley Street, North Adelaide, whose properties are affected by proposed extensions to the South Australian School of Art?

The Hon. HUGH HUDSON: Notices of intention to treat were sent out and, in fact, were delivered personally in just about every case. Objections under the provisions of the Compulsory Acquisition of Land Act have been taken in certain instances, and these objections have been considered and replied to. At this

stage it is intended to proceed with the School of Art redevelopment, although, as the honourable member will appreciate, I think, the amount of land acquisition proposed is less than that approved under the previous Government. I think the original proposition involved acquiring 2½ acres. Neither I nor the Government agreed to proceed with the original project and, consequently, the current proposal involves only about 1½ acres, the estimated cost being in line with the sum approved by the Commonwealth Advisory Committee on Advanced Education, which will be providing half of the total sum.

MODBURY HOSPITAL

Mrs. BYRNE: Has the Attorney-General obtained from the Chief Secretary a reply to the question I asked on February 23 about progress on the Modbury Hospital?

The Hon. L. J. KING: My colleague states that two major contracts are in progress for the construction of the Modbury Hospital, including the main hospital block and the nurses' home. Tenders will shortly be called for the workshops and resident medical officers' quarters. Whilst some delays have occurred on certain contracts as a result of site difficulties, including unexpected rock excavation, it is not expected at this stage that there will be any major change in the planned completion time of the hospital, namely, mid-1972.

WOOL PROCESSING

Mr. RODDA: In view of the announcement that a multi-million dollar wool-processing complex will be established at Elizabeth, will the Premier say whether his department has examined the prospects of setting up this type of complex in regional parts of the State, particularly in the South-East? The Premier is well aware of the dire circumstances facing rural industry today. In certain areas, particularly in the South-East, much wool is produced. As this is relatively clean wool and as there are on site large quantities of good water, which is used for scouring (although I know that other methods are being used today), will the Premier say whether his department, which is doing good things and examining measures with a view to expanding various forms of industry, has considered regional areas in connection with this announcement?

The Hon. D. A. DUNSTAN: In all discussions with industry seeking development in South Australia, we put to the people concerned

the possibilities of development in regional areas. However, although the factory the honourable member mentions is being built by the Housing Trust, it is being built for a certain organization. This organization has its largest establishment in South Australia, and it will make this establishment larger still and the centre of the most modern scouring and wool-processing operations in Australia. The organization requires that it should be able to move its existing operation, which employs experts who have been trained over many years and who reside in the Adelaide metropolitan area, to Elizabeth. It is not possible for the organization to finance moving the plant entirely to a country area; there are cost advantages for the company in relation to proximity to rail and shipping facilities. In these circumstances, it was not possible for us to induce the company to go outside the metropolitan area. It wanted to relocate within the metropolitan area and rationalize its whole Australian operation in such a way that this would be its centre. In these circumstances, this was good development for the State, but it was not possible for us to decentralize the industry. Wherever we can effect industrial decentralization we seek to do so. I may tell the honourable member that before long I expect an announcement, which may make him happy, in relation to the South-East. Moreover, this afternoon legislation will be introduced that may also give the honourable member some pleasure.

CLEAN AIR COMMITTEE

Mr. RYAN: Can the Minister for Conservation say whether the Clean Air Committee has submitted regulations for the Government to consider? Late last year, when I sought information about the activities of this committee, the Minister told me that the Chamber of Manufactures, several large industrial organizations, and Government departments had been sent a circular requesting information about what the regulations should contain, this information to be supplied no later than January 31, 1971, so that the committee could frame these regulations for the Government to consider.

The Hon. G. R. BROOMHILL: The submissions to which the honourable member has referred have been forwarded to the committee. I cannot say just how far work has advanced in framing the regulations, but I will find out for the honourable member as soon as possible.

SMALL BOATS

Mr. WARDLE: Can the Minister of Marine say whether, before Christmas, he expects to introduce legislation on the registration of power boats and the licensing of their drivers? I noticed in, I think, the weekend newspaper that the South Australian president of the power boats organization believed that such legislation would be introduced before the coming summer. Will the Minister comment on this?

The SPEAKER: Order! It is wrong to ask the Minister to comment. Does the Minister wish to reply to the question?

The Hon. J. D. CORCORAN: Yes. Legislation is currently being drafted to provide for the registration of power boats and other small boats, although work is only in the preliminary stage. I have had discussions with departmental officers about the matter. People representing various boating interests formed a committee which made submissions to me that I have considered. I noticed the article to which the honourable member has referred. Indeed, my attention was drawn to it before it was printed, when I said that I had no comment to make. It seemed strange that, if people were so concerned about my not approaching them, they had not come to me, especially if they were so concerned about the alleged lack of progress on the legislation. However, no such approach has been made by the person who described himself as the president of an organization. If he approaches me, I shall be happy, after I have seen the final draft (although many matters are still to be settled), to discuss certain features of the legislation and the principles that will apply. However, in no circumstances would I be prepared to supply a copy of the draft Bill, as this should properly be discussed in this House. My objective, which I hope to achieve, is to introduce the legislation and have it operating before the next season.

MOUNT GAMBIER COLLEGE

Mr. BURDON: Will the Minister of Education ascertain whether any preliminary drawings have been prepared for work on the Mount Gambier Technical College and when it is expected that the further development of the college is likely to commence?

The Hon. HUGH HUDSON: I shall be pleased to look into the matter for the honourable member.

LAND TAX

Mr. NANKIVELL: In view of the protests that have been made will the Treasurer say whether a review of land tax assessments has

been considered? Section 28 of the relevant Act provides:

The Commissioner may at any time alter or correct any assessment and assessment book in any manner he thinks fit; and, as soon as he conveniently can thereafter, the Commissioner shall give general notice that the assessment has been altered or corrected, as the case may be.

Will the Treasurer therefore have a new assessment made?

The Hon. D. A. DUNSTAN: No; I cannot do that. I have already had a new assessment made. I do not know whether the honourable member listened to the replies I gave the House last week, when I pointed out that when this Government took office it required a new assessment to be made. That new assessment was made, and it took into account falls in prices of land in certain areas of the State. Indeed, in the assessments that have been sent out the Government allowed the Valuer-General to take into account falls in prices of land in respect of sales made since July 1, 1970. The Valuer-General therefore considers that the assessments that have been made are realistic. Although more than 351,000 assessments have been sent out, only about 600 objections from people in rural areas have so far been received.

Mr. McAnaney: It was 1,000 last week.

The Hon. D. A. DUNSTAN: I said it was less than 1,000; in fact, it is about 600.

Mr. Jennings: And that's less than 1,000.

The Hon. D. A. DUNSTAN: If it can be shown that the assessments are unrealistic, there are proper means of appeal and, if that course of action proves unsuccessful, the matter can be taken to the Land and Valuation Court. Indeed, this is one of the main reasons why that court exists. The honourable member has cited a section from the Land Tax Act. However, the Valuer-General cannot in the use of his discretion under that section do something that the Auditor-General will say he should not do: that is, produce an unrealistic valuation.

Mr. Nankivell: That's what they've got.

The Hon. D. A. DUNSTAN: As I have said, a revaluation was made when this Government took office. If we had proceeded with the valuation that had been prepared, after falls in land values, by the Government supported by members opposite, the valuations now being sent out as a result of the quinquennial assessment would be much higher, but we reduced them. I have stated this and given details of it in the House over the whole period since July.

Mr. Jennings: Members opposite don't want to hear.

The Hon. D. A. DUNSTAN: They do not like being told the facts. In addition to what I have said, we have allowed the Valuer-General to consider falls in prices of land that have been shown since July 1 last year, and he has not stopped there: as I told the House last week, he has not only considered reports of land sales but also had discussions with council clerks and with stock agents in country areas (in the western districts of Victoria as well as in South Australia) to arrive at the assessments that have been sent out. The Government can only act in the terms laid down in the Act and as required by the Auditor-General. We have done our best to ensure that the Valuer-General, wherever possible in relation to rural land values, has considered all the evidence available to assure the lowest assessment that he could consider real and effective, and that has been done administratively. If the Valuer-General is wrong in this, the Government does not take the attitude that he should not be corrected. There is a process of appeal. If anyone chooses to take his assessment to appeal and then, if necessary, to the court, he will get an objective assessment, in addition to the Valuer-General's assessment.

Mr. Nankivell: Will you say when the assessment is due to operate from? At present it is June 30, but one cannot take it back.

The Hon. D. A. DUNSTAN: The quinquennial assessment of June 30 last is what is required under the Land Tax Act. These assessments, as the honourable member knows, are the basis of land tax in this State and have been so under the Government of which he was a member as well as under our Government. There is no way in which we can alter the thing to operate on an assessment within a year. It is for a five-year period and we allowed the Valuer-General, despite the provisions of the Act, to consider falls in land sales since the time when the quinquennial assessment was supposed to operate.

Mr. Nankivell: What does one challenge?

The Hon. D. A. DUNSTAN: The reality of the valuation at June 30 last.

Later:

The Hon. D. N. BROOKMAN: Has the Treasurer the report that he undertook to get from the Valuer-General in reply to my question of March 2 about land tax? I understand that about half an hour ago, when I was out of the Chamber, the member for Mallee asked a

question about land tax, and I am not sure whether the Treasurer's reply was the one that he was preparing for me. If it was not, will the Treasurer give me the report for which I have asked?

The Hon. D. A. DUNSTAN: The report given to the member for Mallee was not the one I promised to obtain for the honourable member. The docket is still with the Under Treasurer for a report from the Valuer-General and, as soon as it is to hand, I will notify the honourable member.

Mr. WARDLE: Will the Treasurer hasten a reply to a question I asked on February 24 about the income he expects to receive from rural land tax under the new quinquennial assessment?

The Hon. D. A. DUNSTAN: I will ask the Under Treasurer whether he can supply it urgently.

Mr. ALLEN: Can the Treasurer substantiate the following remarks he made in concluding a reply to a question about the quinquennial land tax assessments asked last Wednesday by the member for Rocky River: "Even though recent sales are considered, the values in most areas of the State are still significantly above those of July 1, 1965"? Having done some homework with regard to sales in my own area, I can say that the prices paid at four recent sales are 25 per cent lower than prices paid at four sales in 1965; in fact, they are down to about the 1955 level. If the Treasurer wishes, I can supply him with these figures.

The Hon. D. A. DUNSTAN: I should be happy to receive the figures. I can only say that the report to me was made by the Valuer-General, after making the investigations I have now detailed to the House many times.

Mr. GOLDSWORTHY: Will the Treasurer say whether, if a landholder has not received his assessment for land tax purposes, the onus is on him to obtain that assessment from the department? An approach was made to the department on behalf of one of my constituents, and this is the information he was given. I have been requested to ask this question, as many people who have not yet received their assessments may wish to appeal.

The Hon. D. A. DUNSTAN: The assessments are normally sent out, and landholders are not expected to obtain them from the department. However, I will check with the Valuer-General regarding this matter and inform the honourable member accordingly.

HALLETT COVE ESTATE

Mr. HOPGOOD: Has the Minister of Local Government a reply to my question of March 2 regarding Hallett Cove Estate?

The Hon. G. T. VIRGO: From inquiries made it appears that the roads created by the old subdivision of 1913 have always been and are now private roads. The Local Government Act empowers a council to give public notice of its intention to carry out work on a private road. Persons interested may make representations to the council and, after considering any such representations, the council may carry out the work. After completion of the work the council is empowered to recover from abutting owners the total cost of the work. This power to recover the total cost in respect of private streets differs from the powers of a council to recover costs of carrying out work on public streets, in which case it is limited to recovering \$1.30 a foot. I understand that the council still has the matter before it and will further consider what action can be taken. For the information of the honourable member, I point out that a council has power to declare as public streets any private streets that have had uninterrupted use by the public. It may be that the council will be able to exercise these powers.

SHIPPING CANCELLATIONS

Dr. EASTICK: Has the Minister of Marine a reply to the question I asked him on March 10 about shipping cancellations?

The Hon. J. D. CORCORAN: So far as I am aware, there is no deficiency in the services available to oversea vessels in Port Adelaide, except, of course, a berth to handle cellular container ships. Roll-on-roll-off berths are available, two having been completed within the last six months, and there is a superfluity of ordinary berths for conventional ships. Just recently the owners of the vessel *Rio Grande Maru* made local inquiries as to how much cargo could be picked up in Adelaide if this vessel made a call in April, and they were informed that 4,000 tons of lucerne pellets and cubes would be available for shipment. The owners, however, decided not to send the vessel. In other words a scheduled visit was not cancelled; only an inquiry was answered. The cancellation was apparently due to some industrial trouble not connected with this State. The *Rio Grande Maru* has never been to South Australia before. The *Rio de Janeiro Maru*, however, was a fairly regular caller but there is no information available regarding any future calls.

PEDESTRIAN CROSSINGS

Mr. SLATER: Will the Minister of Roads and Transport say whether the matter of uniformity of pedestrian crossings has been considered? A fatal accident to a child last Friday, while crossing the Main North Road, has again highlighted this matter. I understand that the child was crossing the road at a time when the school crossing lights were not operating. I also understand that child pedestrians, adult pedestrians and motorists are confused regarding pedestrian crossings. Therefore, I ask the Minister whether the standardization of crossings to eliminate this confusion has been considered.

The Hon. G. T. VIRGO: We are trying to standardize pedestrian crossings by using the normally accepted zebra type of crossing throughout the whole State. This standardization will be in keeping with the practice throughout Australia. We in South Australia do not wish to have a set of conditions applying that do not have at least a similar (but preferably equal) application in other States. However, the answer regarding pedestrian crossings cannot be obtained in one simple policy of that kind, because, for example, I am sure most if not all members know that close to this Chamber, namely, outside the Adelaide railway station, there is another type of crossing, one with pedestrian-actuated traffic lights, and obviously such lights are required there. The general reply to the question is that the zebra type of crossing is the standard that we are following, but we reserve the right to install pedestrian-actuated traffic lights in circumstances where they are warranted. The other part of the question relates to school crossings, which are distinct from pedestrian crossings. A school crossing operates only at limited hours during the day and a sign indicating a maximum speed of 15 miles an hour is placed on the lens in the glass. This type of crossing, when attended by monitors from the schools, is considered to be one of the safest types of crossing, other than an under-pass or over-way, that it is possible to install. These are being installed wherever they are needed, subject to the other pressing problem, that of being within the financial capacity of the funds available.

SEDAN POLICE STATION

Mr. GOLDSWORTHY: Will the Attorney-General ask the Chief Secretary whether it is intended to close the Sedan police station? A letter I have received from the District Council of Marne states:

The council is concerned by a general belief in the community that the Sedan police station will be closed in the not too far distant future. As people in the community are worried about this situation, they would like to know whether there is any substance in this rumour.

The Hon. L. J. KING: I will obtain a report from my colleague.

WINE TAX

Mr. CURREN: Because of the grave financial difficulties being experienced by river district co-operative wineries as a result of the imposition by the Commonwealth Government of the wine excise tax and the need for these companies to borrow large sums to pay the excise, will the Premier, as a matter of the greatest urgency, once again impress on the Commonwealth Government the serious damage that has been done to the wine industry, and request the immediate removal of the wine excise? A report, appearing in last week's edition of the *Sunday Mail* and attributed to the Chairman of the Renmark Growers Distillery, states:

Our co-operative's wine sales are down by 25 to 30 per cent and others have dropped 50 per cent. Mr. Johnson said this was directly attributable to the Federal Government excise introduced last August. "We have had to borrow an extra \$300,000 to pay our growers during this present vintage," he said.

A press statement released in Canberra today states:

A senior customs official has been sent to Adelaide for talks with wine industry leaders. A spokesman said in Canberra today the talks would centre on the mechanics of payment of a 50c a gallon excise on locally made wines. There would be no discussion of the part-removal or complete abolition of the excise, the spokesman said. "That subject is out of our hands," he said. "It is a matter for the Treasury."

Will the Premier discuss this matter with the Commonwealth Treasurer in order to have the tax removed?

The Hon. D. A. DUNSTAN: It has been done before and will be done again. I am pleased to see that we have suddenly acquired some converts to the cause from those gentlemen in the Commonwealth Parliament, representatives of this State, who previously favoured the imposition of the wine excise. I hope that, now the effects on the industry of the wine tax have been shown, everyone in this State, including all members of this Parliament, will support the removal of the excise.

Mr. McAnaney: Why wasn't the—

The Hon. D. A. DUNSTAN: I hope the honourable member will support it: if he does

not, I hope he will tell the winegrowers that he will not.

Mr. McAnaney: What about electricity charges?

The Hon. D. A. DUNSTAN: It seems that the honourable member wants to talk about everything except the wine levy. Winegrowers in this State have taken a considerable blow to the total industry by the imposition of the excise, and the State's finances are now being adversely affected because the Government's financial institutions are having to try to find finance to assist the wineries in South Australia, the co-operative wineries particularly, to meet charges that are being imposed by the Commonwealth Government. This is an extraordinary situation, and unless something occurs we will find that expansion in this area of rural industry (which was one of the very few markedly buoyant sections of the industry before the imposition of the excise tax) will suffer as much as other sections of the rural industry are suffering.

DENTAL CHARGES

Mr. WELLS: Will the Premier consider having the affairs of the South Australian Branch of the Australian Dental Association brought under the jurisdiction of the Prices Commissioner? I have a photostat copy of a basis of fee assessment circulated to dental graduates in 1970. The scale does not take into account price and wage rises in the interim. Recently, I said in this House that dentists were charging the general public, who required full upper and full lower dentures, a laboratory fee plus \$64. The document I have indicates that my statement was correct, and some prices shown would horrify you, Mr. Speaker. To relined dentures, the cost is laboratory fee plus \$16; to rebase upper denture the cost is laboratory fee plus \$21.50; for full upper and lower dentures the cost is laboratory fee plus \$64; and for partial dentures, acrylic, the cost is laboratory fee plus \$33. If these particulars can be verified (and I have no doubt they can be) they show that people in this State, particularly working-class people who must have dentures for themselves, their wives, and families and who can least afford to pay such prices, are being fleeced. Previously, I said that this situation was murder: I can think of more colourful adjectives to add to that. However, in addition to details of these prices, there is a direction to practising dentists that states:

Quote fees for all proposed services and record this information for future reference in the event of any query or complaint. Obtain

the patient's acknowledgement and acceptance of the treatment plan and the fee involved. In the event of the possibility of a claim for damages being made against a practitioner, he must write down immediately as much information as possible on the patient's record card at the time of the incident, and then immediately ring the General Secretary. Do not admit liability. If any member has correspondence or direct communication with the Prices Branch, it is suggested he contact the President or a member of the executive before any discussion with a representative from the Prices Branch.

The SPEAKER: Order! The honourable member—

Mr. WELLS: I understand that I am out of order, Mr. Speaker, but I think I have made my point. I believe that the people of South Australia—

The SPEAKER: Order! The honourable member must ask the question.

Mr. WELLS: Will the Premier have this matter investigated?

The Hon. D. A. DUNSTAN: I assure the honourable member that the matter is already the subject of an investigation.

Mr. Hall: What about legal fees? Are they coming under it, too?

The Hon. D. A. DUNSTAN: If the Leader asked his Deputy, no doubt he would be told that legal fees in South Australia are controlled by the Supreme Court, specifically by the Master of the Supreme Court, and that anyone who finds that his legal fees are too high may have the bill taxed by the Master.

Mr. Hall: Will legal fees be investigated?

The Hon. D. A. DUNSTAN: Apparently, the honourable member is unaware that these fees and the alterations to the regulations prescribing them are disallowable by this Parliament. Now, perhaps we can return to the subject being discussed. I have a report from the Prices Commissioner which discloses that dental fees in South Australia are significantly higher than they are elsewhere in the Commonwealth. A serious situation has been disclosed by this report, which is currently being considered by the Government.

UNION BAN

Mr. McANANEY: Has the Minister of Marine a reply to my recent question whether the *Britanis*, which will berth here next Sunday, will be served by tug operators in this State?

The Hon. J. D. CORCORAN: The honourable member asked me a question on this matter, I think about two weeks ago, in which he complained that he had received representations from the Chandris Line—

Mr. McAnaney: No, I didn't.

The Hon. J. D. CORCORAN: The honourable member pointed out that the Chandris Line was having difficulty, because its ships were not being serviced by tugs at Port Adelaide, and he asked whether the Government had considered this matter and what action it intended to take. I said at the time that we had received a letter from the Australian agent of the Chandris Line (a person in Melbourne whose name escapes me at present) and that, as a result, the Government had considered the matter and would take action. I subsequently interviewed the Secretary of the Seamen's Union (Mr. Giffard). Following that discussion, the Australian agent of the Chandris Line contacted Mr. Giffard, and the liner *Britanis*, which is on its first visit to South Australia, bringing 500 or 600 migrants to this State, will be assisted by tugs manned by seamen when it arrives on Sunday.

FURNITURE REMOVAL

Mr. BÉCKER: Has the Minister of Education a reply to the question I asked on March 2 about the removal of furniture belonging to teachers who had been transferred?

The Hon. HUGH HUDSON: Owing to the number of removals that are required to be undertaken in a few weeks after Christmas, removalists work long hours, particularly where chain moves are involved. When it appears that the teacher and his family will be inconvenienced by the arrangements of the removalist, they may obtain suitable accommodation at a hotel or motel, and the department will meet any reasonable expense. The honourable member's parents were involved in a chain move in which the removalist arrived at Bowmans at 4.30 p.m. and off-loaded the incoming teacher's furniture. The outgoing furniture was then loaded, being completed at 12.30 a.m. With the approval of the honourable member's parents, the removalist then proceeded to Bowmans, arriving at 3 a.m. The honourable member's parents were entitled to arrange alternative accommodation for the night, if they had so desired, in accordance with the policy which exists to cover instances such as this, as the Education Department realizes that these awkward situations must arise, particularly during the many removals carried out during the Christmas vacation.

DAW PARK CROSSINGS

Mr. PAYNE: Will the Minister of Roads and Transport ask the Highways Department to remove the island kerbing and grade down the existing step at both the zebra crossing on

Goodwood Road near Richmond Avenue and the school crossing adjacent to Crozier Avenue, Daw Park? The island kerbing in the area of these two crossings is several inches high and causes difficulty in ascending to and descending from the island, which in both cases is built up. Particularly affected are those people using the crossing who are wheeling prams, pushers and bicycles, etc.

The Hon. G. T. VIRGO: I will arrange an inspection and see what can be determined arising therefrom.

ELECTRICAL SALESMAN

Dr. TONKIN: Will the Attorney-General investigate the activities of the salesman of an electrical firm who recently visited several occupiers of premises owned by Aged Cottage Homes Incorporated, offering a free service check of electrical appliances? Although I think this story is probably an old one, I have recently received complaints involving an electrical salesman, who said that he was not a salesman, and who called at a certain aged cottage home, offering a free service check of the television set. During the course of this free check, this person said that the set was almost falling to pieces and told the elderly spinster concerned (the occupier) that he considered that it was not worth spending much money on repairs and that he would strongly advise her to buy a new set. He arranged a contract, drove the lady to cash a cheque, and then drove her back again, and he supplied a new television set at a cost, I understand, of \$240. The spinster had previously been offered \$1 as a trade-in on her transistor radio, whereupon she would get another radio and an electric iron at retail prices. I think that this matter should be ventilated in the community and, if I give the Attorney-General details of this case, I should be most grateful if he would investigate it and issue a warning generally to all elderly people in these circumstances.

The Hon. L. J. KING: If the honourable member will give me the details, I will consider the matter.

EYRE HIGHWAY

Mr. GUNN: Has the Minister of Roads and Transport a reply to the question I asked on March 11 about sealing the Eyre Highway?

The Hon. G. T. VIRGO: So that members may have a proper appreciation of the problem associated with the sealing of the Eyre Highway, I will summarize briefly the steps that

have been taken over the past four years in an endeavour to have this work undertaken. In 1967, a joint submission from the South Australian and Western Australian Governments was made to the Prime Minister of Australia. In presenting this submission, the Western Australian Government stated that it regarded the sealing of the central section of the Eyre Highway as a project of great national importance for the growth of the Australian economy, and for that reason it joined the South Australian Government in requesting financial assistance from the Commonwealth Government to complete this vital project for national development. In brief, the joint submission proposed that South Australia would pay for the reconstruction and sealing of the Eyre Highway from Ceduna to Penong and also for the survey and design of the section between Penong and the Western Australian border. The Commonwealth was asked to pay for the construction and sealing of this section from Penong to the Western Australian border conditional upon the South Australian Government's maintaining the road once it was sealed. This approach was rejected by the Commonwealth.

In September, 1968, a further submission was made to the Prime Minister by the then Premier of South Australia requesting further consideration of Commonwealth assistance regarding the cost of reconstructing and sealing the road between Penong and the Western Australian border. This submission was also rejected. In January, 1969, a further approach was made to the Prime Minister by the then Premier, and in his submission he indicated disappointment over negative decisions on previous requests and again sought further reconsideration. This request was again rejected. In March, 1969, the then Premier again wrote to the Prime Minister and referred to the Commonwealth Bureau of Roads' finding that Western Australia and South Australia had approximately equal needs for road construction for the five-year period 1969 to 1974, and pointed out the substantially higher grants given to Western Australia for this period. This approach was coupled with the announcement of the Commonwealth grants to the States for the five-year period, when South Australia received shabby treatment from the Commonwealth Government. In fact, the House should note that the then Premier was reported in the *Adelaide Advertiser* on Friday, March 14, 1969, as having said that he could not imagine more disgraceful treatment by the Commonwealth than South Australia received on the issue of

relative grants. If members care to check the Commonwealth Aid Roads Act, 1969, the Act to which the then Premier (Mr. Hall) referred, they will find the following alarming facts contained within the schedules of that Act. First, South Australia is receiving less in the five-year period than any of the mainland States in the whole of the Commonwealth. Secondly, it is receiving less than any mainland State in the break-up in respect of urban arterial roads and also rural arterial roads. This alarming state of affairs equally applied to the amount of grants to be expended on planning and research.

Reference has been made on numerous occasions to the fact that South Australia was granted a supplementary amount of \$9,000,000 in this five-year period. However, it should be pointed out that this is on a diminishing basis of \$3,000,000 for each of the first two years, \$2,000,000 for the third year, \$1,000,000 for the fourth year, and nothing whatever for the fifth year. Whilst South Australia was granted \$9,000,000 as a special grant, Western Australia was granted \$40,800,000 for the same period. The facts I have stated show quite clearly that, unless substantial aid is forthcoming from the Commonwealth Government, it will be impossible for the State to make any real impact on the 300 miles horror section of the Eyre Highway. This fact I believe is acknowledged not only by the Government but also by the Opposition. I remind members that when the Leader of the Opposition, Mr. Hall, delivered the policy speech on behalf of his Party prior to the election in May, 1970, he said, "We will continue to hammer the Commonwealth for aid to complete the sealing of the Eyre Highway which is National Route No. 1 and over which, between Ceduna and the Western Australian border, only 17 per cent of the vehicles travelling are South Australian." Since assuming office, the present Government has made several approaches to the Commonwealth Government requesting finance to seal the Eyre Highway.

On the last occasion of February 18, the Premier advised the then Prime Minister (Mr. Gorton) that, conditional upon the Commonwealth Government agreeing to providing a special subsidy of two-thirds of the total sealing cost of the road, the State Government would provide the remaining one-third. Although no reply has been received from the Commonwealth Government, newspaper reports and statements in the Commonwealth

Hansard suggest that the offer by South Australia has been rejected. As I stated last week, I expect that the State Government will shortly be making a further approach to the Commonwealth Government and, in view of the acknowledged responsibility of the Commonwealth Government by the members of the Opposition, I trust that when the Government does make its next approach it will be supported by all members of the Parliament, including the Opposition.

WHYALLA SCHOOL TRANSPORT

Mr. KENEALLY: Has the Minister of Education a reply to my recent question about school transport for children living at Iron Knob and Iron Baron?

The Hon. HUGH HUDSON: When I replied to the honourable member's question concerning the matter of transport for secondary students from Iron Knob to Whyalla, which is at present operated on a subsidized basis, I promised to examine the matter further. I am sure the honourable member will be pleased to know that approval has now been given for tenders to be called for a service on a fully paid basis. Tenders will close on March 26. Should no satisfactory tender be received, it is proposed to allocate a departmental vehicle to the service with a teacher driving the bus.

EXCAVATIONS

Mr. EVANS: Can the Minister of Works say whether any provision exists to control bulldozing of home sites on private properties in the catchment area? I have received from the Stirling council a letter asking me whether I will obtain information on this matter, which has arisen because, as a result of perhaps unnecessary excavations, many effluent disposal problems have been created, contributing to the pollution of reservoirs. Often, by the time the council receives an application to build a house, the excavation work has already been carried out, and it is too late for the council to inform the owner that it may not have been wise to excavate, at least to the extent undertaken. If I make the council's letter available to the Minister, will he have the matter investigated and let me have a further reply?

The Hon. J. D. CORCORAN: I shall be happy to bring down a report. Although we control quarrying and other similar matters in the watershed areas, I do not know of any control in respect of the matter referred to by the honourable member.

EFFLUENT USE

Mr. BROWN: Will the Minister of Works have an investigation made of the possibility of using effluent from the sewer ponds at Whyalla to water ovals and parklands? I point out that this effluent may contain salt.

The Hon. J. D. CORCORAN: I shall be happy to have the matter examined. If it is possible for treated effluent to be used in this way, this would be most desirable.

PRISONS

Mr. CARNIE: Can the Attorney-General say whether the Government has appointed a committee to inquire into State prisons? When delivering the policy speech of the Labor Party last May, the Premier said:

We would also undertake an inquiry into State prisons and detention centres to ensure a rational plan for the subsequent development of appropriate modern and humane institutions. On September 22, when I asked the Attorney-General when such a committee would be set up, he said:

Negotiations for obtaining suitable persons to conduct an inquiry are proceeding but have not yet been completed.

As that was almost six months ago, can the Attorney say what is the position now?

The Hon. L. J. KING: Certain difficulties arose concerning the availability of the person whom the Government had in mind to be a member of the committee; this has resulted in the delay in setting up the committee. As I am still working on the matter, I hope to be able to see the committee operating soon.

PETERBOROUGH ADULT EDUCATION

Mr. ALLEN: Has the Minister of Education a reply to the question I asked recently about accommodation for welding at the Mid North Adult Education Centre at Peterborough?

The Hon. HUGH HUDSON: The Mid North Adult Education Centre Council was informed late last year that it had been decided to recommend the erection of a new building on the Peterborough High School site to include facilities for adult welding and secondary boys' craft. The council was also informed that details of the requirements would be forwarded to the Public Buildings Department for inclusion in the building programme soon. The council was also warned that, as this project must take its place in order of priority with other building needs of the Education Department, no indication could be given at that stage as to when the building would be erected. A schedule of requirements for the new building has been forwarded to the Public

Buildings Department, but to date it has not been included in the school's building programme. For this reason it is not possible to give any date for the commencement of work on the building.

SCHOOL SUBSIDIES

Mr. MATHWIN: Has the Minister of Education a reply to my recent question about school subsidies in which I referred to a reduction in the subsidy received by the Glengowrie High School?

The Hon. HUGH HUDSON: It is Education Department policy that new schools receive special subsidy consideration during the first few years of operation, in order that they may become properly established within a reasonable time. Glengowrie High School was opened four years ago and was allocated subsidy amounts which were higher than allocations that would normally be made to established schools of similar size. Now that Glengowrie High School has been given the opportunity of becoming established on a comparable basis with other schools, it has been necessary to reduce the subsidy allocation slightly in accordance with normal departmental practice.

A comparison can be made by checking the figures of Northfield, Henley and Glengowrie High Schools for the past two years. In the financial year 1969-70, Northfield, which opened the same year as Glengowrie, had an enrolment of 830 and received an allocation of \$6,000. Henley High School, an established school with an enrolment of 1,270 received \$3,300, whereas Glengowrie High School, with an enrolment of 852, received the same allocation (\$6,000) as Northfield. An examination of subsidy allocations for the current financial year shows that the following subsidy funds have been provided to the same high schools:

	Enrolment	Allocation \$
Northfield	1105	3,400
Henley	1280	3,800
Glengowrie	1178	4,000

As can be seen from these figures, the allocation to Glengowrie High School compares favourably with those made to other schools.

EDUCATION EXPENDITURE

Mr. HALL: In view of his previous statement that education expenditure during the last year has increased by about 14.7 per cent, and that since then there have been significant rises in salaries paid to staff of the Education Department, will the Minister of Education

say what is the expected increase in education expenditure in South Australia this year?

The Hon. HUGH HUDSON: I cannot answer this question because, as the honourable member might know (although if he does not know, I am sure some of his colleagues would be able to tell him), the South Australian Teachers Institute has a salaries claim before the Teachers Salaries Board. Final education expenditure for this year will therefore depend on the award that the Teachers Salaries Board makes and the date from which it makes the award.

Mr. Hall: My inquiry is regarding known figures.

The Hon. HUGH HUDSON: In that case, expenditure last year was \$65,000,000. The estimate for this year is \$74,667,000, which sum has been already exceeded by at least \$1,000,000. I am not sure of the precise figure that will apply for the year on that basis.

MODBURY SEWERAGE

Mrs. BYRNE: Has the Minister of Works a reply to the question I asked on March 9 regarding the provision of sewers for houses in Harrison Avenue, on the west side of Reservoir Road, and south of Smart Road, Modbury?

The Hon. J. D. CORCORAN: The sewerage scheme for Harrison Avenue and adjacent streets at Modbury is tentatively scheduled for commencement towards the end of April, 1971. However, because of the slowing down of works to comply with instructions to reduce expenditure, there could possibly be a delay in completing other programmed works, and the starting time may be delayed. However, it is still expected that the work will be completed his financial year.

PRIVATE MEMBERS' BUSINESS

Mr. MILLHOUSE: Will the Premier say on what date members will have an opportunity to debate the private members' business now on the Notice Paper, or any other private members' business that may be put thereon? About a week ago I asked the honourable gentleman how long the House would be sitting and, according to the reply I received (unless he persists with his intention to ask the House to sit during Holy Week), there are only four more sitting weeks, including this one. Time is therefore marching on. I presume the Premier intends to give notice to members regarding when business on the Notice Paper is likely to be debated, and

also to give an opportunity to other members, perhaps the Minister of Works or the Attorney-General, if either intends to do anything about the Criminal Law Consolidation Act—

The Hon. J. D. Corcoran: We will make our own decisions.

Mr. MILLHOUSE: Yes, the honourable Minister has been rather ambivalent in his attitude in this respect. I suggest that, for the convenience of members, it is about time it was known when private members' business is to be dealt with and how long is to be given for it.

The Hon. D. A. DUNSTAN: I told the honourable member in the earlier part of the session that one further Wednesday afternoon would be given during this part of the session for the debating of private members' business on the Notice Paper.

Mr. Millhouse: Which Wednesday?

The Hon. D. A. DUNSTAN: If the honourable member will contain his patience for a little longer, I hope to be able to give him further information. In addition to the Wednesday afternoon, time will be given for the taking of a vote, without debate, on the remaining items of private members' business on the Notice Paper. I cannot now tell the honourable member which Wednesday afternoon it will be, although I hope to be able to tell him tomorrow.

Mr. Millhouse: Will it be tomorrow?

The Hon. D. A. DUNSTAN: No.

Mr. Millhouse: Well, that's something.

The Hon. D. A. DUNSTAN: However, I hope to accommodate the honourable member. I thank him for his tender solicitude for the rights of other members.

LYELL McEWIN HOSPITAL

Mr. McRAE: Has the Attorney-General a reply from the Chief Secretary to my question about the Lyell McEwin Hospital?

The Hon. L. J. KING: My colleague states:

Cabinet has not discussed the future status of the Lyell McEwin Hospital. Therefore, Government policy has not been determined. Hospital facilities throughout the State are constantly under review and the Government will consider policy at such time as all factors have been examined and assessed at departmental level and recommendations have been made.

GAS PIPELINES

Mr. RYAN: Will the Premier, as Minister of Development and Mines, say whether, if as a result of a feasibility study now being undertaken it is deemed necessary to build a second natural gas pipeline, this pipeline will be admin-

istered by the authority that now administers the pipeline used to pipe gas from the northern gas field to the metropolitan area? A published statement by a director of Delhi-Santos states that a feasibility study is now being undertaken to find out whether it will be necessary to build the second pipeline from the gas field to the metropolitan area to pipe natural gas, butane, and other products from the gas field.

The Hon. D. A. DUNSTAN: Under the South Australian legislation, all gas pipelines within the State, particularly those delivering to destinations within the State, are under the control of the Natural Gas Pipelines Authority. Therefore, any further pipeline built, whether as a duplication of the pipeline to Adelaide, a branch line to Port Augusta, or a line delivering both liquid petroleum gas and oil to Port Pirie (and all those are conceivable possibilities), would be controlled by the authority. We would require all such pipelines in South Australia to be under public control. The only exception we have made in this respect is the gas pipeline to New South Wales, which traverses only an extremely small part of our State territory. It seems pointless for us to insist that the section of the pipeline in South Australia be controlled by the South Australian authority, whilst the remainder of it is owned by a private organization, enabled by New South Wales legislation. We have made an exception in that instance and have achieved for South Australia the very satisfactory contract that has now been concluded with the Australian Gas Light Company in Sydney. I expect that developments within our own State will be marked. Negotiations have been proceeding with many organizations in South Australia for marked development within the State, since by-products from the field have now become economically viable because of the sale of gas to New South Wales. I assure the honourable member that the principle laid down in our pipeline legislation originally will be maintained.

VICTORIA SQUARE LAND

Mr. COUMBE: Will the Premier say whether the Government is considering the establishment or development of a hotel by some interests on the land which is owned by the Government in Victoria Square and which was acquired by the previous Government? If the Government is considering this, why is it doing so? When this land was acquired originally, it was earmarked for construction of a future Government building. At that

time the Public Service Association commented favourably on the proposal, as it would provide better accommodation for those public servants who were working in less than satisfactory conditions, and it would also provide a central service for members of the public. I also understood that the proposal conformed to the wishes of the Lord Mayor's committee on the development of Victoria Square. I have noticed recent comment that the hotel project, if it were proceeded with, would also conform to the committee's wishes. I should like the Premier to tell the House what is the Government's intention, if any, regarding this block of land.

The Hon. D. A. DUNSTAN: The Government is considering the question of the use of this block of land, following receipt of the report of a subcommittee of the State Planning Authority which was established in relation to the development of Victoria Square and on which the Adelaide City Council, as well as the State Planning Authority, has representation. Professor Winston, who, the honourable member may recall, was the consultant to this committee, has submitted a proposal in relation to Victoria Square that has been referred to the State Planning Authority, the Government and the City Council. That proposal is being considered, and it proposes that the site be used for hotel development. The professor is quite specific about it and gives his reasons. I assure the honourable member that, in making any decision on this matter, the Government will ensure that projects for additional buildings for the Public Service that will provide the kind of accommodation welcomed by the Public Service Association will not be delayed but that there will be provision for a development of Public Service buildings as originally proposed. However, as a result of these recommendations they may well be on another site.

MARDEN HIGH SCHOOL

Mr. SLATER: Has the Minister of Education a reply to the question I asked recently regarding tree planting at the Marden High School?

The Hon. HUGH HUDSON: A tree planting programme has been included in the departmental plans for the development of the oval at the school. However, this work cannot be proceeded with until a water supply is provided to the oval area. It is departmental policy that a subsidy is not provided for the planting of trees at schools. After the initial tree planting and landscaping has been provided

by the department, any further ground beautification becomes the responsibility of the school. Grants for the maintenance of school-grounds have been introduced this year in an endeavour to provide additional assistance.

SOLDIER SETTLEMENT

Mr. RODDA: Has the Minister of Works a reply from the Minister of Repatriation to the question I asked last week regarding soldier settlement rents in zone 5?

The Hon. J. D. CORCORAN: My colleague states that he has not yet received from the Commonwealth advice of its decision in the zone 5 rents case. The State's views on this matter were submitted to the Commonwealth Government following the court judgment and a subsequent deputation that the Minister received comprising settlers' representatives and their legal advisers. Since the submission was made, the Minister and his officers have contacted the Commonwealth Government on several occasions asking for a decision, the most recent occasion being by a telegram that the Minister sent to the Minister for Primary Industry on March 5. It is hoped that the Commonwealth will inform us of its decision soon. I think I told the honourable member when he asked this question before that this was the situation, but evidently with the change in Ministers in Canberra the matter may not have been discussed.

UNEMPLOYMENT

Mr. WELLS: As Mr. Snedden, the Commonwealth Minister for Labour and National Service, released and had published in this morning's paper figures relating to the unemployment situation, can the Minister of Labour and Industry state the present situation in this State?

The Hon. D. H. McKEE: Having noticed the Commonwealth Minister's statement, I expected that I would be asked a question about the exaggerated position in South Australia and I called for a report. Employment statistics for February, 1971, showed that there was greater difficulty in absorbing school leavers in South Australia than had been experienced last year. At the end of February, 1.6 per cent of the work force was registered as unemployed in South Australia. This compares with 1.37 per cent at the same time last year, and 1.81 per cent at the end of February, 1969. The easing of the tight employment situation in South Australia, generally indicative of inflationary pressure, would tend to indicate that the inflationary pressures are in fact easing.

Compared to last month, the number of persons registered for employment fell by 1,368, or 14 per cent. This general trend is, of course, to be expected at this time of the year because of the continual absorption of school leavers into the work force. The number of persons receiving unemployment benefits fell by 430, or 12.3 per cent. At the same time the number of vacancies available in South Australia declined by 1,084, or 23.3 per cent, giving further evidence of the easing of the tight employment situation. The position in South Australia has followed the general pattern evident in Australia as a whole, with school leavers appearing to experience slightly less difficulty in this State in obtaining employment.

RURAL RECONSTRUCTION

Mr. NANKIVELL: Will the Minister of Works ask the Minister of Lands whether complementary legislation has been received from the Commonwealth to be introduced in this Parliament concerning rural reconstruction?

The Hon. J. D. CORCORAN: I think a reply I have for the member for Eyre, who asked a similar question, will answer this question, too. The Minister of Lands has confirmed that the State is still awaiting from the Commonwealth Government the draft agreement upon which will be based legislation to enable the rural reconstruction scheme to operate. The latest advice received from the Commonwealth Government is that the agreement should be received within the next few days. When it has come to hand, legislation will be drafted and a Bill introduced to the House as soon as possible. It is the Government's aim to introduce the Bill during the current session, and it will do everything within its power to achieve this objective so that the scheme can operate at an early date.

HOSPITAL PAYMENTS

Dr. EASTICK: Can the Premier say whether there are any qualifications to his announcement that the Government intends to pay \$1 a head a day to non-profit hospitals? It seems that many people who are in non-profit organizations are people of substantial means, whereas many people in profit-making organizations are people of limited means. It is more a matter of the availability of beds at a given time that governs to which hospital a potential patient may go. Although I do not disagree with the decision to make available funds for people in necessitous circumstances or to all persons of that age, some

who really require the assistance will not get it, whereas some who could conceivably manage without assistance will receive it. Can the Premier say whether this factor was considered before his announcement was made?

The Hon. D. A. DUNSTAN: It was, but the extent to which the State can go in taking over the responsibilities of the Commonwealth Government is limited. This is an area of Commonwealth Government responsibility, and what we are faced with is that in South Australia there are several non-profit organizations that have received some assistance from the Government previously in order to establish, and that those organizations will close their doors (and be forced to) unless there is some assistance from the State Government. Appeals to the Commonwealth Government to assist them have fallen so far on completely deaf ears. In the present financial situation the Government cannot go beyond the assistance it has announced to non-profit organizations. Assistance to profit-making organizations must clearly be the responsibility of the Commonwealth Government alone. It is simply not possible for the State Government to subsidize profit-making organizations that are now faced with difficulties because of the inaction of the Commonwealth Government in the social service sphere.

HOSPITAL INQUIRY

Dr. TONKIN: Can the Premier say whether the Government will reconsider its decision to accept and implement the recommendations of the committee of inquiry into hospital communications without giving any opportunity to members of the medical and nursing professions, who are vitally concerned, to comment or advise on the recommendations? I understand that there is considerable dissatisfaction in both nursing and medical circles at what is considered to be a high-handed, precipitate, and (in the absence of explanation) arrogant decision of the Government to accept and implement these recommendations. I am told that, until the Premier replied last week, few people knew of the Government's decision. Nurses and doctors tell me that they consider they should have been given the opportunity to comment and to offer advice and suggestions before the Government made this firm decision. They point out that, although the committee as constituted was well qualified and did a good job in examining communications in hospitals, they hardly consider that it was qualified (and they do not believe that the members themselves would hold themselves out

to be well qualified) to recommend the sweeping changes which have been suggested in the recommendations and which have apparently been accepted, without question, by this Government.

The Hon. D. A. DUNSTAN: I will refer this question to the Chief Secretary and the Director-General and ask for their comments. However, my door and that of the Government has always been open to the medical and nursing professions, as it was previously when members of those professions asked us to make this inquiry, having sought such action from the previous Government and got nothing. The inquiry was set up and took evidence from everyone concerned, and came to the conclusions recommended to the Government. I do not know how much further evidence is required. The only evidence I have of any discontent is that of the honourable member at the moment. I am not reflecting on the honourable member's profession outside this House, but within it.

Mr. Millhouse: That's a rather enigmatic statement.

The Hon. D. A. DUNSTAN: I am sorry if I am being too cryptic for the member for Mitcham. What I was trying to put was that, since the honourable member is a member of the Opposition, I would expect him normally to be discontented with what the Government does.

Mr. Millhouse: And with good reason.

The Hon. D. A. DUNSTAN: That is the sort of answer that gives exact support to the proposition I was just putting, and it is an answer I would always expect from the honourable member, no matter what the circumstances involved. I will put the matter to the Chief Secretary and the Director-General and ask for their comments.

INDEPENDENT SCHOOLS

The Hon. D. N. BROOKMAN: Will the Minister of Education say what is the Government's policy regarding per capita grants to independent schools? Some months ago the Minister made a fairly vigorous statement criticizing the principle of per capita grants and lauding the principle that he has recently adopted of applying a means test in respect of private schools. However, at the same time, per capita grants are continuing in accordance with the Estimates of Expenditure. In view of the Minister's earlier statement, one wonders just what is the Government's future policy on per capita grants.

The Hon. HUGH HUDSON: One would not be wondering about the Government's policy on this matter if one bothered to take notice of what has been said and printed several times on this issue. The Government has made perfectly clear that the existing per capita grants paid prior to the new set of grants will continue, on the simple ground, and no other, that the schools receiving these grants would have budgeted on the basis that they would receive them, and their whole planning is tied up with those grants continuing. Therefore, the grants will continue, and any rumour that the honourable member may have heard that they will not continue is not correct. In the statement made when the new grants were announced, I made clear that these grants would continue and, in the statement made when the committee was set up, I again made clear that these grants would continue. The new grants are on a needs basis, and it is not a means test, as such.

The committee was specifically requested to examine the varying needs of independent schools, and I think I pointed out to the honourable member previously that the fact that independent schools varied their charges from as low as \$6 a term up to as high as \$150 a term indicated the varying ability to pay of parents who send their children to these schools, and therefore indicated that the problems of independent schools vary considerably from school to school. That is the basis of our whole approach, but I certainly would not go along with the suggestion that it could be described as a means test. It seems that there is some degree of acceptance of the approach adopted by the Government in this matter, this approach setting some sort of landmark regarding this area of education in Australia, and I hope it will be successfully developed in the future.

LOCK SCHOOL

Mr. GUNN: Will the Minister of Education ask his department to take urgent action with a view to giving approval for the commencement of work on the two ovals at the Lock school? Over the weekend, I was informed by the Chairman of the Lock school committee that everything was ready for the District Council of Elliston to start work on the two ovals but that the council had not yet received approval from the Public Buildings Department, even though it had been promised for some time.

The Hon. HUGH HUDSON: I will examine the matter for the honourable member.

GOVERNMENT PRODUCE DEPARTMENT

Mr. CARNIE: Will the Minister of Works ask the Minister of Agriculture to provide the names of the personnel of the committee set up to examine the operations of the Government Produce Department, with special emphasis on the function of the Port Lincoln branch of that department?

The Hon. J. D. CORCORAN: Yes.

OAKLANDS CROSSING

Mr. MATHWIN: Will the Minister of Roads and Transport make further inquiries regarding the safety of the Oaklands railway crossing? Although alterations have recently been made to the approaches to this crossing, the position has unfortunately been aggravated. Islands have been constructed at this crossing, so that motorists travelling north or south have to turn right on to Morphett Road, in both cases, and cars bank up over the railway line, because they cannot get around the island. As trains coming particularly from the south from the direction of Marino, have to negotiate a bend in the railway line, engaged drivers cannot see the vehicles on the line. As this is a most dangerous situation, will the Minister of Roads and Transport examine the matter urgently?

The Hon. G. T. VIRGO: This crossing has been under close scrutiny for some time, and I have had lengthy discussions on it with the Minister of Education, who also has a great interest in the crossing. Although I have also had lengthy discussions with the Highways Department, I think that in all the circumstances it would be better if I obtained a written reply for the honourable member, and I will bring it down as soon as possible.

EGG PRODUCTION

Mr. McANANEY: Will the Minister of Works ask the Minister of Agriculture to say what legislation will be introduced this session on the plan to control egg production in this State, as agreed to at a recent meeting of the Agricultural Council?

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

UNIVERSITY GROUNDS

Mr. GOLDSWORTHY: Can the Attorney-General say what is the position of the Police Force with regard to complaints received about activity in the university grounds? On Thursday evening, during a debate held in the university grounds about the *Oh! Calcutta!* con-

troversy, several young men took off their clothes. The report in the *Sunday Mail* states that they stripped to their underclothes, but actually they were naked.

The Hon. G. T. VIRGO: Were you there?

Mr. GOLDSWORTHY: No, but I know several people who were.

The Hon. G. T. VIRGO: Then you're sorry you weren't.

Mr. GOLDSWORTHY: No, I am not: don't make stupid interjections. What these young men did would constitute cause for a complaint. In addition, at one of the University Council meetings that I attended recently, discussion ensued about the disciplinary provisions contained in the draft legislation affecting the university. Some doubt was expressed about the position of the university with regard to laws relating to public places. Will the Attorney-General clarify the position?

The Hon. L. J. KING: I will obtain a report on the incident referred to by the honourable member.

CLARE ROAD

Mr. VENNING: Can the Minister of Roads and Transport say when it is expected that the Highways Department will commence to reconstruct the road from Clare to Auburn? Although the reconstruction of this road had been programmed for about February this year, a hold-up in work being done at Peterborough or thereabouts caused the delay.

The Hon. G. T. VIRGO: I will obtain a reply.

HOSPITAL DENTISTS

Mr. BECKER: Will the Attorney-General ask the Chief Secretary to investigate the possibility of increasing the number of dentists available at the Royal Adelaide Hospital dental clinic and of reviewing the means test that applies?

The Hon. L. J. KING: I will refer the question to my colleague and get a reply.

MODBURY LAND

Mr. MILLHOUSE: Has the Minister of Roads and Transport a reply to the question I asked on February 24 about land owned by Mr. and Mrs. Charles Peckover?

The Hon. G. T. VIRGO: Yes, I am only too delighted to give the honourable member his reply. On February 24, 1971, the honourable member referred to correspondence that had passed between him and me concerning the property of a Mr. Peckover, who owns land in St. Peters Drive, Modbury, but who now lives

in Queensland. The opinion of the Attorney-General has now been received, and it indicates that the case referred to by the honourable member does not fall (in the opinion of the Attorney-General) within the provisions of sections 20a (1) (d) and 20ba of the Highways Act, 1926-1970.

Mr. Millhouse: I would like to argue that.

The Hon. G. T. VIRGO: I do not mind if the honourable member wishes to start litigation, but I do not intend to engage in litigation with him. If he argues this matter with the Attorney-General, I know he will lose. The Commissioner of Highways has indicated that it is not necessary for the land in question to be acquired for any purpose that is either necessary or desirable to facilitate any scheme of road construction or development that may be undertaken by him in the future. I sincerely regret the apparent position in which Mr. Peckover finds himself but legal opinion does not indicate that anything can be done for him. I would like to remind the honourable member that both he and the previous Minister of Roads and Transport had this same problem and apparently they could find no solution. I think it is pretty poor of him to endeavour to make political capital out of a problem that he found too hard to solve.

Mr. MILLHOUSE: I seek leave to make a personal explanation.

Leave granted.

Mr. MILLHOUSE: The Minister of Roads and Transport ended by saying:

I would like to remind the honourable member that both he and the previous Minister of Roads and Transport had this same problem and apparently they could find no solution. I think it is pretty poor of him to endeavour to make political capital out of a problem that he found too hard to solve.

However, the present situation is different from that obtaining when my Party was in office, because there has been an amendment to the Act, which my Government was contemplating but which it had no opportunity to introduce, and which gives, in my opinion, the opportunity for the relief sought by Mr. Peckover.

TEACHER SHORTAGE

Mr. COUMBE: Has the Minister of Education a reply to my recent question about a shortage of secondary school mathematics and science teachers?

The Hon. HUGH HUDSON: The immediate shortage of secondary mathematics and science teachers has been significantly reduced since the Education Department's appeal for full-time or part-time teachers in these subjects

at the beginning of March. Just before the opening of the school year, there were vacancies for 106 secondary teachers of which 71 were for teachers of mathematics or science. By the beginning of March we were still short of 20 full-time and 20 part-time mathematics/science teachers as well as being short of several English teachers. My latest information is that only five further part-time teachers of mathematics/science are needed and not with extreme urgency. Applications for such positions are still being received. The staffing situation particularly in science and mathematics has not been comfortable for many years. The present position therefore represents no worsening of the situation of recent years and, overall, some improvement. If last year's changes to regulations which were designed to reduce the incidence of May resignations prove successful, we may see some easing of the mid-year staffing problem. However, in the meantime, we propose to continue to recruit all qualified teachers offering for employment.

OVERLAND

Dr. TONKIN: Has the Minister of Roads and Transport obtained a reply to a question I asked recently about the Overland?

The Hon. G. T. VIRGO: Further to my reply on February 23, continuation of the track upgrading and the completion of the centralized traffic control between Taillem Bend and Serviceton between 1971 and 1972 should permit of better performances. Unfortunately, it would not be possible to schedule the Overland to depart from Melbourne at 7.40 p.m. instead of 8.40 p.m., because its actual departure time is related closely with the arrival in Melbourne at 8.20 p.m. of the Intercapital Daylight from Sydney. Indeed this latter train provides a direct through connection from Brisbane as well. The Railways Department is very conscious of the difficulties in train scheduling now being experienced on the south line and is doing everything in its power to improve it.

GAWLER HIGH SCHOOL

Dr. EASTICK: Will the Minister of Education inform the House of the likely commencement date of the construction of the proposed art and craft block at the Gawler High School? At the commencement of studies this year, it was found necessary to place three classes of this school in the junior school demonstration units. Two class units have now been built which, when commissioned this

week, will relieve two of the classes from the demonstration units. However, the third class will remain there until the promised art and craft block is completed.

The Hon. HUGH HUDSON: Not only will I look into the matter raised by the honourable member, but I will also ensure that a complete review of the situation at Gawler is undertaken.

ELLISTON SCHOOL

Mr. GUNN: Will the Minister of Education have action taken to rectify the unsatisfactory position obtaining at the Elliston school? I have been told that there is a shortage of accommodation at this school and, particularly, that a new science block is required. While at this school at the weekend, I was told by the members of the school committee that, although this building has been promised, they have seen nothing of it.

The Hon. HUGH HUDSON: I will look into the matter for the honourable member.

AERIAL SPRAYING

Mr. CUMBE: Has the Minister of Works received from the Minister of Agriculture a reply to my recent question regarding aerial spraying?

The Hon. J. D. CORCORAN: The Minister of Agriculture reports that he has been informed that the present amount of damage being caused to bees and to horticultural crops by aerial spraying does not warrant the high cost involved in introducing effective controls. In South Australia, damage to hives has been kept to a minimum by the development of close co-operation between landowners, spray contractors and beekeepers. Officers of the Agriculture Department are undertaking State-wide extension programmes designed to educate landowners and spray contractors in the safe use of pesticides.

OH! CALCUTTA!

Mr. GUNN (on notice):

1. Did the promoters of *Oh! Calcutta!* approach the Attorney-General regarding the staging of the play in Adelaide?

2. If so, what advice was given to them?

3. Was the advice given orally or in writing?

4. If in writing, is it the Attorney's intention to table the correspondence?

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

1. The promoters of *Oh! Calcutta!* approached the Premier regarding the staging of the play in Adelaide, and the Premier referred the matter to me.

2. I am asked what advice was given to the promoters. On September 1, 1970, I forwarded the following letter to Mr. R. J. Huber of Saber Productions Proprietary Limited, 5 Westbury Street, East St. Kilda, Victoria:

The Premier has asked me to reply to your letter to him of August 25. Section 25 of the Places of Public Entertainment Act reads as follows:

The Minister, whenever he is of opinion that it is fitting for the preservation of public morality, good manners, or decorum, or to prevent a breach of the peace or danger to any performer or other person, so to do, may, notwithstanding the terms of any licence, make a determination prohibiting the holding of any public entertainment, or any specified part or item of any public entertainment; and any person holding an entertainment and every proprietor of any place of public entertainment in which any entertainment or any part or item thereof is held, contrary to such determination, after notice of the same has been given as prescribed, shall each be liable to a penalty not exceeding \$100.

Having read the script of *Oh! Calcutta!* as revised/rewritten for Australia, I have come to the conclusion that I would be obliged to act under this section if persons under the age of 18 years were admitted to any performance. It is to be remembered, however, that there are other provisions of the law which may be set in motion by any member of the public or any member of the Police Force, whether or not persons under the age of 18 years are admitted. There are prohibitions in our Statutes against behaving in an indecent manner in a public place. A prosecution for such an offence could be launched by any member of the Police Force or member of the public without the intervention of the Minister. I refer in particular to sections 22 and 23 of the Police Offences Act, 1953-1967. Any such case would have to be decided by the courts in the ordinary way. I return herewith the material which you submitted, as requested by you.

I subsequently had a conversation with Mr. J. A. Mangan, who informed me that he was acting as solicitor for the promoters. During the conversation, Mr. Mangan indicated that he realized from the terms of my letter that, although the admission of persons under 18 would mean that performances would be prohibited in that event, it did not follow that the show would be immune from action merely because the audience was confined to adults. I confirmed that he had correctly interpreted my letter and that the performances must not infringe the law of South Australia. On November 23, 1970, I wrote to Mr. Mangan confirming our conversation and enclosing for the information of his clients a copy of a letter that I had sent to persons who had communicated with me about the proposed production. That letter was as follows:

I refer to my conversation with you in which you indicated that you were acting for interests which propose to stage the show *Oh! Calcutta!* in Adelaide. During that conversation you mentioned that you had drawn your client's attention to the fact that, although my letter to them indicated that the admission of persons under the age of 18 years would be likely to result in action being taken, it did not mean that exclusion of persons under the age of 18 years would confer immunity from prosecution. I confirmed that this was so. I think you ought to know that I have received letters complaining about the staging of the show in Adelaide and the terms of my reply to those complaints. I think it is important that your client should clearly understand his position, and the text of my reply to these letters may be of assistance to him in that regard.

The enclosure with that letter was as follows:

Thank you for your letter concerning the proposed performance of *Oh! Calcutta!* I can well understand your concern at the theme and contents of this show. It is not however for me, as an individual, to decide what other people should be permitted to see. The test must be whether a particular performance contravenes the law of South Australia. A script has been submitted to me which is said to differ substantially from the script of the show as it was performed overseas. Nevertheless, a perusal of the script convinced me that the subject matter of the show and the manner of its treatment rendered it unsuitable for persons under the age of 18 years. I therefore informed the interests who were proposing to stage the show that the admission of persons under the age of 18 years would undoubtedly result in action being taken.

This does not, of course, mean that the performers are immune from prosecution simply because persons under the age of 18 years are excluded. If they commit offences against the law of South Australia whilst on the stage, they are liable to prosecution just as other people are. If the show is performed in a way which is within the law of South Australia, then we must concede to adults the right to make up their own minds whether they wish to patronize it.

3. As indicated above, the advice was given partly orally and partly in writing.

4. I shall table copies of the letters of September 1, 1970, and November 23, 1970.

TRANSPORTATION STUDY

Dr. EASTICK (on notice):

1. Has the Government established a salary range for the proposed Commissioner of Transportation?

2. Has the period of initial appointment been determined?

3. What existing positions in the general field of transportation is it expected will be eliminated by the appointment of the commissioner and associated staff?

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

1. The salary range has been fixed at not less than \$17,000 a year, according to qualifications and experience.

2. The initial period of appointment will be for such period not exceeding seven years as the Governor determines.

3. This matter is one of the subjects being considered by the Transport Policy Implementation Committee set up by the Government to advise on an overall transport policy and the formation of a Transport Department.

DEPARTMENTAL ECONOMIES

Dr. TONKIN (on notice):

1. On what dates did Ministers circulate directives to their departments relating to economies in Government spending?

2. What economies have been effected by each department since that time?

3. What is the sum total represented by these economies?

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

1. February 11, 1971.

2. Economies have been effected in expenditure on staffing, services and goods throughout Government departments.

3. It is not possible to calculate an accurate figure, as economies will be effected throughout the remainder of the financial year.

INDUSTRIES DEVELOPMENT ACT AMENDMENT BILL

The Hon. D. A. DUNSTAN (Premier and Treasurer) obtained leave and introduced a Bill for an Act to amend the Industries Development Act, 1941-1965. Read a first time.

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

That this Bill be now read a second time.

Its purpose is to fill an important gap in the provisions for financial assistance toward the development of South Australian industry. The present provisions in the Industries Development Act enable the Treasurer in approved circumstances to guarantee loans made by banks and institutions to industries which have good expectations of profitable development but which have inadequate formal security to offer. These provisions have worked well, as have the provisions enabling the Housing Trust to build factories outside the narrowly defined metropolitan area for the purpose of leasing to promising industries.

However, from time to time smaller industries, often in the very early stages of their development, find it difficult to secure a bank or institution to provide the requisite developmental funds under guarantee upon acceptable terms. Such a smaller industry often requires the assurance of a longer term loan than most banks prefer to undertake and also may require unusual terms. A particular problem is that such an industry, while giving promise of being able ultimately to develop to a stage when it can meet all obligations upon a normal basis, finds it most difficult during its earlier formative years to meet interest and repayment charges out of its regular cash flow. To facilitate its experimentation and development, it requires the whole of its cash flow to meet current expenses and for ploughing back into the business.

There are two ways in which such a developing industry can be relieved of the cramping effect of interest charges during its formative years. One is to secure equity capital by the issue of ordinary shares, and the other is to secure a loan on which the interest is deferred and capitalized during the critical period of early development. As the ordinary banks and institutions do not provide these types of finance, the Government proposes to set up a special corporation to perform the functions where they are found to be necessary.

I believe that in most cases it will be found preferable to meet these needs by loans with interest and repayment appropriately deferred. This is because interest, although deferred, will rank as an expense when determining profit, for income tax purposes, whilst the deferring of dividends on ordinary shares does not so reduce the tax liability. However, there will possibly be cases better handled by taking up shares.

The only direct loans provided for by the Industries Development Act at present are those authorized from the Country Secondary Industries Fund. This fund was first constituted in 1943, when \$200,000 was provided out of a revenue surplus. During 1951 a further \$50,000 was provided from Loan Fund to facilitate advances to an undertaking manufacturing refractory bricks at Wallaroo, but this undertaking failed, involving a loss of about \$43,000 of capital funds. The only other addition has been \$50,000 provided out of Loan Fund during December, 1970, in accordance with authority given in section 16a of the Industries Development Act, and that amount was needed as the available balance in the fund at that stage was inadequate to cover an

approved advance urgently required to support a country engineering industry. The present balance in the fund is about \$16,000 and there are outstanding loans therefrom, aggregating about \$243,000, plus some interest accruing due. The Bill proposes to vest this fund, with all its balances, rights and obligations, in the new Industries Assistance Corporation. The corporation will have no interest obligations on the main part of this fund but it will be required to reimburse the interest to the Treasury on the recent \$50,000 provision of Loan moneys.

The new funds required for the use of the corporation may be provided by borrowing as a semi-government authority with the approval and under guarantee of the Treasurer, and to the further extent they will be provided by the Treasury out of funds provided by Parliament for the purpose. Under present arrangements with the Australian Loan Council, the corporation will be able to borrow up to \$300,000 a year without reducing the borrowing allocations available to the State's major semi-government borrowers (the Electricity Trust and the Housing Trust).

Whilst provision is made in the Bill for the appointment of staff for the proposed Industries Assistance Corporation, it is not expected that any large staff will be required. It is expected that most of the necessary inquiries, investigations, and reports can be carried out by the staff of existing departments, such as the Industrial Development Branch of the Premier's Department and officers of the Treasury, the Audit Department, and possibly of the Public Service Board. Where special technical or scientific advice is required, the corporation can use specialist staff of the Engineering and Water Supply Department, Marine and Harbors Department, Public Buildings Department, etc. For this reason, the Bill provides for a board to control the corporation, of which three out of five members may be selected from appropriate officers of the Public Service. I expect the other two of the five board members will be secured outside the Public Service from persons skilled and experienced in private industry and finance.

In conformity with the present provisions of the Industries Development Act, it is proposed that all financial assistance of any kind given by the corporation must have the prior approval of the Treasurer. Moreover, except for small loans not exceeding \$75,000 all proposals must be inquired into and recommended

by the Parliamentary Industries Development Committee before approval.

As it is considered that the present provisions for guarantees in the Industries Development Act are adequate where large sums are involved, it is proposed to limit the authority of the corporation to lend or otherwise give assistance to \$200,000 in any one case. In addition, it is proposed to limit the aggregate borrowing authority of the corporation to \$3,000,000, at least for the time being. If, subsequently, an extension should appear desirable, it will be necessary to submit the requisite amending legislation to Parliament.

The provisions of the Bill are as follows. Clause 1 is formal. Clause 2 provides that the new Act shall come into operation on a day to be fixed by proclamation. Clause 3 inserts definitions of "the corporation" and "the metropolitan area". The definitions are self-explanatory. Clause 4 amends section 8 of the principal Act. This section at present provides that any recommendation from the committee that a guarantee be given under the existing provisions must be concurred in by at least four members of the committee. The amendment extends this provision to cases where the committee is required to approve assistance to be given by the Industries Assistance Corporation. Clause 5 amends section 10 of the principal Act. The amendment is merely consequential. Clause 6 amends section 16 of the principal Act. This, again, is a consequential amendment.

Clause 7 amends the present provisions relating to the Country Secondary Industries Fund. New provisions are inserted providing for the establishment of the Industries Assistance Corporation. As has been mentioned, the corporation is to take over the functions of the fund. New section 16a establishes the corporation. It is to consist of a chairman and four other members appointed by the Governor. The membership of the board must comprise at least one person with extensive knowledge of, and experience in, financial matters; one must be a person with extensive knowledge of, and experience in, engineering or industrial science nominated by the Minister of Development and Mines; and one must be an officer of the Public Service engaged in the department of government relating to industrial development. New section 16b provides for remuneration of members of the board of management.

New section 16c deals with the procedure at meetings of the board of management.

New section 16d is the usual provision to cure possible invalidity resulting from a vacancy in the membership of the board or a defect in the appointment of a member of the board. New section 16e enables the Governor to appoint officers and employees of the corporation. The corporation may also utilize the services of Public Service officers. New section 16f empowers the corporation to borrow money up to a limit of \$3,000,000.

New section 16g sets out the powers of the corporation. The corporation may make loans for the purpose of assisting in the development of an industry; it may subscribe to the capital of any corporation that engages or proposes to engage in an industry by the purchase of shares; it may acquire land and equipment and make it available upon such terms and conditions as the corporation thinks fit for use in any industry; it may make non-repayable monetary grants to any person for the purpose of enabling him to establish, carry on, or extend any industry outside the metropolitan area or to enable him to conduct experiments, research, or investigation relating to the establishment, carrying on, or extension of any industry outside the metropolitan area; and it may perform any other acts that may, in the opinion of the corporation, be necessary for, or incidental to, the effective conduct of the affairs of the corporation.

New subsection (2) enables the corporation to defer repayments of instalments of capital or interest upon any loan granted by the corporation. New subsection (3) provides that the assistance provided in any one case shall not exceed an aggregate of \$200,000. New subsection (5) provides that assistance to the value of more than \$75,000 shall not be provided except upon the recommendation of the committee.

New subsection (6) provides that the corporation shall not grant assistance by way of a non-repayable monetary grant or by way of the purchase of shares in the capital of a body corporate, except upon the recommendation of the committee. Honourable members will realize that the \$75,000 limit to an investigation by the committee is not a lower limit in relation to non-repayable grants or purchases of shares. In either of those cases there must be specific approval of the committee.

New subsection (7) provides that the corporation, before granting assistance, must satisfy the Treasurer that the assistance sought by the applicant is not obtainable by him otherwise than by the corporation, that there is a

reasonable prospect that the industry in respect of which the assistance is sought will be profitable, and that it is in the public interest that the assistance be granted.

New section 16h provides for the corporation to take over the rights and liabilities existing in respect of the Country Secondary Industries Fund. Clause 8 repeals and re-enacts section 17 of the principal Act. The section is amended to embrace application for assistance from the corporation. Clause 9 makes a consequential amendment. Clause 10 repeals section 19a of the principal Act. This section has now exhausted its purpose and is no longer required. Clause 11 repeals a heading that is misplaced in its present position in the principal Act, and clause 12 makes consequential amendments to section 23 of the principal Act.

Mr. MILLHOUSE secured the adjournment of the debate.

MOTOR VEHICLES ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Motor Vehicles Act, 1959-1970. Read a first time.

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

That this Bill be now read a second time.

This Bill, together with a Bill to amend the Highways Act, is intended to give effect to one of the series of revenue-raising measures announced at the resumption of this session. Honourable members will be aware that registration fees for motor vehicles under the Motor Vehicles Act have been kept at their present level for almost 17 years. The general level of increase of fees now proposed has been set so as to increase the revenue yield by 20 per cent overall. However, the fees for the various classes of motor vehicle have not been increased uniformly. Thus, the increase for what might be called private or light motor vehicles, with the exception of motor cycles and trucks, has been held to about 17 per cent, while the increase for what may generally be described as commercial motor vehicles has been fixed at up to 30 per cent.

The new fees payable will generally conform to the relationship between private and commercial registration fees existing in other States of the Commonwealth. In addition, since in this State net revenue from registration fees flows into the Highways Fund, and commercial vehicles account for relatively high road usage as well as, in the case of heavier vehicles, relatively higher road wear, it seems proper

that these factors should be reflected in the comparative scale of charges. Motor cycle and trailer fees have been increased by 33½ per cent because the low unit cost of these fees showed a relatively small net return to revenue when the departmental costs involved in registration were considered.

I will now deal with the Bill in some detail. Clause 1 is formal. Clause 2 amends section 27 of the principal Act, which sets out the method of calculating the power weight of a piston-engine motor vehicle. The scheme of registration fees for motor vehicles is based on the power weight of such vehicles. The amendments proposed set out the method of calculating the power weight of a vehicle having a non-piston engine. An obvious example of this sort of engine is that which is known as a rotary engine. Clause 3 sets out the new scale of registration fees that are expressed to operate on and after July 1 next. The level of increase is generally as I have described.

It may be of some assistance to honourable members, however, if I give a few examples of how the increased fees will affect certain motor vehicles, as follows:

	Old fee \$	New fee \$
Morris 1100	16.00	18.40
Holden Kingswood (186) ..	34.00	39.40
Dodge Phoenix	51.00	59.30
Ford Falcon utility	42.00	50.00
Typical 5-ton truck	84.00	108.60

In each case the \$2 stamp duty on the insurance policy has been included. Clause 4 recasts subsections (2) and (3) of section 38 of the principal Act, which provide for concession registration for certain incapacitated exservicemen. The rate of concession remains at one-third of the normal fee. The effect of the amendment is to ensure that (a) one vehicle owned by an owner will attract the concession; (b) the concession will not be additional to any other concession granted under the Act; and (c) the concession will cease one month after the owner has died or disposed of the vehicle.

Clause 5 provides concessions for two additional classes of person: certain civilian incapacitated persons and pensioners who are entitled to concessions on public transport. In each case the concession is a fee equal to 85 per cent of the ordinary fee. The effective result of this provision is that fees payable by persons of these classes will, for practical purposes, not be increased.

Clause 6 increases the fee for the issue of general trader's plates from \$36 to \$50 and limited trader's plates from \$6 to \$10, and retains the half registration fee where the period of currency is six months or less. As I said earlier, this Bill must be considered with the Bill to amend the Highways Act, since the additional revenue generated by this measure will, by virtue of that Act, flow to the Highways Fund.

Mr. MILLHOUSE secured the adjournment of the debate.

HIGHWAYS ACT AMENDMENT BILL

The Hon. G. T. VIRGO (Minister of Roads and Transport) obtained leave and introduced a Bill for an Act to amend the Highways Act, 1926-1970. Read a first time.

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

That this Bill be now read a second time.

This short Bill is intended to give effect to certain revenue-raising measures proposed by the Government. It may be of assistance to honourable members if the two operative clauses of the Bill are considered in the reverse order. Clause 3 deals with payments that may be made from the Highways Fund. New paragraph (m) proposes that an amount, not exceeding in any one year 6 per cent of the registration fees payable under the Motor Vehicles Act, shall be available for appropriation by Parliament for the purposes of traffic and road safety services operated by the Police Department. Honourable members will be aware that the net revenue derived from registration fees under the Motor Vehicles Act flows into the Highways Fund by virtue of section 31 (3) of the Highways Act. The day fixed for the commencement of these proposed disbursements, which I emphasize must be the subject of particular appropriation, corresponds to the day fixed by an amendment to the Motor Vehicles Act on which certain increases in fees shall come into effect.

New paragraph (n) will make available from the Highways Fund such moneys as are appropriated by Parliament for the provision and operation of a ferry service to Kangaroo Island. Clause 2, on the other hand, provides an additional source of payments into the Highways Fund, and this is, in effect, the revenue that may be expected to be derived from the operation of the proposed ferry service.

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

MARKETABLE SECURITIES BILL

Adjourned debate on second reading.

(Continued from March 4. Page 3793.)

Mr. MILLHOUSE (Mitcham): I support the Bill, and I think I can do so fairly briefly. I do not intend to go through its various clauses for, having made some inquiries in the business community, I find that the measure is, by and large, acceptable. I think there may be some details in which there could be amendment but, by and large, the Bill is acceptable. If my memory serves me correctly (and I think it does on this occasion), this matter was discussed between the various Attorneys-General when I was in office, and I had some hand then in the matter. I certainly recall several discussions on the Bill with the Parliamentary Draftsman. Therefore, I suppose I must take some share of the responsibility for the form of the Bill, although I certainly cannot remember now whether the previous drafts were in the form in which the Bill has been introduced. However, I should like to refer to one matter which is broader but which was referred to by the Attorney-General in his explanation. This is a piece of uniform legislation: it is hoped that it will come into effect throughout Australia on July 1 next. As it is uniform legislation, there will be, to put it at its lowest, a marked disinclination by the Government to accept any amendments, because once any amendment is accepted the Bill loses its quality of uniformity. I do not blame the Government for this: I, in my time in office (and I think other Ministers as well) tried to put through uniform Bills that were the same as those introduced into other Parliaments. However, this means, in fact, a derogation from the sovereignty of the South Australian Parliament, because the process is this: a matter is raised at a Ministerial meeting, whether it be that of Attorneys or other Ministers concerned, and eventually (it may take several meetings, from my experience) a decision is reached. Perhaps at that stage a draft is prepared by one of the Parliamentary draftsmen, and eventually, after a decision has been reached and a draft agreed on, the matter is taken by the various Ministers to their own Cabinets.

If the Cabinets decide to go on, the uniform draft has to be prepared in the form of the Bill for the various Parliaments. It may need some slight alteration to fit into the legislative pattern in a certain State. It is then introduced into Parliament and debated in both Houses, and in the normal course of events it is passed. One may say, "So what?" The answer is this: once

the Government is committed to the principle of uniformity, there will be few amendments, if any, as I have said. In other words, the various Parliaments (in this case, our own Parliament) are used by the Governments (in this case, our own Government) as a rubber stamp on something that has already been agreed in every detail. I acknowledge that it is necessary in Australia, as we are now placed, to have co-operation between States and, because of the constitutional arrangements in Australia, certain matters come within the jurisdiction of the States on which it is necessary to have that co-operation.

Whether it is always necessary to have uniformity, I do not say; I sometimes think that we look to uniformity for uniformity's sake, when it is not absolutely necessary, but I do not say that necessarily of this Bill. I cannot think of any other way, given our constitutional limitations, of getting uniformity than in this way, but I point out again that it means that we in this place (and the others in another place, if they are being co-operative and amenable) have our hands virtually tied. We can move amendments but I have already been given to understand by the Attorney-General (and, in this case, I do not criticize him for this) that no amendments will be accepted, simply because the Government wants the Bill to remain a uniform measure.

The Hon. G. R. Broomhill: How do you overcome that?

Mr. MILLHOUSE: I do not know, but whether or not there is any other solution to it, it is, in itself, quite undesirable that we as an Opposition should know in advance that it is unlikely that any amendments of ours will be accepted. We know that it is never easy to get amendments made to Bills, but it is sometimes possible to get them. However, when we have a piece of uniform legislation, whether it is good, bad or indifferent in the eyes of members on either side or in the eyes of the business community or of any other part of the community, it is almost impossible to get amendments through. I merely make my protest about this, not necessarily in relation to this Bill but in relation to the whole system of co-operation between the States with regard to uniform legislation. This is an aspect of the unsatisfactory nature of our present constitutional relations in Australia. The only answer to it in the long run is a constitutional review and revision which will reallocate the powers between the Commonwealth and the States to bring up to date the Constitution, which was

drafted over 70 years ago. I believe very strongly in the general matters I have outlined.

The Hon. D. N. BROOKMAN (Alexandra): With some reservations I, too, support the Bill. I should like the Attorney-General to give further explanation with regard to the rights of individuals and companies that are taken away in the Bill. In regard to clause 10, in his second reading explanation the Attorney-General said:

The new Act is to have effect notwithstanding any other enactment or any instrument affecting the transfer of marketable securities. Thus the Act would override provisions in the memorandum and articles of a company requiring a specific form of transfer inconsistent with the provisions of the Act Subclause (3) provides that a company still retains the right to refuse to register a transferee as a shareholder, provided that it has some legitimate ground of objection apart from an objection based upon the form of transfer.

Subclause (4) provides that the registration of a transfer of a marketable security, etc., does not constitute a breach of any provision of any memorandum or articles or of a trust deed or other instrument or an enactment that relates to marketable securities. I am not familiar with the trust deeds and agreements that would have memoranda or articles that would be affected, but doubtless some of these memoranda could have been drafted a long time ago. When discussing legislation that affects long-standing agreements, members of Parliament should always be concerned to see that they do not take some action which, on the face of it, seems perfectly just but which can cause hardship or injustice by reason of the long-standing nature of the memorandum or agreement. As I do not have experience of these matters, I cannot give examples. However, I believe that we should be cautious when dealing with legislation that has this overriding effect.

I agree with what the member for Mitcham said about uniformity. I have always been ready to see the advantages of having uniformity between the States but, in spite of that, I often complain about it when it is offered to us. I do not apologize for that, because, on many occasions, we are simply given legislation with no argument to justify it other than the argument that it has been agreed between the States and we must therefore have it. I do not accuse the present Attorney-General of doing that, but it has happened over the years. I am willing to admit the advantages of uniformity and to

accept those advantages in respect of any Bill, but I am not willing to accept legislation simply because it will be uniform legislation. That is why I want to look twice at this Bill.

Clause 13 (1), which deals with the affixing of a broker's stamp to an instrument, has a penalty of \$1,000. All the penalties seem to be of \$1,000. I do not know what is the magic of \$1,000, but it is a dickens of a lot of money. I believe these penalties are too steep. It is too easy to say, "The penalty should be \$1,000, which is a nice round figure." Only a few years ago we used to argue whether the penalty should be £5 or £10. I think we are too lavish with our penalties these days, particularly when companies or professional people are involved. I will question the extent of these penalties at the appropriate time during the Committee stage.

Mr. BECKER (Hanson): In introducing the Bill, the Attorney-General said that its basic object remained the same as that of the previous Act. He said:

It provides a system of security transfer in which the signature of the transferee is dispensed with.

Basically the main object of the Bill is to speed up the transfer of marketable securities throughout the Commonwealth. The Attorney-General said:

Since the existing Act was enacted in 1967, the standing committee has received from trustee companies and banking companies, which engage in a large volume of share trading on behalf of their various clients, many requests that the right to use the more expeditious system of statutory transfer be extended to them.

I believe that commerce will go along with this. Nothing has bogged down people involved in banking more than has the transfer of scrip. Much time elapses between when the transfer commences and the documents are returned. Therefore, I have pleasure in supporting the Bill. As the legislation is uniform, it would be difficult for us to amend it, as previous speakers have said.

The Bill places the onus heavily on a sharebroker handling a transaction, and I believe that is a good thing. When he receives a request to sell scrip on behalf of a client, a sharebroker must know the client or ensure that he can thoroughly identify him. I am surprised that there were not many errors by stockbrokers during the recent boom. When I consider the tremendous numbers of transactions that have taken place on the Sydney and Melbourne Stock Exchanges, particularly

in relation to some of the new mining companies, I am surprised that sharebrokers have not lost hundreds of thousands of dollars under the present system. I believe this is a good provision. However, I believe that clause 8 (1) (c) contains a loophole. This indemnifies a company against various things but not liens on its own scrip. Most companies are permitted to do this under the Act. They can have a lien in respect of money owing to them, although in certain circumstances a company's indemnity does not cover it. There could be circumstances in which a shareholder has not paid his calls to the company, as a result of which the company sells his scrip. As far as the company is concerned, that would finish any dealings it had with that shareholder. However, the latter could find the scrip later and accidentally sell it, in which event the company would be faced with a transfer. What should be done in those circumstances? Does the whole transaction rebound back through the sharebroker? There is no indemnity to cover the company in this respect. The situation therefore needs tidying up, and I am surprised that a clause has not been formulated to cover situations such as this.

Mr. Coumbe: A person could forfeit his rights.

Mr. BECKER: Yes, but it could go even further. I have given only one instance. Another instance is that scrip could be sold after it had been reported lost or stolen. As this aspect has not been completely covered, I should like more time to consider the clause. Unfortunately, I cannot frame an amendment in the necessary legal terms to deal with clause 8 (1) (c). The only other point I wish to raise relates to the various transfer forms at the end of the schedule. As the Minister did not spell out this matter when explaining the Bill, I may be making an incorrect assumption, but it seems to me that there is no provision on the various forms to allow a transfer of shares from one register to another. If a South Australian bought some shares of B.H.P. Company Limited that were listed on the Melbourne Stock Exchange, he would naturally want them listed on the Adelaide register. However, there is no provision in the schedules for this. I can only assume that, when one purchases the shares, one would state on the relevant part of the form that the purchase applies to the Melbourne register if the shares are registered in Melbourne. Although they are put in one's name, they remain on that register and, to get them transferred to the

Adelaide register, one would have to fill in another form. Unfortunately, the B.H.P. Company requires forms to be completed in triplicate, so much paper work is involved. Perhaps these forms of transfer could contain a provision for the purchaser to nominate on which register he wants his shares listed. Although these matters do not seem great, I think they should be pointed out. I have much pleasure in supporting the Bill.

The Hon. L. J. KING (Attorney-General): The member for Mitcham referred to the difficulty that confronts Parliament when it has presented to it a Bill which has been the subject of agreement between the Governments of the various States and which, therefore, takes on the character of a uniform Bill. He points out, justifiably, that it is much more difficult to obtain the passage of an amendment to a Bill of that kind than it is to obtain an amendment to a Bill simply confined to one State. This seems to be an inevitable consequence of uniformity. If the Parliaments of each State make their amendments to the Bill, there is obviously no uniform Bill. This brings me to the comment made by the member for Alexandra, who said that he did not regard uniformity necessarily as the beginning and end of the matter and that uniformity was not of itself a sufficient reason for passing a Bill without amendment. Indeed, as a general principle I agree with that statement. It must always be a matter of balancing the considerations of whether, in the first place, the Government accepts a proposed uniform Bill and, ultimately, of whether Parliament is willing to pass it without amendment. It becomes a matter of whether defects that members of Parliament see in a Bill are sufficiently important to cause them to discard the advantage of uniformity, and this must depend on the nature of the supposed defects as well as on the subject matter, as in some matters uniformity is much more important than it is in others.

Uniformity is most important in relation to the regulations regarding the sale and transfer of marketable securities and, unless there is a substantial defect in the legislation, the interests of uniformity should prevail. None of the members who have spoken has suggested that this Bill contains a major defect sufficient to justify a departure from uniformity. The member for Alexandra expressed concern about the effect that the Bill, if passed into law, might have on private documents: that is to say, on memoranda or articles of association or trust deeds, or other instruments referred to in clause

10 (4). However, I do not think there is any reason for the honourable member to be so concerned. That subclause merely provides that, where a memorandum of association, articles of association, or a trust deed prescribes a form of transfer inconsistent with the forms prescribed in the Bill, the latter shall prevail over the provisions in such a document. This must be so, as there is no use in our passing a Bill dispensing with the necessity to obtain the signature of a transferee if articles of association or trust deed documents between private persons provide that a signature must be obtained.

Mr. Coumbe: On the premise that the later legislation prevails.

The Hon. L. J. KING: This is not a question of prior legislation. This clause deals with the effect that this Bill, if passed into law, will have on private documents. It is not a matter of having subsequent legislation prevailing over earlier legislation: it is a matter of our saying, in relation to a Bill, "We want to provide a uniform system. This Bill dispenses with the necessity to obtain the signature of a transferee, and certain other matters." In order to give effect to this, we have to provide that that provision prevails over any obligation arising out of private documents. Otherwise, it would be useless to pass this Bill, because in almost every article of association, in many trust deeds and in many other documents between private parties, there are provisions as to the form of transfer, often including the signature of the transferee. It is therefore necessary that this provision should operate, and this clause is essential for its operation. It goes no further than that.

There is no reason for the member for Alexandra to believe that it in any way effects substandard rights under private documents. The member for Hanson referred to a problem that is not touched by the legislation. He suggested that, in the case of shares which were subject to a lien by a company and which were subsequently sold in execution of that lien, at some later stage the shareholder might come across the share scrip and sell it. If that happened, of course, the problem would simply be one between the purchaser and the vendor. The shares would have ceased to belong to the shareholder (we must call him that) and he would have sold shares that he did not own, someone would have paid him, and the law would have to adjudicate on the rights of those two persons as between themselves, and, obviously, the man who sold the shares that did not

belong to him would not be in a particularly strong position.

However, that does not touch the question with which we are dealing here. This is simply a provision regarding the statutory form of transfer, dispensing with the signature of the transferee and substituting certain warranties on the part of the broker. It seems to me that the problem that the member for Hanson is raising is not affected one way or the other by the provisions of this Bill, and I think that also applies to his comment about the register upon which the shares are registered.

There may be a simpler way in which such shares can be moved from one register to the other, but this Bill does not touch that matter one way or the other. It does not make it more difficult or less difficult, and it is not within the ambit of this legislation to deal with that. However, it is a problem that may be borne in mind when amendments to the Companies Act are being made. This matter may warrant consideration then, but it seems to me that we are not here concerned with it. For the reasons I have given, I ask the House to vote for the second reading of the Bill.

Bill read a second time.

In Committee.

Clauses 1 to 4 passed.

Clause 5—"Transfers of marketable securities."

Mr. BECKER: I take it that this clause deals with Form One, which is attached to the Bill. I maintain that this form and all other forms can be suitably amended to allow the person purchasing the shares to transfer the scrip from one register to another. This happens on the share transfer forms used in South Australia at present, so I see no benefit in adopting the type of form that places us at a disadvantage. I should like the Attorney-General to consider my suggestion.

The Hon. L. J. KING (Attorney-General): True, the transfer forms do not refer the transfer of shares from one registry to another and these forms have been considered carefully by all the interests concerned with these transactions. We must remember that here we are providing a form which is the statutory form of transfer and which justifies dispensing with the signature of the transferee, who is the person who would want to have a say in where the shares are to be transferred. It does not seem to me appropriate, in a form dispensing with the need for the signature of the transferee, to include a provision about

on what registry the shares are to be registered. It seems to me that, if the transferee wants shares transferred from one register to another, he has to sign something to bring that about and, by including a provision on a form to which the transferee's signature is not attached first, having the effect of transferring shares from one register to another, would not be appropriate, and I should think that that is why this has not been included. As I have said, these forms have been devised by people whose interests are involved and I imagine that the reasons I have put forward are the reasons why the form is as it is. I would not be disposed to accept an amendment that would alter this form.

Mr. BECKER: I considered my request simple and I wonder whether it has been overlooked. It is important that the person purchasing shares have the right to transfer from one register to another, and the fact that this Bill dispenses with the need for the person purchasing the shares to sign the transfer is good, because it saves time. However, the sharebroker normally asks a person where he would like his shares registered and at present most shares in most companies are on the Canberra register, and there are reasons for that. If a person who was purchasing shares asked a bank for money with which to purchase them, it would be in the interests of the person purchasing and the bank to have those shares on the Adelaide register rather than, say, the Melbourne register. I maintain that this could be done simply on that form.

Clause passed.

Clauses 6 to 12 passed.

Clause 13—"Offences."

The Hon. D. N. BROOKMAN: I consider the penalties provided to be excessive and I should like the Attorney-General to explain the reason for providing for a maximum penalty of \$1,000. In most cases, the penalty would result from an honest mistake, not from any attempt to swindle or fraud. I realize that these penalties are maximum penalties. I do not recall such a heavy penalty. I have prepared the necessary amendments if the Attorney-General will accept my suggestion to reduce the amount.

The Hon. L. J. KING: I do not think that a maximum penalty of \$1,000 is unreasonable. If it was a case of an accident without negligence, a nominal penalty should be appropriate, but the court has power to impose such a penalty. Important power is placed in the hands of brokers and stock exchanges: they recognize that and want it, because of the way

it will facilitate business. They also recognize their responsibilities. Offences may vary enormously in their seriousness. If a stamp is affixed incorrectly, it may be accidental, but the provision is aimed at cases where the power to affix the stamp, and thereby dispense with the signature, is misused. We must have power in the Bill to deal with such cases and to deal with repeated offences. It is important for the court to have a real power to impose a penalty that means something and to deal with those cases where a deterrent penalty is necessary. I would be the last person to wish to see savage penalties imposed on people where they are not justified, but power must be given to the court to deal with serious cases.

The Hon. D. N. BROOKMAN: I understand that offences will be dealt with summarily.

The Hon. L. J. King: Yes.

The Hon. D. N. BROOKMAN: This penalty applies to offences committed by a broker, a prescribed stock exchange, an authorized trustee corporation, or other persons. I should think that a prescribed stock exchange and a broker would be extremely sensitive to the imposition of any penalty, but an attempt at fraud or dishonesty would involve much more than \$1,000. Strict rules and discipline exercised by the stock exchanges would govern brokers and I therefore believe that this type of offence would invariably be caused by carelessness. In that case, \$1,000 would be a heavy penalty. If it is accepted that the offence will be caused by carelessness, such a heavy penalty could only be justified in the event of a swindle. Also, trustee corporations must abide by strict rules, and a conviction without a penalty would penalize such a corporation. If people are being dishonest they deserve a penalty of more than \$1,000, but if they are careless the penalty should not be so high. Therefore, I move:

In subclause (1) after "Penalty:" to strike out "One thousand" and insert "Five hundred".

The Hon. L. J. KING: The corresponding offence in the 1967 Act prescribed the same penalty. All that has been done in this Bill is to create the same offence in relation to the new class of person who has been given the benefit of the new procedure. The value of money has not altered in the last three years to justify a reduction of the penalty.

The Hon. D. N. Brookman: Have there been any prosecutions?

The Hon. L. J. KING: Not to my knowledge, certainly not in this State, anyway. I

simply point out, in addition to the reasons I gave earlier, that this is a maximum penalty designed to cover offences that may vary enormously in their seriousness and to cover subsequent offences as well as first offences. In view of that fact, and the fact that the penalty was fixed in 1967, I ask the Committee to reject the amendment.

Amendment negatived; clause passed.

Clause 14, schedule and title passed.

Bill read a third time and passed.

JUDGES' PENSIONS BILL

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

Adjourned debate on second reading.

(Continued from March 11. Page 4005.)

The Hon. D. N. BROOKMAN (Alexandra): This State is well served by the Judiciary, and I think it is in everyone's interests that the Judiciary, in turn, be well treated by the community. In most other States the system of non-contributory pensions in respect of judges has now been adopted, and the principle is being adopted in this Bill. Although there is everything to be said in favour of this, I point out that, as a result of increased court facilities (the introduction of the intermediate courts, and so on), public expenditure in connection with judges' retiring allowances will be greatly increased. Having spoken to the Attorney-General on the matter, I know that he is aware of the situation concerning one judge who has been contributing to a pension during the 11 years he has been in that office but who under this legislation will receive 53 per cent of his salary when he retires, whereas his colleagues will under the terms of this Bill receive 60 per cent of their salary when they subsequently retire. This seems a little anomalous, and I refer the matter to the Attorney-General, because the difference in pension for this judge amounts to a considerable sum.

I ask the Attorney-General not particularly to go into this matter at present but to consider the problem. I think he recognizes that there is a problem but, if he does not, I think the other judges agree that the person to whom I am referring will suffer to some degree. I merely ask the Attorney-General to undertake at least to examine this matter between the time the Bill passes this House and when it is

introduced in another place. Although I have much correspondence on this matter of which the Attorney-General is aware, that is the only special comment I wish to make at this stage. Reserving any further comments for the Committee stage, I support the Bill.

Mr. MILLHOUSE (Mitcham): I warmly support the member for Alexandra in his support of this Bill. As the Attorney-General said in his second reading explanation, South Australia is, I think, the last mainland State in which Supreme Court judges are required to contribute to their pensions. I was aware of this when I was in office, and it was discussed from time to time. I regret that I could not at that time take action and that I did not even put it up to Cabinet, but I am glad that the present Attorney-General has taken the opportunity to take this action. When one changes from a system of contributory pensions to one of non-contributory pensions, there will always be some anomalies that will be extremely difficult to avoid. This seems to be a good opportunity to make the change, in lieu (as I understand the Attorney-General) of a further increase in the salaries of Supreme Court and intermediate court judges. As I have said, this will bring us into line with the other States.

The member for Alexandra has pointed to the cost that will be borne by the community. I agree with him that, by and large, the community wanted, as it needed, the alterations to our judiciary systems that were effected during the period of the previous Government and completed during the early days of the present Government. In fact, the only people who did not seem to want it were the members of the then Opposition. Anyway, the Government has redeemed that weakness in the outlook and policy it had when it was in Opposition. I therefore have pleasure in supporting the Bill.

The Hon. L. J. KING (Attorney-General): Referring to the problem raised by the member for Alexandra, I have been aware of the suggestion that the change from a contributory to a non-contributory basis had the result of producing an anomaly in the case of one judge. I have had the suggestion carefully examined by the Under Treasurer, and I have considered his report carefully. On that report and on my understanding of it, I am satisfied that, in fact, there is no anomaly. The honourable member makes the point that one judge will receive 53 per cent of his salary on retirement, whereas judges who go on to the retiring age will receive 60 per cent, but that is only because their period

of service is longer. The rate of pension is governed by clause 6 and is proportionate to the duration of service of the judge. Therefore, as I see it, having taken advice from people who understand figures rather better than I do, there is no anomaly at all. The judge referred to will receive the same rate of pension as he would have received under the old system, assuming that the 6 per cent increase in the salary of judges had applied prior to retirement.

Mr. Millhouse: In all fairness, I think you can argue either way.

The Hon. L. J. KING: I can understand the point of view of the judge, who sees that the other judges with whom he sits on the bench will retire on a higher pension than he will receive, but he would still retire with this pension, even had this system operated when he was appointed. It seems suppositious to say that, if this scheme had operated when he was appointed and if he had served X number of years under it, he would receive this pension when he retired. Naturally he would. What follows from that, I do not know.

I understand the point of view of the judge referred to, and I am not critical of the suggestion made by the member for Alexandra which was motivated only by his desire to see all the judges sitting on the bench ultimately retired on the same pension. However, we can never be sure that that will be so. Even the judges at present on the bench, if they retire prematurely (which they can do, because the present Bill provides for optional retirement on pension at 65 years of age), will have their pension right reduced correspondingly. If a judge receives the full 60 per cent pension it is because he has given the years of service; the pension right is part of the reward for those years of service, being in substitution of the salary increase that would normally take place now.

The Hon. D. N. Brookman: Are you taking into account the big sum the Government would have contributed under the old scheme?

The Hon. L. J. KING: Yes, but they give the added years of service. I realize the feelings of the judge involved in this situation. However, I am not persuaded that there is any anomaly. As I say, I have taken the advice of those officers in the Government service who are expert in adjudging people's rights in relation to pensions and superannuation: the advice I have is that there is no anomaly. I cannot

see that any justification would exist for varying the scheme to meet an individual case.

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

PUBLIC SERVICE ACT AMENDMENT BILL

Consideration in Committee of the Legislative Council's amendments:

No. 1. Page 3, lines 7 to 12 (clause 8)—
Leave out the clause.

No. 2. Page 3, lines 19 and 20 (clause 10)—
Leave out the clause.

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

That the Legislative Council's amendments be agreed to.

The effect of the amendments is to delete clauses 8 and 10 of the original Bill. Members will note that clause 8 grants a right of appeal against appointments in the Public Service to persons not employed under the Public Service Act. This provision was primarily intended to permit teachers employed in the Education Department, who are not employed under the Act, to appeal against the appointment of their fellows to professional educational administrative offices created under the Public Service Act. However, a report following an extensive inquiry into the administrative structure of the Education Department under the chairmanship of Professor Karmal has now been received by the Government.

Since decisions arising from consideration of the Karmel report may have some bearing on the matter of appeals, it does not seem appropriate that the amendment proposed in clause 8 should be proceeded with at this time. Clause 10 provides for the repeal of certain special provisions relating to appeals by the professional officers of Parliament. This clause is, of course, consequential on the enactment of a general provision in this matter by clause 8. It seems desirable that if clause 8 is not proceeded with, then clause 10 should not be proceeded with either.

Mr. MILLHOUSE: I do not oppose the motion. However, I am surprised to hear the reasons the Premier gave for it, especially in view of the answers he gave the House recently to the question I asked him following an article that appeared in the *Public Service Review*, from which it appeared that there had been a lack of communication between the Public Service Association and the Public Service Board, which had caused the association to call on the Premier, protesting about the terms of the Bill as it left this

place and went to another place. He indicated to me, in reply, that the report in the *Public Service Review* was not accurate or that the information given to him by the association was not accurate, and that the board had communicated with the association. I think that there should be rapport between the association and the Government on these matters and I am surprised that the Premier has not explained what went wrong. I now ask him whether he will give us an explanation.

The Hon. D. A. DUNSTAN: I am afraid that I am not with the honourable member here. The association saw me at one stage. There was a suggestion that it had not been consulted about some terms of the amendments to the Public Service Act. I expressed concern about this and asked the board, but the board expressed a different view, stating that, on many of the matters involved, there had been discussions over a long period and that many of these matters had originated in submissions by the association. I expressed regret to both parties that there seemed to be a view that communications had broken down and I had arranged that that certainly would not happen. Beyond that, I do not know that there is anything for me to explain.

Mr. MILLHOUSE: As I understand the report in the *Public Service Review*, the Premier undertook to delay the Bill in the Legislative Council and to re-examine it. I assume that the amendments he now asks us to accept were moved by a Minister in the Upper House and are a result of the representations by the association to the Premier. Am I correct in that?

The Hon. D. A. DUNSTAN: The representations by the association were not the only matters considered, but they were considered.

Mr. COUMBE: The member for Mitcham is undoubtedly alluding to what the Minister said in moving his amendments in another place.

Mr. Millhouse: I don't know what the Minister in another place said. I never read the debates in another place.

Mr. COUMBE: I think the member for Mitcham has touched on a vital point. This clause seeks to remedy the position that the member for Mitcham has rightly raised. I take it that the effect of the second amendment is that the definition including officers of this Parliament is being retained.

The Hon. D. A. Dunstan: Yes.

Mr. COUMBE: Obviously, clause 10 was a mistake and should never have been in the Bill.

The Hon. D. A. DUNSTAN: The provision relating to the officers of the Parliament in clause 10 relates to the provisions of clause 8, which would give them certain rights of appeal, but, since clause 8 is not being proceeded with, there is no point in making provision in relation to officers of the Parliament.

Mr. COUMBE: In the definition of officer, at the beginning of the principal Act, officers of this Parliament are specifically mentioned as they are in section 47.

Motion carried.

ROAD AND RAILWAY TRANSPORT ACT AMENDMENT BILL

Adjourned debate on second reading.

(Continued from March 4. Page 3793.)

Mr. CARNIE (Flinders): This Bill has been introduced primarily to increase from 28 days to 60 days the length of time for the Public Works Committee to investigate whether the closing of a railway is necessary. I understand this is being done as the result of the committee's long-standing request, which has been made because of the amount of work that the committee has to do and the remote areas that must be inspected at times. I also understand that regulations forbid the committee's sitting when Parliament is sitting, and this means that, in session, lengthy trips must be undertaken during the weekend.

The other amendments relate to the introduction of decimal currency. I have some objection to clause 6, which represents another increase in costs to someone in this State. Probably, this is necessary, because I imagine that the provision has not been altered for many years. However, this is another one of the many increases in costs that we face. With that reservation, I support the Bill.

Mr. CLARK (Elizabeth); If I may begin by misquoting, the wheels of government grind slowly but they grind exceeding small. I support the amendment unreservedly. Members who are on the Public Works Committee now or who have been on it and, I hope, all other members realize that the committee is extremely busy and that it always tries to investigate thoroughly what is brought before it and to ensure that the interests of all parties are considered.

I am not attacking any Minister of Roads and Transport, but I have been a member of the Public Works Committee for many years and Chairman of it for three or four years and, during all that time and before, all members of the committee have expressed dissatisfaction about the time allowed for

inquiry on a railway matter. As far as I can find, the first mention of this was in 1959, and the mathematicians in the House can work out how long ago that is.

The Hon. G. T. Virgo: Too long!

Mr. CLARK: Yes, the Minister agrees. He would not be introducing this amending Bill if he did not agree. The report of the Public Works Committee on the closing of the Monarto South to Sedan railway line, dated October 27, 1959, states:

The committee takes this opportunity of drawing attention to the period of 28 days allowed it under the Road and Railway Transport Act to reach a finding on the proposed closing of a railway line. In this instance the reference came to the committee while Parliament was in session, and it was with some difficulty and inconvenience that the committee was able to conclude its inquiry and reach a finding, which it did on the last day allowed it under the Act. The committee suggests that action should be taken to increase the time allowed the committee to report on a proposed order for the closing of a railway line.

More recently, when the committee inquired into the proposed closing of the Eudunda to Morgan railway line early in 1969, the committee again encountered difficulties with the 28-day period. Most members realize that the committee hears preliminary evidence at Parliament House, but that it has to travel to the district for inspections and to take evidence from the people concerned. Notice has to be given in the local newspaper beforehand so that these people can tell the committee of their feelings about the matter. This notice must appear in the local paper in plenty of time to allow these people to know about the matter. Following the inquiry about the proposed closing of this line, as Chairman, and at the wish of the committee, I wrote a formal letter to the Hon. Mr. Hill, who was then Minister of Roads and Transport, in which I stated:

In practice it has been found exceedingly difficult to comply with this condition—

that is, the condition to complete the inquiry within 28 days—

and it is requested that you give consideration to amending the Act to allow the committee 60 days in which to conduct its inquiries and issue its report.

Subsequently, the committee received telephone advice from the Transport Control Board that an amendment to the Act to allow a 60-day period would be made and that the committee would receive the letter confirming this statement. Unfortunately, we did not receive the letter.

In December of the same year the committee received a letter from the Minister of Roads and Transport stating that a period of 60 days would be more reasonable in which to conduct the inquiry relating to the closing of railway lines, and that an effort would be made to introduce such a change in the next session of Parliament. Up to the present, however, that has not been done.

I am not criticizing anyone, as sometimes these things take much time. The closing of a railway line is not as simple as it sounds: the line may be operating at a loss, but it may not be in the best interests of a district to close the line, so the committee must consider the situation in depth in order to balance the economic problem in keeping the line open against the problem of whether the railway line should still offer a service to the community. Recently, in its report on the Strathalbyn to Victor Harbour and Milang railway, the committee again drew attention to this situation, and stated:

The committee draws attention to the period of 28 days allowed it under the Road and Railway Transport Act to reach a finding on the proposed closing of a railway line. In this instance all other matters before the committee were postponed, all appropriate local councils were notified, and meetings were arranged in the areas affected and advertised in the press as soon as the reference was received by the committee, but several witnesses complained of the short notice given to them of the inquiries being conducted by the committee. It was impossible to finalize the copies of evidence from all witnesses in the prescribed time. It was with some difficulty and inconvenience that the committee was able to conclude its inquiry and reach a finding in the 28 days prescribed by the Act. The committee has drawn attention to this matter on several occasions and suggests that

action should be taken as soon as possible to increase the time allowed the committee to report on a proposed order for the closing of a railway line.

At present the Public Works Committee is inquiring into the proposed closing of the Wanbi to Yinkanie railway line, and in this instance it was necessary for the Secretary to arrange for inquiries in the country area in close proximity to this line in anticipation of the official receipt by the committee of the intention of the Transport Control Board to issue a notice relating to this line. If arrangements had been postponed until the official intention had been received it would not have been possible to conduct the inquiry in the 28 days at present allowed to the committee under the Act. On Thursday last the Public Works Committee had to leave Adelaide when the House rose, drive as quickly as possible to Loxton, and at 10 p.m. hear evidence from the Loxton District Council concerning this matter. This action would not have been necessary if the 60-day period had applied, and this is a most unsatisfactory state of affairs. The Public Works Committee has always tried to consult all the people concerned in these matters, because there are considerations other than economic in closing a railway line. I know that all members of the Public Works Committee would be pleased if these amendments were passed speedily through both Houses.

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

ADJOURNMENT

At 6.3 p.m. the House adjourned until Wednesday, March 17, at 2 p.m.